

Developing Global Public Participation (2) *Shaping the Sustainable Development Goals*

Otto Spijkers

Assistant professor of public international law and researcher, Utrecht Centre for Water, Oceans and Sustainability Law (UCWOSL), Utrecht University, The Netherlands

o.spijkers@uu.nl

Arron Honniball

PhD Candidate, Utrecht University (UNIJURIS project); affiliated to Utrecht Centre for Water, Oceans and Sustainability Law (UCWOSL); Netherlands Institute of the Law of the Sea (NILOS)

Abstract

In an earlier article, we analysed the actuality and potential of participation at the international level, or more specifically: at the level of the United Nations (UN). Is there a demand for public participation in the work of the United Nations, and if so, who has such demands? And how should the UN meet these demands? In this article we will apply the theory presented in the first article to a case study: global public participation in the drafting process, at the UN, of the Sustainable Development Goals will be examined and assessed against the findings uncovered in the first article.

Keywords

United Nations – public participation – sustainable development goals

* This article series expands on an *Opinio Juris* blog post, published 12 July 2013, and a previous article; *MDGs und SDGs*, Vereinte Nationen 6/2014.

1 Introduction

Our previous article explored public participation theory and its translation to the global level.¹ But how does recent United Nations (UN) practice fare against the purpose(s) and requirements of meaningful public participation? Here we evaluate the on-going global public participation in formulating Sustainable Development Goals (SDGs) at the UN.

An introduction to the various workstreams was already provided in the previous article. This article begins with examining participation under the UN Secretary-General (UNSG) workstream, and its reporting bodies (2). The “global conversation” consultations providing input into various workstreams are then assessed, with particular emphasis on influence over the earlier concluded High Level Panel (3). Finally the sessions of the Open Working Group are assessed (4), before reaching our conclusions on global public participation (5). Here the previously theoretical findings are applied to determine what available public participation processes exist, and the purposes achieved.

2 Public Participation in the UN Secretary-General Work Stream

Whilst a number of reports provide input to the UNSG, we will focus on the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda (HLP). We are interested in *public* participation. The HLP process is the most visible contribution of *public* input, making use of the various public consultations underway.² Nevertheless other bodies, bringing different stakeholders within the process are referred to below, whenever this is appropriate.

2.1 *The Sustainable Development Solutions Network*

The Sustainable Development Solutions Network (UNSDSN) was “launched in 2012 to mobilize global scientific and technological knowledge on the challenges of sustainable development”.³ Focusing on SDGs that “help translate global aspirations into practical actions”,⁴ the 12 thematic groups comprising

1 Developing Global Public Participation (1): Global Public Participation at The United Nations.

2 Referred to as the ‘Global Conversation’.

3 Leadership Council of the Sustainable Development Solutions Network, *An Action Agenda for Sustainable Development*, 06 June 2013, p. 1, unsdsn.org [hereinafter UNSDSN, *An Action Agenda*].

4 *Ibid.*, p. 1.

the UNSDSN take a solution oriented approach; their goal being to highlight priority questions and to develop practical solutions.⁵ Leadership Council members are sustainable development experts,⁶ with the thematic groups comprised of “leading scientists, engineers, academics and practitioners from business and civil society”.⁷ Hence expert opinion is expressed in early negotiation stages, with an expert body interpreting and presenting results, without the political restraints of State representatives.

It is not a process aimed at garnering public participation, but rather participation of the scientific and technological community. The ten SDGs proposed by the scientists of the UNSDSN reflect a scientific expert conversation on development, not a public one.⁸ The Africa CSO Platform on Principled Partnership (ACP) highlighted this in response – criticising the fact UNSDSN called for “voices of the people” to be central to the agenda, but without being reflective of this itself.⁹ In UNSDSN’s defence, it could be argued that it is the role of UNSDSN to provide expertise to the process, and that the “voices of the people” must be expressed and heard elsewhere.

Assessing the representative value of UNSDSN, membership of both Leadership Council and the thematic groups demonstrates a global talent pool, drawn from diverse institutions.¹⁰ Thematic group chairmanship continues this trend, with members of different backgrounds and locations co-chairing.¹¹

5 *Thematic Groups – An Overview*, UNSDSN, unsdsn.org.

6 E.g. Laurence Tubiana (Institute for Sustainable Development & International Relations founder) and Lan Xue (Cheung Kong Chair Professor and Dean, Tsinghua University). However expertise and representation of some members might be questioned e.g. Geoffrey Kent, Founder, Chairman and Chief Executive Officer, Abercrombie and Kent Group of Companies, Kenya. Despite being founded in Kenya in 1962 it is now a Luxembourg based global group. The UNSDSN page focuses more on Abercrombie & Kent promotion than explanation of why Mr. Kent is a ‘sustainable development expert’. *Leadership Council*, UNSDSN; *Geoffrey Kent*, UNSDSN, unsdsn.org/.

7 *Thematic Groups – An Overview*, UNSDSN, unsdsn.org.

8 10 proposed SDGs (30 targets); UNSDSN, *An Action Agenda*, *supra* note 3, pp. 28–31. Furthermore, see modification resulting from feedback; UNSDSN, *Changes made by the SDSN to Goals and Targets initially proposed on 6 June 2013*, 11 April 2013, unsdsn.org/.

9 Africa CSO Platform on Principled Partnership, *From Growth Models to Development Outcomes: An ACP Response to the Sustainable Development Solutions Network Report*, 20 June 2013, p. 2, post2015.files.wordpress.com.

10 Leadership Council members include: governmental minister (South-East Asia), multinational director (Netherlands), NGO leaders from the USA to India, professors from the UK to South Korea.

11 E.g. Forests, Oceans Biodiversity & Ecosystem Services Thematic Group co-chaired by American research institute director, Shahid Naeem, German oceans expert, Martin

And finally, whilst membership is restrictive in terms of expertise, it is available to an open-ended list of institutions.¹² Interestingly an Executive Committee,¹³ selected by members themselves, determines any decision on membership application. Thus although the UNSG appointed Director Jeffrey D. Sachs, the final process involves considerable expert community input, both in establishing thematic groups and appointing members.¹⁴ Therefore the scientific/technological community participates through not only the report's influence on the agenda, but also in defining the process that produced the report. For *that* community then – *i.e.* the global *scientific* community – considerable participation options exist, only limited by uncertainty in the future of UNSDSN's work. Described as “critical input” into the UNSG's work, participants are not adequately informed on how the input affects the UNSG recommendations, and how UNSDSN's input will ultimately influence the adoption of the SDGs by the UN General Assembly in September 2015.¹⁵

2.2 *The UN Global Compact*

In a similar vein the *UN Global Compact* (UNGC) was assigned to gather private sector input, reporting in June 2013.¹⁶ The report will be “contributing directly to the recommendations that he [the UNSG] will submit to Member States”.¹⁷ The business community appears keen to contribute and pleased to

Visbeck, and Brazilian forestry expert/NGO director, Virgilio Viana. *Forests, Oceans, Biodiversity, and Ecosystem Services*, UNSDSN, unsdn.org.

12 “Participation [...] open to universities, scientific research institutes, civil society organizations, technology companies, science-oriented foundations, and other institutions that have deep expertise in one or more areas related to sustainable development, and who commit a substantial amount of their own technical and research work towards finding and/or implementing solutions for sustainable development”. *Become A Member*, UNSDSN, unsdn.org.

13 *Executive Committee*, UNSDSN, unsdn.org.

14 The Leadership Council appointed 12 thematic groups. Guido Schmidt-Traub, *Sustainable Development Solutions Network Newsletter*, 21 January 2013, unsdn.org.

15 The current focus switching to providing monitoring and management suggestions, and not goal setting. See periodic ‘*Indicators for Sustainable Development*’ reports which align to other's proposals, unsdn.org /resources/publications/indicators/.

16 *Business Leaders Committed to Support Global Priorities as UN Works to Set Post-2015 Agenda*, UN Global Compact, www.unglobalcompact.org. See the report: United Nations Global Compact, *Corporate Sustainability and the United Nations Post-2015 Development Agenda*, 17 June 2013, www.unglobalcompact.org [hereinafter UNGC, *Corporate Sustainability and Post-2015 Agenda*].

17 *UN Post-2015 Development Agenda*, UN Global Compact, www.unglobalcompact.org.

have their voices wanted.¹⁸ The preparation of the report involved global consultations, surveys and discussions, which resulted in thousands of companies participating.¹⁹ Consultations included 43 local network consultations across 5 regions.²⁰ Further discussions during UNGC Leadership Platform (LEAD) meetings collected the views of 56 “highly committed and engaged multinational corporations”.²¹ Issue focused platforms, such as the water and corruption platforms, used their annual meetings to discuss their relationship to a post-2015 agenda. Finally the report’s proposed SDGs were based on results from “webinars” with signatories of the Principles for Responsible Investment, and more generally the 2012 UNGC Annual Implementation Survey results. 1,712 companies participated in the survey, which included requests to identify which global issues the participant thought most urgent, and which they personally could have the greatest future positive impact on.²²

However despite great lengths to collect business community viewpoints the end report merely states it was “based” on those results.²³ It fails to adequately inform participants how input affected UNGC recommendations.

Furthermore viewed collectively, some reservations should be made about the level of business participation. Firstly the claim to thousands of companies input is largely supported by implementation survey input,²⁴ which whilst open to businesses from 145 countries,²⁵ remains anonymous and therefore difficult to assess geographically.²⁶ Secondly, LEAD consultations may represent

18 UNGC, *Corporate Sustainability and Post-2015 Agenda*, *supra* note 16, p. 3. Similar to above, the second phase of consultations has moved to ‘implementation mechanisms’, and thus the chances for goal setting appear over; UNIDO & UNGC, *Engaging with the Private Sector in the Post-2015 Agenda*, September 2014, pp. 21–24, www.unglobalcompact.org.

19 *Ibid.*, p. 2.

20 January–April 2013 consultations in the Americas (Brazil, Colombia, Paraguay), Asia/Australia (Australia, Bangladesh, China, India, Indonesia, Japan, Pakistan, Singapore, South Korea, Sri Lanka, Vietnam), Europe (Belarus, Bulgaria, Greece, Germany, Macedonia, Netherlands, Nordic Network, Spain, Switzerland, Turkey, UK), the Middle East/North Africa (Egypt, Gulf States, Iraq, Syria) and Sub-Saharan Africa (Kenya, Uganda, Zambia).

21 UNGC, *Corporate Sustainability and Post-2015 Agenda*, *supra* note 16, p. 4.

22 *Ibid.*, p. 6.

23 *Ibid.*, p. 4.

24 1712 responses – compared to annual platform meetings (250 total attendants), local network consultations (500 respondents), and LEAD (56 members). *Ibid.*, p. 4.

25 7000 business members from 145 countries as of 29th May 2013. *UN Global Compact Participants*, UN Global Compact, www.unglobalcompact.org.

26 Furthermore given consultation was part of the implementation survey, it may be companies who wished to contribute to the post-2015 agenda did not due to the fact they would

North and South input, but membership is largely energy, oil & gas, chemicals, and pharmaceutical business sectors.²⁷ It does not therefore represent the private sector as a whole. Finally the report will not represent views of micro businesses, which having less than 10 direct employees will not be included in the survey participant database.²⁸ Without the possibilities of implementation survey participation, micro businesses were to engage via local networks. Whilst networks may cover most of the globe the notable exception is Africa. Many States have no formal, established or even emerging network.²⁹

2.3 *High-Level Panel of Eminent Persons on the Post-2015 Development Agenda*

HLP public participation can be spilt into two avenues. Firstly outreach events surrounding each HLP meeting. Secondly the on-going consultations that make-up the “global conversation” on post-2015 development. We examine each in turn, but it should be noted the HLP process did not exist in isolation. The UNSDSN produced multiple detailed reports for the HLP.³⁰ The UNGC provided assistance to business representatives on the HLP and in March 2013 submitted private sector input,³¹ attempting to ensure private sector views’ inclusion.³²

2.4 *Public Participation at The High-Level Panel of Eminent Persons Working Meetings and the Resulting Report*

The first thing anyone will notice about HLP membership is representation beyond exclusively State representatives. This is in notable contrast to the Open Working Group on SDGs (OWG) discussed below. The 26 UNSG appointed members include civil society, private sector representatives and governmental leaders.³³ For example the Dutch representative, Paul Polman, is Chief

also have to provide information on the extent they implemented the Global Compact principles. *Annual Review*, UN Global Compact, www.unglobalcompact.org.

27 *Lead Participants*, UN Global Compact, www.unglobalcompact.org.

28 *Micro Enterprise Policy*, UN Global Compact, www.unglobalcompact.org.

29 *Local Networks*, UN Global Compact, www.unglobalcompact.org.

30 Reports published online. See, *Resources*, UNSDSN, unsdsn.org.

31 See two-day private sector consultations, and report submitted to HLP. UN Global Compact, *Private Sector Leaders Roundtable Post-2015 Development Agenda Bali, 24–25 March 2013: Outcome Report*, 25 March 2013, www.unglobalcompact.org.

32 HLP members Ms. Betty Maina & Mr. Paul Polman. *UN Post-2015 Development Agenda*, UN Global Compact, www.unglobalcompact.org.

33 UN Press Release, *UN Secretary-General Appoints High-Level Panel on Post-2015 Development Agenda*, 31 July 2012, www.un.org/.

Executive Officer of Unilever and brought the private sector into a position of co-production. Graça Machel (South Africa) participated as a civil society representative, having co-founded a group promoting peace and human rights. Thus whilst chairmanship remains in State leadership,³⁴ we see a limited form of public co-production of the report and resulting SDG proposals.³⁵

Following appointment of the Panel and its members, five meetings were scheduled before the report's release on May 30th 2013. The HLP proudly noted that its procedure consulted over 5,000 civil society organisations and 250 chief executives from 121 countries.³⁶ Additionally it reviewed almost 1000 written submissions.³⁷ The HLP clearly thought "relevant" stakeholders extended beyond major groups identified by the UN in Agenda 21.³⁸ Yet sadly the HLP did not address what influence a particular document or consultation process had on the report. Rather general references such as "added depth and richness to discussions"³⁹ or raising awareness of diverging opinions were used. At most particular stakeholder group viewpoints were highlighted.⁴⁰ Indeed the Terms

34 HLP Co-chairs; H.E. Mr. Susilo Bambang Yudhoyono (President of Indonesia), H.E. Ms. Ellen Johnson Sirleaf (President of Liberia), H.E. Mr. David Cameron (Prime Minister of the UK).

35 The UNSG's selection criteria for appointment has not been disclosed, which somewhat undermines transparency in the panel overseeing transformation of public input into a working report. One member, Piebalgs, believes his appointment was "recognition of the European Union's firm commitment to freeing people from the grip of poverty". European Commission, *Commissioner Piebalgs appointed as a member of the High Level Panel on post-2015 development agenda*, IP/12/875, 31 July 2012, europa.eu.

36 High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development*, 30 May 2013, p. 2, www.post2015hlp.org [hereinafter HLP, *A New Global Partnership*].

37 *Ibid.*, p. 1.

38 Including "farmers, indigenous and local communities, workers in the informal sector, migrants, people with disabilities, small business owners, traders, young people and children, women's groups, older people, faith-based groups, trade unions and many others. We also heard from academics and experts, politicians and philosophers". *Ibid.*, p. 2.

39 High-Level Panel on the Post-2015 Development Agenda, *Update from Secretariat of the High Level Panel on the Post 2015 Agenda*, 10 May 2013, www.post2015hlp.org [hereinafter HLP, *Update from Secretariat*].

40 E.g. 'women and girls' are quoted requesting protection of property rights and ending violence and discrimination against women. HLP, *A New Global Partnership*, *supra* note 36, p. 2. Goal 2 evidently reflects this, aiming to "Empower Girls and Women and Achieve Gender Equality".

of Reference only included a commitment to consider various consultation results, not that they must be followed.⁴¹

Nevertheless civil society dialogues surrounding HLP meetings demonstrated an increasing trend towards extended outreach.⁴² The London meeting included “six civil society roundtables, a private sector meeting, a Youth Event, and a Town Hall meeting between more than 200 representatives of civil society organisations and members of the Panel”.⁴³ These were additional to prior online consultations conducted via dedicated webpages⁴⁴ and live discussion points raised through Twitter.⁴⁵ A noticeable expansion over the earlier New York meeting which included a discussion event, but occurred prior to completion of stakeholder outreach planning.⁴⁶ The final meeting in Bali demonstrated further expansion with the panel engaging in stakeholder discussions before and during the meeting. Various stakeholder groups submitted reports, which were considered together with initial findings from the “global conversation” discussed below. Despite being the final meeting before drafting the report, the HLP “committed to continuing broad consultations and [...] reflecting the priorities that we have heard”.⁴⁷

The United Nations Non-Governmental Liaison Service (UN-NGLS) recognised civil society dialogues surrounding each meeting did not represent

41 *Terms of Reference for the High-level Panel of Eminent Persons on the Post-2015 Development Agenda*, p. 1, Para. 7, www.un.org.

42 HLP meetings and outreach days occurred in New York (September 2012), London (November 2012), Monrovia (January 2013), and Bali (March 2013). The final New York meeting (May 2013) discussed the report's substance and title before submission, but did not involve consultations. Expansion in participants can be seen through comparison of the HLP consultation summary reports.

43 UN-NGLS, *Consultation Report For the High-level Panel of Eminent Persons on the Post-2015 Development Agenda: November 2012*, p. 1, www.worldwewant2015.org [hereinafter UN-NGLS, *Consultation Report November*].

44 *Civil Society Dialogue with the High-Level Panel on the Post-2015 Development Agenda*, WorldWeWant, www.worldwewant2015.org.

45 Interested twitter users could contribute via #Post2015HLP.

46 Homi Kharis, *Communiqué on the Secretary General's High Level Panel of Eminent Persons on the Post-2015 Development Agenda: Update on the first meeting of the Panel*, 29 October 2012, www.un.org. *Civil society calls on Post-2015 High Level Panel to not miss the opportunity to make a lasting difference for the poorest and most excluded*, UN-NGLS, 01 October 2012, www.un-ngls.org summarises the event.

47 High Level Panel on the Post-2015 Development Agenda, *Communiqué Meeting of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda in Bali, Indonesia*, 27 March 2013, www.un.org.

the full range of public views on SDGs.⁴⁸ Yet whilst recognising these limitations, the process was well targeted for input from affected individuals. The UN should provide sufficient information and transparency to interested stakeholders that enable awareness of consultations, and importantly suitability for participation. Examining the open call for applicants (Monrovia civil society dialogue) the criteria for participants is reasonably clear. The HLP was interested in practical experience or knowledge of living in poverty and organisations which not only represent their people, but who could inform and engage them further.⁴⁹ Further criteria would ensure a variety of stakeholders represented including different genders, regions, and types of organisation.⁵⁰ Other meetings followed similar approaches.⁵¹

Online elements however did not apply selection criteria, and thus aimed at gathering input from the “interested” public. Anyone could register and contribute to discussions, perhaps worryingly without any identification procedure.⁵² Results suggest failure to provide sufficient information to allow public engagement, or actual demand for participation in this instance being

48 Due to consultations prior to each meeting being online, and limited venue space, funding, geographical limits etc. of the meeting consultations. In both situations stakeholders the HLP targeted may not have gained access. UN-NGLS, *UN-NGLS Civil Society Consultation for the High-level Panel of Eminent Persons on the Post-2015 Development Agenda: December 2012–January 2013*, p. 1, www.un-ngls.org [hereinafter UN-NGLS, *Consultation Report January*]. UN-NGLS, *Consultation Report November*, *supra* note 43, p. 2.

49 See further open call for applicants and criteria of selection, *CSO Outreach with the HLP in Monrovia: application process*, Ask Africa Now, www.askafricanow.org.

50 Targeted stakeholders included: “African CSOs, southern CSOs, global CSOs; Special interest groups on issues of economic transformation such as traders, informal sector representatives, farmers associations, and trade unions; Marginalized groups such as women’s networks, youth groups, children networks, groups for the disabled and aged; Gender balance; Regional balance as much as possible; Representation from a range of ages; A balance between large and small organisations; An understanding of poverty as it exists in different country contexts, including low-middle- and high-income countries; Be formed of different elements of civil society; Thematic diversity” *Ibid*.

51 E.g. New York invitation: “This event aims at promoting an open dialogue between The Secretary General’s High-level Panel and civil society, researchers, the private sector, foundations and youth, to reflect the views of various stakeholders in the first meeting of the HLP”. An overview of the event demonstrates such actors contributed to discussions. See, **EVENT* Towards 2015: Open Dialogue with the High-level Panel on the Post-2015 Development Agenda*, Post 2015, post2015.org; IISD Reporting Services, *Post-2015 High-Level Panel Holds Open Dialogue Ahead of First Meeting*, uncsd.iisd.org.

52 Thus if feedback aims to increase policy quality it should be based on confirmed information. Verification procedures will be important, given that for example by a tick of

very low. Online consultations prior to Monrovia gathered over twice as many responses as London,⁵³ yet participants were a meagre 134, one less than the 135 of November 2012.⁵⁴

Furthermore whilst meeting dialogues were clear on contributors sought, the procedural rules and effective participation can be seriously questioned. Participants have mixed reviews. Underwood, who attended London consultations, felt HLP members genuinely listened and engaged during the civil society discussion event, but 90 minutes were insufficient.⁵⁵ The following town hall event aimed to open discussions to a wider audience. But fifteen seconds per speaker lead to a barrage of mini speeches on disconnected issues.⁵⁶ Whilst such input represents participants' diversity, the "fact people express themselves freely and that a full range of views are given space"⁵⁷ is not itself sufficient to be any meaningful form of participation. It is rather participation for participation's sake, and likely to be discarded.

Despite these criticisms, and acknowledged lack of opportunities for certain stakeholders in UN-NGLS reports, the Bali meeting showed no improvement. Susann Roth criticized the lack of debate or interaction with HLP panellists,⁵⁸ whilst Norma Maldonado pointed to continued lack of engagement opportunities for the poor.⁵⁹ For those that participated, consultations did not meet their demands and continued ignoring those most affected by the decision-making process.

a box a member transforms from Utrecht University employee to representing Utrecht University as an organisation. Twitter discussions are equally unverified.

53 Almost 800 responses compared to 320 responses during London online consultation.

54 UN-NGLS, *Consultation Report January*, *supra* note 48, p. 1. UN-NGLS, *Consultation Report November*, *supra* note 43, p. 1.

55 Chris Underwood, "London High Level Panel: Reflections", *Chris Underwood's Blog*, 03 November 2012, www.chrisunderwoodsblog.com.

56 *Ibid.*

57 Amy Pollard & Dominic Haslam, "Consultation or Conscriptio? Civil society input on the content of the post-2015 framework", *Cafod Policy Team Blog*, 13 November 2012, cafodpolicy.wordpress.com.

58 Roth further suggested HLP members were suffering outreach fatigue. If true then members are doing little to demonstrate the HLP, or UN, are taking citizens seriously. Susann Roth, "Time to walk the talk for Post 2015! Impressions from the HLPEP meeting in Bali", *Asian Development Blog*, 08 April 2013, blogs.adb.org.

59 Mark Tran, "Guatemalan activist brands post-2015 Bali talks hopeless and shallow", *The Guardian*, 26 March 2013, www.theguardian.com.

Finally the HLP report formed part of UN-NGLS consultations assessing all UNSG workstream reports.⁶⁰ This was undertaken online to gather global public views, and via regional teleconferences gathering South-based civil society analysis.⁶¹ Results were delivered to the UNSG, General Assembly and OWG. A further discussion between civil society and Member States (22nd September 2013), prior to the General Assembly intergovernmental meeting, was “informed” by these consultation results. Thus there is an opportunity regional perspectives and alternate views to those within the reports⁶² are taken forward.

Yet this process only allows public influence on *future* processes and negotiations. Consultation focused on the final report, thereby leaving HLP recommendations unaffected. This can be contrasted with more effective and transparent UNSDSN report consultations. Whilst co-chair envoys and advisers discussed draft versions of the HLP report,⁶³ the UNSDSN draft was subject to public consultation from 7–22nd May 2013.⁶⁴ Resulting comments, suggestions and corrections were integrated into the final report.⁶⁵ The UNSDSN reported the main comments received, and importantly *how they were addressed*.⁶⁶ Many clarification requests were also addressed, assisting future discussions. Examples of effective participation include strengthened references to peace and security plus the addition of fisheries and livestock during “global food production system” discussions.⁶⁷ Additional goals requests not incorporated were rejected *with reasoning*.⁶⁸ Public participation demands consideration,

60 Consultation sought critical analysis of HLP report, UNSDSN report, UNGC report and UNDG “The Global Conversation Begins” report.

61 Fourteen teleconferences across “Asia, the Pacific, Latin America, the Caribbean, Africa, Europe, North America, and the Arab States [...] widening and decentralizing the debates” UN-NGLS, *Advancing Regional Recommendation on the Post-2015 Development Agenda*, p. 4, www.un-ngls.org/.

62 UN-NGLS, *UN-NGLS Civil Society Consultation on the Post-2015 Development Agenda For the UN Secretary-General, UN General Assembly, and the Open Working Group on Sustainable Development Goals (SDGs), June–August 2013: Guidance Note*, June 2013, pp. 1–2, www.un-ngls.org.

63 HLP, *Update from Secretariat*, *supra* note 39.

64 Written submissions and conference calls.

65 UNSDSN, *An Action Agenda*, *supra* note 3, p. 1.

66 UNSDSN, *Results from the public consultation of the draft SDSN report “An Action Agenda for Sustainable Development”*, p. 1, unsdsn.org.

67 *Ibid.*, pp. 1–2.

68 *Ibid.*, p. 3.

not adoption. Reasoned rejections demonstrate consideration of issues, whilst accepted comments enable issues missing or underrepresented in the draft to be taken forward. Similar draft consultation for the HLP would have been welcomed.

In addition to the HLP participation difficulties identified, it should be remembered influencing the HLP report is not the end result public participation should seek. The report is one small part of the agenda developing proposals for SDGs. Adoption of SDGs appears far removed from public participation during a HLP meeting. For participants, and us, it is difficult to comprehend the participant's influence. In the end consultations were "considered" by the HLP. The HLP report, "global conversation" results, UNSDSN report and UNGC report are all considered by the UNSG in producing his reports. These reports, and that of the OWG, are then taken into account by UN Member States as they develop SDGs. Influence on the HLP report might be evident, but the process will need to clearly identify the continued results of input if participants are to be informed how their input affected the final SDGs.

3 The Global Conversation

We will now delve deeper into the UN led "global conversation" providing public input into the HLP, OWG, UNSG and Member State processes. As the HLP produced its recommendations earlier, we focused the theory of participation on HLP participation through the global conversation.

The UN embarked on the largest consultation procedure to date, gathering viewpoints from Earth's every corner. Collecting views of over five million people, at considerable effort, suggests the views of Earth's citizens will be taken seriously.⁶⁹ But as a universal agenda the focus is sometimes little more than "peoples",⁷⁰ whilst at others, particular "stakeholders" are targeted. The UN continues to struggle distinguishing *substantially* affected individuals.

69 The UNSG estimated over a million people participated in various consultations around the release of the HLP report. "A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015", *Report Of The Secretary-General*, A/68/202, 26 July 2013, p. 3, Para. 13. By late 2014 this expanded to 5 million; UNDG, *Delivering the Post-2015 Development Agenda: Opportunities at the National and Local Levels*, October 2014, http://www.worldwewant2015.org/dialogues2015_foreword [hereinafter UNDG, *Delivering post-2015*].

70 *Ibid.* "From now until 2015, we want as many people in as many countries as possible to be involved" *MY World 2015*, UN Information Centre Canberra, un.org.au.

The UN consultation aims demonstrate strong correlation with the purposes of public participation we proposed:

- Consultations initiated in direct response to public participation demands.⁷¹
- Consultations designed to gather, and thus empower, views of communities who are marginalised, excluded or for whatever reasons normally have restricted discussion access.⁷²
- Those charged with future implementation are encouraged, notably the youth.
- Early initiation to maximise contribution and influence on Member States' efforts to agree post-2015 agenda.⁷³
- Engaging all stakeholders in SDG development to deepen and widen public ownership.
- Ownership in turn drives implementation.⁷⁴

3.1 *Global Initiatives*

On the global level, a variety of crowd sourcing mechanisms are underway.⁷⁵ Initiatives focused on the “people”, and thus those interested, as opposed to identified stakeholders.⁷⁶ Given vast divergence in living conditions, cultural identity and aspirations globally it appears realistic that broad ambitions style surveys are used as opposed to something more in depth. Thus common goals are identified, priorities set, and citizens play a partnership role.

The “MyWorld”⁷⁷ survey aims to “capture people’s voices, priorities and views, so that global leaders can be informed as they begin the process of defining the new development agenda for the world”.⁷⁸ Preliminary results were submitted

71 United Nations Development Group, *The Global Conversation Begins, Emerging Views for a New Development Agenda*, 20 March 2013, p. 5, www.undp.org [hereinafter UNDG, *The Global Conversation Begins*].

72 *Ibid.*, p. 111.

73 *Ibid.*, p. 6.

74 *Ibid.*, p. 6. The UN definition of ‘stakeholders’ appears to differ under public participation options.

75 Engagement has largely moved to the implementation and localisation stage, see UNDG, *Delivering Post-2015*, *supra* note 69. We focus on earlier participation is setting the policy, and therefore influencing what the SDGs are.

76 E.g. ‘MY World’ advertisements make clear the survey is targeted at everyone. *Mark A Difference*, YouTube, www.youtube.com.

77 www.myworld2015.org/.

78 *About MY World*. Myworld2015, www.myworld2015.org.

to the HLP before each meeting, and into the final report/recommendations.⁷⁹ The survey continues to this day, allowing people to identify issues and priorities for States during the intergovernmental stage, but clearly its position within this process is less defined, or rather undefined.⁸⁰

MyWorld results attempt to influence the post-2015 agenda direction, as opposed to detailed content. It focuses on *quantitative* data, identifying public priorities to influence subsequent political decisions on what SDGs should cover. Essentially participants are presented 16 broad priorities and must identify six that would make the most difference to their world. To allow maximum participation the survey is online. Those substantially affected by decisions on SDGs coverage were given further consideration through increased access in *selected* developing areas via mobile (SMS and toll free numbers) and paper applications (distributed via partner organisations).⁸¹ But this survey approach appears arbitrary in terms of which “poor” people were targeted.

Importantly the process is not just confirmation of expert opinion on what SDGs should cover. Public participants were involved in setting the 16 priorities available on MyWorld. Based on existing research, civil society SDG proposals and public consultations helped identify 24 possible issues a future agenda could address. This was subject to consultation with various stakeholders and narrowed down to 15.⁸² Subsequent smaller consultation meant the list expanded to 16 to accommodate recommendations and comments.⁸³ Testing in Uganda via SMS confirmed 16 priorities could adequately cover people's development concerns.⁸⁴

Examining the HLP report however, it is difficult to see how survey results affected recommendations. The 16 priorities available for selection and ranking by participants are, with the exception of supporting those who cannot

79 *Ibid.*

80 In is perhaps part of the ‘other’ input for consideration; UNGA, *Report of the Open Working Group on Sustainable Development Goals established pursuant to General Assembly resolution 66/288*, September 2014, A/RES/68/309 [hereinafter UNGA, A/RES/68/309].

81 *How it Works*, Myworld2015, www.myworld2015.org [last accessed 22.07.2013]. E.g. Save the Children (partner organisation) targeted Nigerian children, gathering a further 500 responses. *MY World 2015*, YouTube, www.youtube.com.

82 Stakeholders were “NGOs, policy makers, academics and UN staff in a large number of countries and regions”. *MY World 2015*, UN Information Centre Canberra, un.org.au.

83 The consulted are only listed as “a smaller group, including an Africa-based opinion polling company”, *Ibid.*

84 Less than 4% of responses did not fall within one of the 16 priorities.

work,⁸⁵ all featured in some form in the proposed goals. If literally *all* priorities available are tackled, then participation in selecting personal importance did little to influence the system. The only explanation of participation informing the report would thus be; every goal was important to some people and therefore the HLP decided to tackle everything.

This however would not explain exclusion of anything explicitly supporting those who cannot work. Thousands of participants voted to support such a priority,⁸⁶ yet the HLP decided not to represent this in proposed SDGs. People of the Netherlands also felt protection of forests, rivers and oceans was the first priority.⁸⁷ Yet the HLP report only mentions forests and oceans.⁸⁸ Protection of rivers is not discussed.⁸⁹ No evidence suggests Dutch voters' only interest is forests and oceans, so can the report be based on Dutch MYWorld results?

Nor would it explain differences in focus between HLP recommendations and global MyWorld results. Action on climate change was the lowest ranked priority.⁹⁰ Given the focus on the south, where those living in poverty have pressing issues of hunger, education and employment, this seems understandable.⁹¹ Yet the report emphasises climate change throughout as a

85 HLP did recommend social assistance programs (Goal 1), but this seems targeted at unemployed generally, not specifically those who cannot work. HLP, *A New Global Partnership*, *supra* note 36, p. 33.

86 As of 28 August 2013, the priority ranked 12th globally. By 2 November 2014, the priority has increased to 9th position, with 1,713,579 votes.

87 Whilst currently a close 3rd priority, at the time of the HLP work it was the top priority.

88 Goal 5(d) on sustainability and commentary focuses on agriculture and the need not to 'forget the world's oceans', whilst forgetting the world's rivers. Goal 9(c) aims at safeguarding ecosystems, species and genetic diversity, but the commentary only discusses forest, ocean and wetland ecosystems. There is no mention of protecting river ecosystems. 9(d) provides further protection to forests from deforestation and encourages active reforestation. HLP, *A New Global Partnership*, *supra* note 36, pp. 40–41 & pp. 48–49.

89 The OWG output (see below) did at least mention rivers, but only as a target in connection to 'Ensure availability and sustainable management of water and sanitation for all' (goal 6.6), the goal on conservation and sustainable use again focusing on 'oceans, seas and marine resources' (goal 14); OWG SDGs, *Outcome Document – Open Working Group on Sustainable Development Goals*, 19 July 2014, sustainabledevelopment.un.org/focussdgs.html.

90 As of 2 November 2014, still is.

91 It is also the case climate change remains underreported/misreported in the global South due to obstacles encountered by local reporters. James Fahn, "Rescuing reporting in the global South", *Nature Reports: Climate Change*, 26 June 2008, www.nature.com.

crosscutting issue⁹² and an element in two of five proposed “transformative shifts” in society.⁹³

Finally, although voting can be weighted to allow more representative results, this is of limited assistance in removing participation differences. If States lack capacity to allow a meaningful minimum of participation, then even weighted results cannot resolve the problem. Weight strengthens *under-represented* groups, but cannot replace *unrepresented* voices. For example of roughly 838,700 MYWorld voters at the time, 162,400 came from Nigeria compared to only 27 participants in neighbouring Chad.⁹⁴ Such participation divergence is not a matter of demand, but capacity. The Nigerian government collected citizen views through governmental-civil society partnerships. Partnership with mass media adequately promoted MYWorld, and utilising thousands of national youth core members allowed outlying villages’ vote collection.⁹⁵ Other States simply cannot, or will not, be able to mimic Nigeria in mobilising votes and collection. Such inequalities inevitably damage the results representative value.

3.2 *The Future of Global Public Participation*

MYWorld was ambitious,⁹⁶ but future innovation aims at expanding participation to those not even engaged in consultations, *i.e.* the uninvolved yet potentially affected public. The UN is experimenting with mining the vast data publically available through social media.⁹⁷ By collating and analysing Twitter “tweets” of the global population it is hoped immediate priorities and interests of “the people” appear. Although restricted, targeting initially English speakers, but now additionally, French Spanish and Portuguese speakers, combined with increased keywords, the potential for public participation looks promising.⁹⁸ Public influence would expand beyond those with the knowledge/resources for engagement, to those tweeting development issues in their daily lives.

92 HLP, *A New Global Partnership*, *supra* note 36, p. 17.

93 Shifts (2) Put sustainable development at the core and (5) forging a new global partnership. HLP, *A New Global Partnership*, *supra* note 36, Executive Summary.

94 Numbers reported as of 28 August 2013. Participation has increased to 5, 159, 757 as of 2 November 2014 demonstrating further divergence; Nigeria (176,010), Chad (68).

95 UN Department of Public Information, *Press Conference on ‘My World’ Initiative for Post-2015 Development Agenda*, 12 March 2013, www.un.org.

96 Described by UN Assistant Secretary-General as part of “reinventing the way decision will be made at the global level” MY World 2015, “Priorities for the global development agenda shaped by unprecedented public outreach effort”, *My World Blog*, 21 March 2013, blog.myworld2015.org.

97 *Tweets Relevant to Post-2015 Topics*, Worldwewant2015, post2015.unglobalpulse.net/.

98 UN Global Pulse, *Big Data for Development: A Primer*, June 2003, www.unglobalpulse.org/.

Experimentation is thus not so much about meeting demands of the public to participate; but UN demands for public participation. Whether Twitter adequately reflects immediate user concerns, and whether data mining can expand to capture concerns of people and communities globally will need to be developed and demonstrated by the UN. Clearly, if the analysis is restricted to Twitter and other social media, only the views of a particular “kind” of people will be taken into account. Those without Internet access, and those that prefer to express their opinion in the newspapers, or simply in conversation will be excluded.

3.3 *Regional Initiatives*

Regional consultations were carried out under UN Regional Commissions’ leadership. This includes the regions: Africa, Latin America and the Caribbean, Asia and Pacific, Western Asia and Europe.⁹⁹

Given limited engagement of African stakeholders in MDGs¹⁰⁰ we will use African consultations as an example. Actors from 53 African States participated, representing civil society, youth organisations, women’s organisations, parliamentarians, academic institutions, the private sector,¹⁰¹ regional entities and governments.¹⁰² The objective: to target all stakeholders and articulate an African position.¹⁰³ The African position will “define the contours”,¹⁰⁴ suggesting an outcome to act as political control over future work by States, as

99 Briefing Note, *Post-2015 Process and the Sustainable Development Goals: Engagement of the Regional Commissions*, 7 January 2013, www.regionalcommissions.org.

100 From the African perspective, MDGs developed by western experts with little local input were “more philanthropic goals than indicators of genuine human development” Chika Ezeanya, “Post-MDGs: It’s Time to Listen to the People”, *Think Africa Press*, 7 March 2013, thinkafricapress.com.

101 UN Economic Commission For Africa, *Outcome Document of the Regional Consultations on the Post-2015 Development Agenda*, p. 2, www.regionalcommissions.org [hereinafter UNECA, *Final Outcome Document of Regional Consultations*].

102 UN Economic Commission For Africa, *Outcome Document of the Regional Consultation on the Post-2015 Development Agenda, Dakar, Senegal – 10–11 December 2012*, p. 1, www.regioncommissions.org [hereinafter UNECA, *Outcome Document of Dakar Consultations*].

103 In this instance repeated references to Africa’s voice, and the African position suggests the relevant target is the ‘people’ of Africa. However like other consultations, institutional reporting seems compelled to demonstrate its vast stakeholder engagements range: “Ministers, parliamentarians, policy-makers, members of the Secretary-General’s High Level Panel on the post-2015 agenda, as well as representatives from civil society, youth organizations and the private sector” – *Africa-Wide Consultation on the Post-2015 Development Agenda and Review of Africa’s Progress Towards the MDGs*, African Development Bank Group, www.afdb.org.

104 UNECA, *Outcome Document of Dakar Consultations*, *supra* note 102, p. 1.

opposed to developing specific targets and techniques. Thus the process is one of defining the problem, and developing an Africa “watchdog”.

The African Union Commission organised regional consultations, including a meeting in Ghana (November 2011), and an online survey reported as on-going in the final report.¹⁰⁵ Sub-regional meetings occurred in Kenya (October 2012), Senegal (December 2012), and Tunisia (March 2013). Participation breadth increased, expanding from stakeholders originating in 19 African countries in November 2012, to participants from 43 countries attending in Tunisia. The report’s suggestion that therefore these countries were represented seems an exaggeration.¹⁰⁶ To effectively engage all stakeholders from the region, as claimed, meetings would require more than a representative of each stakeholder group, and a representative of each State. The process requires a representative of each stakeholder group from each State. Indeed aspirations for the Tunisia meeting were far greater in geographical and group representation than numbers appearing in the final outcome.¹⁰⁷ The report should have assessed why public participation did not meet expectations and thereby encouraging future improvements.

The online survey faced similar difficulties as MyWorld. The survey gathered only 330 responses since 2011¹⁰⁸ and although various different stakeholders participated,¹⁰⁹ sub-regional representation demonstrated significant engagement differences. The greatest response, from East Africa, represented 45% of the votes. Those in Southern Africa only accounted for 5% of responses.¹¹⁰ It is unclear whether this low participation is due to capacity or demand, but it can be questioned whether responses of 16 participants can represent Southern Africans’ views. Thus the assertion of an African perspective may need reassessment.

105 Authors unable to find any access to survey.

106 UNECA, *Final Outcome Document of Regional Consultations*, *supra* note 101, pp. 2–3.

107 Whilst bringing participants from 43 countries together is commendable, the objective was a “cross section of all stakeholders from all 54 African countries”. African Union, *Aide Memoir: Africa Wide Consultations on Post 2015 Development Agenda And Expert Group Validation Meeting on Africa’s Progress Report on MDGs: 11 and 14 March, 2013 Tunisia*, www.au.int.

108 Earlier report (Senegal, December 2012), listed the same number suggesting no responses in intervening months!

109 By 2012 participants are said to include civil society, NGOs, research institutes and ministries for planning, finance and economic development. Economic Commission for Africa, *Note for the High Level Panel Discussion on ‘Articulating a Post-2015 MDG Agenda*, E/BCA/CM/45/4, AU/CAMEF/MIN/4(VII), 15 February 2012, p. 2, Para. 4, www.beyond2015.org.

110 UNECA, *Final Outcome Document of Regional Consultations*, *supra* note 101, p. 3.

In terms of meaningful effect potential, African consultations do present a strong message, with 7 priorities receiving unanimous support.¹¹¹ Distinctively “African” voices also appear present; such as focusing on indigenous languages in education, or cultural promotion in human development.¹¹²

Yet drives for inclusiveness and reflection of different views might itself limit the influence. If one looks to the African “priorities” outcome, it is vast with action proposed on human rights, strengthened peace, tobacco use eradication, ending extreme poverty, tax reform and redefining State development categories,¹¹³ amongst others. The success of MDGs was focused attention on *key* priorities. It can be anticipated SDGs will also be limited. If African consultations provide the people’s support for tackling near everything imaginable, it seems difficult to imagine goals that cannot be claimed as “based” on public participation, even if results played no meaningful role. From another view, the results are little help to States narrowing SDG content.

Secondly, one might witness divergence in “public” opinion and consultation results supposedly representing all African stakeholders. Proposed action includes “strengthened curricula for primary and secondary education to include life skills, civic, *sexuality* and reproductive health education” [emphasis added].¹¹⁴ Given strongly divergent views on sexuality within Africa, and criminalisation of homosexuality in a number of African States, it might be questioned whether this is the consultative view of African NGOs, as opposed to the African public. The same applies to “eradicating harmful practices such as FGM and early marriage”.¹¹⁵

Finally whilst African regional consultations are important, other regions should have just as equal opportunities. But due to funding constraints and the political atmosphere of certain regions, it may be consultations were less thorough or accessible than Africa. Arab consultations claimed to be inclusive, but had limited participants, a lack of funding and less structure. It was a one-day event, focused on civil society organisations, without any sub-regional outreach events.¹¹⁶ Other regions such as Latin America and the Caribbean fall

111 *Ibid.*, p. 3.

112 UNECA, *Outcome Document of Dakar Consultations*, *supra* note 102, pp. 3–4.

113 *Ibid.*, pp. 3–6.

114 UNECA, *Final Outcome Document of Regional Consultations*, *supra* note 101, p. 6.

115 *Ibid.*, p. 7.

116 Arab NGO Network for Development, *Regional Consultation on the Post-2015 UN Development Agenda* (14 March 2013), www.arabfoundationsforum.org.

between the two, with multiple day events and many more participants than Arab consultations, but lack depth compared to Africa.¹¹⁷

3.4 *National Initiatives*

With national consultations undertaken in 88 countries,¹¹⁸ and desire to cover 100, the conversation is on an “unprecedented” level.¹¹⁹ Each participating nation has a different approach, reflecting different State makeups and consultation methods available.¹²⁰ National consultations benefited from UN technical/financial support including extensive non-mandatory guidelines and consultation ideas.¹²¹ The consultation results were published and available to the UNSG, HLP, and OWG.¹²² Despite the June 2013 deadline for the initial 50 national consultations, the final United Nations Development Group (UNDG) consolidating report excluded South African results – still at a preliminary stage.¹²³

However only consulting 100 States undermines the process. Consultations are spread over regions; but regional consultations should already capture regional perspectives. If national consultations are to capture differing national perspectives, input should not be restricted to half the UN Member States. The British stake in SDG implementation was recognised with the Prime

117 Held in Mexico (17–19th April 2013) around 400 participants from a broader range of stakeholders than Arab focused civil society organisations. Meetings included “civil society, academia, indigenous peoples and the private sector from 24 countries in Latin America and the Caribbean” UNSDN, *Regional post-2015 consultation for Latin America and the Caribbean*, UNSDN, 25 April 2013, unsdn.org.

118 UNDG, *A Million Voices: The World We Want*, September 2013, p. 43, www.worldwewant2015.org [hereinafter UNDG, *Million Voices*]. UNDG, *Delivering post-2015*, supra note 69, suggests with the language ‘nearly’ 100 countries that the 100 national consultations ambition was not met.

119 *Post-2015 Agenda: Unprecedented global discussions about development priorities start in 100 countries*, UNDP, 15 January 2013, www.undp.org [hereinafter UNDP, *Post-2015 Agenda: 100 Countries*].

120 See: *National Consultations*, Worldwewant2015, www.worldwewant2015.org.

121 United Nations Development Group, *Post-2015 Development Agenda: Guidelines for Country Dialogues*, June 2012, www.nrg4sd.org [hereinafter UNDG, *Guidelines for Country Dialogues*].

122 UNDP, *Post-2015 Agenda: 100 Countries*, supra note 119.

123 UNDG, *Guidelines for Country Dialogues*, supra note 121, p. 17. Initial 50 consultations focused on developing regions – *UN 50+ country consultations*, Beyond 2015, www.beyond2015.org. UNDG, *Million Voices*, supra note 118, pp. 43–104.

Minister's HLP co-chair appointment,¹²⁴ but "British" voices were uncollected. The UN should have focused on "stakeholder" nations,¹²⁵ or universal nation participation – not the arbitrary "as many as possible".¹²⁶

National consultations focus on empowering those often left out of decision-making processes, or those most affected.¹²⁷ Examples include Albanian youth (through Facebook) and indigenous Amazonians in Peru (through workshops).¹²⁸ Yet consultations are also open to all who can substantially affect SDG proposals, stimulating "an inclusive, bottom-up [national] debate on a post-2015 development agenda".¹²⁹ Inclusivity demands are met, and broad input collected to create national identities and ownership. UN emphasis on information access, such as advance notice, published consultation results/reports, and provision of feedback mechanisms, should ensure *effective* participation if implemented.¹³⁰ Importantly feedback is to influence consultation processes.¹³¹

National consultation results are expected to "influence" intergovernmental processes developing SDGs. But how influence is ensured, the level of influence available, and existing remedies if consultations are ignored are not expanded upon. Nevertheless we can distinguish two routes in which the UN wishes national consultations to influence developments. Firstly, results of national consultations are synthesized and presented in a "credible and powerful" report to intergovernmental processes.¹³² It is thus hoped results are not easily ignored, but rather facilitate negotiations.¹³³ Secondly, with discussions

124 *MDGs: Prime Minister to co-chair UN panel on development*, Department For International Development, 09 May 2012, <https://www.gov.uk>.

125 Which require clear definition.

126 "UNDP pledged to facilitate the largest possible number of inclusive national consultations" – *Strong partnerships with civil society crucial to post-2015 development agenda*, UNDP, 24 May 2012, www.undp.org.

127 National consultations goals include: "amplify the voices of the poor and other marginalized in formal negotiation processes [...] support citizens from the Global South to actively engage in the discussions towards a post-2015 development agenda, so as to potentially influence both their own government's positions and the intergovernmental process [...] create avenues through which voices of the marginalized can be amplified and acted upon." UNDG, *Guidelines for Country Dialogues*, *supra* note 121, p. 13.

128 UNDP, *Post-2015 Agenda: 100 Countries*, *supra* note 119.

129 UNDG, *Guidelines for Country Dialogues*, *supra* note 121, p. 20.

130 *Ibid.*, p. 23.

131 *Ibid.*, p. 20.

132 UNDG, *Guidelines for Country Dialogues*, *supra* note 121, p. 28.

133 States, international organisations and civil society exerting influence on SDG formulation should take results into account. UN Member State will therefore know the position

at national level a national identity develops, which potentially influences each government's position.¹³⁴ Thus when exclusively inter-State negotiations begin, Member State representatives will be restricted by national positions. The public act as political control on representatives, with potential backlash should views be ignored and rights to development unfulfilled.¹³⁵

Taking Serbia for example, we see the range of tools used and stakeholders targeted.¹³⁶ The final Serbian report was based on direct consultations (27,899 participants), validated through secondary sources; including relevant consultations from other projects (8,372 participants).¹³⁷ Disaggregated results are publically accessible and a final validation event (May 2013) confirmed findings with expert and civil society representatives.¹³⁸ Extensive promotional material was produced with TV, radio, newspaper, and online advertisements encouraging participation.¹³⁹ The final report provides a detailed, transparent overview of the consultation process, results, and participants, to a level not often seen.¹⁴⁰

A vast array of mechanisms were used including online crowd sourcing via "Serbia We Want",¹⁴¹ Twitter and Facebook, and offline consultations through interviews, field surveys, workshops, public debates, and focus groups.¹⁴² Whilst consultations should be inclusive, resources should focus on inviting *substantially affected individuals*. Serbian consultations demonstrate a failure to distinguish, targeting: the general population (voting on the global

of its people, and that of other Member States. This could facilitate shared positions and negotiation.

134 UNDG, *Guidelines for Country Dialogues*, *supra* note 121, p. 13.

135 A further goal of national consultation; "To ensure people's "active, free and meaningful participation in development" (GA Declaration on the Right to Development, 1986). *Ibid.*, p. 13.

136 Africa was discussed previously and so we turned to another region for national consultations. Serbia, extensive and optimistic in terms of outreach attempted, was chosen to demonstrate possibilities.

137 United Nations in Serbia, *The Serbia We Want: Post-2015 National Consultations in Serbia Annex 1: Detailed Report*, p. 13, www.worldwewant2015.org [hereinafter UN in Serbia, *Serbia We Want*].

138 Each consultation procedure also ended with roundup summaries of main findings – compared to other consultations to ensure accuracy. United Nations in Serbia, *Ibid.*, pp. 17–18.

139 *Ibid.*, pp. 27–38.

140 Further national consultations & reports: *National Consultations*, Worldwewant2015, www.worldwewant2015.org.

141 *Post-2015 National Consultations in Serbia*, Worldwewant2015, www.worldwewant2015.org.

142 UN in Serbia, *Serbia We Want*, *supra* note 137, pp. 12–14.

platform and online survey), Facebook users, general population of South and East Serbia, general population of South and West Serbia, the elderly, children, street involved children, autistic children, rural area youth, children and youth in conflict with the law, high-school students, university students, industrial workers, trade union members, employers, persons with disabilities, rural women, small farmers, the Roma population, leaders of civil society organisations, feminists, experts, journalists, local politicians, artists, health experts, internally displaced persons and chemical and product safety experts and activists.¹⁴³

The UN encouraged broad participation with model stakeholder selection criteria aimed at maximum inclusivity within the feasibility restraints.¹⁴⁴ Serbia's large list may demonstrate taking their citizens seriously, but resources are wasted targeting those that already have participation capacity. If everyone is selected as "stakeholder" the term loses meaning.

Inability to identify stakeholders can result in recognised stakeholders not being targeted and thereby continually excluded. The UN guidelines identified the LGBT community as a stakeholder group.¹⁴⁵ Resources wasted on the inability to define Serbian stakeholders could have helped engage this community.¹⁴⁶ Thus from a global perspective those often ignored in decision-making might be empowered in some States, whilst continually ignored in others.

The final outcome focused on nine priority themes for Serbia.¹⁴⁷ If Serbian consultations influence the process, three principle objectives should be present in SDGs: (1) tackling unemployment, (2) eradicating poverty and supporting vulnerable groups, and (3) good governance and reliable institutions.¹⁴⁸ Although we cannot conclude these will feature in the final SDGs, we do see representation in the HLP illustrative goals. Goal eight focused on

143 *Ibid.*, p. 15.

144 Breadth of voices the UN sought are particularly evident in the suggestion, "invite actors who would not otherwise have a seat at the table, to encourage inclusiveness, such as adolescents, migrant workers, homeless, sex workers" UNDG, *Guidelines for Country Dialogues*, *supra* note 121, p. 22.

145 *Ibid.*, p. 47.

146 Lesbian, gay, bisexual, and transgender were not a target group despite recognition the LGBT community were at risk; "cases of violence against the LGBT population are not as frequent as ethnically based ones, but were the cause of two of the most violent clashes between right wing political extremists and the police in the last 3 years and the partial demolition of downtown Belgrade by pro-fascist hooligans" UN in Serbia, *Serbia We Want*, *supra* note 137, p. 172.

147 *Ibid.*, p. 147.

148 *Ibid.*, p. 148. Identified by 23 of 24 stakeholder groups in Serbia listed above.

unemployment and job creation, goal one on poverty and vulnerable group support, and goal ten on good governance and effective institutions.¹⁴⁹

Looking globally beyond Serbia, some issues raised were subject to consensus across national consultations, such as tackling inequality, but did not feature in the HLP report. The explanation given was the presence of unresolved differences between panel members.¹⁵⁰ Whilst this highlights the public are not equal co-producers of HLP recommendations, let alone SDGs, it does not mean participation was uninfluential. Division demonstrates the issue was considered but approaches to tackling inequality could not be agreed. Thus the public played an advisory role, but the advice could not be followed.

Finally national consultations vary, with Serbia chosen as a positive illustration. Others will have been less thorough, and therefore less effective at engagement. Others still will have used novel approaches unseen in Serbia. For example, consultations in Bhutan only occurred in 5 of 20 districts. But discussions were televised on the show “Peoples Voices”.¹⁵¹ The consultation process is brought to a larger portion of the population’s attention through the use of diverse channels of information, with the media’s central role in informing and motivating the public expanded.¹⁵² “Participation is not evenly distributed within a given society”¹⁵³ – mass media attempts to remedy this through informing all sectors of society.

Whether media coverage goes beyond raising awareness to actually encouraging participation can be questioned. McLeod suggested no direct link between TV coverage and participation.¹⁵⁴ Further difficulties come in the possible abuses of coverage, such as a tool in political control, discouraging real action, restricting information circulated through editorial control and finally presenting a “managed show” of “public” participation.¹⁵⁵ Perhaps if we are

149 HLP, *A New Global Partnership*, *supra* note 36, pp. 30–31.

150 Gina Bergh & Paula Lucci, “After the post-2015 HLP Report”, *The Broker, Post-2015: Shaping A Global Agenda Blog*, 13 June 2013, www.thebrokeronline.co.uk.

151 *Regional Post-2015 Consultations Take Place Across the Country*, UNDP Bhutan, 28 March 2013, www.undp.org.bt.

152 Brian McNair April 2007 lecture, reported: “Does media participation promote democracy?” *Voxpublica*, voxpublica.no [hereinafter *Voxpublica*, *Media participation*].

153 Jack McLeod, Dietram Scheufele, Patricia Moy, “Community, Communication, and Participation: The Role of Mass Media and Interpersonal Discussion in Local Political Participation”, *Political Communication*, Vol. 16: 3, 1999, p. 136 [hereinafter McLeod et al., *Community, Communication*].

154 *Ibid.*, p. 329.

155 Arguments advanced by a variety of authors, summarized by Livingstone and Lunt; Sonia Livingstone & Peter Lunt, *Talk on Television: Audience Participation and Public Debate*,

interested in “those most effected” by SDG proposals, other compelling reasons of participation might exist to encourage use of their new awareness.

Furthermore we must not underestimate the power of public awareness. Developing informed citizens is a goal in itself.¹⁵⁶ We create and *maintain* public opinion – even if participation is only as spectator.¹⁵⁷ Coverage can provide information for private discussion and opinion, stimulating informal discussions.¹⁵⁸ Debates among special interest groups, such as seen with SDG debates, is well suited to this task, with media coverage bringing unconsidered issues and conflicts to the audience’s attention – stimulating critical discussion and negotiation.¹⁵⁹ Finally awareness can stimulate implementation, allowing for public follow up on interests, and possible political pressure to reach a suitable agreement.¹⁶⁰

Thus if the participation process can meet demands and expectations created, the project has potential to not only increase the quality and empower people, but potential to be goals “of the people, and for the people”.¹⁶¹ Whilst this goal is feasible at national level, the diversity of nations may make this difficult globally. How can 100 national consultations be consolidated into a single report with strong influential conclusions, whilst ensuring different people are still heard?

3.5 *Thematic Consultations*

Further consultation efforts focused on areas challenging to development, or currently covered by MDGs. 11 thematic topics selected cover: Conflict, Violence and disaster; Education; Energy; Environmental sustainability; Food security and nutrition; Governance; Growth and employment; Health; Addressing inequalities; Population dynamics; and Water.¹⁶² Further novel consultation

Routledge, 1994, p. 15 [hereinafter Livingstone & Lunt, *Talk Television*].

156 Voxpublica, *Media participation*, *supra* note 152.

157 Livingstone & Lunt, *Talk Television*, *supra* note 155, p. 30 [citing Abrams (1964)].

158 McLeod et al., *Community, Communication*, *supra* note 153, pp. 320–321.

159 Livingstone & Lunt, *Talk Television*, *supra* note 155, pp. 23–24.

160 Reports and recommendations can be better understood with knowledge of discussions and trade offs shaping them. Molly Elgin-Cossart, “A Global Journey to 2030 – Reviewing the First Steps”, *NYUCIC*, Nov. 2013, cic.nyu.edu, pp. 14–15.

161 UN Resident Co-Ordinator Ruby Sandhu-Rojon, *quoted; In Ghana, everybody has a voice in post-2015 consultations*, UNICEF, 18 December 2012, www.unicef.org.

162 Identification of issue does not equate specific goals will be developed on the theme; only that consideration needs to be given. UNDG, *The Global Conversation Begins*, *supra* note 71, p. 54. See various consultations: *Sitemap*, Worldwewant2015, www.worldwewant2015.org.

techniques include photo campaigns highlighting key issues¹⁶³ and “action oriented initiatives”¹⁶⁴ such as the Sustainable Energy for All campaign.¹⁶⁵

The focus for building global views are the corresponding pages on the “WorldWeWant” website.¹⁶⁶ The aim, to “gather the priorities of people from every corner of the world and help build a collective vision that will be used directly by the United Nations and World Leaders to plan a new development agenda launching in 2015”.¹⁶⁷ Results from discussions are not just presented to the HLP and intergovernmental processes; they are continually available to the public. Users can access framing documents, background papers, live debate streams, previous discussion summaries, and up-to-date public opinions for on-going discussions.¹⁶⁸ Once within the process, information availability is vast, allowing informed input, consensus building and differences of opinion to become apparent.

However information available to persons not currently engaged with consultations or international development generally may be questioned. The process began September 2012, yet by March 2013 only 50,000 people felt compelled to register. Apart from those lacking website access, how many of the 7 billion in the world have not participated for lack of knowledge? Discussions of 0.0007% of the population can hardly display “aspirations of every citizen”.¹⁶⁹

Equally it might be low membership results from low demand. People simply do not feel the need to be involved in developing SDGs. We can expect between March 2013 and July 2013 more members joined, yet the total *active*

163 Environmental sustainability consultations invited “participants to send a photo of themselves holding a poster with a brief message indicating their personal opinion on the priority for environment sustainability in post-2015 agenda”, WorldWeWant2015, *Outreach Report, Consultation on Environmental Sustainability in the Post-2015 Development Agenda*, p. 4, www.worldwewant2015.org.

164 UNDG, *The Global Conversation Begins*, *supra* note 71, p. 7.

165 An “initiative [...] that brings all key actors to the table to make sustainable energy for all a reality by 2030”, Sustainable Energy For All, www.sustainableenergyforall.org/.

166 See, *Thematic Consultations*, Worldwewant2015, www.worldwewant2015.org.

167 *About*, Worldwewant2015, www.worldwewant2015.org.

168 50,000 users existed in March 2013 – UNDG, *The Global Conversation Begins*, *supra* note 71, p. 9.

169 Whilst it cannot be expected engagement covers a significant proportion of global population, UN reflections on participation should reflect this. Transparency and accountability require results be presented in an objective manner, not exaggerated. Should less than one tenth a percent of the World’s population reflect the aspirations of every citizen the World will have become a very small place.

contributors by July 2013 was 4677.¹⁷⁰ Thus less than 1% of those joining actually went on to contribute. And of those contributors, the average was only 1.5 comments per user.¹⁷¹ Such numbers do not speak of very high *public* demand. The children's consultation speaks of *no* demand.¹⁷²

Furthermore for those involved it can be difficult to navigate. Water consultations were very thorough with weekly discussion topics,¹⁷³ open-ended questions,¹⁷⁴ and polls¹⁷⁵ aimed at gathering public knowledge. The public could contribute towards various aspects and share opinions on the final report. Yet with this mass of questions, sub-consultations and user responses contributing to an even greater mass of other thematic consultations there may be consultation overload. Institutionally, the mass of information will result in drafters naturally going back to trusted voices, or the loudest.¹⁷⁶ For those attempting to contribute, the overload is equally dissuasive. WorldWeWant visitors are confronted with masses of consultations with little indications on how each will be used, or where to focus attention.¹⁷⁷

Due to breadth and variety in different consultations we will focus on one example. Water consultations, as an area of great concern to many people, and "one of the most ambitious processes in recent history",¹⁷⁸ will provide a good illustration.

170 *Discover*, Worldwewant2015, trends.worldwewant2015.org. Results of the 18th July 2013. Reviewing the statistics in November 2014, no change is visible.

171 18 July 2013: 6772 comments. *Ibid*.

172 The 'World Children Want' closed 1st September 2013. By 24th August 2013 only six registered users existed and zero responses submitted. *The World Children Want*, Worldwewant2015, www.worldwewant2015.org. A flood of comments have now been added, but notice the 1 year delay between posted questions (July 2013) and the first replies (August 2014).

173 E.g. *Water and Inequalities Takeover Week*, Worldwewant2015, www.worldwewant2015.org.

174 E.g. *When and how can we achieve universal access to improved sanitation and water supply?*, Worldwewant2015, www.worldwewant2015.org.

175 E.g. rank factors contributing towards failure of States to invest in water and sanitation issues. *WASH Poll 5*, Worldwewant2015, widgets.unteamworks.org.

176 "A multitude of differing consultations poses a real risk of losing or muffling valuable voices since only those NGOs with enough time and resources are able to cover all the bases to get heard". Bernadette Fischler, "The post-2015 consultations – does quantity add to quality?", *Cafod Policy Team Blog*, 21 January 2013, cafodpolicy.wordpress.com.

177 "Nowadays one could spend the whole day in front of the screen filling out online questionnaires" – Jens Martens, *quoted*: Pepo Hofstetter, "Post-2015: There is a Danger of Consultation Overkill", *Social Watch*, 23 April 2013, www.socialwatch.org.

178 WorldWeWant2015, *Water Thematic Consultation Report: Draft Version for Comments*, p. 5 www.worldwewant2015.org [hereinafter WorldWeWant2015, *Water Consultation Report*].

Water consultations began November 2012, culminating in the High Level Meeting of March 2013.¹⁷⁹ Sub-consultations covered; (1) Water, sanitation and health (WASH)¹⁸⁰ (2) Water resource management (WRM)¹⁸¹ (3) Wastewater and water quality¹⁸² (4) voices of the water consultation: Water for Peace.¹⁸³ General consultations aimed at those interested in water issues, whilst sub-consultations aimed to encourage in-depth discussion (5 weeks on the issues, 2 weeks on cross-cutting issues).¹⁸⁴ Like all thematic consultations, water consultations aimed to be open and inclusive, representing diverse views.¹⁸⁵ Specifically, consultations sought to “bring in voices from a broad range of stakeholders in order to formulate how water should be addressed in the post-2015 development agenda”.¹⁸⁶ Again stakeholders remain undefined, but there is acknowledgment of certain targeted groups – civil society, NGOs, and the youth are “vital”.¹⁸⁷

Online elements involved surveys, polls, weekly topical information, comments on previous discussions/reports, live video Q&As with experts, and high level meeting streams. Water consultations gathered the greatest thematic consultation public response; “In total 52,520 unique users generated 188,207 total page views, 1,226 website comments, and 1,617 poll responses. These individuals represent 185 UN Member States, 8 non-member states/territories, and

179 *Ibid.*, p. 5.

180 *The Water, Sanitation and Hygiene Sub-Consultation Week*, Worldwewant2015, www.worldwewant2015.org.

181 *Welcome to the Water Resources Sub-Consultation Week 5*, Worldwewant2015, www.worldwewant2015.org.

182 *The Wastewater and Water Quality Sub-Consultation Home Page*, Worldwewant2015, www.worldwewant2015.org.

183 *Welcome to Voices of the Water Sub-Consultation*, Worldwewant2015, www.worldwewant2015.org.

184 WorldWeWant2015, *Water Consultation Report*, *supra* note 178, pp. 6–7. The Voices sub-consultation was an exception, not focused on a particular issue but particular voices; youth and civil society.

185 UNDG, *The Global Conversation Begins*, *supra* note 71, p. 54.

186 WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 53.

187 However the invitation also discusses input from business, academia and professional groups as well as more open language pointing to the views of everyone interested being welcomed. “Water is one of those global themes. Your voice can shape the future!” *Invitation to Participate: The World We Want 2015 Thematic Consultation on Water*, worldviewmission.nl.

44% are from Global South Countries".¹⁸⁸ This was complemented by Twitter¹⁸⁹ and Facebook;¹⁹⁰ highlighted for youth engagement capabilities. Facebook consultations did see 20% of traffic from 18 to 24 year olds, and the largest category of user being 25 to 35 year olds.¹⁹¹

Whether such tools actually collect the "youth" view is questionable, given they do not represent the *diversity* of youth. Classifying by age produces groups with diverse views and capabilities. By using Facebook/Twitter to target this group, the consultation does not target the youth; it targets literate youth with computers, Internet access and electricity that enable contribution.¹⁹²

Offline efforts included face-to-face and a further 22 national consultations on water.¹⁹³ Meetings served different purposes, such as one in March 2013 that was part of Global Compact consultations. It went beyond the private sector to include civil society, and focused on businesses' role in achieving the future agenda.¹⁹⁴ Of more relevance to agenda setting, two consultations focused on the role water should play post-2015, particularly in Africa. The first (January 2013) worked alongside the HLP Monrovia meeting, presenting its outcome,

188 WorldWeWant2015, *Water Consultation Report*, *supra* note 178, pp. 5–6. However only 993 users of those 52, 520 unique visitors produced the 1262 comments [by 18 July 2013; unchanged November 2014]. See *Trends: Water*, Worldwewant2015, trends.worldwewant2015.org.

189 <https://twitter.com/WaterPost2015>. As of 2 November 2014 – 1253 followers.

190 <https://www.facebook.com/waterpost2015>. As of 2 November 2014 – 2703 "likes". It aims to be a discussion point on the role of water. Those who share will "influence" the system. A youth week is highlighted in the report, but with only 190 comments over the week it can hardly be said to be representative – WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 6.

191 WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 57.

192 Sonia Preisser, "Youth Perspectives on the Post-2015 Development Agenda", *World Federation Of United Nations Associations*, www.wfuna.org.

193 Given general national consultations were covered, space limits further analysis of water national consultations. See results: Global Water Partnership, *National Stakeholder Consultations on Water: Supporting the Post-2015 Development Agenda*, 17 May 2013, www.worldwewant2015.org. This article also does not attempt to cover all water consultation meetings. Readers should consult the final report for an overview of meetings.

194 Given focus on role of business in achieving the future agenda, as opposed to agenda setting, we will not go into further detail. WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 8.

“hearing the African voice”,¹⁹⁵ to the HLP.¹⁹⁶ The 50 participants¹⁹⁷ called for addressing MDG shortfalls and “African Water Vision 2025” playing a prominent role.¹⁹⁸ This “African Voice” was strengthened in March 2013 when 74 various African stakeholders¹⁹⁹ discussed a distinct universal water access goal.²⁰⁰

Whilst meetings do not allow high participation numbers, the direct HLP member access and opportunities to present SDG visions will encourage feelings of inclusive community. Perhaps the greatest sign of water consultations depth is the final meeting (21–22nd March 2013). The outcome document was endorsed and further roundtable discussions on results organised.²⁰¹ Thus not only is there high transparency in how consultations shaped the water report, but discussions allowed participants to agree on missed priorities; to then be integrated into the outcome prior to HLP sharing.²⁰²

Space limits thorough sub-consultations evaluation, but WASH demonstrates the public’s ability to increase policy quality through practical experience highlighting problems faced by Earth’s poor. The report’s “emerg-

195 Monrovia consultation tagline – *Post 2015 Thematic Consultation on Water holds in Monrovia*, African Ministers’ Council On Water, www.amcow-online.org.

196 WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 7.

197 “African governments, development partners, NGOs and civil society” IISD Reporting Services, “Summary of the High-Level Consultation on Water in the Post-2015 Development Agenda”, *Post-2015 Development Agenda Bulletin*, Vol. 208 No. 8, 25 March 2013, www.iisd.ca [hereinafter IISD Reporting Services, *High-Level Water Consultation*].

198 An Africa where there is an equitable and sustainable use and management of water resources for poverty alleviation, socio economic development, regional cooperation and environment.

199 Including “representatives of governments in Africa, Regional Economic Communities / River and Lakes Basin Organisations, Intergovernmental Organisations, development and financing partners, Civil Society Organisations and Non-Governmental Organisations”. WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 8.

200 The overall goal agreed; “ensure a water secure world for all”. African Ministers’ Council on Water, *Tunis Outcome Document for the Water Sector post- 2015 Thematic Consultations, 1 March 2013*, www.amcow-online.org.

Parties “also agreed targets for the subsectors of Water, Sanitation and Hygiene; Water Resources Management; and Wastewater and Water Quality Management”, WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 8.

201 Extensive coverage: IISD Reporting Services, *High-Level Water Consultation*, *supra* note 197.

202 “The day concluded with a presentation on how input from the roundtables would feed-back into the Global Thematic Consultation on Water and the presentation of the final ‘Wake Up Call On Water’”. WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 21.

ing recommendations” on WASH²⁰³ clearly reflect experiences of those attending schools without WASH facilities – and the girl who highlighted particular effects on her.²⁰⁴ Knowledge underlying water resource management recommendations also originates from participants – such as how much water is needed to produce enough food to feed one person.²⁰⁵

Consultations can empower those often ignored. As the report highlighted, politicians rarely act on wastewater management. It doesn't win votes, and local constituent pressure is minimal. The poor, often most affected, lack influence in traditional policy processes.²⁰⁶ The High Level Forum (attended by some HLP members) concluded wastewater management and water quality are indispensable elements of water security.²⁰⁷ This message was taken forward to inform the HLP, OWG and UN Water processes, giving those people a voice.²⁰⁸

Finally, we can assess whether messages from water consultations have been influential on the HLP and OWG proposals. HLP proposed goal 6 indeed focused exclusively on water issues.²⁰⁹ Importantly it focuses on universal access, including at *schools* – an issue highlighted in water consultations. WASH facilities in schools was said to result in the “liveliest debate” during water consultations.²¹⁰ Goal 6 followed this, requiring universal fresh drinking water and sanitation facilities access at schools. This proposal is to be universal, a global minimum for all citizens.²¹¹ The OWG equally included a goal on water issues,

203 Recommendations included “We should address hygiene access, including hand washing and menstrual hygiene management, which are critical determinants of public health and gender equity” & “Access to WASH services should be secured beyond households and include other settings particularly schools, health facilities and other public installations” WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 12.

204 Several participants shared experience of living without WASH facilities, and one girl contributed her story of having missed school due to lack of toilet facilities during her period. *Ibid.*, p. 27.

205 *Ibid.*, p. 14.

206 *Ibid.*, p. 38.

207 *Ibid.*, p. 81.

208 *Ibid.*, p. 23. Additionally other processes, such as UNSDSN, are expected to be contacted and share the results. UN-Water has been working on a draft SDG related to water: *Development of a Sustainable Development Goal for Water: UN-Water's Role and WWAP*, UNESCO, 30 April 2013, www.unesco.org.

209 HLP, *A New Global Partnership*, *supra* note 36, pp. 42–43.

210 WorldWeWant2015, *Water Consultation Report*, *supra* note 178, p. 11.

211 HLP, *A New Global Partnership*, *supra* note 36, p. 15.

universally applicable.²¹² The question remains whether these proposals will shape concrete State commitments.

4 Public Participation in the Open Working Group on Sustainable Development Goals

Compared to the HLP, the *General Assembly Open Working Group on Sustainable Development Goals* (OWG) is largely an intergovernmental process with membership reserved to States. Decisions and balances in goal proposals are therefore left to States. Although the Rio+20 outcome mandated membership of 30 countries, the January 2013 agreement involves 70 members sharing 30 seats.²¹³ Some seats involve interesting mixes of States, such as Cyprus/Singapore/UAE or Iran/Japan/Nepal. The Netherlands and the United Kingdom shared a seat with Australia. Rotation operates to ensure distributed regional representation.²¹⁴ This State interest in involvement and the fact that many high-level participants attended,²¹⁵ suggest States felt the process influential and worthy of investment.

The Open Working Group process was not devoid of public participation. The OWG is required to develop modalities that “ensure the full involvement of relevant stakeholders and expertise from civil society, the scientific community and the United Nations system in its work, in order to provide a diversity of perspectives and experience”.²¹⁶ The OWG held a total of thirteen meetings, and the process ended with the adoption of a first list of Sustainable Development Goals, presented to the UN General Assembly.²¹⁷ By examining

212 OWG SDGs, *Outcome Document – Open Working Group on Sustainable Development Goals*, 19 July 2014, sustainabledevelopment.un.org/focussdgs.html, goal 6.

213 Established 22nd January 2013, decision 67/555. UN General Assembly, *Open Working Group of the General Assembly on Sustainable Development Goals*, 15 January 2013, A/67/L.48/Rev.1.

214 Representation will always be 7 Africa, 7 Asia/Pacific, 6 Latin America/Caribbean, 5 Eastern Europe and 5 Western Europe. *UN announces list of countries for Working Group on Sustainable Development Goals*, International Council For Science, www.icsu.org.

215 Felix Dodds, “The Path to Sustainable Development Goals”, *Earthsummit2012 Blog*, 22 April 2013, earthsummit2012.blogspot.nl.

216 United Nations, *The future we want: outcome document of the conference on sustainable development held in Rio de Janeiro, Brazil, between 20 and 22 June 2012*, Para. 248, UNDOC A/CONF.216/L.1 [hereinafter UN, *The future we want*].

217 Report of the Open Working Group of the General Assembly on Sustainable Development Goals, annexed to the Letter of transmittal dated 1 August 2014 from the Permanent

the OWG establishment, and all its meetings, we can assess public participation roles thus exercised.

4.1 *Establishing the OWG and Initial Input*

The first meeting of the first session of the OWG took place on 14 March 2013. But the preparations for the OWG's establishment, and discussions on its mandate, started much earlier. The first input opportunity was the UNGA Special Event: *Conceptualising a Set of Sustainable Development Goals*.²¹⁸ States and other participants discussed substantive SDG issues, the results feeding into the first OWG meeting. A variety of panellists were given presentation opportunities, including academics and NGO representatives.²¹⁹ The following discussions were described as "truly interactive" between participants highlighting diverse views.²²⁰ Discussions involved Member States and major group representatives covering the core of SDGs including their role, balancing economic/social/environmental pillars and how SDGs should reflect the common but differentiated responsibilities principle. For major group representatives this presented very early participation opportunities that could shape future directions to the process.

However stakeholder engagement beyond major groups was little more than a publicity exercise. Possibilities of prior public discussion via the Internet existed.²²¹ It is said main issues and questions arising from discussion were presented to panellists, yet the summary report makes no mention of public contributions raised during the session. Contributors remain unaware if their issues were addressed, or responses made.

Representatives of Hungary and Kenya to the United Nations addressed to the President of the General Assembly, UNDoc A/68/970. The Open Working Group agreed on a set of SDGs on the 19th of July 2014.

218 16th October 2012. *Conceptualizing a Set of Sustainable Development Goals – A Special Event of the Second Committee of the UN General Assembly*, UN Sustainable Development Knowledge Platform, sustainabledevelopment.un.org.

219 E.g. Mr Manish Bapna, Executive Vice President and Managing Director, World Resources Institute; and Ms. Kate Raworth, Senior Researcher, Oxfam Great Britain.

220 *Summary of the special event of the Second Committee of the UN General Assembly Conceptualizing a Set of Sustainable Development Goals*, 24 October 2012, p. 3, sustainabledevelopment.un.org.

221 "How do YOU see the development of the Sustainable Development Goals? Let us know by addressing the three (3) questions below, either through the Facebook discussion, or by using the Twitter hashtag #SDGs." *Conceptualizing a Set of Sustainable Development Goals – A Special Event of the Second Committee of the UN General Assembly*, UN Sustainable Development Knowledge Platform, sustainabledevelopment.un.org.

The UNSG provided further consideration for the OWG through an *Initial Input Report*.²²² Although not a stakeholder participation example, it highlights thinking for the future and considerations of engagement formalities. Most importantly it is built on State questionnaire responses.²²³ It will be States of the OWG who set participation modalities and so the *Initial Report* provides useful insight.

The report demonstrated broad agreement on civil society, academia and other relevant stakeholders engaging in SDGs development. Consultations should include “national, subregional, regional and international discussions”,²²⁴ characterised by broad, equal and transparent bottom up recommendations.²²⁵ But conclusions continue to focus on major groups engagement without exploration of *which* other relevant stakeholders need consultation. Poor and “vulnerable groups” are highlighted, but given the Future We Want called for access for all stakeholders,²²⁶ and the UNSG report recognises the need for “all actors” outreach, some identification might seem welcomed.²²⁷ Without agreeing what “engaging all stakeholders” includes, State responses could have been agreeing different breadths of consultation.

Furthermore, difficulties of putting aspirations into practice were recognised. Private sector participation was seen as crucial, yet “complexities and diversity” in the sector meant avenues of participation could not be identified.²²⁸ It is also noticeable the commitments and expressions on participation are soft. Discussing scientific input; the OWG “should be informed by research-based evidence and expert analysis *to the maximum extent possible*”.²²⁹ Considerable latitude is left to the OWG on if and how input is utilised.

4.2 *Participation in OWG Sessions*

Participation during sessions was dependent on the parameters and content of the OWG’s work programme. A stakeholder will only benefit from full transparent consultation if its interests are under discussion; and for a sufficient period to allow utilisation of the opportunity. Yet such issues were discussed before

222 *Initial Input of the Secretary-General to the Open Working Group on Sustainable Development Goals*, UN G.A. A/67/634, www.un.org [hereinafter UNSG, *Initial Input to OWG*].

223 *Ibid.*, p. 1, Para. 3.

224 *Ibid.*, p. 15, Para. 63.

225 *Ibid.*, p. 16, Para. 67.

226 UN, *The future we want*, *supra* note 216, Para. 248.

227 UNSG, *Initial Input to OWG*, *supra* note 222, p. 21, Paras. 99–100.

228 *Ibid.*, p. 16, Para. 68.

229 *Ibid.*, p. 16, Para. 64.

sessions during informal Member State negotiations.²³⁰ States identified *their* priorities,²³¹ without opportunities for other participants. Furthermore developing States emphasised the State nature of the process, expressing concerns Member States should be prioritised in session, and ensuring panel presenters do not “dominate the time available”.²³²

Nevertheless sessions provide opportunities for OWG members, other Member States, observers, UN system representatives, and major group representatives to discuss future SDGs, and try to influence the outcome.²³³ At the start of most sessions, the United Nations Technical Support Team issued a note, a so-called TST Issues Brief. The first meeting was organisational: officers were elected and the OWGs agenda was adopted. In total, the OWG held eight sessions, each on a particular theme.

Let us zoom in on the first meeting. In total fifty-seven UN Member States, three observers and three civil society representatives delivered statements during the first meeting.²³⁴ The OWG *Methods of Work* outlines observer participation, referencing ECOSOC decision 1993/215.²³⁵ Observer interventions by non-governmental organisations with ECOSOC consultative status attempt to ensure their concerns are addressed in future deliberations.²³⁶ NGOs at least see this as productive participation, actively encouraging other contributors.²³⁷

230 Session 1; 6–12 March 2013. Session 2; 5th April 2013. IISD Reporting Services, “Summary of the Second Session of the UN General Assembly Open Working Group on Sustainable Development Goals: 17–19 April 2013”, *Earth Negotiations Bulletin*, Vol. 32 No. 2, April 2013, p. 3.

231 Summary discussion: Chee Yoke Ling, “United Nations: Work on Sustainable Development Goals gains momentum”, *Twn Info Services On UN Sustainable Development* (APR13/01), 18 April 2013, www.twinside.org.sg.

232 *Ibid.*

233 IISD Reporting Services, “Summary of the First Session of the UN General Assembly Open Working Group on Sustainable Development Goals: 14–15 March 2013”, *Earth Negotiations Bulletin*, Vol. 32 No 1, 18 March 2013, p. 1 [hereinafter IISD Reporting Services, *Summary of First OWG Session*].

234 *Ibid.*, p 1. Eight UN system representatives were asked to submit statements online after not having opportunities to present statements.

235 “The following may participate [...] Representatives of Specialised Agencies and related organizations; and Representatives of non-governmental organizations in consultative status with ECOSOC” *General Assembly Open Working Group on Sustainable Development Goals: Methods of Work*, Para. 8, sustainabledevelopment.un.org.

236 During the first OWG session, Development Alternatives with Women for a New Era (DAWN) orally intervened on behalf of two major groups from the Rio process, as did two other organisations.

237 *UN General Assembly Open Working Group (OWG) on Sustainable Development Goals (SDGs)*, NGOs BEYOND 2014, 18 March 2013, ngosbeyond2014.org.

Participation of the nine major groups provides the primary public OWG session participation available.²³⁸ But major groups participation was *limited* for the first OWG session by not having separate seats. Major groups were placed into three clusters of three groups,²³⁹ and each speaker limited to three minutes. Participation levels can be questioned when States call for inclusive processes open to all stakeholders, but then restrict access due to interest of States in the process. If meaningful participation was planned, public representation should not have been restricted as a result of opening the first session to all UN Member States.²⁴⁰ Those States will clearly not replace stakeholder views lost.

During the first meeting the Farmers, NGOs and Children and Youth major groups proposed their participation vision.²⁴¹ They suggested a Multi-Stakeholder Advisory Group (MAG) be established to work with the OWG.²⁴² Drawing on an earlier report supported by all major groups, the advisory group would be based on the nine major groups, but with consultation from others. It would require access to OWG documentation with possibilities of commenting on reports and draft agendas. The advisory group should have dedicated time during sessions to discuss important issues and regular contact with representatives outside session. Should sub-working or thematic groups be established, the MAG would have an expert *advisory* seat.²⁴³ The MAG was not established,

238 “Stakeholder interventions must be coordinated through the major groups organizing partners” *Participate with the Open Working Group on SDGs*, UN Sustainable Development Knowledge Platform, sustainabledevelopment.un.org.

239 Clusters: (1) Women, Indigenous Peoples, and Workers & Trade Unions (2) Children & Youth, NGOs, and Farmers (3) Local Authorities, Business & Industry, and Scientific & Technological Community. *Major Groups Participation in the First Meeting of the Sustainable Development Goals Open Working Group*, Sustainable Development 2015, www.sustainabledevelopment2015.org.

240 *Ibid.*

241 “Representatives from each of the nine Major Groups sectors are seated as official observers to the OWG sessions, and can flag the Co-Chairs to intervene in the discussions accordingly” *Participate with the Open Working Group on SDGs*, UN Sustainable Development Knowledge Platform, sustainabledevelopment.un.org. Major groups approach appears one of consensus among those they represent e.g. the representative for Children and Youth emphasised intervention in the 3rd OWG session represented youth and children as a group; “we support the development of a SDG for water that addresses [...] Our suggestion of a goal would be”. Major Group of Children and Youth, *SDG Recommendations: Water*, 22–24 May 2013, sustainabledevelopment.un.org.

242 IISD Reporting Services, *Summary of First OWG Session*, *supra* note 233, p. 5.

243 The Nine Major Groups, *Setting Our Common Goals: Major Group Recommendations for Multi-Stakeholder Engagement with the Open Working Group on Sustainable Development Goals*, 17 October 2012, www.cpdngo.org.

but continued to be advocated by major groups who represented “the most effective way of non-state actor participation” in the OWG process.²⁴⁴

Following general discussion and statements of position, the floor was opened to “interactive dialogue”. This allowed selected panellists to present positions and questions.²⁴⁵ Still taking the first meeting as an example, panellists welcomed the dialogue.²⁴⁶ Participants believed input was constructive, and Amina Mohammed²⁴⁷ emphasised the need for strong narrative in setting the agenda.²⁴⁸ Perhaps by injecting viewpoints other than those of States and UN bodies we can see these panel discussions as another small part of this narrative.

The difficulty is, questions from State delegations following panel presentations at the first meeting did not relate to future participation solutions. Thus while panellists called for youth participation²⁴⁹ and global consensus²⁵⁰ when conceptualising SDGs, State questions related to other issues. Only major groups raised questions on civil society inclusion.²⁵¹

4.3 *Public Participation outside OWG Sessions*

The third and fourth OWG sessions covered substantive issues for SDGs to address and demonstrated noticeable steps towards further participation.²⁵² Attempting to broaden stakeholder viewpoints underpinning proposals and

244 *Major Groups/Post 2015 constituency consultation on post Rio+20/Post 2015*, Civicus, 19 June 2013, <https://civicus.org>.

245 First session panellists: “Amina Mohammed, the Secretary General’s Special Adviser on Post-2015 Development Planning; Martin Khor, Executive Director of the South Centre; Manish Bapna, Executive Vice President and Managing Director of the World Resources Institute; and David Steven, Center on International Cooperation, New York University.” *UN General Assembly Open Working Group (OWG) on Sustainable Development Goals (SDGs)*, NGOs Beyond 2014, 18th March 2013, ngosbeyond2014.org/articles/2013/3/18/un-general-assembly-open-working-group-owg-on-sustainable-de.html.

246 IISD Reporting Services, *Summary of First OWG Session*, *supra* note 233, p. 8.

247 The UNSG Special Adviser on Post-2015 Development Planning.

248 IISD Reporting Services, *Summary of First OWG Session*, *supra* note 233, p. 7.

249 *Ibid.*, p. 8.

250 *Ibid.*, p. 7.

251 *Ibid.*, p. 8.

252 3rd session covered: (1) food security and nutrition, sustainable agriculture, desertification, land degradation and drought, (2) water and sanitation. 4th session: (1) Employment and decent work for all, social protection, youth, education and culture, (2) Health, Population dynamics.

recommendations, the co-chairs organised meetings with major groups and other interested stakeholders *prior* to each session.²⁵³

A steering committee composed of major groups and stakeholders decided on panellists, speakers and contents of each meeting with OWG co-chairs.²⁵⁴ The third OWG session involved 3 one-hour meetings. Participants expressed views and reported consultation results.²⁵⁵ Despite complaints of limited prior notice²⁵⁶ it is suggested, “several representatives not typically involved in the Major Groups structure were able to participate and contribute”.²⁵⁷ Discussions focused on thematic issues under discussion later during OWG session.

However whilst adding outreach sessions to the agenda, the OWG has not made clear the purpose served, or how input affects SDG proposals. The OWG Interim Report notes meetings are held prior to “official business”, before describing them as “a platform for Major Groups and stakeholders to express their views and share their experiences”.²⁵⁸ This does not inform participants on how input affects the OWG process, if at all. Responses of major groups “were channeled into the discussions of the Member States”²⁵⁹ without indication of how this was done, or what messages were channeled into OWG session. Worryingly for other stakeholder participants the report doesn’t mention their input in messages “channeled”.

Lack of procedural clarity is further evident in online participation. Limited representation possibilities during OWG sessions mean attempts to influence via written submissions become important.²⁶⁰ But major group

253 See “Participating in Morning Hearings with the Co-Chairs” – *Participate with the Open Working Group on SDGs*, UN Sustainable Development Knowledge Platform, sustainabledevelopment.un.org.

254 United Nations Sustainable Development Knowledge Platform, *Third session of the OWG (22–24 May) Co-Chair’s meetings with the representatives of Major Groups and other Stakeholders*, p. 1, sustainabledevelopment.un.org.

255 *Ibid.*, p 1.

256 Potentially affecting participation.

257 NGOs Beyond 2014, *3rd Meeting Of The Open Working Group On SDGs (22–24 May 2013); Co-Chairs’ Meetings With Major Groups & Other Stakeholders – Participation Summary* –, p. 1, ngosbeyond2014.org.

258 Open Working Group on Sustainable Development Goals, *Interim Report*, 12-42396, 1 Aug 2013, p. 3 Para. 14, sustainabledevelopment.un.org. Furthermore OWG members are encouraged to attend morning meetings, but are free not to.

259 *Ibid.*

260 E.g. the Food and Agriculture Cluster of the NGO Major Group, *Draft Inputs on the SDGs from the Food and Agriculture Cluster of the NGO Major Group*, www.sustainabledevelopment2015.org. The report was submitted to the 3rd OWG session with the objective of

organisations exploring participation are simply told, online “contributions will be synthesized by the Major Groups Organizing partners and shared with the intergovernmental process”.²⁶¹ Producing documents for SDG processes involves substantial work for interested organisations, yet the website is severely lacking on what happens to documentation, and if “shared” implies any opportunity of influence.

If we compare the first few meetings with subsequent meetings, we see that the role of the representatives of civil society improved somewhat. A Twitter account was opened before the start of the second meeting, through which all interested could express their views to the participants of the OWG meetings. Representatives of the major groups and academia shared their views. The third meeting saw the first lunch-time side events, facilitated by the Secretariat but formally organised by *inter alia* the German Ministry for the Environment or the World Food Programme. Also from the third meeting onwards, the Co-Chairs of the OWG – State representatives of Kenya and Hungary – began to organise daily meetings in the morning, lasting for an hour (from 9.00 to 10.00), with representatives of major groups and other stakeholders.²⁶² The morning meetings and the lunch-time tradition were continued in subsequent sessions, with great variety in the organisers of the lunch-time meetings: the European Union, the ILO, the UNSDSN, to name but a few of the organisers in meeting four.

The second to eighth meeting were each devoted to a particular issue of substance – called a “cluster” – and the ninth to thirteenth meeting of the OWG were used to organise all input into a single document with a limited set of goals and targets. Also at this latter stage major groups were asked for their input. Around the 11th and 12th meeting of the OWG, an online spreadsheet was made available online on Google Docs, which was opened to representatives of major groups and other stakeholders, not able to come to the OWG meetings in person to deliver their three minute presentations, to at least contribute in writing. This cooperative and transparent working method led to a colourful but somewhat chaotic and cluttered ragbag of proposals in a

“helping to bring civil society voices into intergovernmental processes in New York at United Nations Headquarters”.

261 *Sustainable Development Goals (Major Groups): Online contributions to the SDGs process*, UN Sustainable Development Knowledge Platform, sustainabledevelopment.un.org.

262 Progress report of the Open Working Group of the General Assembly on Sustainable Development Goals, annexed to Letter dated 19 July 2013 from the Co-Chairs of the Open Working Group of the General Assembly on Sustainable Development Goals addressed to the President of the General Assembly, UN Doc. A/67/941, distributed 23 July 2013, para. 14

document of enormous length, which was available to the public both during and after its drafting.

The OWG eventually came up with a list of goals in a first draft, and major groups in particular were permitted to provide comments. These were brought together in a final compilation of amendments to goals and targets by major groups and other stakeholders. This compilation also included a flowchart and wordmap, intended to visualize the results of the MyWorld online survey.²⁶³ This compilation was on the table at the thirteenth and final meeting of the OWG, at which the OWG adopted their Outcome Document: a proposal of the Open Working Group to the UN General Assembly for a set of goals and targets.

Already at a time when the OWG completed its substantive sessions, representatives of all major groups concluded that “the principles of inclusion have been upheld in the ongoing process surrounding the OWG on the SDGs,” and that their many contributions were “valued and appreciated” and given “due attention in the reports.”²⁶⁴ The major groups’ concern now was to continue this “level and extent of engagement” in the final stages of the process, when the full membership of the UN General Assembly begins to draft a resolution containing the SDGs.

Indeed, it is now up to the Assembly to conclude the process. In September 2014, the UN General Assembly “acknowledge[d] the conclusion of the work of the Open Working Group on Sustainable Development Goals, and welcome[d] its report.” More importantly, the Assembly decided unanimously that “the proposal of the Open Working Group on Sustainable Development Goals contained in the report shall be the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered, in the intergovernmental negotiation process at the sixty-ninth session of the General Assembly.”²⁶⁵ In other words, the list of SDGs drafted by the OWG has special significance in the process, but the Assembly does not feel bound to take it as a given.

263 Final Compilation of Amendments to Goals and Targets by Major Groups and other stakeholders including citizen’s responses to MY World 6 priorities to inform the Thirteenth and last Session of the Open Working Group on Sustainable Development Goals, 14–18 July, 2014, <http://sustainabledevelopment.un.org/>.

264 Major Groups, Beyond 2015 and Global Call to Action against Poverty, *Ensuring inclusion of Major Groups and other stakeholders in the Post-2015 Development Agenda Summit and associated preparatory process*, letter dated 8 May 2014.

265 Report of the Open Working Group on Sustainable Development Goals established pursuant to General Assembly resolution 66/288, General Assembly resolution 68/309, adopted 10 September 2014.

4.4 *The Influence of the OWG on Future SDGs*

The result of OWG discussions was thus a report presented at the 68th General Assembly Session. As pledged, the report consisted of proposals on SDGs, both their format and content. Among the OWG members, there were disagreements during the drafting of the OWG report on what the General Assembly ought to do with the OWG report. China's representative²⁶⁶ suggested the report should be a reference point for adopting future SDGs.²⁶⁷ Cyprus²⁶⁸ however called for "robust recommendations".²⁶⁹ Although the list of goals and targets in the report is very long, and thus not as robust and pin-pointed as Cyprus may have wanted, it is clear that the report is more than a mere general reference point. It will thus undoubtedly be the most important document, perhaps together with the UNSG's synthesis report, which will enter final State negotiations.

4.5 *Conclusions on the OWG*

In conclusion OWG public participation is severely restricted compared to the HLP. An open letter from 62 civil society organisations reviewed the HLP and noted concern for shrinking "political space and sphere of influence for civil society".²⁷⁰ They requested post-2015 frameworks providing reliable engagement mechanisms with sufficiently accessible and comprehensible information to be effective. The OWG process has not sufficiently identified stakeholders they wish to engage or what processes will be available beyond limited participation of major groups. Even after identifying major groups as representatives of society for "official business", participation was restricted in the first meeting because of understandable interest by States in the process. Hardly a sign their input is taken seriously. This has improved in subsequent meetings.

If the OWG wishes to enable processes open to all stakeholders it needs clear rules and roles for participants; and an understanding of the outcome the OWG will produce. The OWG represents movement towards an intergovernmental process setting SDGs, but that does not require engagement expansion progress and public knowledge acquired to be lost.²⁷¹ The OWG should not

266 Also on behalf of Indonesia and Kazakhstan.

267 IISD Reporting Services, *Summary of First OWG Session*, *supra* note 233, p. 4.

268 Also on behalf of Singapore and the United Arab Emirates.

269 IISD Reporting Services, *Summary of First OWG Session*, *supra* note 233, p. 5.

270 *Joint CSO Letter to UN-Secretary-General*, 22 July 2013, post2015.iisd.org.

271 Some authors suggested a growing trend is developing on restricting civil society participation at intergovernmental meetings related to the UN. This is evident with use of non-objection procedures for non-ECOSOC accredited NGOs attempting to participate at

only have matched level of engagements demonstrated by the HLP, it should have gone further. The MAG proposal and opportunities to comment on draft SDGs was what civil society was calling for.²⁷² The process of morning meetings with co-chairs and lunch-time sessions cannot be seen as an adequate response, given the limited participation scope and uncertainty of influence. Admittedly morning meetings have been an “evolving process” and they were taken increasingly seriously, but it seems doubtful that they evolved into meetings equal in importance or influence to the formal OWG meetings. Current “best practice” of selecting participants has begun showing signs of emphasising numbers over meaningful and diverse contributions.²⁷³ The OWG has collected views of experts, Member States and stakeholders between early 2013 and February 2014. Now it is up to the member States to begin preparing the report and proposals. Room for improvements exists.

5 Conclusions

September 2014 saw the conclusion of this SDGs stocktaking stage, and whilst public consultations will still be sought, the focus has shifted to examining implementation techniques and fine-tuning the proposals. Like the MDGs before them, the early drafts and proposals discussed will be the basis on which the final goals are developed.²⁷⁴ This has already been signalled, both by the General Assembly’s adoption of the OWG proposals (but, arguably

high-level meetings of the General Assembly. “[A]n NGO could be excluded from the UN meeting if any state objected to the participation of that NGO on any grounds whatsoever”. *Accreditation procedure threatens to undercut civil society participation at UN meeting*, International Service For Human Rights, 01 May 2013, www.ishr.ch.

272 Bernadette Fischler, “Open Working Group on SDGs is ‘getting down to business’”, *Cafod Policy Team Blog*, 3 May 2013, cafodpolicy.wordpress.com.

273 Guidance and best practice for steering committees; “All speakers should come from organizations with a global/regional focus that work actively in the specific themes under discussion, and must represent the results of broad and inclusive research, having consulted thoroughly with other partners [...] Steering committees must give speaking priority to those groups that show willingness to join forces”. *Participate with the Open Working Group on SDGs*, UN Sustainable Development Knowledge Platform, sustainabledevelopment.un.org.

274 See the huge influence of the early DAC proposals on the final MDGs; Arron Honniball and Otto Spijkers, *MDGs und SDGs*, Vereinte Nationen 6/2014. Development Assistance Committee, *Shaping the 21st Century: The Contribution of Development Co-operation*, OECD, May 1996.

more questionable, only “consideration” of “other” input),²⁷⁵ and statements of member groups within the General Assembly emphasising the settlement of the OWG and the desire to avoid reopening debates.²⁷⁶ However *unlike* the MDGs, these early drafts have involved a global public voice. The question addressed is how effective this voice was in terms of policy setting, and how it can be improved in what is unquestionably an advancement in international public participation set to continue.

We have evaluated various consultations separately to highlight issues of public participation that arise. However it is equally important to view SDG drafting as a whole when evaluating public participation possibilities in the work of the UN. We can thus apply reasoning introduced in our first article.

Participants

Let us look first at participants. Who to invite? The potential number of participants in drafting SDGs is a staggering 7,000,000,000 individuals. Reaching literally everybody is practically impossible, and even if possible, extremely costly. The UN thus focused on stakeholders. But who are these? The UN has had considerable difficulty in defining those “substantially affected”. Within sustainable development, the UN identified certain major groups, and gave representatives of these groups special privileges. At the same time, the UN has begun referring to “other relevant stakeholders,” as if to ensure it has not excluded anyone. This dilemma has practical consequences in processes examined above. Considered collectively, it can be concluded those substantially affected – broadly defined – were given opportunities to participate in HLP decision-making processes, but the OWG has initially shown little enthusiasm, although this improved somewhat in later meetings. The latter process offered minimal participation options to major group representatives, whilst engaging “others” only in ill-defined discussions. But even the HLP does not manage reaching all relevant stakeholders. Indeed, one theme running throughout consultation is the inequality of stakeholder access. Concerns about restricted

275 UNGA, A/RES/68/309, *supra* note 80. Other input is understood to include at least the HLP report, global conversation results, and the UN Secretary-General Synthesis Report (Nov, 2014). See e.g. USA and Australia statements on adoption.

276 See statements of various individual States and member groupings, in particular Bolivia on behalf of the Group of 77 and China, along with all those who ‘aligned’ with this statement; “[OWG] outcome [...] needs to be fully preserved and should not be reopened or renegotiated” UNGA, *Sixty-eighth session 108th plenary meeting official records*, September 2014, A/68/PV.108, p. 6.

access for the poor and underrepresentation of particular regions/States will need addressing, along with recognising diversity within groups such as the “youth.”

Types of Public Participation

We distinguished four types of public participation processes. The UN is using all sorts of participation methods and instruments, making SDGs drafting a giant laboratory for public participation. Some are used more often than others.

We have seen few examples of “rubber stamp” participation, in which stakeholders are asked to approve or reject policies made by the institution. An obvious explanation for this is the process has thus far led to few results. Some tentative SDG lists have been published, and in some cases the public asked to comment. Perhaps the response of the major groups to the first draft of the OWG list of goals and targets can be seen as an example of this. On the other hand, the major groups were never asked to approve or reject the list of goals as a whole; they were only permitted to provide suggestions for improvement of the text. There is no example where a (preliminary) result was subjected to a popular referendum. And it is unlikely SDGs, once adopted by the UNGA, will then be subjected to such a popular referendum.

In contrast, we have seen various examples of the “define the problem” type of public participation. In fact, almost all consultations, especially those online, can be qualified as such. The UN is looking for the biggest problems or challenges the world is facing, and asking people globally what they perceive these problems to be. Another question is whether the outcomes of the consultations have been taken seriously. A striking example is the contrast between the key role of climate change in the official proposals – inter alia by the OWG – and the MyWorld survey, where the global public ranked climate change as the least urgent global challenge of the moment.

Further experiments would classify as the more developed participatory processes, in particular the “advisory” type, where stakeholders serve as institutional advisers. This is particularly true of workstreams such as the UNSDSN and UNGC, which sought to define their participants beyond the vagueness of “all stakeholders,” thus enabling more concrete engagement. Experts and those chosen to be part of the process, such as HLP members, provide further examples.

In general, we can conclude the UN has made unprecedented attempts to engage the public through various consultations – global, regional, national and thematic – but levels of influence may still be questioned. Many consultations have aimed to gather broad input, which necessarily requires simplifying questions, and therefore responses. Thus public influence is certainly not

going to be one of co-production. The public is mainly asked to help define the problem. Initiatives such as MyWorld might be described as “clicktivism”,²⁷⁷ telling the HLP little on what SDGs should be or how they should be implemented. Or they could be seen as essential tools in defining *what* those SDGs should focus on. Focus for global development post-2015 is not self-evident and so the affected public should – and did – have a say.

Purposes of Public Participation

The most important question we have saved for last: why does the UN invest all this time and money in facilitating global public participation in drafting Sustainable Development Goals? Public participation can serve various purposes. To measure the success of a particular public participation process, one must first identify the specific purpose that process was meant to achieve. In our article, we focused on the perspective of the organising institution; in our case study the United Nations Organization. The question then becomes: why did the UN decide to make drafting of the Sustainable Development Goals a process in which the world’s citizens were invited to participate?

One reason is the Organization feels public participation might increase the quality of its policies and plans. It has been argued that, bluntly put, poor people know best what it is like to be poor; and people lacking drinking water really know how important drinking water is. It could also be the UN wanted to benefit from local expertise. If people have sought and found practical community solutions, the UN can offer a platform to share these solutions with the rest of the world. The HLP meetings in particular were meant to achieve this purpose of learning from practical experience and expertise, with invitations to these meetings well targeted. Nonetheless, in most cases they failed to live up to expectations. MYWorld introduced what is important to affected people, and not just scientists and governments, whilst national and regional consultations attempted to demonstrate the social situation and priorities of particular areas. Given SDGs are to apply to all States, this knowledge is essential in designing acceptable goals. Finally thematic consultations brought in first-hand knowledge of the problems that need to be tackled.

Another reason why the UN invested so much money in the participatory process is a felt need to establish a kind of “global popular ownership” of SDGs. In other words, the UN wants people around the world to feel SDGs are partly “theirs”, that they co-wrote the goals and that they are co-responsible for their realization. A related reason to allow global participation is a UN belief that

²⁷⁷ Duncan Green, “Panels of the Poor: What would poor people do if they were in charge of the post-2015 process?”, *From Poverty To Power*, www.oxfamblogs.org/fp2p/.

doing so helped establish stronger links between the UN Organization and the world's citizens. This is an important objective, if the UN wants to become more than a centre for inter-State cooperation. If the UN wants to be the global *agora*, or the "town meeting" of the international community as a whole, if it wants to be the self-evident place where global solutions to global challenges are sought, then it needs to take everybody on-board. The drafting of SDGs, a process not as politically sensitive or traditionally State-centred as peace and security, is well-suited for this purpose.

Another reason for "doing" public participation is to meet a public demand. Was there a popular demand, of Earth's citizens or a subcategory thereof, to be involved in drafting SDGs? There is actually very little evidence such demand exists. People take to the streets when they feel ignored by their own national government, but similar protests directed at the UN Organization are rare. There was no global outrage in response to the fact that the Millennium Development Goals (MDGs) were made only by a handful of experts. Quite the opposite: despite the fact that they were drafted by a small group of scientists, the MDGs were adopted by the entire Membership of the General Assembly in 2000, and later embraced by the international community as a whole. The UN might wish to reassess if there really is demand for public participation in SDGs formulation. The consultations underway are a very ambitious project, and a very costly one. The UN itself clearly values public engagement, but limited participation might speak of limited demand. The UN has presented a wealth of opportunities at the global, regional and national level to get involved, yet "it has attracted derisory attention from beyond the professional development world."²⁷⁸ Without adequate participation of target stakeholders, the purposes identified cannot be fulfilled. Whilst problems identified might be inhibiting engagement and influence, they cannot explain everything. Perhaps the world was simply happy with experts getting the job done, or thought the project not worthy of engagement. After all, the end result of collecting this vast amount of data and producing thousands of documents will be a single sheet of paper containing a list of non-binding SDGs. It begs the question – was this a suitable project for public participation?

278 Editorial, "International Development: Big Questions, Small Answers", *The Guardian*, 20 January 2013, www.theguardian.com.