

Summary: Lessons for the GCM Based on Existing International Mechanisms for Follow-up and Review

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Introduction:

Faced with large and often deadly movements of refugees and migrants precipitated by the Syria crisis, UN Member States convened in 2016 and committed to negotiate, by the end of 2018, a Global Compact for safe, orderly and regular migration (GCM). While the exact format and contents of the GCM remain to be defined, it is clear that many Member States have reservations about making any binding commitments. It is therefore all the more important to make the GCM the beginning of a longer-term process towards a progressive international migration agenda. Part of the solution should be to equip the GCM with a dedicated follow-up and review mechanism that can keep States engaged and potentially generate increasingly ambitious commitments over time. This brief looks at F&R experiences from other policy fields to see how both binding and non-binding commitments have been followed up in those cases. What can be glimpsed from those experiences suggests that an “ideal scenario” for GCM follow-up would involve a combination of:

1. A global forum where States and stakeholders get together (bi)annually to self-report on progress made, share good practices, and progressively set more ambitious goals for themselves. Periodically, the forum would receive an independent global progress report, prepared by the UN or a panel of experts based on an agreed set of indicators.
2. Regional fora where States and stakeholders regularly assemble to discuss progress on region-specific priorities and commitments, informed by regional progress reports prepared by the relevant regional integration body or by the UN.
3. Regular national level self-assessment exercises involving the whole of government and civil society stakeholders. External expert missions could serve to complement and support country self-assessments, e.g. by assessing country capacities and gaps and helping authorities incorporate their findings into national strategies. States' willingness to work with external experts could be increased if collaborative “joint assessment” models are used, and if the external assessment helps to leverage/unlock international financial assistance.

The following describes existing models for these kinds of F&R mechanisms in more detail in the context of their current fields of application.

Overview:

This memo draws lessons from several existing F&R mechanisms embedded in UN-led processes, and considers how these might apply in the context of the GCM.¹ We examined the following mechanisms:

¹ According to the Modalities Resolution, the GCM is expected to include three main components: actionable commitments, means of implementation, and a framework for follow-up and review: A/RES/71/280, Modalities for the intergovernmental negotiations of the global compact for safe, orderly and regular migration (17 April 2017), https://www.iom.int/sites/default/files/our_work/ODG/GCM/A-71_280-E.pdf.

1. **Agenda 2030:** a three-tiered follow-up and review framework (national, regional, global) with ultimate political leadership residing in the High-Level Political Forum on Sustainable Development (HLPF), and objective global progress reports from the Secretary General (annually) and a scientific panel (every four years).
2. **The UN Framework Convention on Climate Change**, focusing on:
 - **The Kyoto Protocol:** a review process involving self-reporting by states plus technical assessments by expert review teams, and a Compliance Committee that considers implementation problems not resolved in the review process; and
 - **The Paris Agreement:** a three-part framework involving national reporting (“transparency framework”), reviews of global progress every five years (“review framework”) and an expert-based compliance committee that functions in a non-adversarial and non-punitive manner.
3. **The World Health Organization’s (WHO) Joint External Evaluation Tool (JEE):** a voluntary, peer-to-peer assessment of country capacity to prevent, detect and rapidly respond to public health threats, involving: 1) an initial self-evaluation by the member state; and 2) an in-country evaluation by an external evaluation team of subject matter experts, done in close collaboration with host country officials.
4. **The Committee on World Food Security (CFS):** an inclusive multi-stakeholder platform for global stocktaking and sharing of good practices toward the achievement of food security and nutrition (FSN) objectives, including availability, access, utilization and stability.

By follow-up and review (F&R), we mean the process by which progress is assessed and momentum is maintained towards specified goals. It can be seen as a continuum of three closely inter-connected activities: “monitoring provides the evidence, review provides the assessment and ‘diagnosis’ of progress, and follow-up ensures that action is taken in response.”² In the GCM context, consideration should also be given to the means of sustaining political momentum and scaling ambition over time. Follow-up and review need not be a purely technical exercise; it can be a means of generating new commitments towards shared objectives as well.

Our analysis proceeds in two parts. This Summary document highlights some key lessons from the four case studies examined, and attempts to connect them to the GCM context. This is followed by more detailed descriptions of the four case studies, including more detailed consideration of major successes and/or challenges that arise in each context.

Summary of Lessons Learned:

A. Features of Effective Follow-up and Review

² UNESCAP, “Follow-up and review for the Sustainable Development Goals and the 2030 Agenda for Sustainable Development in Asia and the Pacific – a background note” (November 2016): http://www.unescap.org/sites/default/files/Background%20note_Expert%20dialogue%20on%20effective%20follow-up%20and%20review_24112016.pdf.

- ***There is a spectrum of effectiveness for voluntary compliance / “soft” accountability mechanisms.*** Every review mechanism we surveyed relied to some degree on the voluntary participation of member states. Even with the most “binding” of the mechanisms surveyed (under the Kyoto Protocol), states have the option of withdrawing without consequences. However, it would be a mistake to focus on a dichotomy between binding “enforcement powers” on the one hand and a lack of accountability on the other. “Soft” accountability mechanisms can be more or less effective depending on their particular features. Features that might enhance accountability include (discussed further below):
 - periodic evidence-based assessments (e.g. Secretary General’s annual SDG Progress Report, and the quadrennial Global Sustainable Development Report);
 - de-politicization of some elements of the review process, through the introduction of technical oversight (e.g. the Kyoto review mechanism);
 - robust opportunities for civil society engagement at the national, regional and global levels;
 - strengthening of domestic institutions (e.g. World Health Organization’s Joint External Evaluation tool);
 - encouragement of whole-of-government and whole-of-society involvement in the review process at the national level; and
 - mechanisms for sharing good practices (e.g. Committee on World Food Security)

To be sure, there are limits to “soft” accountability mechanisms (e.g. countries have tended to be overly “courteous” to each other in peer-to-peer review under the Kyoto Protocol). However, it is also possible to see follow-up and review as a process of joint accountability toward shared goals. States “mostly change [policy] because they... come to believe that policy should change,”³ and effective F&R mechanisms can help sustain and build on that commitment.

- ***National reporting is necessary but not sufficient.*** It can present opportunities for national stock-taking and priority setting, sharing of best practices, stakeholder engagement, and often serves as a foundation for regional and global assessment, among other functions. But, the experience in the UN system suggests that national reporting, particularly on non-binding commitments, often lacks rigor. Countries may report selectively, emphasizing successes, and/or may lack data and institutional capacity to adequately measure progress. In addition, it may only be possible to give perfunctory consideration to national reports at global meetings, due to time constraints.
- ***Several strategies can help to supplement national reporting,*** including:
 - ***Evidence-based global reports on progress:*** Evidence-based reporting at a global level can add both rigor and comprehensiveness. In the Agenda 2030 context, this is provided by the Secretary General’s annual Sustainable Development Goal (SDG) Progress Report and the science-based quadrennial Global Sustainable Development Report (GSDR). The SG’s report is based on an indicator framework developed by an inter-agency expert group and adopted by ECOSOC’s Statistical Commission, whereas states need not report on any particular indicators or include any particular statistics. Thus, it is more than an aggregation of state-level reports. The GSDR is prepared by a panel of scientific experts (currently 15), and

³ Mark Halle and Robert Wolfe, Institute for Sustainable Development Policy Brief, “Follow-Up and Review for the 2030 Agenda: Bringing coherence to the work of the HLPF” (March 2016): <https://www.iisd.org/sites/default/files/publications/hlpf-follow-up-review-2030-agenda.pdf> at p. 2.

provides guidance on the state of global sustainable development from a scientific perspective, including lessons learned, challenges, and emerging trends, issues and actions.

- **Robust mechanisms for civil society engagement** can help to identify and fill gaps in national reporting, generate ideas, and increase transparency.
- **Regional fora for learning and assessment:** Regional fora can provide an opportunity for focused discussion on region-specific issues and trends. In the Agenda 2030 context, five regions have established Regional Forums on Sustainable Development (RFSD) focused on facilitating peer learning, the sharing of best practices, and discussion of shared opportunities and challenges, drawing on national reviews.
- **Expert or joint reviews:** Expert reviews of national self-assessments and reporting can provide a more impartial “second opinion” and, through dialogue, support capacity development of national institutions. However, they might prove too politically contentious in the migration realm. The WHO’s JEE process provides a model worth considering. Developed as a means of moving from exclusive self-evaluation to a combination of internal and external (expert-based) evaluation, it is both voluntary and collaborative in nature, and results in jointly-developed priority actions for improvement.
- **A tiered F&R framework should be considered, involving global, regional and national dimensions.** One of the most praised elements of the Agenda 2030 F&R framework is the inclusion of review processes at the global, regional and national level. The tiered approach presents opportunities to account for collective, as well as individual country progress, and to focus attention on areas that require international cooperation. Because some of the most pressing migration issues have a strong regional dimension, and some existing migration agreements or governance frameworks are regional, this “tiered” approach may be particularly relevant to the migration context.
- **Strengthening domestic institutions improves effectiveness.** The most effective review structures facilitate domestic institutions, structures and champions of monitoring and review. For instance, the World Health Organization’s inclusion of domestic legislation as an area for review as part of the Joint External Evaluation tool was widely hailed as an important development in health security and health sector reform. Conversely, the Committee on Food Security has been criticized for its failure to facilitate the development of frameworks that can assist countries and regions in monitoring progress towards achieving their food security and nutrition objectives.
- **Quality data is essential, and a major challenge.** Effective monitoring, review and follow-up are all heavily dependent on quality data, which requires an infrastructure to collect, analyze and standardize it. Many countries lack the statistical power and know-how to live up to their international agreements. This is a particular challenge where the data is complex (as with Agenda 2030) or difficult to collect and standardize (as with data on food security). Understanding the importance of data generation, the Agenda 2030 review framework explicitly embraces the creation of “quality, accessible, timely and reliable disaggregated data,”⁴ as one of its primary objectives.

⁴ Danish Council for Human Rights, “Human Rights in Follow-up and Review of the 2030 Agenda for Sustainable Development” (May 2016): https://www.humanrights.dk/sites/humanrights.dk/files/may_17_follow-up_and_review_sdg_docx.pdf at p. 10.

B. Strategic Considerations

- **High-performing F&R frameworks are designed to serve a variety of functions.** Effective follow-up and review can lead to increased co-ordination, accountability, mobilization of domestic champions, sharing of best practices, and promotion of international assistance, among other goals. Successful review mechanisms tend to accommodate multiple functions. For instance, the WHO's Joint External Evaluation tool generates valuable data on national circumstances, enhances national-level co-ordination, and serves as an impetus for engagement and assistance from the international community. Similarly, the design of the GCM F&R framework will need to consider and accommodate multiple objectives.
- **F&R systems involve trade-offs.** Closely related to the preceding point, it is essential to recognize that pursuing some objectives may involve compromising on others. Trade-offs may include:
 - State autonomy versus international coordination
 - Technical expertise versus political oversight and accountability
 - Efficient decision making versus consensus building
 - Flexibility versus rigor

These trade-offs occur at all stages, from reporting standards (e.g. what information countries are asked to provide), to forms of assessment (e.g. self vs. peer vs. technical) and beyond. With good design, it may be possible to mitigate these tensions and pursue multiple objectives at once. For example, the Kyoto Protocol was hailed for striking a balance between state autonomy and scientific integrity through the combination of self-reporting and expert reviews.

- **Strategies to manage complexity are essential.** The subject matter of the GCM is likely to be broad and diverse; Annex II of the New York Declaration articulates 24 elements that it should cover, at minimum, each of which could conceivably be the subject of multiple commitments, goals and indicators. While strategies may yet emerge to simplify and streamline its structure, a degree of complexity seems inevitable. This presents a risk that the corresponding F&R structures will be too complex and unwieldy to function effectively. A similar challenge confronts Agenda 2030, which involves some 169 targets and 230 indicators under the 17 SDGs, and a plethora of reports from states, international organizations, technical bodies and CSOs. In order to help manage this complexity, and lend focus to the most high-level discussions of progress, two main strategies have been employed, with partial success. First, the annual deliberations of the High-Level Political Forum (HLPF) have a thematic focus, which helps to shape and streamline the agenda. And second, the HLPF considers in depth only a subset of the SDGs each year. Depending on the nature of the commitments included in the GCM, a similar approach may be appropriate.⁵ A structured and cyclical approach to follow-up and review, where a sub-set of issues would be examined in-depth on an annual basis, could lend greater focus and rigor and lead to greater progress over time.

⁵ It is not yet known what form the commitments in the GCM will take – for example, whether they will include goals, targets and indicators like the SDGs. The nature and structure of the follow-up and review mechanisms will of course be influenced by the nature of these commitments.