Committee of Experts on Public Administration (CEPA)

Elaborating principles of effective governance for sustainable development

24 April 2018

Introduction

Good governance objectives such as those found in the 2030 Agenda tend to be are aspirational in nature and describe a number of very broadly defined objectives – such as the rule of law, low aggregate levels of corruption and participatory and representative decision-making at all levels. Aspirations at this level provide limited specific guidance on institutional reforms. As such they are not much help to countries thinking about pragmatic ongoing improvements in national and local governance capabilities and may even distract and undermine important institution-building initiatives if such initiatives do not seem to satisfy the aspirational criteria.

Instead, the immediate governance capabilities that are relevant may be narrowly defined: how to improve the appointment of bureaucrats, how to improve the construction of infrastructure, or how to reduce specific types of corruption in health delivery, and so on. The challenge for many countries is to think about feasible improvements in governance capabilities starting from where they are and to focus pragmatically and selectively on key problem areas. CEPA has thus recognized the need for the effective governance agenda to be both clarified and made more operational.

To that end, the experts decided at the sixteenth session of CEPA (in 2017) to move forward with drafting a set of principles of effective governance for sustainable development. Voluntary by design, the principles are intended to spur countries to think about feasible, pragmatic reforms that take into account each country's starting point and prioritize key problems in building effective, accountable and inclusive institutions according to each country's capacities and context.

Key activities

Clarifying internationally-recognized principles of effective governance for sustainable development

CEPA has stressed that any eventual set of principles must be guided by the Charter of the United Nations and grounded in the Universal Declaration of Human Rights and international human rights treaties. The initiative should also be substantially consistent with the outcomes of the major United Nations conferences and summits, as well as with

relevant resolutions of the General Assembly and the Economic and Social Council. For example, building effective, accountable and inclusive institutions at all levels is a sustainable development commitment in its own right and is reflected in specific targets under SDG 16, among them target 16.6 calling for development of effective, accountable and transparent institutions at all levels, and target 16.7 calling for responsive, inclusive, participatory and representative decision-making at all levels.

A key activity of the initiative is to clarify and articulate these basic principles of effective governance, as agreed in the United Nations context, and to bring them together as a common point of reference. The governance concepts contained in the principles are not new ideas and should be readily recognizable to policymakers and practitioners in any area of public administration.

Relating the principles to concrete practices

Having delineated the basic principles, there remains the difficulty of relating them to helpful practices, which are expected to be great in number and highly varied. Identifying and assessing the impact of such practices on sustainable development outcomes is a second key activity of the initiative.

The Committee recognizes that such practices should be concrete if they are to be of use to practitioners and clearly connected with the specific governance challenges to be addressed. How to assess the relevance of practices in this sense is not obvious. Practices that appear to be applicable may refer to broadly defined concepts (e.g., rule of law or smart cities), pertain to public policy but not directly to institution-building (e.g., fiscal and monetary policy or the designation of protected areas) or they may be more indicative than actionable (e.g., public services are delivered). Moreover, practices might be considered "good" not if they convey a conditional recipe, but if they:

- Focus on outcomes rather than rules.
- Allow for the progressive realization of objectives with a view to solving particular problems in particular local contexts through the creation of an authorizing environment for decision-making that encourages delegation and experimentation.
- Have strong empirical links to the pragmatic improvements in governance which are the ultimate outcomes of interest.

The Committee and other entities have explored a range of commonly used strategies for addressing important governance challenges in the past, such as building a professional civil service or promoting integrated policymaking to enhance effectiveness, ensuring the independence of the auditing function or expanding the availability of open government data to strengthen accountability, and institutionalizing participation mechanisms or

strengthening local finance to foster inclusiveness. Such strategies may be used to link the principles to concrete practices, and provide a solid basis for further work.

The Committee has stressed that the practices are not intended to be a list of things that Governments should be doing. Each practice could be useful or not, depending on national and local contexts, visions, models, needs and priorities. CEPA has also stressed that there is no single way of organizing institutions that are responsive and effective, although such institutions may share common features. The adoption of any practice will be conditioned to a large degree by the political feasibility of particular reforms. Countries may also have their own legislation and approaches, which might in some cases go further than what is suggested by CEPA.

Identifying areas where further work on technical guidelines may be helpful

With a fuller picture of the principles of effective governance for sustainable development as well as proven or promising practices that contribute to them, CEPA may more readily identify and advise on areas where further work on technical guidelines could be helpful. Similarly, assessments could be initiated of relevant technical guidelines with a view to promoting their alignment with the SDGs and the principle of leaving no one behind.

What the Committee has achieved so far

Agreement of the experts on the purpose, scope and application of principles of effective governance in the context of the 2030 Agenda

CEPA has devoted substantial time to an exploration of the purpose, scope and application of the proposed principles and related practices, taking into account the development context of governance including recognition of the power dynamics, attitudes, behaviours and interests that may enhance or hinder efforts at readying institutions and policies for implementation of the 2030 Agenda. A broad view of effective governance has consistently been the result. Specifically, the experts have agreed that the principles should be:

- Relevant to implementation of the 2030 Agenda as a whole – It is recognized that achieving the targets of SDG 16 will be critical to the implementation of all the SDGs and that there are strong, positive linkages between the institution-building objectives of the 2030 Agenda and most of the other targets.

- Seen in the context of different layers of governance – Each of the basic principles may guide action in the management of individual organizations; collaboration across government; relations with non-State actors; organizational attitudes and behaviours; and governance at the systemic level.

- Applicable to a country's broader administrative system – Taking a cue from related regional initiatives, this would include any institution or organization that undertakes public service duties, independent constitutional bodies, and both national and subnational bodies, whether or not they have their own legal personalities.

- Relevant in all governance paradigms and regardless of variations in legal systems.

Agreement of the experts on a set of eleven basic principles of effective governance for sustainable development

On 24 April 2018, at its seventeenth session, the Committee endorsed a set of eleven basic principles of effective governance contained in [E/C.16/2018/5](), annex I, as a working document. The principles have been articulated in easy-to-recall, non-technical language, with the essential SDG 16 elements of effectiveness, accountability and inclusiveness at the core.

The basic principles comprise: (a) competence, sound policymaking and cooperation under the rubric of effectiveness; (b) integrity, transparency and independent oversight under accountability; and (c) non-discrimination, participation, subsidiarity, intergenerational equity, and leaving no one behind under inclusiveness.

Challenges the initiative has faced

Conceptual challenges: What is a practice? How to know if it is relevant and impactful?

As indicated above, there are considerable conceptual challenges in assessing concrete practices for relevance and the strength of the empirical evidence of their impact on outcomes related to the SDGs. While relevance is often a matter of interpretation based on an individual's knowledge and experience, a pragmatic approach would be to look for a connection to one of the commonly used strategies and actionability, that is, whether the practice is supported by operational guidelines (e.g., on the management of organizational performance in health services, measures to prevent corruption in access to education, or gender-responsive budgeting) and is actually being implemented in countries. The elaboration of some objective standards of assessment may be needed.

Engaging a wide range of experts in identifying and assessing related practices

In addition to assessing relevance, attention should be given to ensuring that there is sufficient empirical evidence of the impact of a practice on the achievement of one or more of the targets of the SDGs, as well as consistency with the principles of responsive and effective governance. Significant support from the larger research community may be needed to identify relevant practices, assess the scope and strength of the evidence base and possibly promote comparative research, for example, through the United Nations and other international organizations as well as academic networks.

There is ongoing discussion and development of relevant operational guidelines in many fields of endeavour throughout the United Nations system. One approach could be to continue to build on the effort to reference and bring together within one framework a range of relevant standards and guidelines. In some cases, conventions and treaties may already lay down a framework for action that is of a legally binding nature, as, for example, in the case of the United Nations Convention against Corruption.

Principles of effective governance could indeed build on those and other agreements, as articulated above, but be of a voluntary nature. In other cases, technical committees and the secretariats of various international organizations may have formulated a variety of operational guidelines as follow-up to aspirational agreements and commitments made at the intergovernmental level. Joint initiatives with UNDP, FAO, ILO, UNODC and other interested entities of the United Nations system could be explored, with the first step being to identify guidelines relevant to implementation of the principles from various sectoral perspectives, taking into account the interrelationships inherent in the SDGs.

Relating the principles to concrete guidelines, evaluating the strength of the evidence of the impact of these practices on outcomes related to the SDGs and linking to global efforts to support implementation of the SDGs may be where the main challenges lie going forward.

What should the Ministerial Declaration in 2019 say to address outstanding challenges?

To build effective, accountable and inclusive institutions at all levels in support of SDG 16 and the implementation of all SDGs, countries may wish to reaffirm the basic principles of effective governance for sustainable development and avail themselves of international technical guidelines that have been developed according to strictly professional considerations and are known to be effective under similar conditions.

Encourage collaboration among professionals in the relevant specialized disciplines, which has proven to be an important determinant of both the quality of resultant technical guidelines and their legitimacy.

Recognize that, although the scale of the governance challenge is large and multidimensional, many specific improvements in building effective, accountable and inclusive institutions implemented incrementally over a period of years can yield important long-term results.