

Guidance on the stakeholder engagement policy extending to non-legislative meetings such as World Urban Forum, World Habitat Day and World Cities Day

Introduction

At its twenty seventh meeting of the Ad-hoc Working Group on Stakeholder Engagement policy held on 02 October 2024 member states requested for (i) legal consideration and background/origin of the non-legislative meetings, (ii) examples of cases of non-objection basis and final decision within the UN system, (iii) current accreditation procedure, and (iv) a Chair's proposal for paragraph 5. This guidance is provided pursuant to this request.

UN-Habitat Governing Council resolution 26/7 on Accreditation provides as follows:

“Recalling its [resolution 19/1 of 9 May 2003 entitled “Rules of procedure of the Governing Council of the United Nations Human Settlements Programme”](#), and rules 64, 65 and 66 regarding the role of local authorities and other Habitat Agenda partners in the deliberations of the Governing Council and its subsidiary bodies,

Recalling also its [resolution 19/8 of 9 May 2003](#), in which it decided to reconfirm, on request, the accreditation to the Governing Council of local authorities and other Habitat Agenda partners that were accredited to the United Nations Conference on Human Settlements (Habitat II) and to the special session of the United Nations General Assembly for an overall review and appraisal of the implementation of the Habitat Agenda held in New York from 6 to 8 June 2001,

Recalling further [General Assembly resolution 70/210 of 22 December 2015](#), in which the Assembly approved the provisional rules of procedure for the United Nations Conference on Housing and Sustainable Urban Development (Habitat III), held in Quito from 17 to 20 October 2016, and the arrangements for accreditation and participation of major groups and other stakeholders in the preparatory process and in Habitat III as set out in annexes I and II to the resolution,

Recognizing the need to reform the accreditation system, in consultation with member States, drawing on best practices and models from relevant multilateral institutions, to ensure the active participation of all relevant stakeholders, the monitoring of accreditation, and the enhancement of transparency and accountability,

- 1. Decides to reconfirm, upon request, the accreditation to the Governing Council of the stakeholders that were accredited to Habitat III.*
- 2. Requests the Executive Director to disseminate widely all relevant information on the procedures for the accreditation of stakeholder organizations to sessions of the Governing Council.*
- 3. Also requests the Executive Director, in consultation with member States, to develop a draft stakeholder engagement policy, drawing on best practices and models from relevant multilateral institutions and exploring new mechanisms to promote transparency and the effective engagement of civil society, and to submit the draft policy by the end of 2017 for consideration by the Committee of Permanent Representatives with a view to submitting it for consideration and possible approval by the Governing Council at its twenty-seventh session.”*

Legal Opinion:

From a reading of the above operative paragraphs, the Resolution is instructive on the tasks required to be undertaken by the Executive Director in developing a stakeholder engagement policy in consultation with Member States. It purposively seeks to regulate the engagement of stakeholders to the Governing Council and its subsidiary body meetings. As such, it does not envisage the application of the policy to non-legislative meetings which are governed by the bilateral agreements between UN-Habitat representing United Nations and the host governments.

The UN-Habitat standard Host Country Agreement template, cleared by the Office of Legal Affairs which together with paragraph 6 of [section I of GA resolution 31/140 of 17 December 1976](#)¹, and paragraph 5 of the [United Nations General Assembly resolution 40/243 of 18 December 1985](#)², govern the hosting of these events away from headquarters and clearly indicate that the issuance of invitations rests with the host governments in consultation with the United Nations and not with all member states.

Additionally, these instruments also govern the participation of the various partners, including stakeholders, national and local authorities, UN agencies etc who are not required to go through any form of accreditation to participate as applicable to governing bodies. The standard template is normally customized depending on the nature of the event and the member state hosting the event.

Background and resolutions leading to the establishment of the non-legislative meetings.

A. The World Urban Forum

The World Urban Forum was born out of the merger of the Urban Environment Forum (UEF) and the International Forum on Urban Poverty according to the eighteenth session of the Commission on Human Settlements [resolution 18/5 operative paragraph 10](#). The two forums were partnerships forums.

The Urban Environment Forum³

The Urban Environment Forum was a byproduct of the Sustainable Cities Programme. It was launched in 1996 on the eve of the second United Nations Conference on Human Settlements (HABITAT II) primarily to deepen collective knowledge, share and replicate success stories of cities and all those interested in human settlements and environment management. It was a global network of cities and international programmes working together in cooperation to fulfil their commitments towards implementation of

¹ paragraph 6 of section I of its resolution 31/140 of 17 December 1976, decided that sessions of United Nations bodies may be held away from their established headquarters when the Government issuing the invitation for a session to be held within its territory has agreed to defray, after consultations with the Secretary-General of the United Nations as to their nature and possible extent, the actual additional costs directly or indirectly incurred,

² paragraph 5 of the United Nations General Assembly resolution 40/243 of 18 December 1985, according to which United Nations bodies may hold sessions away from their established headquarters when a government issuing an invitation for a session to be held within its territory has agreed to defray the actual additional costs directly or indirectly involved

³ The *Environmental Planning and Management (EPM) Source Book Vol.1 on Implementing the urban environment agenda and Vol. 2 on City experiences and international support 1997*, provides a detailed background of the UEF.

Agenda 21 and the Habitat Agenda. UEF attracted diverse partners in many countries including donors and their networks.

At the sixteenth session of the Commission on human settlements, member states in resolution 16/20 of 7 May 1997 - *Cooperation between the United Nations Centre for Human Settlements (Habitat) and the United Nations Environment Programme*, noted with satisfaction the progress in implementing the resolutions regarding cooperation between the Centre and the United Nations Environment Programme in the Sustainable Cities Programme, especially as a facility for building effective partnerships among cities, United Nations bodies and other international organizations concerned with implementing the Habitat Agenda in the area of sustainable urban development and environmental improvement.

The international Forum on Urban Poverty

Dr Klaus Topfer, Director-General, Head UNCHS (Habitat) in his Foreword to the *Proceedings of the International Conference on Urban Poverty*, summarised the purpose of the Forum as follows:

“The international forum on urban poverty launched in Florence, Italy in November 1997, is an independent partnership of governments, municipalities, bilateral and multilateral agencies, private Foundations, non-governmental organisations and communities active in the fight against urban poverty. The initiative builds on expertise of various cities and communities to establish a global partnership for the sharing of experiences, the advancement of knowledge, and the mobilisation of resources. The Forum aims at empowering people living in poverty to overcome their conditions with the support of civil society and governments at all levels.”

The following excerpts from the most recently concluded Host country Agreement between UN-Habitat and the Republic of Azerbaijan regarding the arrangements for the hosting of WUF 13, encapsulate the essence of the World Urban Forum and its participatory framework:

“CONSIDERING that the United Nations Commission on Human Settlements requested, in its resolution 18/5 of 16 February 2001, the promotion of a merger of the Urban Environment Forum and the international Forum on Urban Poverty into a new Urban Forum, with a view to strengthening the coordination of international support to the implementation of the Habitat Agenda.

CONSIDERING that the United Nations General Assembly, in its resolution 56/206 of 21 December 2001, transformed the United Nations Commission on Human Settlements into the Governing Council of UN-Habitat, as a subsidiary organ of the General Assembly, and the United Nations Centre for Human Settlements into the UN-Habitat Secretariat, and decided that the World Urban Forum was to be a "nonlegislative technical forum in which experts can exchange views in the years when the Governing Council does not meet":

CONSIDERING that the objectives and the modes of work for the World Urban.

RECALLING that the General Assembly resolution 70/210 of December 2015 recognized the World Urban Forum as the foremost global arena for interaction

among policy makers, local governments leaders, non-governmental stakeholders and expert practitioners in the field of human settlements.

RECALLING; World Habitat Day mandated by the United Nations General Assembly, since 1985, to recognise and celebrate World Habitat Day (hereinafter referred to as "WHD"), on the first Monday of October each year to raise global awareness of human settlements and sustainable urbanization;”

Annex IV of the report of the First Session of the World Urban Forum, Nairobi, Kenya 29 April – 3 May 2002⁴

II. OBJECTIVES OF THE WORLD URBAN FORUM

2. Building on the very valuable experience of the Urban Environment Forum and the International Forum on Urban Poverty, the unified World Urban Forum will have international cooperation in shelter and urban development as its substantive focus. Accordingly, the meetings of the World Urban Forum will facilitate the exchange of experiences and the advancement of collective knowledge among cities and their development partners. The meetings of the World Urban Forum will also place strong emphasis on the participation of Habitat Agenda partners and relevant international programmes, funds and agencies, thus ensuring their inclusion in the identification of new issues, the sharing of lessons learned and the exchange of best practices and good policies.

III. PARTICIPATION

3. Participation in the World Urban Forum will be open to representatives of national governments, local authorities and other Habitat Agenda partners. The latter include, inter alia, global parliamentarians on Habitat, non-governmental organizations, community-based organizations, human settlement professionals, research institutions and academies of science, the private, business and non-profit sectors, foundations, relevant United Nations organizations and other international agencies.

Other relevant resolutions and documents on the World Urban Forum which emphasises inclusion and participation of all stakeholders include: [HSP/GC/19/14, 9 May 2003⁵](#) paragraphs 3 and 4; [HSP/GC/20/10, 8 April 2005⁶](#), paragraph 4; and [HSP/GC/23/5, 11-15 April 2011⁷](#) paragraphs 3 and 4 .

B. World Habitat Day⁸

World Habitat Day was established in 1985 by the General Assembly, and first celebrated in 1986, the year of the 10th anniversary of the First United Nations Conference on Human Settlements. The [General Assembly in its resolution 40/202](#), operative paragraph 6. decided, in accordance with the Commission on Human Settlements resolution 8/4 of 8 May 1985, to designate the first Monday of October of every year as "World Habitat Day".

⁴ Report of the first session of the World Urban Forum, [Annex 4 – Objectives of and arrangements for the World Urban Forum](#) pg.47

⁵ Governing Council Resolution No. 19/14: World Urban Forum, Barcelona: [9662_1_593469.pdf](#)

⁶ Governing Council Resolution 2010 – World Urban Forum: [9637_1_593444.pdf](#)

⁷ Report of the Executive Director: Proposed Work Programme and Budget 2012-2013, Annex IV World Urban Forum, p.104. [Microsoft Word - K1170043 -E HSP-GC-23-5.doc](#)

⁸ General Assembly Resolution 40/202 – Report of the Commission on Human Settlements - [nr047909.pdf](#)

C. World Cities Day

The [General Assembly in its resolution A/68/239](#) – *Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)*, Op 16. decided to designate 31 October, beginning in 2014, as World Cities Day, invited States, the United Nations system, in particular UN-Habitat, relevant international organizations, civil society and all other relevant stakeholders to observe and raise awareness of the Day, and stressed that the costs of all activities that may arise from observing the Day should be met from voluntary contributions.

D. World Urban Campaign⁹

Following the evaluation of the two global campaigns on Urban Governance and Secure Tenure in 2005, member states at the twentieth session of the Governing Council called for a unified global campaign on sustainable urbanisation to ensure better synergies and complementarity. Member States in [Governing Council resolution 21/2](#) approved the Medium Term Strategic and Institutional Plan (2008 – 2013) which included a Global Campaign on Sustainable Urbanisation. The World Urban Campaign was launched at the Fifth Session of the World Urban Forum, Rio de Janeiro, Brazil in March 2010. The following are the relevant resolutions of the [General Assembly 54/209](#) and the [Commission on Human Settlements resolutions 17/7](#) and [18/3](#).

Conclusion:

In view of the above, the non-legislative meetings, World Urban Forum, World Habitat Day and World Cities Day, are non-legislative events and are open to all partners without restriction and there is no requirement for formal accreditation or decision by the member States. They are governed by the bilateral arrangements that the United Nations enters with the relevant host government. It will, therefore, be contrary to the spirit and intention of the relevant resolutions and decisions of the General Assembly and the Governing bodies and beyond the mandate of the Ad-hoc Working Group on Stakeholder Engagement Policy to extend the scope of the stakeholder policy to non-legislative meetings.

⁹ Informal briefing of the Committee of Permanent Representatives on the World Urban Campaign: [13274_1_595951.pdf](#)