The UN's Normative Role in an Agenda 2030 World

2 December 2016, Geneva, Switzerland

Conference report

The current international normative context

The United Nations' (UN) normative role has been fundamental to the organisation since its creation. It remains an important feature of the UN's function and ability to act on behalf of all peoples, not just its Member States. However, implementing a new development agenda in a changing world where hard-won normative gains are increasingly contested by nationalism, populism and protectionism will place new demands on an already challenged system. Furthermore, organisational and operational fragmentation and a shrinking space for advocating and ensuring basic norms such as human rights and international humanitarian law calls for renewed efforts to strengthen the UN's normative role. This role is further necessitated by other trends that challenge the existing order, such as the changing distribution of international economic power; the pertinence of market forces and the rebalancing between the public and private spheres; the emergence of global challenges that require collective solutions, and; rapid technological changes.

In this context, on 2 December 2016, the Dag Hammarskjöld Foundation (DHF) and the Graduate Institute of International and Development Studies' Programme for the Study of International Governance organised a public conference on "The UN's Normative Role in an Agenda 2030 World." The conference convened over 130 participants from the UN system, Member States, academia, civil society and the private sector, and identified gaps and opportunities in the UN system's normative work in the context of implementing Agenda 2030.

Taking stock of the UN's normative work

What do we mean by norms? Recognising the complexity of the conceptual understanding of norms, norms were proposed to mean standards of appropriate behaviours for actors of a certain community. The scholarly literature commonly differentiates between *behavioural norms* that are internalised and largely acted upon without question, such as standard operating procedures or laws, and *prescriptive norms* that provide guidance for what should be done when confronting contradictory objectives or uncertainty. Another distinction was made between technical norms, where UN specialised agencies play an important but not exclusive role in standard-setting, and behavioural norms, such as human rights and non-discrimination, where the UN arguably should be a major player. It was also stressed that norms are not given or static; they have to be articulated and defended, performed and practiced, as well as updated and adjusted when needed, or they will decay or be replaced.

Did the 2030 Agenda set new norms or pull existing norms together? In a time when multilateralism and fundamental UN norms are increasingly being challenged, the unanimous adoption of Agenda 2030 provides a common framework for state and non-state actors. Compared to the Millennium Development Goals, the inclusivity and universality, the mainstreaming of sustainability, and the

distributional elements of the SDGs were highlighted as important normative advancements. While no SDG target fell below already agreed upon norms and many went beyond existing soft law, one important gain of the Agenda was not norms-creation, but bringing norms together under one comprehensive development framework. A diverging view raised was that Agenda 2030 did indeed rehash existing technical norms and it was suggested that it did not go far enough on behavioural norms for human rights, discrimination and forced migration.

What forms does the UN's normative work take? Conference panellists highlighted different normative roles played by various Geneva-based UN agencies. The International Labour Organisation sets global labour standards and provides technical assistance and capacity-building for states to implement ratified norms. The World Health Organisation sets health norms, provides technical assistance and undertakes operational activities during health emergencies. The United Nations Economic Commission for Europe plays a coordinating role for many technical standards despite a relatively small staff by relying on national technical experts.

The UN's normative role can be identified in four distinct areas focusing on development and agreement on norms and on support for their implementation:

1) development of global norms and standards, from conventions and treaties to soft law and outcomes of world conferences, to technical standard-setting;
2) support to Member States to integrate and align national legislation and policies to agreed norms;
3) support to countries to implement such legislation and policies;
4) provision of monitoring and review mechanisms to encourage compliance with norms.

Balancing norm-setting and norm implementation. Already having more normative frameworks than countries are able or willing to implement, some panellists suggested there is an over-emphasis on the development of new norms. Others pointed to conflicting and contested norms, e.g. prioritising economic growth vs. sustainable consumption, that require either normative adaptation or new norm-setting.

Moreover, different countries have different priorities and trade-offs for implementing the SDGs and other international agreements and treaties, raising questions about the cohesiveness of the development agenda. It was suggested that weak implementation is not necessarily only a result of the absence, or poor design, of norms, and that it is important to distinguish between the inability of a country to implement existing norms due to a lack of capacity as opposed to a lack of political will. The need to understand and address capacity deficiencies better was stressed repeatedly by various panellists.

Does the UN have a monopoly on international norm-setting? The UN plays an important but not exclusive role in international standard-setting. A distinction was made with regards to behavioural norms, where the UN has a comparative advantage, and technical norms, where UN is but one among other actors. The International Organization for Standardization (ISO), for example, is one of the most prolific agencies for technical norm-setting. Other important norms have also been developed after years of deadlock through multi-stakeholder initiatives outside the UN framework. The 2000 Voluntary Principles on Security and Human Rights, for example, were originally created outside the UN system, and were eventually brought back under the aegis of the UN with the 2011 United Nations Guiding

Principles on Business and Human Rights. Such normative initiatives should not compete with, but rather be compatible with the UN's ongoing normative work.

Looking ahead: Six key messages

1. UN to embrace a renewed and powerful narrative on norms. Challenging perceptions that global norms as 'rules of the game' are designed to favour a few, and a trend to opt for bilateral or unilateral deals over multilateral solutions to global challenges, a strong normative agenda that leaves no one behind must be championed, broadly communicated and recognised. Norms that are freely adopted will be far more effective than those that are imposed. This missing narrative provides an important opportunity for the UN to make a strong case for the value of multilateralism itself at a defining moment for the future of multilateralism.

2. Prioritise implementation, while ensuring existing norms remain relevant. The SDGs will not be reached if we underestimate the role norms play, including the UN's ability to support implementation of agreed upon norms at the country level. Governments are already seeking advice on alignment of the Agenda with national policies and development plans, monitoring and measuring results, and setting up the optimal governance architectures for implementation. It was recognized that today not only are existing norms not being implemented but many of them are being increasingly contested, even those that were previously uncontested. Thus, there was agreement that norm compliance and implementation should be prioritised by the UN, including providing technical support to strengthen the implementation capacity of states. There is also a constant need to adjust and adapt our common norms in an ever changing world.

3. Involve non-state actors. The UN, with the help of various non-state actors, will need to hold national governments accountable when they lack short-term incentives to either ratify or implement agreed international norms. Numerous examples illustrate the important role non-state actors can play in supporting the formation, implementation, and monitoring compliance with international norms. Civil society organisations, for example, have helped shape perceptions and change consumption patterns that modified existing environmental norms to decrease deforestation in the Amazon.

Participants stressed the need for stronger global mechanisms for facilitating norm compliance, and highlighted the important role civil society can play monitoring implementation of the SDGs. Issues on how to engage the private sector in implementation of the SDGs were debated, particularly in light of financing shortfalls for effective implementation strategies.

4. Re-think how the UN operates. To meet the demands of Agenda 2030 and to strengthen its normative role, the UN must make fundamental changes to how it operates to ensure it is fit for purpose. Areas for further attention include: 1) high-level and systematic inter-agency cooperation and coordination, e.g. the WHO and ILO work on health, employment and economic growth; 2) bridging the UN's normative and operational roles; 3) developing new methods for knowledge management and improve solutions uptake by sharing information across the UN system when existing solutions prove to be effective, and; 4) development of definitions and credible data on normative activities.

5. Appropriate types of financing for normative activities. Financing normative work was highlighted as an important challenge, and this challenge is linked to gaps in the areas of definitions and data on normative work. Specific importance was attached to the issue of exploring different financing models

for normative activities in the UN. For example, it was noted that 96 – 97% of financing for implementing Agenda 2030 is projected to come from domestic sources, and the need to establish effective partnerships to boost financing for implementation of Agenda 2030 was stressed.

6. Improve communication. While the conference highlighted the importance of International Geneva as a hub for international normative work, awareness of the "Geneva bubble" is important. A significant part of the world is unaware of what the SDGs are or might be reluctant to accept them. In addition, the UN, as well as its Member States, currently face a public trust deficit and there is an urgent need for the UN to demonstrate and communicate its effectiveness to the wider global public, who are inundated with messages that reinforce negative perceptions.

The conference can be watched in its entirety here.

This conference is the first in a series of events being organised by the Dag Hammarskjöld Foundation to spotlight the UN's normative role in the context of discussions about the reform of the United Nations development system, and in light of the 2030 Agenda for Sustainable Development. For more information contact Lisa Orrenius at lisa.orrenius@daghammarskjold.se