GOVERNANCE OPTIONS

Governance Review Process
UN-Habitat

Draft

28 November 2012

Stein-Erik Kruse
Contents

CHAPTER 1: INTRODUCTION...........................................................................................................1
  1.1. Context and background for reform.......................................................................................1
  1.2. The Governing Council Resolution.......................................................................................2
  1.3. Purpose and approach to governance reform .......................................................................3

CHAPTER 2: JUSTIFICATION FOR REFORM...............................................................................5
  2.1. The financial situation............................................................................................................5
  2.2. Governance Challenges .......................................................................................................7

CHAPTER 3: GOVERNANCE OPTIONS......................................................................................8
  3.1. The incremental/managerial reform option ..........................................................................9
  3.2. The Executive Board option .................................................................................................11
  3.3. The combined “hybrid” option ............................................................................................15

4. CONCLUDING REMARKS.....................................................................................................17

Annex 1: Summary of governance options...................................................................................19
Annex 2: Decision-making structures for the three options............................................................0
CHAPTER 1: INTRODUCTION

1.1. Context and background for reform

The governance reform should be placed and understood in the context of other reform processes that have been taking place in UN-Habitat and within the UN system during the last years:

- The strategic and programmatic reform process that resulted in the Mid-Term Strategic and Institutional Plan (MTSIP).
- The administrative and managerial reform initiative (Excellence in Management).
- The organisational review process.
- UN Delivery as One.

In 2004, the Office of Internal Oversight Services in the UN conducted an in-depth evaluation of UN-Habitat, which called for the sharpening of its programmatic focus. UN-Habitat responded by preparing the Medium-Term Strategic and Institutional Plan (MTSIP). The Governing Council approved this Plan in April 2007 as a strategy for the period 2008 to 2013 with the overarching goal “to ensure an effective contribution to sustainable urbanization”. The new Strategic Plan for the period 2014-2019 incorporates and elaborates further the vision and programmatic priorities from the MTSIP.

The MTSIP had a dual purpose – not only to create a sharper and more strategic UN-Habitat, but also a more efficient and effective organisation. The overall goal of focus area 6 “Excellence in Management” was to improve the institutional performance in order to achieve a more efficient and effective delivery of its mandate. As a result, there have also been changes and improvements in institutional and administrative processes, results-based management and systems for resource mobilization.

As part of the MTSIP, UN-Habitat was also supposed to review its organisational structure, to facilitate realignment and restructuring in line with the new programmatic priorities and “establish a structure capable of ensuring more effective and efficient delivery of UN-Habitat’s mandate at the country, regional and global levels”. Significant progress has been achieved with the organisational review, which was formally launched in February 2011.

The review proposed to organise UN-Habitat in seven thematic areas and corresponding Branches, each focusing on the design and implementation of projects in one substantive area. The proposed Management Office conflates elements of the mandates of the former Programme Support Division and some elements of the Office of the Executive Director. The newly established Project Office combines elements of the former Programme Support Division as well as elements from the former substantive Divisions. The Regional Offices are expected to contribute to project identification and formulation functions, and identifying regional resources and funding opportunities.

The seven thematic or substantive areas will become the Focus Areas in the Strategic Plan for 2014-2019 and ensure alignment between the six-year strategic plan, the two-year strategic framework, the two-year Work Programme and Budget, and the organisational structure of the agency. The organisational restructuring has also incorporated the Enhanced Normative and Operational Framework (ENOF) – which aimed to ensure better coherence
between the normative work and operational activities. An interim version of the UN-Habitat Project Accrual and Accountability System (PAAS) is now functional and has improved decision making in key management areas, including finance, human resources, project formulation and implementation, as well as project monitoring, evaluation and reporting. The organisational reform process will culminate in the issuance of a new Secretary-General’s Bulletin on the organisation of UN-Habitat. Though still in a transitional period, the organisational restructuring bears a positive impact on efficiency, productivity, transparency and accountability in UN-Habitat’s ability to deliver its Mandate.

The governance review should also be interpreted in the light of the “Delivering as One UN initiative” launched in 2007. As a result, countries - both Governments and UN partners - have undertaken efforts to work together more effectively and efficiently at country and global level. The reform is based on four principles: One Leader, One Budget, One Programme and One Office. There are also relevant on-going reforms in the UN Secretariat such as “Umoja” - an initiative that seeks to integrate with all other UN reform efforts – from accounting and human resources to developing climate-neutral business strategies and support the introduction of universal and standardized high-quality and cost-effective service delivery systems anywhere in the world.

The analysis of governance should also take into consideration comparable processes in UNEP and other UN organisations. As a result of Rio+10, it has been decided to strengthen and upgrade UNEP in accordance with paragraph 88 of the Outcome Document “The Future We Want”, as endorsed by the General Assembly in Resolution 66/288 of 27 July 2012:

- Strengthen and upgrade UNEP in the manner set out in the Outcome Document “The Future We Want”, as endorsed by the General Assembly in Resolution 66/288 of 27 July 2012.
- Establish universal membership in the Governing Council of UNEP.
- Requests the Executive Director of UNEP to continue to provide support for the full and effective participation of developing countries representatives in the Governing Council meeting.
- Urges donors to increase voluntary funding to UNEP.
- Requests the Secretary-General to maintain the resource needs from the United Nations regular budget for UNEP, in accordance with UN budgetary practices.

UNEP will subsequently revise its governance structure and system for provision of administrative and financial services, but it is still work in progress. Hence, UNEP and UN-Habitat should consult and seek to harmonise institutional and administrative reforms to the extent possible.

1.2. The Governing Council Resolution

However, there has been a missing link - the three internal reforms did not cover the broader issue of governance – the need for changes in the institutional framework for decision-making. Hence, UN-Habitat’s Governing Council, in its 23rd Session April 2011, approved the Resolution 23/13, under the title “Governance of the United Nations Human Settlement: “The Committee of Permanent Representatives (CPR) and the Secretariat of UN-Habitat will jointly engage in a Governance Review process in order to:

- Further examine the options for reform and develop a preferred option.
- Develop procedures for the examination phase.
- Seek consensus on the identified option, and
The first step towards the implementation of the Resolution was setting-up an Open-Ended Consultative Group to oversee the process. Terms of Reference (ToR) approved by CPR in December 2011 required:

- Establishing four Task Force Teams (TFT’s) in order to analyse each of the governance challenges identified by the Group on the basis of the Executive Director’s Note to the Governing Council (HSP/GC/23/INF 7) and to propose options to tackle those challenges.
- Carrying out a Comparative Analysis of different governance models in other UN Programmes.
- Elaborating an Action Plan with options on the basis of the report (HSP/GC/23/INF/7) and work completed by the Open Ended Consultative Group.
- Presenting the Action Plan to the 67th Session of the General Assembly 2013 if possible.

1.3. Purpose and approach to governance reform

The purpose of this report is to present and examine future options for governance reform in UN-Habitat. It starts by explaining why there is a need for reform based on arguments and evidence presented by the four Task Teams established by the Open-ended Consultative Group, the comparative analysis of governance models in other UN programmes and financial data. The report continues by presenting three principle options and the advantages and disadvantages with each of them. There is an analysis and discussion of each option, but no final conclusion or particular recommendation at the end. The report is meant to inform discussions and decision-making. It is prepared by an external independent consultant commissioned by the Open-ended Consultative group. Hence, the report does not necessarily reflect the views and opinions of UN-Habitat or the Consultative group.

The consultancy has three main outputs:

(a) A comparative analysis of different governance models based on presentations made to the Open-ended Consultative Group by representatives of various UN organisations whose governance structures UN-Habitat can learn lessons from.

(b) An examination of the governance options as identified in the Executive Director’s Note to the Governing Council (HSP/GC/23INF/7) as well as any other options emerging during the process, and an analysis of their modalities, financial, legal, procedural and political implications.

(c) An Action Plan that suggests specific recommendations explains steps that must be taken and clarifies financial, legal and procedural implications.

The understanding and approach to governance is as follows: Governance is defined as the institutional structure and the formal and informal relationships that govern an organisation’s decision-making processes and activities. Good governance contributes to UN-Habitat’s credibility and legitimacy by ensuring appropriate representation for the membership and by facilitating transparency that allows scrutiny by various stakeholders. It allows further UN-Habitat to fulfill its mandate effectively and efficiently, it renders UN-Habitat accountable to the membership, and provides voice to relevant stakeholders.
The overarching evaluation criteria for examining governance models are: To what degree a model allows UN-Habitat to operate efficiently and effectively? To what degree does it render UN-Habitat accountable and finally, does the model provide stakeholders with a voice in decision-making?

The evaluation criteria is explained further in the following text box:

<table>
<thead>
<tr>
<th>Assessment criteria for good governance</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) <strong>Effectiveness</strong> refers to the capacity of governance arrangements to deliver high quality, timely results; specifically, to agree on goals and strategies and to implement them and monitor their results. Effective governance requires that responsibilities are clearly defined, that different parts of the institution work in concert, and that information flows to the right place at the right time, allowing monitoring and evaluation mechanisms to identify problems and trigger corrective processes.</td>
</tr>
<tr>
<td>(b) <strong>Efficiency</strong> refers to the costs of governance, both financial as well as in terms of the time of staff and board/council members. Efficient governance requires a clear and coherent division of labour among the organs of governance, avoidance of duplication of effort, and policy-making and implementation processes that involve only as many steps and actors as are strictly necessary.</td>
</tr>
<tr>
<td>(c) <strong>Accountability and transparency</strong> refers to the ability of stakeholders to hold UN-Habitat and its decision makers to a set of standards, to judge whether they are meeting those standards, and to set rewards or sanctions accordingly. It refers also to the transparency of the decision-making processes. Accountability and transparency require a set of benchmarks against which to judge performance, good and transparent reporting and monitoring mechanisms, clear lines of authority and the capacity to sanction an agent whose performance does not meet agreed standards.</td>
</tr>
<tr>
<td>(d) <strong>Representation and voice</strong> refer to the ability of UN-Habitat stakeholders to have their views considered in the decision-making process, and to the ability of other affected stakeholders, such as civil society organisations and local governments, to have their views considered by UN-Habitat governing bodies.</td>
</tr>
</tbody>
</table>

The four assessment criteria: effectiveness, efficiency, accountability/transparency and representation (voice) are drawn from codes of good governance in the public and private sectors and from academic literature on international organisations and private and public sector management. While these dimensions often complement each other in the exercise of good governance, some of them are also in tension and give rise to difficult trade-offs, which will be discussed further in this report. No single model will have the highest score on all criteria, but some of the options will serve UN-Habitat better than others.

**Limitations and potentials**
It is important to emphasise that good governance is a necessary, but not sufficient condition for strengthening UN-Habitat’s credibility and effectiveness. There is no guaranteed causal relationship between the two. In addition, change depends on the successful implementation of a package of reforms. Governance provides the institutional framework and supports the implementation of the mandate, but does not address substantive and programmatic issues. UN-Habitat needs also a mandate and strategy perceived as relevant for addressing urgent
global problems, an organisational structure for implementing the mandate and adequate financial and human resources. UN-Habitat has the mandate and the structure. There is also broad consensus globally that the urban agenda is increasingly important. UN-Habitat challenge lies in the intertwined erosion of credibility and relevance vis-à-vis key donors and limitations in efficiency and effectiveness.

CHAPTER 2: JUSTIFICATION FOR REFORM

Two main reasons for governance reform emerge from the work of the four Task Teams and analyses of UN-Habitat’s current financial position:

- Progressive erosion in the image and credibility of UN-Habitat vis-à-vis donors, which has resulted in withdrawal of several donors providing core support and a volatile financial situation.
- Limitations and inefficiencies in the current governance and administrative system as identified by the four Task Force Teams.

2.1. The financial situation

The financial situation of UN-Habitat is weak and unpredictable. The following table with total income and sources of income for the financial year 2011 illustrate some of the challenges:

<table>
<thead>
<tr>
<th>INCOME</th>
<th>2011 (in USD’000)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Core income</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Regular budget (UN Secretariat)</td>
<td>11.9</td>
<td>5</td>
</tr>
<tr>
<td>(b) Foundation general purpose</td>
<td>17.3</td>
<td>7</td>
</tr>
<tr>
<td>(c) Overhead technical cooperation</td>
<td>13.1</td>
<td>6</td>
</tr>
<tr>
<td>(d) Interest from core funds</td>
<td>0.7</td>
<td></td>
</tr>
<tr>
<td>Sub total core income</td>
<td>43</td>
<td>(18)</td>
</tr>
<tr>
<td>Earmarked income</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Foundation special purpose and technical cooperation</td>
<td>195</td>
<td>83</td>
</tr>
<tr>
<td>TOTAL INCOME</td>
<td>234</td>
<td>100</td>
</tr>
</tbody>
</table>

UN-Habitat has basically three main sources of funding:

(a) Regular budget allocations from the UN Secretariat, which are approved by the General assembly (core funding).
(b) Special purpose contributions to the UN-Habitat Foundation that are non-earmarked funds from the Governments approved by the UN-Habitat Governing Council (core funding).
(c) Special purpose contributions, which are earmarked voluntary contributions from governments and other donors for the implementation of specific activities (non-core funding). These contributions fall into two categories (both earmarked):
   - Contributions towards the Foundation.
   - Contributions for direct project execution at country level (technical cooperation).
The following explains UN-Habitat’s volatile financial situation:

- UN-Habitat relies for 95% of its income on voluntary contributions and the percentage has steadily increased. The lack of predictability associated with voluntary funding undermines the planning and delivery of programmes in both the short- and long term—a common problem for several UN programmes.
- The regular budget contribution from the UN Secretariat represents only 5% of total income and its relative value has decreased over the last five years (with the increase in extra-budgetary funding). It is currently at par with the overhead earned from technical cooperation.
- Core (non earmarked) resources represent only 18% of total income and this is what the Governing Council approves.
- The largest and increasing share of funds (83%) comes from earmarked funding to technical cooperation projects at regional and country level.

The implications are:

- The Governing Council governs only a fraction of UN-Habitat’s work (one fifth of the total budget). Strategic and programmatic decisions for technical cooperation projects are taken by the ED.
- There is a small and decreasing share of resources available for fulfilling UN-Habitat’s global normative mandate.
- Most of what UN-Habitat does is in technical cooperation and strongly influenced by donor priorities and preferences.
- UN-Habitat has a combined normative and operational mandate, but the balance at the moment is uneven and could undermine the future technical and normative role and not least legitimacy of UN-Habitat.

Another challenge is the small number of donors providing core support to the organisation. Currently only Spain, Sweden and Norway provide substantial core support. Over the last ten years UN-Habitat has lost key donors. It should also be mentioned that in 2011 39% of all earmarked resources came from one donor—Japan—increasing UN-Habitat’s financial vulnerability also in the operational area.

There are several reasons for UN-Habitat’s financial situation: First, financial constraints in traditional donor countries have lead to cuts in funding of selected UN organisations. The more important reason is linked to the perception of UN-Habitat as an ineffective and inefficient organisation in Nairobi. UN-Habitat can change its image, but not global financial trends. UN-Habitat has also as mentioned achieved significant internal reform over the last years and improved its efficiency and effectiveness, but such change has not yet caught the attention and attracted new donors and translated into increased level of funding. Images are persistent and difficult to change. There is a need for more fundamental and visible reforms—including reforms in governance. There is as mentioned no guarantee that such changes will give UN-Habitat a new momentum and create a new financial situation, but it is likely that a lack of such reforms will continue current downwards trends—reaching a point where UN-Habitat’s existence is at risk. At best, successful reform in governance can be the important catalyst for change of perceptions and realities.
2.2. Governance Challenges

The governance review process identified challenges in four key areas:
- The structure of governing bodies
- Work planning and reporting systems
- Financial cycles and structures
- Provision of administrative and financial services

The four Task Force Team and previous analyses (HSP/GC/22/2/Add.3, HSP/GC/23/INF/7) have discussed and documented governance challenges in depth. The following is only a summary of the main challenges:

(a) The current governance model is not sufficiently effective and efficient because:
- The Governing Council does not provide regular oversight since it meets only biannually.
- It governs through resolutions and is not an executive entity.
- The Committee of Permanent Representatives (CPR) has no delegated executive authority in the inter-sessional period.
- The responsibilities between GC, CPR and Secretariat are unclear.
- The current model does not meet UN-Habitat’s need for timely and responsive decision-making and action.
- The Governing Council and CPR offer limited feedback on strategic and substantive issues.

(b) Accountability to stakeholders is weak because:
- Many strategic decisions that could have been appropriate for members to influence remains with the ED resulting in less influence, ownership and legitimacy among member states.
- The Governing Council is a subsidiary organ to the General Assembly and with no executive decision-making power.
- The governing bodies have limited oversight and control of UN-Habitat’s total resources.
- There are several general accountability mechanisms within the UN, but few specific mechanisms for holding UN-Habitat accountable to agreed benchmarks and standards.

(c) There is a weak representation and participation from local governments, civil society and other UN-Habitat partners in governing bodies.

(d) Planning, reporting and financial systems are inadequate and ineffective because:
- Despite significant improvements, there are still multiple planning and reporting processes for different sources of funding (duplication and unnecessary transaction costs).
- The work programme and budget has to be prepared long time in advance (which constrains flexibility and scope for adjustment).
- There is limited oversight and coordination of total resources.
- UN’S Secretariat financial rules and regulations apply to implementation of all sources of funding, including extra-budgetary resources. Current procedures are not sufficiently flexible and responsive for in particular UN-Habitat’s work at regional and country level. This impacts on UN-Habitat’s ability to play an active role in country level UNDAF processes with sufficient capacity to take part, respond and deliver in a
timely manner. As such, UN-Habitat is constrained in its ability to support the UN Delivering as One Initiative at country level.  

- Other UN programmes not part of the UN Secretariat have been able to establish more efficient and flexible systems and procedures – meaning that UN-Habitat suffer from a comparative disadvantage.

*The systems for providing administrative and financial services are not optimal having a negative impact on the ability of UN-Habitat to react swiftly in the field, especially in post disaster and reconstruction situations.*

There are delays and limitations within UN-Habitat and UNON. In order to overcome present inefficiencies, both UN-Habitat and UNON as its main service provider should jointly address the following issues:

- Revision of current working arrangements between UNON and UN-Habitat based on the shared goal of improved efficiency in service delivery particularly in relation to field operations. This is a mutual responsibility since a number of critical administrative processes are performed by UN-Habitat and others by UNON.
- The system and rules for delegation of authority between UN-Habitat and UNON have been disputed and interpreted differently. This has led to confusion of roles and responsibilities as well as duplications. A clear system of Delegation of Authority will strengthen accountability and minimize duplications of administrative functions.
- Introduction of fast track administrative procedures that are more flexible and adjusted to speedy delivery, as for instance used by OCHA (which is also part of the UN Secretariat).

**CHAPTER 3: GOVERNANCE OPTIONS**

The review process has documented constraints and limitations in the current governance structure. A need for reform has been identified. There is also consensus that reform is needed, but much less certainty what the best solutions are. The ultimate aim is a governance model that meets all four criteria of performance: effectiveness and efficiency, accountability/transparency and voice. However, no model will have a high score on all criteria so it will be difficult to find a model, which satisfies all stakeholders. Models with high efficiency and effectiveness tend to get a lower score on representation, while representative models tend to be less efficient. The final choice will have to balance different criteria and stakeholder interests and suggest an optimal solution. The purpose of this document is to present options and analyse their strengths and weaknesses as a basis for more informed decision-making and not draw any firm conclusion.

The review of the governance structure of UN-Habitat, phase 3 (HSP/GC/23/INF/7) identified four options for improving UN-Habitat’s governance. The following presents three principal options:

---

1 The challenges for UN-Habitat at country level would require further analysis, but are partly related to weak presence and capacity and centralized/lengthy procedures.
2 Examples from Somalia shows that procurement time has increased to more than six months and often more – for construction projects with one year duration. The slow progress and long start up phase have hampered UN-Habitat’s continued funding from Japan.
3 Option 1: Increased frequency for governance oversight, guidance and decision-making, option 2: Increased frequency of governance oversight, guidance and decision-making and expanded
(a) The incremental/managerial reform option  
(b) The Executive Board option  
(c) The combined “hybrid” option  

The major difference is between ongoing incremental reform on the one hand and the two others. Incremental reform involves changes in selected organisational and administrative processes to a large extent initiated and approved internally. There is no change in the governance structure and bodies (Governance Council and CPR) as such – only in their roles and functions. There is neither any change in UN-Habitat’s relationship to the UN Secretariat. In other words, it is not a reform in governance systems, but in some governance functions. The two latter options involve restructuring of current governing bodies and seek to ensure improved efficiency and effectiveness for UN-Habitat as a programme within the UN Secretariat and based in Nairobi. In other words, both options seek to capitalize on the potential for reform of UN-Habitat as part of the UN-Secretariat. There are also other possible “options” – or combinations and modifications of the three principal models. The option of UN-Habitat merging with another entity has not been discussed. An overview of the structure and decision-making system in each option can be found in Annex 2.

3.1. The incremental/managerial reform option

Incremental reform means organisational and administrative changes introduced over a period of time. It could consist of all or some of the following changes:

(a) *Increased frequency of Governance Council meetings* to improve oversight, guidance and decision making, e.g. maintain the current biannual cycle focusing on approving UN-Habitat’s work programme and budget, and for instance organising a high-level non-legislative forum in connection with the World Urban Forum in alternate years, focusing on policy dialogue and strategic oversight.

(b) *Expanded membership of Governing Council* to include local authorities, civil society and other stakeholders in the new urban sustainable development agenda as observers (UN-Habitat Agenda partners).

(c) *More delegated authority to the CPR from the Governing Council* to provide oversight of extra-budgetary projects and approve changes in work plans and budgets.

(d) *Improved streamlining of planning and reporting formats and systems* based on UN Secretariat systems and procedures (one strategic plan, one biannual work plan and budget and corresponding reports comprising all UN-Habitat activities and funds) in order to reduce duplication and transaction costs.

(e) *Strengthened flexibility and efficiency* by for instance introducing an Emergency Reserve Fund (as in OCHA and UNHCR), fast track recruitment options and other Financial Rules and Regulations for the Foundation and Technical Cooperation Fund.

(f) *Improved efficiency and effectiveness in provision of administrative and financial services* through better communication between UNON and UN-Habitat, formalization of performance based service level contracts and regular monitoring of services.\(^4\)

\(^4\) UNFPA has worked out Service Level Agreements with UNOPS based on detailed plans for delivery of services and linked payment to acceptable performance.
**Process of consultation and approval**

In order to introduce such a reform, the following consultation and approval process is envisaged:

<table>
<thead>
<tr>
<th>Reforms</th>
<th>To be proposed by</th>
<th>To be approved by</th>
<th>Problem solved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased frequency of GC meetings</td>
<td>Proposed by a GC working group (Rule 69 in GC rules)</td>
<td>Governing Council</td>
<td>Improved oversight</td>
</tr>
<tr>
<td>Expanded GC membership</td>
<td>Proposed by a GC working group (Rule 69 in GA Res.)</td>
<td>Governing Council</td>
<td>Increased voice</td>
</tr>
<tr>
<td>More delegated authority to CPR</td>
<td>Proposed by a GC working group (Rule 69 in GC rules)</td>
<td>Governing Council</td>
<td>Improved effectiveness</td>
</tr>
<tr>
<td>Streamlined planning and reporting</td>
<td>Secretariat</td>
<td>Executive Director</td>
<td>Reduced transaction costs</td>
</tr>
<tr>
<td>Flexible Emergency Response Fund, fast track recruitment and procurement options for more efficient and effective disaster response</td>
<td>Secretariat</td>
<td>Department of Management NY</td>
<td>Faster and more flexible response in disaster situations for regional/country offices</td>
</tr>
<tr>
<td>Improve delivery of regular administrative and financial services</td>
<td>EDs in UNON, UN-Habitat and UN-Habitat</td>
<td>EDs in UNON, UN-Habitat and UNEP</td>
<td>Improved efficiency and effectiveness</td>
</tr>
</tbody>
</table>

**Assessment**

**Strengths**

- The incremental option could contribute to strengthened efficiency and effectiveness by increasing the oversight and involvement of the Governing Council through more meetings and a stronger CPR with an extended mandate.
- Several of the managerial and incremental changes can be introduced and implemented under the ED’s delegated authority and/or with support from the Governing Council. For most of the reforms, there is no need to involve the UN Secretariat (except for revision of financial rules and regulations). As such, there are no serious and/or complex legal implications.
- It builds on existing and well-known systems and practices and would be less costly than broader organisational change.
- Improved efficiency in delivery of administrative and financial services could be achieved through revision of current arrangements with UNON, revitalization of the Client Advisory Committee and introduction of a strict performance monitoring mechanisms both within UN-Habitat and UNON, as well as further empowerment of Regional Offices (e.g. higher level of delegation of authority for procurement).
- UN-Habitat is highly dependent on the regular budget contributions for core posts and cannot risk loosing such support despite the high costs in terms of staff time of maintaining the current biannual planning and reporting system.
- Expanded GC membership would improve level of representation, while systems and levels of accountability would not change much.
Weaknesses

- The strategic and substantive contributions from GC have been limited and will most likely not be improved through more frequent meetings. More meetings will increase costs and not add any value. Other more fundamental changes would be required. UN-Habitat needs a more active governing body providing regular strategic direction and oversight.
- A governing body of a complex organisation would usually have to meet several times a year; at least once to discuss budget and programme, once to discuss policy and strategy, once to discuss operations and yet another time to assess results.
- The CPR is established as an advisory and subsidiary inter-sessional body and not as an executive body. More delegated authority to CPR would imply a bias towards countries with a presence in Nairobi and could be perceived as “undemocratic”. An Executive Committee would need another mandate, rules for election of members and a clearly defined role in relation to the organisation and decision-making powers.
- The streamlining and harmonisation of planning and reporting systems will have to be based on existing UN Secretariat rules and regulations. Those rules were originally not designed for combined normative and operational organisations outside New York such as UN-Habitat, and would not be sufficiently responsive for operational activities.
- Managerial reforms have been on-going for several years and have not been able to solve the more fundamental and systemic challenges and sufficiently demonstrate the need for and commitment to reform.

Summary of assessment

<table>
<thead>
<tr>
<th>Managerial option</th>
<th>Effectiveness</th>
<th>Efficiency</th>
<th>Accountability</th>
<th>Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>xx</td>
<td>x</td>
<td>x</td>
<td>Xxx</td>
</tr>
</tbody>
</table>

x – low, xx medium and xxx – high

3.2. The Executive Board option

This option goes further by including reforms in the structure and bodies of governance and in the relationship between UN-Habitat and New York. The option will involve the following:

(a) **Establish an Executive Board or Committee** to replace the Governing Council. Such an entity will:
- Be responsible for both UN-Habitat’s normative and operational mandate (based on delegation from the General Assembly).
- Remain a subsidiary body to the General Assembly through ECOSOC. The Executive Director present an annual report to ECOSOC through the Board (GA Resolution 1994 Annex 1).
- May establish an inter-sessional body (Secretariat/Bureau) responsible for preparing the work of the Executive Board and follow up on activities.
- Provide strategic oversight and approve the work plan and budget comprising all activities in the organisation – including the Foundation and technical cooperation projects. As in other UN Funds and Programmes, the Executive Director has the authority and can approve projects up to a certain ceiling.
- Monitor performance and support the auditing and evaluation functions.
- Meet once a year (annual session) with other regular sessions as decided by the Board.
- Have approx. 20-25 members comprising of the following members appointed by ECOSOC:
  o Representatives of all regional groups.
  o A sample of resident CPR representatives (5-6) as voting members (the other remains as observers). Rotate members every second year.
  o Selected members representing the broader UN-Habitat Agenda as observers.

The Executive Boards in UNHCR and UN-Women

UNHCR is governed by the UN General Assembly and the Economic and Social Council (ECOSOC). The UNHCR Executive Committee, composed of 85 members, approves the agency's biennial programmes and the corresponding budget. The members should “be elected by the Council on the widest possible geographical basis from those states with a demonstrated interest in, and devotion to, the solution of the refugee problem”. As head of the organisation, the High Commissioner is responsible for the direction and control of the organisation. He reports annually to ECOSOC and the General Assembly on the work of UNHCR.

In UN-Women, the Executive Board shall meet in an annual session and may meet in regular sessions between the annual sessions at such times and durations as it determines. The Executive Board, elects from among its representatives, a Bureau consisting of a President and four Vice-Presidents. The Bureau shall meet on a regular basis. The Executive Board may invite, when it considers it appropriate, inter-governmental and non-governmental organisations in consultative status for questions that relate to their activities.

(b) Maintain UN-Habitat as a UN programme in Nairobi, but change its relationship with the UN Secretariat in line with other UN programmes:
  - Transform the regular budget from the UN Secretariat to a grant for supporting UN-Habitat’s core mandate based on UN-Habitat’s financial rules and regulations in line with UN-Women and UNHCR.
  - Provide UN–Habitat with its own Financial Regulations and Rules.
(c) Streamline planning and reporting formats and procedures in line with UN-Habitat’s normative and operational mandate and its need for oversight, flexibility and responsiveness.
(d) Provision of financial and administrative services will be based on outsourcing and One UN principles for achieving economies of scale, but all systems will have to ensure best value for money (established through an assessment of quality, efficiency and effectiveness). The alternatives would be (a) UNON for services in Nairobi (b) outsourcing to other agencies when required at regional and country level.

5 Academic work on decision-making indicates that executive boards, to be effective, should have no more than 10-12 members. The quality of participation declines in larger boards, decision-making begins to atrophy and free-rider problems increase. However, a UN-Habitat Board would need a higher number since it will perform representative and oversight roles in addition to the executive.
6 This is a model used for instance by FAO in Rome – where seats in the Board rotate between resident delegations. CPR in its current form will disappear, but the roles will continue and be strengthened through more executive functions.
7 Several organisations have also a few “ex-officio members” from academia and technical institutions to strengthen the professional competence of the boards.
In order to introduce such a reform, the following consultation and approval process is envisaged:

<table>
<thead>
<tr>
<th>Reforms</th>
<th>To be proposed by</th>
<th>To be approved by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish an Executive Board</td>
<td>Governing Council</td>
<td>Second and Fifth Committee and finally General Assembly</td>
</tr>
<tr>
<td>Establish and operate a grant modality</td>
<td>Governing Council</td>
<td>ACABQ</td>
</tr>
<tr>
<td>Introduce UN-Habitat’s Financial Rules and</td>
<td>Department of Management</td>
<td>Executive Board</td>
</tr>
<tr>
<td>Regulations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Select the most cost-efficient and effective</td>
<td>Secretariat</td>
<td>ED (based on delegation of authority)</td>
</tr>
<tr>
<td>system for delivery of administrative and financial services</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Assessment**

**Strengths**

- The Executive Board option is a well-proven model used by the majority of UN programmes and funds.
- The structure of governance is clear, simple and transparent. The Executive Board alone has full responsibility for all programmes and activities in the organisation. More strategic decisions could be taken and reported on. The evaluation and audit function would be anchored in the board.
- An active and committed Board can provide regular professional guidance and assistance to UN-Habitat, strengthen its legitimacy and reputation and play an important role in preparing the ground for mobilisation of resources. UNICEF for instance organise Pledge Events at its first session, as part of fund raising activities.
- The Board provides a forum for decision-making, regular oversight and monitoring of all programmes and budgets (including extra-budgetary funds).
- Representation in decision-making is broader and decision-making more transparent than in the current system – reducing and balancing the power of donors and Executive Director. Strategic decision-making is moved from the ED to the governing body and would improve influence, legitimacy and ownership by members.
- UN-Habitat will manage and administer extra-budgetary resources according to its own Financial Regulations and Rules within the UN system, similar to other UN Programmes. The model for provision of financial and administrative services would be selected based on an analysis of what model offers highest quality, cost-efficiency and effectiveness.
- The Executive Board contributes to strengthened accountability by making it easier to hold UN-Habitat accountable through regular meetings.
- The Executive Board is potentially the most cost efficient option, but it will depend on the number of meetings and members. It will only be more cost-efficient if the number of board members is kept low (approx. 15-20).

**Weaknesses**

- The model scores lower on voice and representation. Executive Boards are more suitable for operational programmes and funds with a need for rapid and flexible decision-making. On the other hand, most UN programmes have large boards with between 36 and 60 members and are as representative as Governing Councils.
- It may not be viable for UN-Habitat with its limited resources to establish a large board (30-35), but rather have a more low profile and cost efficient option with fewer members (15-20). According to data provided by several UN Programmes, the annual meeting of an Executive Board in New York can cost between 1.5-2 Mill USD. Translation of documents to the six official UN languages is one of the most expensive components (one page in six languages costs more than 2000 USD).
- A comparative Study with the cost of the organisation of the Governing council is essential to establish comparative advantages based on cost efficiency.
- There is a danger that seats will not be filled since the frequency of meetings and workload will increase.
- Programmes combining normative and operational functions face a dual demand – a need for efficient and effective decision making for operational programmes, but also an open, inclusive and representative forum for normative policy debate, formulation and advocacy. This is consistent with the intention of ENOF – enhanced normative and operational approaches and work in UN-Habitat.
- The grant modality is no panacea. It does not mean un-earmarked funds from the UN Secretariat. Grants are linked to the same planning, approval and reporting requirements as the Regular Budget. The difference lies in more flexible implementation.
- Having separate financial rules and regulations and outsourcing of administrative services at regional and country level could be more expensive than the current system. UNON is subsidised through the Regular Budget. According to information provided by UNON, “the absolute and proportionate share of UN-Habitat's funding of UNON has declined over the last decade, while regular budget funding to UNON has increased,

---

8 There is a need for a more detailed costing of each alternative. Several UN programmes confirm that the highest costs are currently related to translation of documents to all UN languages, renting of meeting facilities and simultaneous translation in meetings. All members cover their own travel costs.

9 The decision on board size gives rise to trade-offs between executive effectiveness on the one hand and representation and legitimacy on the other. UN programmes often need to prioritise representation.
such that UNON receives approximately 10% of the less than 13% programme support charge levied on UN-Habitat’s trust and expenditures”.

- An Executive Board with combined normative and operational responsibilities, may not be sufficiently efficient and effective because:
  - There are too many members.
  - The agenda of meetings would be considerable if both normative and operational roles are combined, which would either result in extended meetings that would not generate high-level interest, or that subjects are not given adequate attention.
  - Effective decision-making needs a focused discussion as a basis for decisions, alternatives and a review of consequences. Wide participation is not conducive to such discussions.
  - Whereas the normative functions require high-level participation from member-states, the executive decisions in respect of governance need another sort of competence and administrative capacities.

### Summary of assessment

<table>
<thead>
<tr>
<th>Executive Board</th>
<th>Effectiveness</th>
<th>Efficiency</th>
<th>Accountability</th>
<th>Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>xx</td>
<td>xxx</td>
<td>xxx</td>
<td>x</td>
</tr>
</tbody>
</table>

x – low, xx medium and xxx – high

3.3. The combined “hybrid” option

The hybrid model will have most of the same characteristics as the Executive Board. The major difference is the combination of a broad high-level Commission or Council promoting the sustainable urban development agenda through inter-governmental policy debate and development, advocacy and resolutions and on the other hand a relatively small Executive Board taking decisions on programmes and budgets, providing strategic advice and oversight and monitoring performance. The model is built on the assumption that UN-Habitat needs both a global forum for policy dialogue with broad representation and a more business oriented entity meeting more often.

The option will consist of the following elements (many similar to the Executive Board Option, but some additional):

(a) **A Council or Commission on sustainable urban development.** Such an entity would be a global policy-making body dedicated to the promotion of sustainable urban development which:
   - Meets biennially.
   - With the same or more members as the current Governing Council.

(b) **An Executive Board to oversee the operational activities of UN-Habitat.** The board will perform functions in line with those of other governing bodies of the United Nations funds and programmes. (Resolution adopted by the GA 48/162 – 1994 on functions of Executive Boards).
(c) The Executive Board will:
  o Remain a subsidiary body to the General Assembly through ECOSOC and the Executive Director presents an annual report to ECOSOC through the Board (GA Resolution 1994 Annex 1).
  o May establish an inter-sessional body (Secretariat/Bureau) responsible for preparing the work of the Executive Board and follow up on activities.
  o Provide strategic oversight and approve the work plan and budget comprising all activities in the organisation – including the Foundation and technical cooperation projects.

(d) Maintaining UN-Habitat as a UN programme, but make it more independent from the UN Secretariat in line with other UN programmes and convert the current contribution to the regular budget into a grant.

(e) Streamlining planning and reporting formats and procedures based on UN-Habitat’s need for oversight, flexibility and responsiveness.

(f) Selecting systems for procuring administrative and financial service based on an assessment of best quality, cost-efficiency and effectiveness.

(g) Maintain UN-Habitat as a UN programme in Nairobi, but change its relationship with the UN Secretariat in line with other UN programmes:
  o Transform the regular budget from the UN Secretariat to a grant for supporting UN-Habitat’s core mandate based on UN-Habitat’s financial rules and regulations in line with UN-Women and UNHCR.
  o Provide the Executive Director with delegated responsibility in areas of procurement, financial and human resources management.
  o Outsource administrative and financial services similar to what is described for the Executive Board option.

Process of consultation and approval

In order to introduce such a reform, the following consultation and approval processes is envisaged:

<table>
<thead>
<tr>
<th>Reforms</th>
<th>To be consulted</th>
<th>To be approved by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish Commission/Executive Board</td>
<td>Governing Council</td>
<td>Second and Fifth Committee and finally the General Assembly</td>
</tr>
<tr>
<td>Establish and operate a grant modality</td>
<td>Secretariat/ED</td>
<td>ACABQ</td>
</tr>
<tr>
<td>Introduce UN-Habitat Financial Rules and Regulations</td>
<td>Executive Board</td>
<td>Department of Management</td>
</tr>
<tr>
<td>Select the most cost-efficient and effective system for delivery of administrative and financial services</td>
<td>Secretariat/ED</td>
<td>Department of Management</td>
</tr>
</tbody>
</table>

Assessment

Strengths

- This option has a high score on both representation and effectiveness with one forum for normative discussions with broad representation and a relative small executive board for operational decision-making.
A dual structure strengthening linkages between intergovernmental normative and operational work, but also acknowledging their different characteristics and requirements\(^{10}\).

- UN-Habitat would have its own Financial Regulations and Rules for the management and implementation of extra-budgetary resources (Foundation Funds and Technical Cooperation) and would rely basically on outsourcing for provision of administrative services after an assessment of best value for money.
- The same level of accountability as for the Executive Board option.

**Weaknesses**

- The option could be less effective than an Executive Board because of more layers and governing bodies with the potential for unclear lines of authority.
- A lower score on efficiency since it is more expensive than the previous option – having both a Council with biannual meetings and a board meeting more frequently. There will be high direct costs (translation, rent of meeting rooms, secretarial support, but even higher indirect costs such as Secretariat staff time in preparation and follow up of each meeting).

**Summary of assessment**

<table>
<thead>
<tr>
<th>Hybrid option</th>
<th>Effectiveness</th>
<th>Efficiency</th>
<th>Accountability</th>
<th>Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>xx</td>
<td>xx</td>
<td>xxx</td>
<td>xxx</td>
</tr>
</tbody>
</table>

x – low, xx medium and xxx – high

4. **CONCLUDING REMARKS**

The purpose of this document is as mentioned not to draw conclusions and recommend one model as superior to the others. The analysis has shown that there are obvious strengths and weaknesses with each of them. No option will satisfy all stakeholders and interests. The final choice of a preferred option should carefully review and balance all relevant arguments.

The Executive Board option has a high score on effectiveness – the model is simple with clearly defined responsibilities and is proven to work in several UN programmes. The decision-making process is also transparent and cover all programmes and activities regardless of source of funds. As such, it has also a high score on accountability, but slightly less on representation and voice because of a weaker ability of the governing body to involve and consult widely with stakeholders. A better balance between efficiency and effectiveness can be achieved by changing the composition, rules of procedure and functions of the Executive Board.

The combined hybrid model has some of the same qualities. It gets a high score on both representation and effectiveness because of its dual governance structure – a high level

\(^{10}\) In UN-Women the Executive Board is responsible only for the operational activities, while the Commission guides the normative work. As such, the two entities are separate and independent. One is not under or above the other. In UN-Habitat such a sharp distinction between normative and operational will not be useful. The Executive Board should be responsible for the combined normative and operational agenda while the Commission/Council could provide normative and strategic guidance.
Commission and a smaller Executive Board. On the other hand, it could be a more complex, less efficient and expensive model.

It is also feasible to improve and strengthen the existing governance model, but its weaknesses and limitations have been repeated in several Governing Council documents and resolutions and the need for reform was confirmed by the work of the four Task Teams.

The overall question is which option will best address and contribute to strengthen UN-Habitat’s image and normative relevance, its efficiency and effectiveness in delivery – which are pre-conditions for building trust, continued and expanded support from new and existing donors.

Finally, there is a need to consider costs – or the price of governance. On the other hand, what is more important is to compare costs with value. The cheapest option is not necessarily the best. It could be the worst. The most expensive may solve the problems, create the platform for growth and add much more value than the others.

We have so far no exact figures on the costs of organising a Governing Council meeting within the existing structure so a more detailed comparative analysis is difficult, but the categories of direct costs are:

- Renting of meeting facilities
- Interpretation (travel and fees for interpreters)
- Subsidized travel and accommodation (LDC representatives)
- Translation of documents to all UN languages
- Personnel and support staff

In addition, there are significant “hidden costs” – mainly UN-Habitat staff involved during preparation and implementation of the meeting.

It is clear that the combined hybrid option will cost more that the existing model – because of the additional costs of an Executive Board (the Commission will most likely equal the cost of the Commission). On the other hand, this model has the potential to add more value.

The costs of an Executive Board will depend on several factors: How many times it will meet in a year, how many members and what UN-Habitat will have to pay for. With a 25 member board, we would estimate that 5-7 members will be based in Nairobi, 10 will cover their own costs and UN-Habitat will subsidize seven member for two meetings a year (a total cost which could be covered within the existing travel budget). If interpretation and translation to all UN languages would be required for all Board meetings, it will add considerable cost. If such requirements could be limited to only one meeting, costs could be reduced. As a tentative conclusion, an Executive Board will most likely have a higher cost than the current Governing Council, but it has also the potential for offering much higher value and its direct cost may not be that much higher than the Governing Council. To make a choice between governance models exclusively based on figures is not only difficult, but is neither advisable.

It has been mentioned that more frequent Board meetings will increase the indirect costs by requiring much more and frequent inputs from UN-Habitat staff. This is not necessarily true since the Secretariat has been and is already heavily involved in preparing and carrying out four formal and a large number of informal CPR meetings every year.
### Annex 1: Summary of governance options

<table>
<thead>
<tr>
<th>Model variables</th>
<th>Managerial reform</th>
<th>Executive Board</th>
<th>Hybrid model</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approves policy/strategy</td>
<td>Governing Council</td>
<td>EB</td>
<td>Commission</td>
</tr>
<tr>
<td>Approves regular budget and Foundation budget</td>
<td>Governing Council</td>
<td>EB</td>
<td>EB</td>
</tr>
<tr>
<td>Approves technical cooperation</td>
<td>ED</td>
<td>EB</td>
<td>EB</td>
</tr>
<tr>
<td>Financial rules and regulations</td>
<td>UN Secretariat</td>
<td>UN programme</td>
<td>UN programme</td>
</tr>
<tr>
<td>Grant modality</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Governing bodies</td>
<td>Governing Council</td>
<td>EB</td>
<td>Commission and EB</td>
</tr>
<tr>
<td>Planning and reporting systems</td>
<td>UN Secretariat</td>
<td>UN Secretariat</td>
<td>UN Secretariat</td>
</tr>
</tbody>
</table>

| Effectiveness                           | x                 | xxx             | xx           |
| Cost efficiency                         | xx                | xx              | x            |
| Transparancy/accountability              | x                 | xxx             | xxx          |
| Voice/participation                     | xx                | xx(?)           | xxx          |

x - low, xx – medium, xxx - high
Annex 2: Decision-making structures for the three options
HYBRID OPTION

UN SECRETARIAT
- Approves grant
- Reviews grant

GENERAL ASSEMBLY ECOSOC

UN-HABITAT COMMISSION
- Delegates authority

EXECUTIVE BOARD
- Formally oversees, reviews & approves

EXECUTIVE DIRECTOR
- Proposes & implements

FOUNDATION
- GRANT MODALITY
- CORE RESOURCES

TECHNICAL COOPERATION