

## The Rise of High-Level Panels: A success model?

This article is the English original of the article “Der Aufstieg Hochrangiger Gruppen: Ein Erfolgsmodell?“, published in: **VEREINTE NATIONEN – German Review on the United Nations**, Vol. 65, 1/2017, pp. 10–17.

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**Over the past quarter of a century, high-level panels have become an ever more popular change management tool at the United Nations. Successive UN Secretary-Generals have increasingly relied on the work of such panels to push for institutional and policy reform and promote normative development in virtually all of the UN’s mandate areas. This article reflects on the evolving UN experience with high-level panels and analyses how they might prove most valuable going forward.**

With António Guterres having just assumed office as the ninth UN Secretary-General on 1 January 2017, this is a good moment to reflect on almost five decades of UN experience with high-level panels and to analyse how they might prove most valuable going forward. What explains the rise of these panels and what has been their overall value? Why are some more successful than others? And what accounts for the discrepancy in their impact?

This article explores these questions by drawing on a database\* assembled by the authors of all high-level panels established since the 1969 Pearson Commission<sup>1</sup> on several insightful scholarly reviews (in particular by Ed Luck,<sup>2</sup> Gareth Evans<sup>3</sup> and Ramesh Thakur<sup>4</sup>), interviews

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\* We would like to thank Sebastian Bruhn for invaluable research support in the process of preparing this article and in particular for assembling a detailed database of all panels on which some of this analysis is based.

<sup>1</sup> The authors have included in the database high-level panels, international commissions, independent advisory boards and groups, UN review panels and similar bodies that were set up by UN Secretaries-General, other UN system agencies, governments, NGOs or individual elder statesmen. The year refers to the date when the final reports were submitted.

<sup>2</sup> Edward C. Luck, Blue Ribbon Power: Independent Commissions and UN Reform, in: International Studies Perspectives, 1. Jg., 1/2000, S. 89–104; Edward C. Luck, UN Reform Commissions: Is Anyone Listening?, Keynote Speech, Conference on ‘The Ideas Institutional Nexus’, University of Waterloo, 16 May 2002.

<sup>3</sup> Gareth Evans, “Commission Diplomacy”, in Andrew Cooper, Jorge Heine, and Ramesh Thakur (eds.), Oxford Handbook of Modern Diplomacy (Oxford: Oxford University Press, 2013).

<sup>4</sup> Ramesh Thakur, High Level Panels, in: Jacob Katz Cogan/Ian Hurd/Ian Johnstone (Eds.), Oxford Handbook of International Organizations, Oxford 2016.

with individuals who worked on one or several such bodies,<sup>5</sup> as well as the authors' own involvement with recent panels.

### **The rise of high-level panels**

What unites all high-level panels is that they have an international membership, enjoy independent standing, are set up for a limited duration. They shall address a particular UN-relevant challenge, and present their findings in a final report with recommendations for change. But beyond these common features, their purview and breadth vary greatly. Some are asked to address major global policy challenges (e.g. nuclear disarmament), while others deal with sectoral issues (e.g. water). Some are internally-oriented advisory boards focused on improving the UN's workings and operations,<sup>6</sup> while others are of an investigative nature, shining a spotlight on UN failures and tabling agendas for systemic reform.<sup>7</sup> Around half of all panels were set up by UN Secretaries-General. Of the remainder, 13 were set up by Member States, ten by other UN system agencies, seven by non-governmental organisations (NGOs), and two by individual former statesmen.

#### *Key trends*

Since the UN established its first panel in the late 1960s, three key trends have emerged. The first is the dramatic rise in the number of panels since the late 1990s. Of the 65 panels established throughout the UN's existence, 51 were set up just in the last 20 years during the Secretary-General-ships of Kofi Annan and Ban Ki-moon, with 18 established during the latter's second term alone. The second trend is that, over time, an increasing share of panels was set up by the Secretaries-General themselves, reflecting the office-holders' growing push towards norm-entrepreneurship. Ban Ki-moon initiated 18 out of the 24 panels established since 2010, mostly out of his own volition rather than due to an intergovernmental mandate.<sup>8</sup> And third, while most of the early panels, up to the early 2000s, dealt with overarching questions of peace, development and global governance, many of the more recent panels cover highly specific policy issues (e.g. access to medicines).

### **The impact of high-level panels**

Several high-level panels have led to directly attributable change, made a lasting impact and have become major reference points in UN discourse. Within the development field for instance the Pearson Commission on International Development, is the original source of the widely endorsed Official Development Assistance (ODA) target of 0.7% of GDP.

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<sup>5</sup> The authors would like to thank Kiyoshi Adachi, Rahul Chandran, Elizabeth Cousens, Karina Gerlach, Bruce Jones, Renato Mariani, Steve Stedman and Gizem Sucuoglu for their time and insights.

<sup>6</sup> See, for example, the Senior Advisory Group to examine the "rates of reimbursement to troop-contributing countries and related issues" (2012).

<sup>7</sup> See for instance the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda (1999) and the Independent Panel to Probe Oil-for-Food Allegations (2005).

<sup>8</sup> Of the 17 panels set up by Ban Ki-moon, only four had an intergovernmental mandate.

### *Sustainable development*

A descendent of the Brundtland Commission, the High-Level Panel on Global Sustainability (2010) articulated the need for the Millennium Development Goals (MDGs), which would expire in 2015, to be succeeded by a development framework that was qualitatively different, foreshadowing the adoption of the Sustainable Development Goals (SDGs) in 2015. The High-Level Panel of Eminent Persons on the Post-2015 Development Agenda (2012) played a vital role in bridging divisions and shaping a hitherto highly fragmented vision for these SDGs.

### *Peace and security*

In the area of international peace and security, the Panel on UN Peace Operations (the “Brahimi report”, 2000), introduced a more robust peacekeeping doctrine and led to the expansion of the UN’s peacekeeping department (with almost 200 new posts).<sup>9</sup> Fifteen years later, the High-Level Independent Panel on UN Peace Operations (“HIPPO”, 2015) continued to struggle with some of the same challenges to UN peacekeeping as the Brahimi panel, including how to square the use of force with UN peacekeeping principles. It also explored how to improve capacities, performance, and planning processes in the context of increasing deployments into theatres where there is no peace to keep.

After a number of countries relapsed into conflict in the 2000s, the Peacebuilding Architecture Review (2015) presented a re-think of UN peacebuilding practice. Both the HIPPO and peacebuilding reports placed prevention at the centre of UN action, echoing earlier panels including the 1998 Carnegie Commission on Preventing Deadly Conflict and the 2004 High-level Panel on Threats, Challenges and Change. When asked about the top priorities for his mandate, incoming Secretary-General Guterres stated “prevention, prevention, prevention”.<sup>10</sup>

### *Civilian protection*

In the area of civilian protection, two inquiry panels set up by Kofi Annan – into the failure to prevent the 1994 Rwandan genocide and the 1995 Srebrenica massacre – influenced thinking on humanitarian intervention. Building on these inquiries as well as the Kosovo experience, the International Commission on Intervention and State Sovereignty (ICISS, 2001) developed the concept of the “Responsibility to Protect” (R2P) civilian populations from mass atrocities, which was eventually endorsed by all UN Member States in 2005. The Report of the Internal Review Panel on United Nations Action in Sri Lanka (2012), has led to a re-prioritisation of human rights across UN operations.

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<sup>9</sup> William J. Durch/Victoria K. Holt/Caroline R. Earle/Moira K. Shanahan, *The Brahimi Report and the Future of Peace Operations*, The Henry L. Stimson Center, Washington, D.C. 2003.

<sup>10</sup> Evelyn Leopold, *World’s Top Diplomat – It’s Guterres of Portugal!*, *The World Post*, 6 October 2016.

### *Institutional reforms*

The High-Level Panel on Threats, Challenges and Change (2004), was possibly the panel that enjoyed the greatest interest, in part because a number of countries hoped it would lead to reform of the UN Security Council. While Council reform remained elusive, the panel made a range of other institutional reform recommendations that were eventually implemented, including the establishment of the UN Peacebuilding Commission and the Human Rights Council. This reform process also led to a crucial re-engagement of the administration of US President George W. Bush with the UN Secretariat following the fall-out over the 2003 US invasion of Iraq.

One important – but little recognized function – of these panels is to engage with academia and think tanks to ensure that its policies and operations are informed by empirical research. Most recent panels have conducted systematic consultations with the research community around the world, and on occasion the Secretariats for these panels were led by prominent academics.

### **Influential High-Level Panels**

<b>Name of panel</b>	<b>Title of report/date of publication</b>	<b>Established by</b>	<b>Date established</b>	<b>Chair, Co-Chairs &amp; number of panelists</b>
Pearson Commission on International Development	<b>Partners in Development (Pearson Report)/1969</b>	Robert S. McNamara, President of the World Bank	August 1968	Lester B. Pearson, Prime Minister of Canada & 8 commissioners
World Commission on Environment and Development (Brundtland Commission)	<b>Report of the World Commission on Environment and Development: Our Common Future/1987</b>	SG Javier Pérez de Cuéllar	December 1983	Gro Harlem Brundtland, Prime Minister of Norway & 20 commissioners
Carnegie Commission on Preventing Deadly Conflict	<b>Preventing Deadly Conflict/1994</b>	The Carnegie Corporation of New York	May 1994	David A. Hamburg, President Emeritus at Carnegie Corporation of New York Cyrus R. Vance, Former US Secretary of State & 14 commissioners
Panel on United Nations Peace Operations	<b>The Brahimi Report/2000</b>	SG Kofi Annan	March 2000	Lakhdar Brahimi, UN Special Representative to Haiti and South Africa & 9 panelists
International Commission on	<b>The Responsibility to Protect/2001</b>	The Government	September 2000	Gareth Evans, President of the

Intervention and State Sovereignty (ICISS)		of Canada, headed by Jean Chrétien		International Crisis Group and former Minister for Foreign Affairs for Australia, Mohamed Sahnoun, Special Advisor to the UN Secretary-General & 10 commissioners
High-level Panel on Threats Challenges and Change	<b>A more secure world: Our shared responsibility/2004</b>	SG Kofi Annan	September 2003	Anand Panyarachun, Former Prime Minister of Thailand & 15 panelists
High-level Panel on Global Sustainability (GSP)	<b>Resilient People Resilient Planet: A Future Worth Choosing/2010</b>	SG Ban Ki-moon	August 2010	Tarja Halonen, President of Finland Jacob Zuma, President of South Africa & 20 panelists
The Secretary-General's High-Level Panel of eminent persons on the Post-2015 Development Agenda	<b>A New Global Partnership: Eradicate Poverty and Transform Economies through Sustainable Development/2012</b>	SG Ban Ki-moon	July 2012	Susilo Bambang Yudhoyono, President of Indonesia Ellen Johnson Sirleaf, President of Liberia, David Cameron, Prime Minister of the UK & 23 panelists
High-level Independent Panel on Peace Operations (HIPPO)	<b>Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people/2015</b>	SG Ban Ki-moon	October 2014	José Ramos-Horta, Former President of East Timor Ameerah Haq, Former UN Under-Secretary-General for the Department of Field Support (Vice-Chair) & 14 panelists
Advisory Group of Experts on the 2015 Review of the United Nations Peacebuilding Architecture	<b>The Challenge of Sustaining Peace: Report of the Advisory Group of Experts for the 2015 Review of the United Nations Peacebuilding Architecture/2015</b>	SG Ban Ki-moon	December 2014	Gert Rosenthal, Former Minister of Foreign Affairs of Guatemala and former Permanent Representative of Guatemala to the UN & 7 members

Database assembled by the authors

### Lack of results?

Yet not all panels have fared so well, and quite a few have left only a limited mark. The Brandt Commission on International Development Issues (1977) proposed a global social pact between the north and south to be endorsed at the 1981 Cancun summit, but that summit, did more to underscore international divisions. The 2003 Commission on Human Security, though stacked with eminent brainpower, failed to reshape discourse at the UN or to meaningfully influence the UN operationally. Even UN insiders may have never heard of

the 2010 Global Commission on Elections, despite its insightful report on how to promote electoral integrity. The report by the Commission on Global Security, Justice and Governance, set up in 2014 by two well-established think tanks to promote comprehensive UN reform failed to get attention.

The growing recourse to such panels in recent years may be partly responsible for some of them falling flat. With 13 panels having been established since September 2014, even attentive UN observers can easily lose track of their number and mandates. Moreover, recent years have seen a proliferation of panels working on critical but highly technical issues that might be tackled as effectively and possibly more cheaply by other mechanisms. It is clear that the over-reliance on high-level panels has reduced their potential impact.

### **Five Success Factors**

When faced with policy challenges, António Guterres, like his predecessors, may be tempted to respond by creating high-level panels, with the expectation that they will help mobilise collective action or overcome intergovernmental dead-lock by offering fresh thinking and innovative proposals. The decision to establish any high-level panel should be driven by a detailed analysis of what it is supposed to achieve – and how it can succeed. Past experience indicates that five factors are key to a panel's success.

#### *Unmet need and clarity of objective*

Most importantly, the decision to establish a new panel should be based on an analysis of whether it would respond to an unmet need and discernible demand among relevant constituencies. The Brahimi panel in 2000 was set up in the context of widespread recognition that peacekeeping needed to be professionalised. The 2004 Threats and Challenges Panel responded to an urgent need to renew the UN's role in collective security following the deep rift among Member States created by the 2003 Iraq War.

By contrast, it is difficult to see the compelling rationale and prospects for success of panels such as that on Global Public Goods (2006), whose scope was fuzzy and target audience unclear, or the one on Elections (2010), with which the electoral assistance and democracy promotion actors in international organizations and civil society showed reluctance to engage out of fear that the panel report would draw unhelpful attention to and thus complicate their work in this sensitive area.

#### *Panel composition*

Apart from bringing substance and ideas, panellists, while independent and acting in their personal capacity, need to be able to rally their respective "constituencies" behind panel recommendations. Many panels now feature a north-south co-chairing arrangement, in recognition of the importance of balanced representation along the major political divide on most UN issues. At the same time, as Evans and Luck point out, diversity of worldviews is as

important as geographic diversity, and many panels have suffered from over-reliance on like-minded liberal internationalists while paying insufficient attention to other schools of thought.<sup>11</sup> A more recent – and less-well learned – lesson is the importance of ensuring gender balance on a panel.

The selection of the chair or co-chairs is particularly important as they are central in terms of representation, communication and high-level engagement. In fact, many panels are known simply by the name of their chairs. The chairs also need to create a sense of common purpose and direction and maintain cohesion among potentially difficult-to-manage panellists. Brahimi is rightfully mentioned as a model.<sup>12</sup>

Possibly as important as who sits on the panel is who drives its research. A top-notch research director, supported by a full-time secretariat, has proven key, time and again, to the quality of the final product. Panels that stand out in this respect include the Brahimi panel as well as the ones on Threats and Challenges and the Post-2015 Development Agenda.

Past panels have shown that this leadership can be either exerted from the chair or co-chairs or from the research director. If both fall short, the whole panel will as well.

#### *High-quality product*

To gain traction, panel reports need to combine compelling analysis with fresh ideas and an original argument. For instance, the popularisation by the Threats and Challenges panel of the research finding that more civil wars were ended through negotiation in the last 15 years than in the previous two centuries<sup>13</sup> became a highly effective argument for creating a standing mediation capacity within the UN's Department of Political Affairs. Meanwhile, Luck already cautioned in the early 2000s that there is “an inverse relationship between how ambitious a report's proposals are and how likely they are to be adopted.”<sup>14</sup>

A recurrent mistake of panels is to pay insufficient attention to the length and readability of their reports, which can make them difficult to digest for policymakers.

What all the best panel reports have in common is a long shelf-life. Even if the actual implementation record of their recommendations is mixed, these reports continue to serve as important reference points in ongoing debates and provide ideas and inspiration for years after their release.

#### *Managing the politics*

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<sup>11</sup> Edward C. Luck, UN Reform Commissions: Is Anyone Listening?; Gareth Evans, Commission Diplomacy, in: Andrew F. Cooper/Jorge Heine/Ramesh Thakur (Eds.), Oxford Handbook of Modern Diplomacy, Oxford 2013.

<sup>12</sup> William J. Durch, Building a Better Peace Operation: Lessons from the Brahimi Report Process, The Henry L. Stimson Center, Washington, D.C., 11 March 2014.

<sup>13</sup> UN Doc. A/59/565 as of 2 December 2004.

<sup>14</sup> Edward C. Luck, Blue Ribbon Power: Independent Commissions and UN Reform, p. 90.

Understanding – and managing – the politics around the work of any panel is key. Panels should be seen as Track II processes<sup>15</sup> within which panellists or senior research staff can discreetly “pre-negotiate” difficult issues and explore with national policymakers where compromises could be found. The three co-chairs of the Post-2015 panel, for instance, personally engaged to bridge divisions over the more controversial aspects of the proposed new development agenda. Many of the historically most successful panel recommendations were “road-tested” in some form before they were released, by which time the panel concerned had also identified member state champions willing to push hard for their real-world adoption. Panels need to accept that the quality of the politics matters at least as much for implementation as the quality of the ideas.

### *Follow-Up*

The release of a panel’s final report should be seen as the mid-point of a project, not its end.<sup>16</sup> In the case of the Panel on Threats and Challenges, the Secretary-General established such a dedicated team within his office, reporting directly to the Deputy Secretary-General. Ban Ki-moon’s “Human Rights Up Front” initiative currently has a team working on implementation. In the case of the 2013 report on Civilian Capacities in the Aftermath of Conflict, there was a strong and dedicated follow-up team, but without a direct link to senior leadership, which complicated buy-in.

### **The potential of High-Level Panels**

High-level panels have a proven potential to drive the emergence of new ideas and norms as well as executive action and institutional renewal. This potential needs to be preserved. No high-level panel should be established without a detailed analysis of what it is supposed to achieve and how it can succeed. Of particular importance is the panel’s:

1. potential to address an unmet demand;
2. balanced composition reflecting key constituencies;
3. quality of product;
4. management of politics and
5. follow-up.

Most importantly, however, such panels should be used more sparingly. The inflationary use of panels has arguably resulted in the depreciation of a tool whose value resides at least in part in its rarity. If high-level commissions become routine, the audience will stop paying attention.

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<sup>15</sup> For an explanation of “Track One Diplomacy” and “Track Two Diplomacy” see Jeffrey Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, *Culture of Peace Online Journal (COPOJ)*, 2(1)/2005, p. 66–81.

<sup>16</sup> Edward C. Luck, *UN Reform Commissions: Is Anyone Listening?*, p. 3.