



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

8 August 2008

Excellency,

I have the honour to bring to your attention the attached report of the Co-Chairs on mandate review, containing their comments and observations about the process conducted during the 62nd session, and suggestions on the way forward.

I would like to express my sincere appreciation to Ambassador Kaire Mbuende of Namibia and Ambassador Rosemary Banks of New Zealand for their dedication and efforts in dealing with this important reform issue.

I also congratulate them for reaching agreement on recommendations on the mandates related to "Effective coordination of humanitarian assistance efforts" and "African Development".

Please accept, Excellency, the assurances of my highest esteem and consideration.

A handwritten signature in black ink, appearing to read 'Srgjan Kerim'.

Srgjan Kerim

All Permanent Representatives and
Permanent Observers to the United Nations
New York



Permanent Mission of New Zealand
to the United Nations



Permanent Mission of the Republic
of Namibia to the United Nations

H.E. Mr Srgjan Kerim
President of the General Assembly
of the United Nations

Excellency

Mandate Review : Report of the Co-chairs

When you gave us responsibility as co-chairs for the continuation of the mandate review process, you requested us to report on results and to submit proposals with regard to the current review by the end of July 2008. Our report is attached.

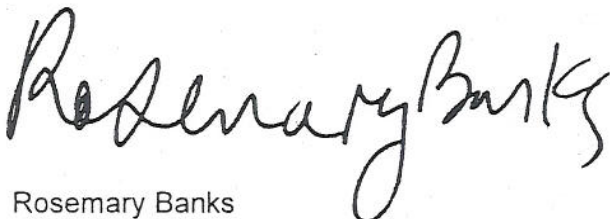
In carrying out our work, we have been guided at all steps along the way by the parameters and principles set out in your letter of 6 November 2007 to Member States. We take this opportunity to thank Member States for the constructive approach they have brought to this exercise. We are grateful to implementing agencies and to the Secretariat for supporting the process.

The review has served to focus attention on the number and the nature of mandates contained in the mandate registry. The disjunction between the mandate cycle and the budget cycle has, however, limited the potential of the review to fulfil the Summit objective for mandate review. This was to "strengthen and update the programme of work of the United Nations so as to respond to the contemporary needs of Member States".

We submit to you and to Member States for consideration before the end of the current session the conclusions we have drawn from our experience as co-chairs.

Thank you for the opportunity to take up this assignment.

Yours sincerely,


Rosemary Banks


Kaire Mbuende

MANDATE REVIEW: CO-CHAIRS' REPORT

Tasking and Background

1. Leaders at the 2005 Summit agreed that there was a need "To strengthen and update the programme of work of the United Nations so as to respond to the contemporary needs of Member States. To this end, the General Assembly and other relevant organs will review all mandates older than five years originating from resolutions of the General Assembly and other organs, which would be complementary to the existing periodic reviews of activities". It was subsequently agreed that the review should include mandates older than five years which have been renewed.

2. A mandate review process was initiated in early 2006 and continued through the 61st session, with a report from co-chairs in July 2007 on consideration of mandates in the thematic cluster on drug control. Later in 2007 attention focused afresh on the incomplete process of mandate review. The President of the General Assembly sought Member States' agreement to a continuation, and set out mutually agreed parameters and principles in his letter of 6 November 2007 (see Annex I).

3. The following three principles guided the process;

- (a) *The main objective of the review is to strengthen the UN, to update its programme of work and to improve the effective and efficient allocation of scarce resources*
- (b) *Resources freed up from a review of development-related mandates should be reinvested into development activities; other savings should be optimally utilized, including for development*
- (c) *Politically sensitive mandates will be approached with caution and with due respect to the perspectives of those Member States whose interests are directly engaged*

4. We accepted the President's request to first devise a way for a process, to begin substantive work in early 2008 then to report by the end of July 2008 on results and to submit proposals with regard to the current review.

Methodology and cluster approach

5. Our objective as co-chairs was to devise a methodology which would be to the maximum extent possible objective, fact based and transparent. Also to design a working method which would allow for the most efficient use of Member States' time, and at the same time provide a structure for dialogue with the Secretariat. The methodology eventually adopted evolved in consultation with Member States. We devoted significant time and effort to outreach to regional groups and interested delegations, to ensure that there was confidence in the methodology before we began the review process. (Our explanatory memorandum on the methodology is attached at Annex II.)

6. It was agreed from the outset that the reactivated mandate review process would be based on the existing nine clusters of mandates, which are in turn derived from the agenda of the General Assembly. The registry lists 9046 mandates, of which 5594 are older than five years and relate to the General Assembly. The balance relate to ECOSOC and to the Security Council.

7. We began our work with a review of the humanitarian assistance cluster (279 mandates), followed by the Africa development cluster (52 mandates).

8. The approach followed in each case was to prepare a matrix document based on the registry of mandates prepared by the Secretariat in 2006. This included comment received from implementing agencies and preliminary analysis by the co-chairs. Once presented to Member States, informal consultations and informal informals were organized for each of the two clusters. (A total of five informal consultations and five informal informals were held between February and July.) The purpose was to reach agreement on which mandates should be deemed to remain fully relevant; which should be recognized as having been overtaken by events or subsequent mandates and therefore removed from the list of active mandates; and which may require attention as either duplicatory or not fully implemented for one reason or another.

9. A colour code was used by which relevant and current mandates were listed as green; mandates where there were questions over clarity or delivery were listed as amber; mandates considered as no longer relevant were listed as red. In addition we used a grey category for mandates which had been completed or were otherwise inactive. (Documents showing the co-chairs' preliminary analysis of the two clusters are available on line at <http://www.un.org/ga/president/62/issues/MandateReview.shtml>.) Where mandate registry errors were identified, these were listed under each cluster.

10. Member States expressed confidence in this methodology and it allowed for structured discussion of the mandates. However, for reasons explained below, the methodology could not in itself deliver on the intended purpose of the review as stated above "to improve the effective and efficient allocation of scarce

resources” because of the lack of a direct link between agreed mandates and the budget cycle.

Results from review of humanitarian assistance cluster and Africa development cluster

11. Agreed recommendations from review of the humanitarian cluster and the Africa development cluster are attached as Annexes III and IV respectively. On the former cluster, our primary implementing agency contact point was the Office for the Coordination of Humanitarian Affairs (OCHA), and on the Africa cluster it was the Office of the Special Adviser on Africa (OSAA).

12. Analysis of the humanitarian cluster of 279 mandates resulted in a decision to classify 35 mandates as for discontinuation (red); 26 as for attention (amber); 54 as completed or inactive (grey) and 155 as current and relevant to requirements (green).

13. In the case of the Africa development cluster of 52 mandates, 8 were classified as red; 18 as green and 2 as grey or completed. It was not possible to reach a decision on how to classify 3 of the mandates. In each cluster, the balance is accounted for by mandate registry errors.

14. On the humanitarian cluster, after provisional decisions were taken on the co-chairs’ recommendations, we advised the President of the General Assembly of this outcome and requested him to seek confirmation from the Secretary-General of any operational or resource implications. A response dated 25 July is attached as annex V. This confirms that there were no identifiable operational or resource implications from the agreed updates to mandates in the humanitarian cluster.

15. At the same time as finalizing this report, we are writing to the President of the General Assembly to advise him of the provisional decisions on the Africa development cluster and to seek comment on any operational or resource implications, as per para 14 above.

Evaluation of the mandate review process

16. Expectations based on the Summit Outcome document were that the mandate review would “strengthen and update the programme of work of the United Nations so as to respond to the contemporary requirements of Member States” (para 163 (b)) and as noted above, would allow for reallocation of resources. However, this rests on an assumption that a direct relationship between mandates and resources can be established.¹

¹ Resources refers to both budgetary and human resources allocated to a mandate

17. In fact this is not the case - a reality which limits the scope of mandate review and the value of results from the current review. The regular budget is based on 27 programmes and 140 sub-programmes set out in the strategic framework. As part of the budget process, programme managers and the Programme Planning and Budget Division develop recommendations for the redeployment of resources to priority areas. Each section of the programme budget includes a list of outputs to be discontinued.

18. Given the mandate-resource disconnect, the mandate review process has served the limited purpose of categorizing mandates for the two clusters now analysed, so that Member States can more readily see which mandates are active and which have become redundant.

19. One benefit from the review process has been to increase Member States' awareness of the range of existing mandates. The process has also sharpened Member States' interest in wider mandate and budget cycle issues of implementation and accountability.

20. The benefits derived from the process to date are, however, in the view of co-chairs *insufficient to justify the continuation of the review process in its current format* for the following reason. It is not possible within the existing UN mandate and budget cycle to identify resources that can be reallocated as a result of discontinuing mandates which are no longer active, or as a result of consolidating mandates.

21. Many who have participated have described the current review as primarily a "book keeping" or "house cleaning" exercise. If the mandate registry is to be maintained as a tool for Member States, then such a quality check is useful and necessary. But this does not necessarily require the level of intergovernmental process established in the 62nd session for mandate review. More active use and management of the mandate registry could produce similar results. Over the past six months there has been a significant direct cost of running informal consultations, without attempting to estimate the cost (and opportunity cost) of delegates' time.

Mandate registry

22. It has been a significant achievement from the mandate review that for the first time in the UN's history, an all encompassing registry of mandates has been established. This was done in early 2006 as a tool for Member States and as a platform for the mandate review process.

The registry is available on line at <http://www.un.org/mandatereview>

Mandates have been defined as set out in the Secretary-General's report on Mandating and delivering : analysis and recommendations to facilitate the review of mandates (A/60/733);

“..a mandate has been defined as a request for a direction for action by the United Nations Secretariat or other implementing entities in the system, which originates in a resolution of the General Assembly or one of the other organs”.

23. Analysis of the two clusters to date has revealed the extent to which the mandate registry is flawed in some respects. It has not been updated or actively maintained since mid 2006. There are some inaccuracies in attributing mandates to implementing agencies, and other shortcomings.

24. Whatever decisions Member States may take over future mandate related work, the registry will remain an essential source of information and foundation for analysis. *We therefore recommend that the secretariat be requested to establish a permanent capacity to constantly update and maintain the registry.* We are pleased to note that the Department of Management has initiated an updating (by temporary staff) of the registry, starting with the two clusters reviewed.

25. Once the registry is fully up to date and implementing agencies' responsibilities have been verified, and depending on Member States' decisions on future of this process, there would be scope for redesign of the registry. It would be more useful to Member States if it could incorporate information on, for example, the status and implementation of mandates.

Options for future work

26. The Summit commitments to strengthening the UN and to improving the allocation of scarce resources remain valid and should continue to motivate Member States. The current review process envisaged as its end goal the systematic review of all nine clusters of mandates. The review of two mandate clusters just completed represents the most significant achievements to date. It has in our view demonstrated that there is a need to progressively improve the management of mandates, and Member States have recognized that this is their responsibility. Unfortunately there are obstacles in the path of a fully effective mandate review process that are not easily removed. Principally

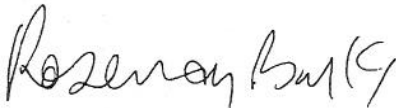
- the disconnect between the mandate cycle and the budget cycle which means that resource implications of mandates are not transparent or even fully traceable
- Ambiguity over ownership and primary responsibility for mandates among implementing agencies, ie diffuse ownership

27. Options for the future direction of the mandate review process include the following;

- (a) continue the review, but in the view of co-chairs, this would be justified only if the above obstacles could be addressed, and if Member States themselves are prepared to renew their level of commitment and seriousness of purpose
- (b) given the constraints on the ability to relate mandates to resources, accept that the original concept of mandate review does not deliver sufficient benefits to either Member States or to the secretariat to be worthwhile continuing in the current format

Other observations

28. Throughout our work on mandate review, we have identified both from a Member State perspective and from the Secretariat viewpoint that there is frequently a lack of clarity around mandate interpretation, accountability and follow up. Member States may wish to consider making a comprehensive analysis of the mandate cycle; from formation through implementation, evaluation and the final stage of reporting results back to Member States.



Rosemary Banks



Kaire Mbuende



6 November 2007

Excellency,

Based on the positive feedback after our meeting on 17 October, I would like to present the following elements as mutually agreed parameters for the continuation of the mandate review process:

- The review of mandates should be extended to all General Assembly mandates older than five years, including those that have been renewed;
- The Working Group should report on results and submit proposals with regard to the current review by the end of July 2008;
- A process should be established which allows for a more systematic input of expertise from main committees and from within the UN system, including from regional organizations;
- The Working Group would provide regular briefings, organized by the President of the General Assembly, on progress achieved;
- The review of mandates should be guided by the following principles:
 - (a) The main objective of the review is to strengthen the UN, to update its programme of work and to improve the effective and efficient allocation of scarce resources.
 - (b) Resources freed up from a review of development-related mandates should be reinvested into development activities; other savings should be optimally utilized, including for development;

(c) Politically sensitive mandates will be approached with caution and with due respect to the perspectives of those Member States whose interests are directly engaged;

- All issue areas should be reviewed and gaps identified and duplications eliminated in the implementation of mandates identified. The sequence of the issue areas to be addressed should be agreed upon according to established practice, taking into account previous contributions by the Secretariat.

- The Secretariat plays a crucial role in mandates review and its continued support will be essential. The mandate registry should be maintained and strengthened for the ongoing review of mandates.

These parameters will guide the work of the Co-Chairs. As I proposed in our meeting, their initial consultations will be aimed at devising a way for a process, so as to allow for substantive work on mandate review to start after the Committees complete their work in the main session.

I count on your cooperation and your constructive engagement with the Co-Chairs in order to achieve concrete steps on this important reform item.

Please accept, Excellency, the assurances of my highest esteem and consideration.

Srgjan Kerim





Mandate review

Methodology



Process conducted according to mutually agreed parameters

Letter from the PGA to Member States of 9th November 2007 states:

- The review of mandates should be extended to all General Assembly mandates older than five years, including those that have been renewed;
- The Working Group should report on results and submit proposals with regard to the current review by the end of July 2008;
- A process should be established which allows for a more systematic input of expertise from main committees and from within the UN system, including from regional organizations;



Methodology was developed to facilitate initial analysis

The review of mandates should be guided by the following principles:

- (a) The main objective of the review is to strengthen the UN, to update its programme of work and to improve the effective and efficient allocation of scarce resources.
- (b) Resources freed up from a review of development-related mandates should be reinvested into development activities; other savings should be optimally utilized, including for development;
- (c) Politically sensitive mandates will be approached with caution and with due respect to the perspectives of those Member States whose interests are directly engaged;



Methodology for preliminary analysis

Methodology provides factual input as to whether mandates:

- Reflect current need
- Are delivered effectively and efficiently

The framework will facilitate feedback from Member States, which is the next step of the methodology

The framework for organization of information is a matrix showing:

- Mandates that fully reflect current need, and are effectively implemented
- Mandates that would benefit from consolidation or strengthening
- Mandates on which action is required to fill gap or discontinue
- Mandates that are no longer active: request/action has been delivered within the timeframe specified, and the mandate has not been renewed



Fit of mandate to current need

Matrix

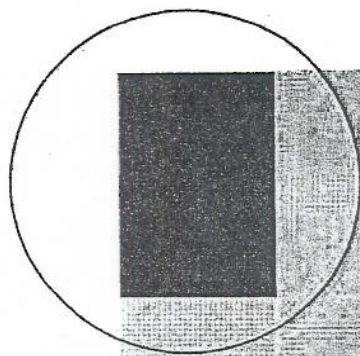
Mandate fully reflects current need				Activity/ operation/ report delivering in accordance with mandate (timing, cost, output, etc) with no duplication of activities
Mandate partly reflects current need				Activity/ operation/ report delivering in accordance with mandate (timing, cost, output, etc) with some duplication of activities
Mandate doesn't reflect current need		Inactive mandates		Activity/ operation/ report not being delivered in accordance with mandate (timing, cost, output, etc)

Delivery efficiency and effectiveness



Green mandates

- These mandates fully reflect current need, and are effectively implemented



Mandate fully reflects current need	Mandate partly reflects current need	Mandate doesn't reflect current need
not being delivered in accordance with mandate	delivered in accordance with mandate with some duplication	Delivered in accordance with mandate with no duplication

- Example: Mandate 5648

- This mandate: 'Establishes the United Nations Relief and Works Agency for Palestine Refugees in the near East

– (a) To carry out in collaboration with the local governments the direct relief and works programmes as recommended by the Economic Survey Mission

- Analysis shows: this is a core mandate, which reflects need and is delivered accordingly. There is a clear line of coordination between agencies, and no duplication was detected.

- Proposed action: no action needed



Amber mandates

- These mandates where there is scope for consolidation or strengthening

Mandate fully reflects current need	Mandate partly reflects current need	Mandate doesn't reflect current need
Delivered in accordance with mandate with no duplication	Delivered in accordance with some duplication	Not being delivered in accordance with mandate

- Example: Mandate 3892
- This mandate: 'Calls upon the Secretary-General to continue to mobilize the timely provision of international humanitarian assistance to the Federal Republic of Yugoslavia;
- Analysis shows that this recurrent mandate needs to be updated to reflect the current situation of the changed regional situation.
- Proposed action: consolidation/strengthening of elements



Red mandates

- Mandates which require action to either fill gap or discontinue

Mandate fully reflects current need			
Mandate partly reflects current need			
Mandate doesn't reflect current need			
	Not being delivered in accordance with mandate	Delivered in accordance with some duplication	Delivered in accordance with mandate with no duplication

- Example: Mandate 18397
- This mandate: '13. Acknowledges the efforts of the Government of Indonesia, in cooperation with the Transitional Administration, the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and other humanitarian organizations, to facilitate organized and spontaneous returns of East Timorese refugees from West Timor, and encourages the Government of Indonesia to continue its efforts to establish effective security in and around the refugee camps in West Timor in order to facilitate safe and voluntary returns of refugees;
- Analysis shows: Mandate no longer reflects need; refugee situation in West Timor has changed
- Proposed action: discontinue?



Inactive mandates

- These mandates are no longer active: request/action has been delivered within the timeframe specified and has not been renewed

Mandate fully reflects current need			
Mandate partly reflects current need			
Mandate doesn't reflect current need	not being delivered in accordance with mandate	delivered in accordance with mandate with some duplication	Delivered in accordance with mandate with no duplication

- Example: Mandate 16867, 'Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan'
- This mandate: '13. Requests the Secretary-General to continue to monitor the humanitarian situation in Tajikistan and to report to the General Assembly at its fifty-seventh session on the progress made in the implementation of the present resolution;
- Analysis shows: Specific reporting requirement has been fulfilled, and mandate has not been renewed after the 57th session
- Proposed action: none needed as mandate is not active

Mandate Review: Effective Coordination of Humanitarian Assistance

Recommendations

(Specific recommendations are highlighted in bold for easy reference)

Recommendations for Red Mandates

'Assistance for humanitarian relief, rehabilitation and development for East Timor':

Mandate 16930, *"Calls upon Member States, United Nations agencies and other international organizations to continue to collaborate, in full cooperation with the Indonesian Government, to ensure safe and unimpeded access for humanitarian assistance to the East Timorese in western Timor and other parts of Indonesia, including those who do not wish to return to East Timor, in accordance with national and international law"* (resolution: '54/96[H]).

Mandate 18397, *"Acknowledges the efforts of the Government of Indonesia, in cooperation with the Transitional Administration, the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and other humanitarian organizations, to facilitate organized and spontaneous returns of East Timorese refugees from West Timor, and encourages the Government of Indonesia to continue its efforts to establish effective security in and around the refugee camps in West Timor in order to facilitate safe and voluntary returns of refugees"* (resolution: '56/104).

Recommendation: **These two Mandates should be discontinued.** The refugee situation has changed; there is now an open border between West Timor (Indonesia) and Timor-Leste, and the Transitional Administration no longer exists. *Timor Leste and Indonesia agree with this recommendation.*

Assistance for the reconstruction and development of Djibouti / Economic assistance for the reconstruction and development of Djibouti:

Mandate 18729, *'Calls upon the Secretary-General, in co-operation with the concerned organs and organizations of the United Nations system and in close collaboration with the Government authorities, to carry out an evaluation of the requirements of Djibouti with a view to drawing up an urgent programme of rehabilitation and reconstruction following the damage to the infrastructure of the country'* (resolution: '44/177).

Mandate 18730, *Also calls upon the Secretary-General to ensure that the international community is informed of those requirements in order that it may respond favourably to them* (resolution: '44/177).

Mandate 18731, *'Requests the Secretary-General to continue and intensify his efforts to mobilize all possible assistance within the United Nations system to help the Government of Djibouti in its construction and development efforts* (resolution: '44/177).

Mandate 18732, *'Encourages the specialized agencies, organizations, and programmes of the United Nations system to intensify their programmes of assistance and to expand them in response to the needs of Djibouti* (resolution: '44/177).

Mandate 8531, *'Requests the Secretary-General to continue, in close cooperation with the Government of Djibouti, his efforts to mobilize the resources necessary for an effective programme of financial, technical and material assistance to Djibouti* (resolution: '53/1[J]).

Mandate 15703, *'Requests the Secretary-General to continue, in close cooperation with the Government of Djibouti, his efforts to mobilize resources necessary for an effective programme of financial, technical and material assistance to Djibouti;* (resolution: '54/96[C]).

Mandate 18662, *Notes with satisfaction the implementation of a reform programme by Djibouti, and in that context appeals to all Governments, international financial institutions, the specialized agencies and non-governmental organizations to respond adequately to the financial and material needs of the country in line with the poverty reduction strategy paper; 5. Expresses its gratitude to the intergovernmental organizations and the specialized agencies of the United Nations for their contributions to the national rehabilitation of Djibouti, and invites them to continue their efforts* (resolution: '58/116).

Mandate 18663, *'Requests the Secretary-General to continue, in close cooperation with the Government of Djibouti, his efforts to mobilize resources necessary for an effective programme of financial, technical and material assistance to Djibouti* (resolution: '58/116).

Recommendation: **These Mandates should be discontinued.** They do not reflect current need as assistance for reconstruction of Djibouti has transitioned to development. *Djibouti agrees with these recommendations.*

Emergency assistance to the Sudan

Mandate 6706, *'Requests the Secretary-General to continue to mobilize and coordinate resources and support for Operation Lifeline Sudan* (resolution: '53/1[O]).

Recommendation: **This Mandate should be discontinued** as Operation Lifeline Sudan has been superseded by the integrated Sudanese country program. *Sudan agrees with this recommendation.*

'Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan:

Mandate 8535, *'Requests the Secretary-General to continue to monitor the humanitarian situation in Tajikistan and to report to the General Assembly at its fifty-fourth session on the progress made in the implementation of the present resolution;* (resolution: '53/1[K]).

Mandate 16854, '10. *Warmly welcomes the intention of the Secretary-General to continue the United Nations humanitarian programme in Tajikistan by issuing a consolidated inter-agency appeal for humanitarian assistance to Tajikistan for 2002, taking into account current developments in the region, and urges Member States to fund fully programmes included in the appeal;* (resolution: '56/10).

Mandate 16857, '11. *Calls upon the Secretary-General to continue to re-evaluate all United Nations humanitarian assistance activities in Tajikistan with a view to preparing a common humanitarian strategy that would support the relief and recovery operations during the transitional period from relief to development, with a major focus on promoting self-reliance and sustainable development;* (resolution: '56/10).

Mandate 16864, '12. *Stresses the need to ensure the security and freedom of movement of humanitarian personnel, and of United Nations and associated personnel, as well as the safety and security of their premises, equipment and supplies;* (resolution: '56/10).

Mandate 21827, *Encourages Member States and others concerned to continue to provide assistance to alleviate the urgent humanitarian needs of Tajikistan through the consolidated appeals process and to offer support to Tajikistan for the post-conflict rehabilitation and reconstruction of its economy;* (resolution: '57/103).

Mandate 21828, '8. *Emphasizes the importance of further cooperation and assistance from the authorities in facilitating the work of humanitarian organizations, including nongovernmental organizations, welcomes in this regard the establishment of the Aid Coordination Unit in the Executive Office of the President of Tajikistan for the purpose of tracking international humanitarian assistance, and urges the authorities to continue to simplify and streamline without delay the relevant internal bureaucratic procedures and requirements for the delivery of humanitarian assistance;* (resolution: '57/103).

Mandate 21830, '10. *Calls upon the Secretary-General to continue to re-evaluate all United Nations humanitarian assistance activities in Tajikistan with a view to preparing a common humanitarian strategy that would support the relief and recovery operations during the transitional period from relief to development, with a major focus on promoting self-reliance and sustainable development;* (resolution: '57/103).

Recommendation: **These Mandates should be discontinued** as they do not reflect current need: situation has shifted from humanitarian assistance to development. *Tajikistan agrees with these recommendations.*