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The Rise of High-Level Panels: Implications for the New UN Secretary-General

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Abstract

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 Secretaries-General have increasingly relied on the work of such panels to push for institutional reform, drive policy adaptation, 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 – particularly the marked rise in their use since the 1990s – explores the types of impact they have had, and analyses how they might prove most valuable going forward. It discusses five factors that have emerged as key to success: the potential to address an unmet demand; balanced composition; quality of product; management of politics; and follow-up. The article concludes that panels should be used more sparingly in order to preserve a tool whose value resides at least in part in its rarity.

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Introduction

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 Secretaries-General have increasingly relied on the work of such panels to push for institutional reform, drive policy adaptation, and promote normative development in virtually all of the UN's mandate areas. 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,¹ on several insightful scholarly reviews (in particular by Ed Luck,² Gareth Evans³ and Ramesh Thakur⁴), interviews with individuals who worked on one or several such bodies,⁵ as well as the authors' own involvement with recent panels. 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.

The rise of high-level panels and their impact

What unites all high-level panels is that they have an international membership, enjoy independent standing, are set up for a limited duration to 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,⁶ while others are of an investigative nature,

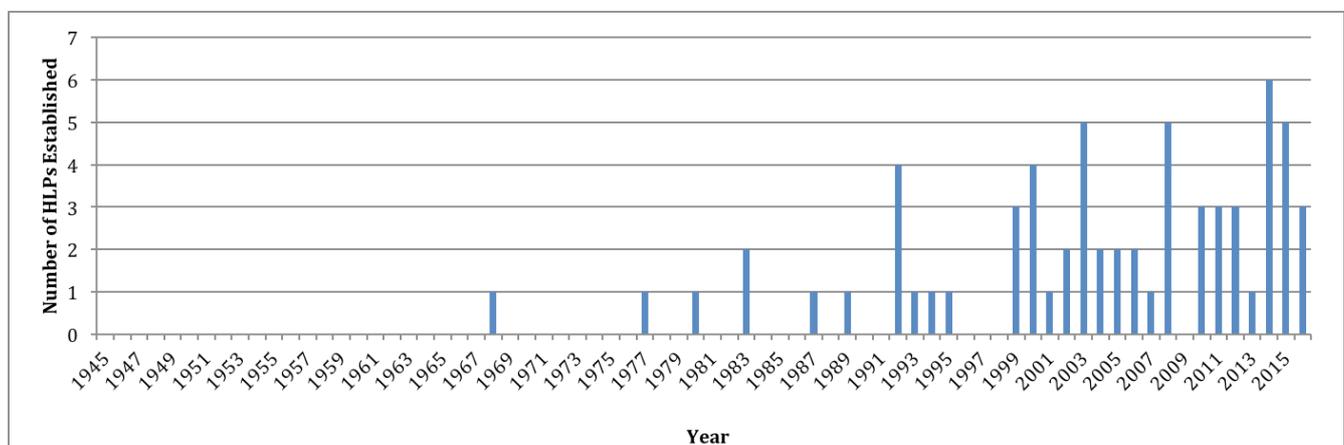
shining a spotlight on UN failures and tabling agendas for systemic reform.⁷ Around half of all panels were set up by UN Secretaries-General. Of the remainder, 13 were set up by Member States, ten by other UN system agencies, seven by non-governmental organisations (NGOs), and two by individual former statesmen.

Since the UN established its first panel in the late 1960s, three key trends have emerged. The first, as illustrated in the graph below, 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.⁸ 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, from access to medicines to the establishment of a technology bank for least developed countries.

What has driven the rise of high-level panels?

Two factors may account for the proliferation of high-level panels. First, the trend towards greater multi-polarity since the turn of the Millennium has made formal multilateralism richer but also more cumbersome and complex, requiring new ways of facilitating compromise at the UN.⁹ At the same time, a larger number of problems have demanded global solutions. This arguably led Annan and Ban to resort to panels more frequently, as a way of building consensus around new policy directions.

Graph 1: High-level Reform and Review Panels established since 1945



Second, the international calendar has become ever more crowded. An accumulation of major events and milestones marked in particular the end of Ban-Ki-Moon's second term, which coincided with the UN's 70th anniversary, world summits on climate action and the humanitarian system, the need to devise a successor framework for the expiring Millennium Development Goals, and a number of inter-governmentally mandated reviews. High-level panels became the mechanism of choice to prepare the ground for these events, or to spearhead follow-up.

What has been 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 very first such panel, the 1969 Pearson Commission on International Development, is the original source of the widely endorsed (albeit rarely implemented) Official Development Assistance (ODA) target of 0.7% of GDP. In the mid-1980s, the Brundtland Commission popularised the concept of "Sustainable Development," leading to the 1992 Rio Earth Summit and a range of international environmental agreements.

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, centred around the concept of sustainability and universal in character, 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.

In the area of international peace and security, the Panel on UN Peace Operations (the "Brahimi report", 2000), established against the background of the resurgence of UN peacekeeping in the late 1990s, introduced a more robust peacekeeping doctrine, notably where missions were mandated to protect civilians, and led to the expansion of the UN's peacekeeping department (with almost 200 new posts).¹⁰ Many aspects of the report that remained unimplemented lived on as key reference points in continuing debates on peacekeeping reform, such as the call on the UN Secretariat to refuse to set up peace operations when Member States are unwilling to provide the resources necessary to carry out the mandate.

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. The report stressed that lasting peace could only be achieved through political solutions not military engagements. Given the timing, much of this panel's longer-term impact will depend on the extent to which the new Secretary-General "owns" its recommendations.

Working in parallel to the HIPPO, the Peacebuilding Architecture Review (2015) presented a re-think of UN peacebuilding practice after a number of countries relapsed into conflict in the 2000s. It coined the core concept of "sustaining peace," which won support in both the Security Council and General Assembly. 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. While political and structural hurdles to preventive action remain high, successive panels have sustained a spotlight on this agenda. When asked about the top priorities for his mandate, incoming Secretary-General Guterres stated "prevention, prevention, prevention".¹¹

In the area of civilian protection, two high-level inquiry panels set up by Kofi Annan – into the failure to prevent the 1994 Rwandan genocide and the 1995 Srebrenica massacre – influenced not only the Brahimi report and the emerging doctrine on protection of civilians, but also 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 Sri Lanka (2012), which Ban Ki-moon set up to address the UN's "systemic failure" to adequately respond to the killing of tens of thousands of civilians by governmental forces in Sri Lanka in 2009, has led to a re-prioritisation of human rights across UN operations.

The High-Level Panel on Threats, Challenges and Change (2004), was possibly the panel that enjoyed the greatest interest from the media and the wider public, 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 a UN Peacebuilding Commission, the replacement of the discredited Commission on Human Rights by a new Human Rights Council, and a strengthening of the Secretariat's mediation capacity. 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 that they have become a prime avenue for the UN to engage with academia and think tanks and 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 (for instance in the case of the ICISS or the Threats and Challenges Panel).

The above provides only an illustration – not a full inventory – of the kinds of impact panels have had. 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, taking place amidst a neoliberal counter-revolution in Europe and the US, did more to underscore international divisions than to bridge them. The 2003 Commission on Human Security, though stacked with eminent brainpower, promoted an ill-defined concept that failed to reshape discourse at the UN (which revolved around R2P) or to meaningfully influence the UN operationally. Even UN insiders may have never heard of the 2010 Global Commission on Elections, established by the Kofi Annan Foundation, 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 in the run up to the UN's 70th anniversary, was energetically promoted in capitals around the world but failed to get the attention it might have done in a less crowded year, notwithstanding the star-power of the panelists.

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 for High-Level Panels

When faced with intractable 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. As others have done before us, we argue that 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.

1. *Unmet need and clarity of objective*

First, and most importantly, the decision to establish a new panel should be informed by a detailed analysis of whether it would respond to an unmet need and discernible demand among relevant constituencies. As Ed Luck wrote over a decade ago: "It is remarkable how many policy projects are launched on the equivalent of a wish and a prayer. Enthusiasts, in particular, should be encouraged to stop and ask themselves candidly a) whether a market exists for the product they intend to produce and b) whether their commission or study will truly bring added value to the subject."¹² This insight remains highly relevant today.

The Brahimi panel in 2000 was set up in the context of widespread recognition that peacekeeping needed to be professionalised to cope with its massive resurgence in the late 1990s. The 2004 Threats and Challenges Panel responded to an urgent need to renew a vision for 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.

2. *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" (usually the governments of their countries or regions of origin) 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. The Peacebuilding Architecture Review had seven members, six of whom were from the south, which eased some concerns that peacebuilding was a northern agenda. 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.¹³

A more recent – and less-well learned – lesson is the importance of ensuring gender balance. Ban Ki-moon had to nominate additional panellists for the 2015 peace operations panel in response to criticisms that female

representation was too low – a big distraction at the outset of that panel's work.

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 capitals. 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, whose chairmanship of the 2000 peacekeeping panel accounts in no small degree for its success, is rightfully mentioned as a model.¹⁴

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 (that is independent from the UN Secretariat and its perennial interagency turf wars), has proven key, time and again, to the quality of the final product. Panels that stand out in this respect include the ICISS and the panels on Threats and Challenges and Post-2015 Development Agenda.

Leadership is key for any panel to live up to its full potential. Past panels have shown that this leadership can be either exerted from the chair or co-chairs or from the research director. A strong chairmanship can compensate for a weak research director and vice versa. If both fall short, the whole panel will as well.

3. High-quality product

To gain traction, panel reports need to combine compelling analysis with fresh ideas and an original argument. Their recommendations need to go beyond what is already achievable in intergovernmental forums, without being politically unattainable. 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,¹⁵ became a highly effective argument for creating a standing mediation capacity within the UN's Department of Political Affairs. Similarly, the ICISS report successfully re-conceptualised "the right to intervene" in different and more acceptable terms (R2P). 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," pointing out that "none of the suggestions for Charter amendment, for instance, have been accepted."¹⁶

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. The 2014 peace operations report offered very solid analysis but its book-size length may have had a deterring effect on some

potential readers. The report of the panel on the post-2015 development agenda, considered to be of both excellent quality and eminently readable, reached a large and diverse audience after it came out and became a benchmark for new ideas.

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.

4. Managing the politics

Understanding – and managing – the politics around the work of any panel is key. As noted above, this starts with the selection of the panellists. Panels should be seen as Track II processes 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 (their Heads of State status helped). 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.

5. Follow-Up

Few things count as much as follow-up. The release of a panel's final report should be seen as the mid-point of a project, not its end.¹⁷ As Evans notes, high-level panels "may sketch the road ahead, but it is for states and intergovernmental organisations and their leaders to travel it."¹⁸ Without dedicated teams to ensure follow-up, even the most compelling panel recommendations may sink without a trace. In the case of the Panel on Threats and Challenges, the Secretary-General established such a team within his office, reporting directly to the Deputy Secretary-General. Ban Ki-moon's "Human Rights Up Front" initiative, created in response to the 2012 Sri Lanka report, 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. In many cases, the Secretary-General's continuing personal commitment to the work begun by a panel has been essential.

Conclusion

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: potential to address an unmet demand; balanced composition reflecting key constituencies; quality of product; management of politics; and 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.

Endnotes

- * Sebastian von Einsiedel is Director of the United Nations University Centre for Policy Research. Alexandra Pichler Fong headed the Policy Planning Unit in the UN Department of Political Affairs and is currently on leave as a Visiting Scholar at Stanford University. The views expressed herein are those of the authors and do not necessarily reflect the views of the United Nations. 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.
- 1 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 to focus on UN-relevant challenges.
 - 2 Edward C. Luck, "Blue Ribbon Power: Independent Commissions and UN Reform," in: *International Studies Perspectives* 1 (2000), p. 89-104; Edward C. Luck, "UN Reform Commissions: Is Anyone Listening," Keynote Speech at Conference on 'The Ideas Institutional Nexus', University of Waterloo, 16 May 2002.
 - 3 Gareth Evans, "Commission Diplomacy", in Andrew Cooper, Jorge Heine, and Ramesh Thakur (eds), *Oxford Handbook of Modern Diplomacy* (Oxford: Oxford University Press, 2013).
 - 4 Ramesh Thakur, "High Level Panels", in Jacob Cogan, Ian Hurd and Ian Johnstone (eds), *Oxford Handbook of International Organizations* (Oxford: Oxford University Press, forthcoming)
 - 5 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.
 - 6 See, for example, the Senior Advisory Group to examine the "rates of reimbursement to troop-contributing countries and related issues" (2012).
 - 7 See for instance the Independent Inquiry into the Actions of the United Nations During the 1994 Genocide in Rwanda (1999), the Independent Panel to Probe Oil-for-Food Allegations (2005), and the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka (2012).
 - 8 Of the 17 panels set up by Ban Ki-Moon, only four had an intergovernmental mandate.
 - 9 See Jeremy Greenstock, "The UN Security Council in a Fragmenting World", in Sebastian von Einsiedel et al (eds), *The UN Security Council in the 21st Century* (Boulder: Lynne Rienner, 2016).
 - 10 William Durch and Victoria Holt, *The Brahimi Report and the Future of Peace Operations* (Washington, DC: The Stimson Center, 2003).
 - 11 Evelyn Leopold, "World's Top Diplomat – It's Guterres of Portugal!", *The World Post*, 6 October 2016.
 - 12 Luck, "UN Reform Commissions: Is Anyone Listening?"
 - 13 Luck, "UN Reform Commissions: Is Anyone Listening?"; Evans, "Commission Diplomacy."
 - 14 William Durch, "Building a Better Peace Operation: Lessons from the Brahimi Report Process," Paper prepared for the UN Foundation, 11 March 2011.
 - 15 High-level panel on Threats, Challenges and Change, *A More Secure World* (United Nations: New York, December 2004)
 - 16 Luck, "Blue Ribbon Power: Independent Commissions and UN Reform," page 90
 - 17 Luck, "UN Reform Commission: Is Anyone Listening?" page 3.
 - 18 Gareth Evans, foreword to Ramesh Thakur et al (eds.), *International Commissions and the Power of Ideas* (United Nations University Press, 2005).