



## Designing the New Urban Agenda: Lessons from International Agreements

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# REPORT

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# 1. Introduction

The process of drafting the New Urban Agenda (NUA) raises questions of paramount importance regarding its form and function. This discussion has three dimensions. First, the broader framing of the NUA: will the NUA reflect a clear vision on urbanisation and sustainable urban development, and if so, how? How will the NUA be linked to other international agreements? Second, what are the specific goals and desired impact of the NUA? What responses and actions should it trigger, and from whom? And third, what should the structure and contents of the NUA be? Ideally, the structure and contents should be designed to create the desired framing for the Agenda, and help it achieve its specific goals and impact. Structural characteristics include, for example, the role of monitoring, reporting and review mechanisms, and voluntary partnerships for implementing the NUA.

The following paragraphs (Sections 1.1-1.2) briefly outline the ongoing debate about the NUA in terms of these three dimensions. This is followed (Sections 2.1-2.3) by an in-depth analysis of the framing, goals, impact and structure of other relevant international agreements. We also discuss key findings from the literature about the success factors for such international agreements and their implications. Finally (Section 3), we outline the key lessons learned and our recommendations for the NUA.

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## 1.1 Framing

Recent decades have seen a slow but steady shift in thinking about cities. It has become clear that well-managed cities can be drivers of sustainable, inclusive economic growth. Nonetheless, in some countries, cities are still viewed primarily as a problem, and urbanisation as an undesirable trend.

The NUA can play a pivotal role in communicating the benefits of well-managed urban development and outline the tools and necessary enabling conditions for achieving this. Besides emphasising that cities are sites of sustainable development, however, the NUA should highlight the fact that cities – that is to say, the sum of all urban actors, not just local authorities – are key actors for sustainable development, and stress their pivotal role in implementing other global agendas such as Agenda 2030.

The NUA is a universal agenda. As such, a key issue with respect to its framing is the extent to which it provides clear guidance for member states on urban issues, while still leaving room for adaptation to national circumstances. To provide guidance for member states, the NUA should be both normative (with a clear vision for the cities of the twenty-first century) and action-oriented (spelling out clear guidelines and tools to help implement its normative vision). It needs to be easily understandable and translatable into concrete policy measures.

At the same time, agendas that are designed to be interpreted in the light of national contexts and priorities run the risk of member states picking and choosing those parts of the agenda that suit their current political climate. This is a difficult issue for the NUA, which needs to find the right balance and use appropriate language.

Another key issue with respect to the framing of the NUA relates to if – and how – it will be linked to other international agreements. Given the current limited political commitment to, and visibility of, the Habitat III process, linking the NUA to other international agreements

could help strengthen the relevance of the Habitat III process and the NUA for policymakers. These agreements set the direction for sustainable development, which the NUA needs to build on and contextualise for cities. Four major milestones were achieved in 2015 with the adoption of Agenda 2030, the Addis Ababa Action Agenda (AAAA), the Paris Agreement and the Sendai Framework for Disaster Risk Reduction. These documents will increase political attention and drive programming and spending by multilateral and bilateral donors. However, the real work is just beginning. The ambitious goals outlined in these documents can only be met if cities focus sufficiently on their implementation over the coming years. Habitat III can make a substantial contribution to the discussion around implementation.

The linkages between Agenda 2030 and the NUA are the subject of frequent debate. Opinions differ as to the nature of these linkages: should the NUA connect primarily to SDG 11 or to the urban dimension of the goals, targets and indicators of Agenda 2030 beyond Goal 11? Debate is also emerging regarding the role of cities and urban issues in the Paris Agreement and the AAAA. The Paris Agreement tries to define the role of cities and sub-national governments under the new climate regime, and their specific contributions to implementing and measuring action. In addition, COP21 once again intensified the debate on climate finance and access to funding for cities.

With its focus on cities and sub-national governments, the Lima-Paris Action Agenda could provide a platform for facilitating collaboration between the NUA and the climate regime. This is especially important as the AAAA provides the framework for financing development, yet does not include a solid foundation for engaging with cities and urban issues. Although it refers to the role of cities and local governments, it lacks concrete measures supporting cities. The NUA could make a clear contribution here by emphasising the role of cities in financing development and, for example, highlighting how the Global Infrastructure Forum called for in the AAAA could serve as an important platform for urban finance. The NUA could also support the launch of additional initiatives and platforms to connect the issues of development funding and urban development.

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## 1.2 Desired impact and overall goal

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As outlined above, the NUA should frame cities as both the key sites and the key actors for sustainable development. A priority of the Habitat III process and the NUA should be to gain renewed political commitment to sustainable urban development and catalyse concrete actions to support this. The United Nations Sustainable Development Summit in September 2015 and COP21 in December 2015 left little room for the Habitat III process to gain visibility in recent months. Accordingly, it is now necessary to catalyse the interest of policymakers and stakeholders. Emphasising the inclusive nature of the Habitat III process and engaging with all stakeholders in the discussion can help create a sense of ownership within this diverse group of actors.

Similarly, the NUA should enhance the visibility and recognition of cities as key actors by promoting their relevance and underlining their integral role in achieving sustainable development at all levels, especially the national level. This will make countries more willing to implement enabling frameworks for urban development and support cities in their efforts to implement concrete actions, laying the foundation for improved vertical integration across different levels of government. Moreover, increased recognition of cities as key actors could lead to new (or improved) initiatives and global partnerships involving a variety of stakehold-

ers, including cities and city networks. This could also facilitate access to new financial and other resources and so strengthen their implementation capacity.

The NUA is an agreement between UN member states. As such, it primarily addresses the national governments of those member states. However, given that it concerns sustainable urban development, the NUA also needs to include and mobilise a broad range of actors. This means creating partnerships including – but not limited to – member states, civil society, the private sector, academic/scientific bodies and UN institutions. The surprisingly progressive rules that define stakeholder engagement in the Habitat III process (resolution A/70/473) provide a good first step to ensuring stakeholder demands are included in the NUA. This can occur, for example, through the proposed two informal two-day hearings between civil society, local authorities and national governments. These discussions should also consider the distribution of tasks between stakeholders in implementing the NUA.

The NUA has not yet been drafted, so it is too early to discuss the particular responsibilities of specific actors. However, we may make some assumptions about the general role of certain stakeholders. In the first place, it is clear that city administrations and other forms of local and regional government will play a key role in the implementation of the NUA. It is important to engage with these bodies at an early stage, not least to generate ownership and political will to play an active role in the implementation process. Second, national governments and UN institutions in particular need to provide a supportive institutional structure. This includes designated bodies for orchestrating and coordinating action on the ground, active and ongoing advocacy for city-based action, and financial support.

City networks will play a vital role in furthering advocacy for cities. They will provide much needed technical support, including capacity-building for local governments. They can also enable peer-to-peer learning among practitioners and strengthen coordinated action across national borders and policy frameworks. Additionally, city networks can mobilise civil society organisations, which are often reluctant to engage with governments directly. A similar role can be assumed for philanthropic and other development agencies, insofar as their current city-based initiatives are often network-focused. Furthermore, philanthropic organisations can provide an important interface for engaging with the private sector, building on their experience from various initiatives in the climate sphere (e.g. C40, What Works Cities, 100 Resilient Cities).

Finally, the NUA should pay greater attention to implementation than previous agendas. Strong reporting, monitoring and review (MRR) mechanisms are needed to strengthen the agreement's inclusiveness, legitimacy and accountability.

## 2. Analysis of relevant international agendas and agreements

In the preceding sections we discussed the framing of the NUA and its desired impact and overall goals. Based on these considerations, we can now develop a structure for the NUA. We do this in two steps. First, we analyse the relationship between the legality, structure and substance of international agreements in general. This helps us understand the impact of these different elements and the trade-offs between them, as well as how they affect the level of compliance. Second, we examine certain other relevant international agreements and agendas in terms of their form, elements, language and impact. This step is crucial in order to identify key components for the NUA, clarifying what these components should consist of and how they must be shaped in order to be meaningful and effective. It is important to note that these components can greatly differ in their depth of detail and specification.

### 2.1 Legality, structure and substance of international agreements

International agreements and agendas form the core of contemporary international cooperation. Depending on their purpose and overarching goal, they show considerable variation along three dimensions or design elements: how legally binding they are (their legality), their range of structural provisions for monitoring, review and enforcement (their structure), and the degree of policy change required on the part of signatories to meet the substantive obligations (their substance). Raustiala (2004) suggests that paying careful attention to the interaction and systematic trade-offs between these three design elements will enhance our understanding of international cooperation.

To give an example, the decision for or against a contract (legally binding) or pledge (non-legally binding) and thus the legality of an agreement strongly influences its substance and structure. The variables influencing this decision are manifold, ranging from uncertainty and the demands of domestic interest groups to credibility and the configuration of power. As contracts signal credibility in commitments, they are often perceived as favourable or stronger agreements. Yet Raustiala's (ibid: 60) analysis of numerous international agreements and agendas indicates that pledges can actually be more advantageous due to their greater flexibility: often they promote deeper and more ambitious commitments than comparable con-

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