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Harris Gleckman

RESEARCH PAPER

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TRANSFORMING THE NON-MILITARY STRUCTURES OF GLOBAL GOVERNANCE

ASSESSING PRIORITIES FOR CHAPTER 5 OF THE PACT FOR THE FUTURE

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SOUTH CENTRE

In August 1995, the South Centre was established as a permanent intergovernmental organization. It is composed of and accountable to developing country Member States. It conducts policy-oriented research on key policy development issues and supports developing countries to effectively participate in international negotiating processes that are relevant to the achievement of the Sustainable Development Goals (SDGs). The Centre also provides technical assistance and capacity building in areas covered by its work program. On the understanding that achieving the SDGs, particularly poverty eradication, requires national policies and an international regime that supports and does not undermine development efforts, the Centre promotes the unity of the South while recognizing the diversity of national interests and priorities.

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Founded in 1974, the Transnational Institute (TNI) is an international network of activist-scholars committed to critical analyses of the global problems of today and tomorrow. We seek to provide intellectual support to those movements concerned to steer the world in a democratic, equitable and environmentally sustainable direction.

ABSTRACT

The complex web of challenges confronting humanity – climate change, pandemics, economic inequality, and violent conflict – demands a robust global governance system. However, the current architecture, centred on the United Nations, is widely considered inadequate. This document delves into this debate, analysing proposed reforms for the UN system in the Summit of the Future context. At the centre of the discussion is the need for an update to the UN System, particularly strengthening its effectiveness, efficiency, and democratic representation. The document recognises the need for prioritisation, focusing on reforms that tackle the "triple crisis" – climate change, inequality, and conflict – while remaining politically achievable. The document also highlights the disconnect between economic and political institutions, arguing for a more unified approach. Reform proposals encompass a wide spectrum, including institutional changes, consultative practices, decision-making rules and financing. The reforms proposed aim to empower the UN to take decisive action on pressing global issues, looking at past reform efforts, assessing the feasibility of current proposals, and prioritising those most likely to yield tangible results. This publication aims to serve as a roadmap for navigating the complexities of UN reform and providing a comprehensive overview of proposed changes towards shaping a more effective and democratic global governance system for the future.

Les nombreux défis auxquels l'humanité est confrontée, qui vont du changement climatique, des pandémies, aux inégalités économiques en passant par des conflits violents, exige la mise en place d'un système de gouvernance mondiale fiable. Cependant, l'architecture actuelle, centrée sur les Nations unies, est largement considérée comme dépassée. Le présent document se penche sur cette question et analyse les propositions de réforme du système des Nations unies présentées dans la perspective du Sommet de l'avenir. Au centre des discussions se trouve la nécessité d'une refonte du système des Nations unies afin, en particulier, de renforcer son efficacité et de garantir une meilleure représentation démocratique. Le document reconnaît la nécessité d'établir des priorités qui soient réalisables sur le plan politique et de se concentrer sur les réformes qui s'attaquent à la « triple crise » liée au changement climatique, aux inégalités et aux conflits. Il souligne également le décalage entre les institutions économiques et politiques et plaide en faveur d'une approche plus unifiée. Les réformes proposées couvrent un large spectre allant des changements institutionnels, des pratiques de consultation, aux règles en matière de prise de décision et de financement. Elles se fixent pour objectif de donner aux Nations unies les moyens de prendre les mesures qui s'imposent sur des questions mondiales urgentes, en s'appuyant sur les efforts entrepris par le passé en matière de réforme, en évaluant la faisabilité des propositions actuelles et en donnant la priorité à celles qui sont les plus susceptibles de produire des résultats tangibles. Le présent document se veut une feuille de route permettant de s'orienter dans les méandres de la réforme des Nations unies et fournir une vue d'ensemble des changements proposés pour bâtir un système de gouvernance mondiale plus efficace et plus démocratique pour l'avenir.

El complejo entramado de desafíos que enfrenta la humanidad – cambio climático, pandemias, desigualdad económica y conflictos violentos – exige un sólido sistema de gobernanza global. Sin embargo, la arquitectura actual, centrada en las Naciones Unidas, se considera ampliamente inadecuada. Este documento profundiza en este debate, analizando las reformas propuestas para el sistema de la ONU en el contexto de la Cumbre del Futuro. En el centro de la discusión se encuentra la necesidad de actualizar el Sistema de las Naciones Unidas, específicamente fortaleciendo su eficacia, eficiencia y representación democrática. El documento reconoce la necesidad de establecer prioridades, centrándose en

reformas que aborden la "triple crisis" (cambio climático, desigualdad y conflictos) y que, al mismo tiempo, sean políticamente viables. También destaca la desconexión entre las instituciones económicas y políticas, abogando por un enfoque más unificado. Las propuestas de reforma abarcan un amplio espectro, que incluye cambios institucionales, prácticas consultivas, normas de toma de decisiones y financiación. Las reformas propuestas tienen como objetivo capacitar a la ONU para actuar de forma decisiva en cuestiones mundiales acuciantes, analizando los esfuerzos de reforma realizados en el pasado, evaluando la viabilidad de las propuestas actuales y dando prioridad a las que tienen más probabilidades de producir resultados tangibles. Esta publicación pretende servir de hoja de ruta para navegar por las complejidades de la reforma de la ONU y ofrecer una visión global de los cambios propuestos con vistas a configurar un sistema de gobernanza mundial más eficaz y democrático para el futuro.

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INTRODUCTION

On 1 September 2023, governments at the United Nations (UN) decided on the format of the outcome document for the Summit of the Future (SOTF)[1]. The Pact for the Future will have an introductory chapeau and five chapters, one of which is entitled "Transforming Global Governance". This paper provides an analysis of global governance today and of the strategies that can be followed to address the multiple gaps and failures of the UN system. It also contains a compilation of progressive proposals from eighteen reports that could be incorporated into that chapter -or be taken into account in developing it- that suggest changes of the institutions, rules and procedures of the UN system[2]. All of them could contribute to a better global governance future. And all of them in one way or another could shift the balance of power in global governance[3].

This paper is intended to provide a foundation for a public debate, particularly for those committed to strengthening state-driven multilateralism, on the next and most appropriate phases of non-military global governance. It has been prepared in the spirit of the paper by Boutros Boutros-Ghali and Branislav Gosovic, then Chairman and Officer-in-charge, respectively, of the South Centre:

> "Increasing the strength and capacity of the United Nations should be recognized as a priority objective. It should be the world institution that governs and orients globalization processes and provides the necessary intellectual, policy, and practical leadership needed by the international community to confront global systemic issues and take appropriate action.

> "It is important therefore for the international community to begin thinking seriously of more advanced institutional arrangements for global cooperation, for the immediate and the more distant future.[4]"

The first part of the paper provides a historical and institutional context for policy making in this area. It also considers some of the challenges arising from corporate participation in global governance and summarises strategies and criteria for prioritising global governance transformations.

The second part is curating global governance proposals presented by international commissions, independent policy panels, and think tanks for transforming elements of non-military governance. The proposals are clustered around four themes.

- Proposals for major institutional changes in the UN and UN system
- Proposals for major changes in governance consultative practices in the UN and UN system
- Proposals for major changes in governance rules in the UN and UN system

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[1] UN General Assembly Decision 77/568

[2] It does not include proposals to revamp funding arrangements, redefine the roles of the Secretary-General, Directors-General, Executive Directors and related Secretariats, resize the UN system to meet its obligations, re-energize the operational or humanitarian systems, re-focus the functions of the UN country offices, nor re-locate the headquarters of the United Nations.

[3] 'Global governance' broadly defined has four components – a governance narrative, a set of institutional arrangements, a package of rules and procedures to align the institutions with the governance narrative, and a potent dose of external power. A variety of other definitions and the history of the term 'global governance' can be found in Thomas Weiss, "Rethinking Global Governance and the UN's Founding", Occasional Paper # 1, Global Governance Forum, 2023.

[4] Boutros Boutros-Ghali and Branislav Gosovic, *Global Leadership and Global Systemic Issues* (Germany, Transcend University Press, 2011).

• Proposals for major governance changes between members of the UN system

The compilation of these proposals draws heavily on recommendations from international research and policy organizations. In each section, the idea for a specific institutional or rule change consists of one or two paragraphs extracted from the writings of a leading advocate for that proposal, followed by cross-references to similar proposals by other advocates.

Global governance today

Global governance, broadly defined, has four components – a governance narrative, a set of institutional arrangements, a package of rules and procedures to align the institutions with the governance narrative, and external pressures to these formal structures. This paper categorises the intergovernmental institutional suggestions and the proposals to change the rules and procedures in the economic, social, gender-related, and environmental areas of global governance.

There are roughly six categories identifying the principal governing institutions of multilateralism. The first category are decision-making institutions governed by the UN Charter and member states of the General Assembly[5]. The General Assembly's related intergovernmental bodies are organized as Councils (e.g. Security Council, Economic and Social Council, Human Rights Council); Commissions (e.g. Peacebuilding Commission, regional commissions); Conferences (e.g. United Nations Conference on Trade and Development (now United Nations Trade and Development); International Conference on Small Island Developing States); Forums (e.g. High Level Political Forum, UN Forum on Forests); Boards (e.g. Executive Board of UNDP/UNFPA/UNOPS[6], International Narcotics Control Board); Conference of Parties to conventions and treaties – COPs (e.g. the climate COP, the tobacco control COP), intergovernmental advisors, plenary special committees, and international negotiations sessions (e.g. on Summit of the Future and the Declaration for Future Generations).

The second category is the decision-making bodies of the 21 legally independent specialized and autonomously governed agencies (e.g., the World Health Organization is governed by the World Health Assembly, the Food and Agriculture Organization is governed by the Food and Agriculture Council). The specialised agencies themselves also work through intergovernmental commissions, boards, and COPs.

The third category is the international financial and development organisations governed under the Bretton Woods agreements and the agreements establishing the regional development banks. The governance of the World Bank and the International Monetary Fund (IMF) is different in kind from the one-country-one-vote arrangement in the rest of the multilateral system. The World Bank Board of Governors and that of the IMF have weighted country voting. They are also structured such that the governing body's chair is also the organisation's managing director. The IMF Board of Governors, comprised of 190 member states, is advised by 24 members of the International Monetary and Financial Committee and the Development Committee.

The above three categories are collectively known as 'the United Nations system' and their intergovernmental bodies are supported by separate technical secretariats. The coordination of the secretariats is done at the level of heads of agencies (i.e. the Chief Executive Board).

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[5] The Assembly itself functions through six primary committees: disarmament and international security; economic and financial; social, humanitarian and cultural; special political and decolonization; administration and budget; and legal.

[6] United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA), United Nations Office for Project Services (UNOPS)

There is no formal intergovernmental coordination mechanism. While many of the institutional and rule recommendations summarized in this report refer to the General Assembly or a related intergovernmental body, the recommendations may well benefit other intergovernmental bodies in the UN system.

The internationally established judicial system is the fourth category (e.g., the International Court of Justice, and the International Criminal Court). The former is governed by the UN Charter and has its own internal subsidiary bodies; the latter is governed under a separate legal agreement among member states.

The fifth category of multilateral institutions are those organisations with wide state membership outside the United Nations system, such as the World Trade Organization (WTO) and the International Organization for Standardization (ISO). The World Trade Organization's highest institutional body is the Ministerial Conference, which is held every two years. In between sessions, the organization's key bodies are the General Council, the Dispute Settlement Body, and the Trade Policy Review body. The core legal basis for the World Trade Organization is a series of legal agreements. Each of these agreements is overseen by a Council (e.g. Council for Trade in Goods, Council for Trade in Services) and a series of sub-committees on specific elements in agreements. These intergovernmental bodies are complemented by thematic committees (e.g. trade and environment).

The sixth category of multilateral organizations are those with limited state membership functioning outside the United Nations system, principally the Basel monetary organizations, the Group of Seven (G7), the Group of 20 (G20), BRICS (Brazil, Russia, India, China and South Africa), OPEC (Organization of the Petroleum Exporting Countries), and the Organisation for Economic Co-operation and Development (OECD). The intergovernmental monetary institutions in Basel Switzerland are led by the Bank for International Settlements (BIS). BIS has seven committees (e.g. a banking supervision organization, a global financial system body) and three associated intergovernmental bodies (e.g, Financial Stability Board and International Association of Insurance Supervisors). The other exclusive intergovernmental bodies have their own unique intergovernmental sub-structures.

These institutions operate under a system of rules, regulations, and customary practices. The most common basis for the system of rules and regulations in the UN system (excluding the Bretton Woods Institutions (BWIs)) is the UN's Rules of Procedure, as interpreted by the Office of the UN's Legal Counsel. The rules and regulations of the BWIs (the third category), the universal organizations outside the UN system (the fifth category) and the exclusive membership organizations outside the UN system (the sixth category) are unique to each organization. What is also unique to each organization in all six categories are customary practices that can often determine significant outcomes. The organizational structure can vary significantly even between organizations in the same category.

When the re-invigoration of global governance is contemplated, the configuration of institutions and their rules represent the starting point for any improvement. On this foundation, it is possible to grapple with how to make the overall global governance system effective, meaningful, and legitimate for the 21st century.

Historical context

The current multilateral system has its core organizational structures built around the views of powerful states of the mid-1940s. Two elements of this 1940s power arrangement that are at the heart of current debates about non-military global governance today are that the normative and operational organizations of the UN system are institutionally separate from the international economic and trade organizations and that the sector-specific normative and operational organizations themselves are also separated legally from each other. The former

split reflects a 1940s view that democratic decision-making is appropriate for policy and program organizations but not for macro-economic and trade organizations. Similarly, the separation of issues into different organizations reflects a strategy to prevent the international system from having too much power vis-à-vis large sovereign states.

Correcting the power inequities resulting from the separation of the Bretton Woods Institutions and WTO from the UN system and the resulting unfavourable decisions by the BWIs is now being labeled fixing the 'global financial architecture'. Correcting the weakness in managing the negative impacts of globalization and the legacy of colonialism is in today's diplomatic language called 'remedying the ineffectiveness of the UN system'. The operational reality of the separate organizational arrangements is so strong that even the UN General Assembly, which in principle can consider any international issue, shies away from making decisions that may impact other organizations and is legally unable to advise the economic institutions or the specialized agencies to take any coordinated actions, because it is seen as weakening organizational autonomy. These power assumptions also impact choices about how to address new global concerns. Should, for example, oceans have an office in one organization[7], a self-standing new specialized agency, a new treaty body, or be simply designated a priority cross-cutting issue?

Multistakeholderism and an effort to make it part of UN 2.0

When Secretary-General Antonio Guterres initially called for a Summit of the Future, he recommended that the General Assembly "hold **a high-level, multi-stakeholder "Summit of the Future" to advance ideas for governance arrangements** in the areas of international concern mentioned in this report, and potentially others, where governance arrangements are nascent or require updating **[bold in the original].**"[8] His report *Our Common Agenda* also called for other nine multistakeholder-based solutions[9]. Similarly his advisory body, the High Level Advisory Board on Effective Governance, called for multistakeholder-led initiatives. Subsequently the Secretary-General announced a separate policy brief entitled UN 2.0. In his introduction to the General Assembly of the package of policy briefs, the Secretary-General indicated this UN 2.0 policy brief would propose that multistakeholderism should be recognized as an important adjunct to multilateralism or as a part of the next version of multilateralism.

However the leadership of Group of 77 (G77) and China in New York challenged this idea.[10]

The G77 met with the Secretary-General and his office and made clear that any planning for the future should be led by the UN General Assembly and the President of the General Assembly. In subsequent statements by the Secretary-General, the President of the General Assembly and in procedural resolutions relating to the Summit of the Future, this event was referred to as an intergovernmental event, not as a multistakeholder-led event.

The G77, as a group and as individual delegations, also raised objections to the acceptance of multistakeholderism during the consultation on the outcome of the Summit. Having clarified what the narrative of UN 2.0 should not be, chapter 5 provides an opportunity to clarify what UN 2.0 should be. As this is a compilation of progressive proposals for the next phase of

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[7] Currently there are at least three separate organizations dealing with oceans.

[8] United Nations, *Our Common Agenda* (New York, 2023), para. 103.

[9] Calls for new multistakeholder solutions to global problems are in line with the UN's Memorandum of Understanding with the World Economic Forum and with the World Economic Forum 2009-2010 project report *Global Redesign Initiative* (Davos, 2010).

[10] Harris Gleckman, *Multistakeholderism: Is it good for developing countries?*, joint publication of the South Centre and the Transnational Institute, Research Paper No. 182, 7 September 2023, released in seminars in New York (September 2023) and Geneva (November 2023).

global governance, it does not include any recommendations for greater corporate engagement with the UN system either directly or via multistakeholderism.

A consensus

Spokespersons from governments representing all regions, and diverse civil society organisations, agree on one matter – the current system is not a sound system for global governance today. Critics have identified a wide range of flaws with the current institutional structures as well as with the current rules and procedures. The range of argued 'failures' in the current multilateral system range from not being democratic; not being effective; not being efficient; not preventing armed conflicts; giving too much power to the World War II victors; giving too little power to smaller developing countries; being patriarchal; being too expensive; too much of its funding is self-interested donations; fostering unnecessary competition between secretariats; being a world government in hiding; being internally uncoordinated; being hampered by multiple separate organizations; and becoming not fit-for-purpose.

Strategies following from the consensus

How is the international community going to fix all these issues? The specific proposals in the latter part of this paper can be used separately to address specific identified failures or in combination to support different strategies.

One strategic approach is to select a proposal from the list below that fixes a discrete problem and then argue to insert it into the current institutional and rule making arrangements. This piece-meal reform approach has a good deal of historical precedence.

A broader approach within multilateralism would be to review -- and potentially re-write -- the underlying charters for the United Nations, the individual specialized agencies, and the Bretton Woods Institutions. This approach is behind the call for an UN Charter article 109 review conference. While the charter of a UN system organization may not have a specific review provision, the membership can call for an internal review – or an external review – of the functioning of the core document in order to strengthen the organization to face the challenges of the future.

A third strategic approach could be centered on authorizing the United Nations to have the capacity to generate income to meet global public goods. Proposals like the Tobin tax and the Secretary-General's proposal for a surplus profit tax on oil and gas transnational corporations (TNCs) are in line with this approach. Fundamental changes in funding via international bodies would shift the pendulum from simply calls to finance global needs to one where global public goods are funded directly with global revenue streams.

In the economic, social, gender, and environmental spheres, the UN and the specialized agencies largely attempt to implement programs via voluntary calls for action. However, the IMF and the World Bank can implement policies via conditionalities in loans and similar macro-economic tools. The WTO's agreements allow the Dispute Settlement Body to penalize non-conforming actions. In the UN charter, the Security Council alone has mandatory authority. The fourth strategic approach reflected in some of the policy recommendations below is to shift social, economic, environmental and gender governance into a more regulatory framework.

Focusing on fixing the fragmentation between the UN and the specialized agencies – adopting a whole of UN system response to global problems - could be the fifth strategic approach. It would entail changing the intergovernmental structure at the UN and its relationship with the currently legally separate specialized agencies. Under this strategy, the

phrase 'One UN' could become a political and operational reality. This strategy could be combined with the sixth strategy below.

A sixth approach to fixing systemic economic issues could be to fundamentally create a new financial architecture linking in various ways the universal membership bodies of the United Nations system and their Secretariats with the governing boards of the World Bank, the IMF, and regional development banks and their Secretariats. A significant benefit of this approach is that it has the potential to address the rules on debt and related financial matters and introduce the impact of one-country-one-vote on bank and fund weighted decision-making systems. Proposals for building a new financial system architecture have been a long-standing position of the G77 and by civil society organizations participating in the Financing for Development process (see proposals on p. 28 below).

A seventh strategy would be to reconstitute the UN with a greater focus on We-the-Peoples by either establishing a bi-cameral governing system -- one chamber composed of heads of governments and foreign ministries and one chamber for representatives of national parliaments – or a tri-cameral governing system with an additional chamber for local governments, civil society and/or peoples.

All seven of these multilateral approaches are state-centric and all six would address some of the agreed failures in multilateralism. As explained by Boutros-Ghali and Gosovic,

> "Institution-building advances normally occur through incremental changes, induced by global crises and new requirements in a dynamic world system and reflecting underlying power relations. However, the evolving situation does not allow for the usual muddling through mode, or waiting for the systemic collapse to induce institutional change and improvement. Rather, it calls for a comprehensive, well thought out approach to bolstering the roles of the UN system in the 21st century [footnote]."

> [footnote reads] "Our reflections regarding the UN may be considered as unrealistic given the existing practices, global power configuration and tenacity of structural status quo forces. This, however, is not a sufficient reason for one not to attempt imagining institutional improvements which are logical and needed."

Another strategic approach is to acknowledge that the United Nations system might have reached its 'League of Nations' moment. It could well be that the list of major failures and unresolved crises in the world today means that the international community should begin to fashion a new system of international governance. Behind this approach now is the recognition that the governments and the UN have been trying unsuccessfully since at least the 50th anniversary to transform the UN system. However, the scale and urgency of current global challenges have developed faster and displayed more complexity than any internally driven transformation could deliver.

While this is quite provocative to say, the international community has been experimenting for the past 25 years with new ways of engaging state and non-state institutions in the management of international affairs. The multiple 'side-events' attended by thousands at environmental COPs often producing more leadership than the official COP, civil society's autonomous drive for a land mines treaty, the growth of multiple regional bodies taking on global responsibilities, the call of the World Economic Forum for a redesign of global governance, and recognition that scientists and other key global constituencies ought to be more central in global decisions, are in fact testing ways to empower non-state actors to have a more effective role in global governance.

The Summit of the Future context provides governments and civil societies that support the multilateral process an opportunity to indicate what is wanted in the next phase of global governance. For those strategies and the proposed institutional and rule changes below that are not yet seen as acceptable, the Summit of the Future could be an opportunity to introduce markers for subsequent negotiations at the UN and throughout the UN system.

Criteria for prioritization

Within a broad strategy for changing global governance, what then could be the criteria for prioritizing certain changes in governance over others? The evaluation of any specific proposal for the next phase of multilateralism is influenced not only by one's overall global governance strategy but also by one's political time scale for change, one's prime governance narrative, and what each actor is prepared to contribute politically to implement the change.

If one sees that incremental change is the more appropriate route – or the only pragmatic way forward, then one might elect to prioritize actions that address clearly identifiable failures or set the stage for an ongoing sequence of changes over the coming decades. Some of these differences in the approach to the time horizon may relate simply to the negotiation calendar or to views about how systemic change happens on a global level. One might for example prioritize based on what one sees could be accomplished in the months before the September 2024 Summit of the Future. Alternatively, one might prioritize some proposals not because they might be perceived as acceptable today but because they could be acceptable in the next 5 to10 years. Yet another prioritization approach might be to select proposals that are not clearly acceptable in the near term but they embody messages about long term goals and values.

The choice of one's primary governance narrative can also be crucial in prioritizing the reform of the international system. In the proposals selected below, there are some that focus on economic matters, others that focus on environmental concerns, and others have a human rights frame of reference and a large collection of proposals center on strengthening the international rule of law. While not explicitly in contradiction, they can result in alternative priorities for some governments and communities in selecting routes toward the next phase of global governance.

Formal rules and informal decision-making practices can be crucial in global governance. Some of these formal procedures protect the rights of smaller delegations and open doors for greater transparency and inclusion. Many informal practices, unique to specific intergovernmental bodies, provide the real foundation for day-to-day intergovernmental decision-making. However, some formal rules and informal practices maintain the current inequitable power relationships and restrict public access to intergovernmental decision-making. Of the proposals below two collections of proposed rule changes stand out. Over recent years key decisions in the economic, social, gender, and environmental fields have increasingly been made as voluntary undertakings; four of the proposals seek to shift this practice to state obligations, drawing on a parallel to obligatory authority of the Security Council for matters of peace and security. The second set of changes relate to the opening up of the rules and practices that govern civil society's engagement with the intergovernmental system.

Challenges and perspectives

A feature of global governance policy debates today is the disconnect between the identification of the magnitude of a particular global crisis and the proposed architecture and resources recommended to address that crisis. For example, the widespread recognition of the multiple crises effecting youth is not matched by an appropriate level of international support. It is widely recognized that young people around the world are facing significant

political disillusionment. They face obstacles to grow into productive members of their communities, dislocations from environmental degradation, and gender, racial, and class barriers.

However the proposals presented by powerful advocates to address this complex of issues involve creating 3-5 new youth staff posts at the United Nations, rather than a proposal to create a new youth-centered organization within the UN or a specialized agency. The disconnect is all too often driven by the tension between the obvious seriousness of the issue and the need to say something that can be projected to the wider public as a diplomatic accomplishment.

Perhaps the most extreme version of this disconnect is the Secretary-General's Policy Brief on the Emergency Platform[11]. The brief identifies six future shocks which the brief acknowledges that the current multilateral system is unable to address[12]. However, the recommendation for 'action' is limited to an ad-hoc multistakeholder voluntary time-limited advisory body appointed by the Secretary-General. This structural inconsistency weakens public debate on the improvement in global institutions and rules, as it undermines commitments to effectiveness and to improving trust in the international system[13].

A second unfortunate feature in the global governance of social, economic, gender, and environmental issues relates to financing. The economically powerful countries say "no new regular budget money" and a good proportion of the rest of the membership join this no-growth approach by seeking to limit what they pay for global governance. The economically powerful countries however do provide the UN system extra funds for specific projects and activities that they support.

While proposals for direct global taxation of TNCs in the oil/gas sector, for a global tax on international financial transactions, and for creative use of Special Drawing Rights (SDRs) have been on the table for years, they have remained just that – on the table. If simply 1% of global military expenditures were shifted to meeting global needs[14], the resources available to build a strong global governance system would be six-times the current UN budget[15]. If each UN member state from the smallest contributor (paying $28,727 in 2023) to the largest (paying approximately $7.6 billion in 2023) agreed to increase their assessed regular budget contribution by a factor of three, the change in the comprehensiveness and effectiveness of global governance would be startling. The net result is that without solving the global financing of multilateralism many sound institutional proposals are blocked by fiscal conservatism.

The third constricting factor in rationally building a new multilateral system are powerful geo-political realities. In some cases, it is simply that ideas presented by one member state or group of member states are likely to be greeted skeptically by other member states, irrespective of the merits of the idea. In some other cases, proposals which might contribute to solving global crises but would alter – or even potentially might alter -- power relationships built into the current system end up being rejected without further consideration.

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[11] UN Secretary- General's <u>Emergency Platform Policy Brief</u> (2023).

[12] "The range of risks that could potentially lead to future complex global shocks is broad and diverse, and there are several potential future shocks in which the multilateral response architecture is underdeveloped or non-existent". – UN Secretary- General's <u>Emergency Platform Policy Brief</u> (2023)

[13] The 1994 Childers and Urquhart (Dag Hammarskjold) report made a similar observation: "The General Assembly should adopt a standard discipline that before voting on any reform package it will obtain an independent 'Reform Impact Report'. This report should recall the weaknesses that were to be addressed, and advise the Assembly to what extent the negotiated form will meet them; where it will not do so; and any serious lacunae in it as to structure, designation of responsibility, access to capacities or budgetary provisions", pg. 188.

[14] 2023 global military expenditures were <u>2,240 billion USD</u>. – Stockholm International Peace Research Institute (SIPRI)

[15] Current 2024 UN budget is <u>$3.59 billion</u>. – UN Press Release

Envisaging the next phase – or phases - of global governance

Envisaging the next phase – or phases - of global governance has had its ups and downs. This collection of proposals is based on a review of recommendations starting from the 1994 *Renewing the United Nations System* (Dag Hammarskjold Foundation) and 1995 Commission on Global Governance. Both of these comprehensive organizational studies were inspired by the 50th anniversary of the United Nations. One of the key Commission on Global Governance proposals in fact envisaged a new United Nations structure to be in place in 2002. A second phase in global governance reform followed from the 2008 financial crisis. In the 2009 to 2011 period, the G20 created the Financial Stability Board, the President of the General Assembly established a high level commission on economic governance and the South Centre led by former Secretary-General Boutros-Ghali developed broad reaching proposals. The current phase largely from 2020 has been driven by the potential opportunities around the 75th anniversary of the UN and the heightened frustration by the level of inadequate action taken by multilateralism to solve a wide range of major contemporary global crises.

Clusters of Proposals

This curation of non-military global governance proposals is clustered around four categories.

- Proposals for major institutional changes in the UN and UN system
- Proposals for major changes in governance consultative practices in the UN and UN system
- Proposals for major changes in governance rules in the UN and UN system
- Proposals for major governance changes between members of the UN system

Proposals for major institutional changes in the UN and UN system

The proposals in this section include two recommendations for revising the United Nations Charter, five different calls for a Security Council-like body for non-military crises, four ideas for new global courts, three different suggestions for strengthening the link between We the Peoples and the General Assembly, and four recommendations for new intergovernmental bodies.

Proposals for major changes in governance consultative practices in the UN and UN system

The UN Charter in 1946 recognized only one type of non-state body, a non-governmental organization which could apply to have consultative status to the Economic and Social Council (ECOSOC). Since then, there has been a proliferation of civil society organizations all wanting and well able to contribute to the work of the United Nations. The 1992 Rio Conference on Environment and Development recognized nine Major Groups that were invited to contribute to the Conference[16]. Subsequently the Commission on Sustainable Development added other constituencies[17]. Currently the Major Groups and Other Stakeholders (MGOS) are organized around 21 different constituencies. In addition, the various specialized agencies, Conference of Parties to conventions, global United Nations conferences, Commissions under the ECOSOC, and the Bretton Woods Institutions have

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[16] The Rio Major Groups were farmers; women; the scientific and technological community; children and youth; Indigenous Peoples and their communities; workers and trade unions; business and industry; non-governmental organizations; and local authorities.

[17] The additional constituencies are persons with disabilities, volunteers, ageing, education and academia.

recognized a range of additional categories of communities that are welcome to provide support to and advocate before governments and the Secretariats of the multilateral system.

All of these constituencies are legitimately seeking a greater role in global governance and recognize explicitly that the central decision-makers in global governance are the intergovernmental bodies and the member states of these bodies. Most of these constituencies see themselves as representing a social world that is fundamentally under-recognized in global governance. For example, 'indigenous peoples', 'women' and 'peasant farmers' all clearly say that more access to global governance is needed from their perspective for the meaningful governance of the planet, economy, and life. Some of these organizations have become spokespersons for ecosystems (e.g. mountains and the Artic) or for those not able to speak now (e.g. future generations). Most of these organizations bring together a depth of expertise that can provide a foundation for more meaningful and effective global governance decisions.

This breadth of interests in contributing to state-led multilateralism can be both overwhelming and a source of aggravation for governments. How can an intergovernmental body do its work if over 20 plus different constituencies want to be actively involved in each decision? And how can an intergovernmental body 'benefit' from a multiplicity of advisors who are likely to be offering different opinions. At the international level, governments have taken a diversity of responses – from collectively categorizing all the constituencies as if they were one social force (either as 'civil society organizations' or 'stakeholders'), by creating a variety of means to recognize some of the fundamental differences (i.e. by designating some as 'observer' organizations and others that can participate via group representatives) and/or by creating obstacles to the engagement with the multiple constituencies (i.e. limiting access to buildings and sessions). The proposals for change identified below are all struggling with these tensions.

The source of aggravation of course flows from the expression of views by non-state constituencies that are antithetical to a government position or which challenge a government's legitimacy. None of the proposals below offer any 'solution' to these state aggravations.

Proposals for major changes in governance rules in the UN and UN system

Rules can be truly politically divisive in taking actions – or avoiding taking actions – by intergovernmental processes. They are also fundamental in protecting the rights of minority opinions and ensuring the reasonable flow of political debates. However, some rules and practices clearly constrain effective decision-making. This section identifies four collections of recommendations for modifying existing decision-making processes; four ideas for new rules for global negotiations; two recommendations for re-balancing the membership of international bodies; and a proposal regarding UN secretariat and consultancy rules and regulations.

Proposals for major governance changes between members of the UN system

There are small scale institutional walls within the UN (i.e. between ECOSOC Commissions and their Secretariats); medium size walls between the UN's economic and social organizations and the Security Council, the UN in New York and the regional commissions, and between the UN and the specialized agencies of the UN system; and large sized walls between the UN system and the financial and trade organizations based in Washington and Geneva; and even larger sized walls between all of the above and the monetary organizations located in Basel.

Three of the proposals in this section contain recommendations relating to the walls with the Bretton Woods organizations; one proposal for improving the relationship of the international jurisdictional system with the Security Council; and three proposals relate to the wall between the UN and specialized agencies, the institutional barriers with the WTO, and the highest wall with the Basel institutions.

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Proposed major institutional changes in the UN and UN system

<u>Amending the Charter</u>

Call for an Article 109 Charter Review Conference

". . . a Charter Review Conference according to Article 109 of the UN Charter should be convened. ... The Charter review needs to: 1) reform the UNSC and eliminate the veto power; 2) empower the UNGA, including by making its decisions legally binding; 3) address climate change as a major global threat and its mitigation as an additional purpose of the UN; 4) upgrade the UNPA from a subsidiary to a principal organ; 5) replace or re-purpose the defunct Trusteeship Council; 6) upgrade the Peacebuilding Commission into a Peacebuilding Council"
- Interim People's Pact for the Future (2023), pg. 20

See also:
Global Governance Forum (2023/2024), pg. 3
Commission on Global Governance (1995) chapter 7
High Level Advisory Board on Effective Multilateralism (2023)

Adding an environmental pillar to the UN in the Charter

". . .it is time for the UN system to recognize, both conceptually and operationally, the environment as a distinct fourth pillar of activity for the world body, on par with sustainable development, peace and security, and human rights. In practical terms, this would help in garnering momentum for elevating environmental governance within the multilateral system"
- Climate Governance Commission (November 2023), pg. 49

See also: Global Governance Forum (2023/2024), pg. 3

<u>Establish Security Council-equivalent bodies for non-military matters</u>

With a macro-economic focus – an Economic Security Council

" …, a Global Economic Coordination Council [or an Economic Security Council] should be established at a level equivalent with the UN General Assembly and the Security Council. Its mandate would be to assess developments and provide leadership in addressing economic issues that require global action while taking into account social and ecological factors. Based on this mandate it would promote development, seek consistency of policy goals and policies of major international organizations, and support consensus building among governments on efficient and effective solutions for global economic, social, and environmental issues. Its work would go beyond simply the coordination of existing institutions. With the support of the Panel of Experts, the GECC could also promote accountability of all international economic organizations, identify gaps that need to be filled to ensure the efficient operation of the global economic and financial system, and make proposals to the international community for remedying deficiencies in the current system.

"The Council would have a mandate over the UN System in the economic, social, and environmental fields, which include the Bretton Woods Institutions (BWIs) and should include the WTO by bringing it formally into the UN System, and not only over the UN and its Funds and Programs, as has been characteristic of ECOSOC (which will thus continue exercising its traditional functions). Representation could be based on a constituency system designed

to ensure that all continents and all major economies are represented. At the same time, its size should be guided by the fact that the Council must remain small enough for effective discussion and decision-making. In addition, active participation by and consultation with other important institutions, such as the World Bank, IMF, ILO, WTO, and of course the UN Secretariat, would be crucial."
- Stiglitz Commission (2009), pg. 91

See also: Commission on Global Governance (1995) chapter 7[18]

With a focus on complex systemic issues - Global Resilience Council

"… the international community create an analogue to the Security Council [which proponent name as a Global Resilience Council] to address large scale non-military threats such as complex environmental, economic, social, health and gender related threats. Such a council could take on responsibilities similar to those given to the existing Security Council, of course adapted to the nature of the threats. The new council could, based on Chapters VI and VIII of the UN Charter, 'investigate any [non-military] dispute, or any situation which might lead to international friction or give rise to a dispute [or to significant moral failures]'; 'recommend appropriate procedures or methods of adjusting such disputes [or situations] or the terms of settlements'; and 'could call on Members [and non-state actors] to apply economic [and political] sanctions and other measures…'".
- FOGGS (2021), pg. 6

See also:
Interim People's Pact for the Future (2023)
Climate Governance Commission statement (September 2023)[19]

With a human rights focus – strengthen Human Rights Council

"In revising the UN Charter it would be useful to equalise the status of the bodies addressing the main UN pillars. The Human Rights Council (HRC), presently a subsidiary body, should be upgraded to a principal organ of the UN, giving it the same level of importance and influence as the Security Council and ECOSOC. This would recognise and reflect the significant advancements in the human rights field since the adoption of the Universal Declaration on Human Rights three years after the UN Charter. Today, this would include the right to development, which is at the core of the Sustainable Development Goals; the right to peace; the right to a clean and healthy environment, with opportunities for other issues to come to the fore.

"The absence of formal links between the HRC and other UN organs means that early warnings can go unheeded and the Security Council is activated only after preventable atrocities are committed. Rather, the Security Council, the ECOSOC and the HRC should establish formal links to prioritize prevention and the removal of threats to peace, as enshrined in Article 1 of the UN Charter."

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[18] Our Global Neighborhood, Chapter 7: "… In the light of experience and in the context of the proposed Economic Security Council and our other recommendations, we propose that the Economic and Social Council (ECOSOC) be wound up. The UN system must from time to time also shut down institutions that can no longer be justified in objective terms."
[19] Variant from the Climate Governance Commission - "Elaborate on the UN Secretary-General's Proposed Emergency Platform to design and convene an inter-agency, intergovernmental Planetary Emergency Platform to bring together fragmented international institutional structures, and to develop a Planetary Emergency Plan for urgent, coordinated action, with linked national emergency plans. The Platform could bring together intergovernmental, State and non-State actors to plan for and cooperate on urgent action at all levels of governance, including a global decarbonizing package. Global security norms should be broadened to reflect the grave implications of over-stepping climate/planetary boundaries, including UN Security Council practices to better reflect the climate policy challenges and priorities of the Global South and of all peoples."

- Global Governance Forum (2023/2024), pgs. 32-33

With an environmental focus – Global Environment Agency

"Establish an Environmental Governance Agency with binding, supranational authority to provide effective, integrated, equitable and accountable global governance of the Earth System including both the capacity to regulate and to mobilize the necessary resources."
- Interim People's Pact for the Future (2023), pg. 9

"A Global Environment Agency (GEA): UNEP will have to be upgraded to a properly endowed international agency, with ambitious and clear authorities and the capacity to effectively manage our shared global environmental commons. To catalyze a network of global, regional, national, and sub-national institutions for climate and planetary boundary governance, the GEA must perform five main functions: (1) A knowledge function to share and monitor climate and planetary boundary information; (2) a deliberative and legislative function; (3) an enabling and implementing function; (4) a trust and justice-building function; and (5) an iterative learning function. A GEA could work closely with other international institutions in the energy field, to phase out fossil fuels/GHGs and 'phase in' renewable energy, power livelihoods, ensure energy security, and drive holistic wellbeing."
- Climate Governance Commission statement (September 2023), pg. 6

Create for the General Assembly new links to the 'peoples'

Via a UN Parliamentary Assembly

"The UN Charter was declared on behalf of 'We, the Peoples' but the UN is governed exclusively by member states. A UN Parliamentary Assembly (UNPA) would give elected representatives, who reflect a broader political spectrum, a formal voice at the UN. A UNPA can be established by a majority vote of the UNGA as a subsidiary body using Article 22 of the UN Charter. Through portfolio committees and transnational groups set up by its members, the UNPA can conduct public hearings and deliberations and merge their findings in plenary resolutions. A UNPA would act as a voice of the world's citizens and serve as a catalyst for policies and proposals on further UN and global governance reforms."
- Interim People's Pact for the Future (2023), pg. 19

See also:
Childers & Urquhart (1994), pgs. 212-213
We the Peoples (2021), pg. 9
Civicus (2022), pg. 47
Global Governance Forum (2023/2024), pgs. 26-27
Climate Governance Commission (November 2023), pgs. 57-58
Brauer & Bummel (2020)

Via a Peoples' Assembly alongside the General Assembly

"[The Global Governance Commission] propose an annual Forum of Civil Society consisting of representatives of organizations to be accredited to the General Assembly as 'Civil Society Organizations'. The forum should be convened in the General Assembly Hall sometime before the Annual Session of the Assembly. International civil society should itself be involved in determining the character and functions of the Forum."
- Commission on Global Governance (1995) chapter 7

See also: Global Governance Forum (2023/2024)

"An Alter-UN. A competing, mirror organization of the United Nations comes to mind as a way to energize and stimulate the UN and the intergovernmental process. It would diversify the global political landscape, and help to counter the trend of concentration of power and influence with the political and moneyed elites which control the existing multilateral institutional establishment and constrain its inherent potential… An Alter-UN… should focus on the 'big picture' and select key policy, systemic and geo-strategic issues that are on the UN agenda."
- Boutros-Ghali & Gosovic (2011), pg. 60

". . . drawing on lessons learned from the world's citizen's assembly for COP 26, establishing a permanent and well-designed Global Citizens' Assembly integrated into the multilateral process – e.g. as a subsidiary body of the UNFCCC – could help to accelerate action, enhance decision-making quality, and increase legitimacy and inclusion. The selection of the citizens by a global civic lottery is known to contribute to awareness raising among (sometimes disconnected) citizens, while ensuring innovative ways to democratize climate change deliberations. Successful examples of such citizen's assemblies are already implemented at the regional and national levels"
- Climate Governance Commission (November 2023), pg. 37

Via experimental Parliamentarian public policy committees

"Member States should make way for an enhanced role for parliamentarians in global governance. They should instruct the Secretariat to work with national parliaments and the Inter-Parliamentary Union, as appropriate, to convene one or more experimental global public policy committees to discuss emerging priorities on the global agenda. These committees would comprise parliamentarians from the most relevant functional committee in a globally representative range of countries. In an experimental five-year period, different organizational arrangements could be tested and, through periodic review, refined over time"
- Cardoso Eminent Persons Panel, Proposal 15 (2004), pg. 19

See also: Albright-Gambari Commission (2015), pg. 84

Via citizens' direct petitioning to the United Nations

"Create the instrument of a UN World Citizens' Initiative – UN consultations that allow individual citizens to voice their views are ad hoc and top down, if they are conducted at all. The participatory mechanism of a UN World Citizens' Initiative (UNWCI) for the first time will provide citizens with a formal way to present proposals to the UN's main bodies. A group of citizens from different world regions could register a proposal at the UN and if this proposal manages to receive a certain threshold of global support from individual citizens within a given time, it would qualify for submission either to the UNGA or UNSC. The latter would then be required to consider and vote on the submission or a revised version thereof."
- Interim People's Pact for the Future (2023), pg. 20

"The Right of Petition proposed in the context of promoting the security of people requires the formation of a Council of Petitions--a high- level panel of five to seven persons, independent of governments, to entertain petitions. Its recommendations will go as appropriate to the Secretary-General, the Security Council, or the General Assembly, and allow for action under the Charter."
- Commission on Global Governance (1995) chapter 7

See also:
Boutros-Ghali and Gosovic (2011), pgs. 58-60
We the Peoples (2021)
Civicus (2022), pg. 47

Climate Governance Commission (November 2023), pgs. 57-58

Via high-quality independent input

"The General Assembly should permit the carefully planned participation of actors besides central Governments in its processes. In particular, the Assembly should regularly invite contributions to its committees and special sessions by those offering high-quality independent input. The participation arrangements should be made in collaboration with the relevant constituency networks. The Secretariat should help to plan innovative and interactive sessions linked to but outside the formal meetings."
- Cardoso Eminent Persons Panel, Proposal 6 (2004), pg. 16

Via the participation of local and regional governments in global governance

"[The High Level Advisory Board on Multilateral Effectiveness] supports the ongoing efforts to develop an Advisory Group to the Secretary-General on Local and Regional Governments and proposes two interrelated steps that would meaningfully bring subnational governments into global governance without diluting the central role played by States.

"*A special status for cities and regions*
The Summit of the Future can identify relevant institutions and processes where LRGs are offered a formal and permanent status, independent of civil society and non-governmental organizations, notably in the areas of the environment, global health, migration, refugee response, addressing transnational organized crime, and sustainable development. Consideration should be given to involving LRGs directly in relevant multilateral treaty processes, allowing them to become signatories with responsibilities in much the same way the current plastics treaty is looking to involve and obligate the private sector."
- High Level Advisory Board on Effective Multilateralism (2023) Recommendation 2, pg. 17

Expand the international judiciary system

By a better use of the International Court of Justice (ICJ)

" . . . Adopt a protocol to key multilateral environmental agreements (MEAs) to give the ICJ jurisdiction over obligations, ensuring that citizens and civil society have a voice – and legal standing – in such litigation, building on the success of recent citizen-initiated cases at the ICJ and International Tribunal for the Law of the Sea (ITLOS) and across national jurisdictions. Complete the forward-looking intergovernmental process toward a Global Pact for the Environment, which already possesses a General Assembly mandate. Introduce a special rapporteur group to investigate and report publicly on environmental violations and uphold the right to a healthy and sustainable environment, while taking measures to ensure diverse and inclusive viewpoints in global deliberations on planetary governance, in the global public interest . . ."
- Climate Governance Commission, statement (September 2023), pg. 5

See also:
Commission on Global Governance (1995) chapter 7
Albright-Gambari Commission (2015), pg. 53
UN75 People's Declaration and Plan for Global Action (2020), pg. 10

By a better use of the International Court of Justice (ICJ) on environmental matters

"The ICJ currently resolves relatively few environmental law disputes, largely because of its limited, consent-based jurisdiction, and the relatively long time-frame for ICJ cases.

Environmental cases could be dealt with more quickly by the ICJ if it reconstituted the ICJ Chamber for Environmental Matters which was discontinued in 2006. The ICJ's jurisdiction for environmental issues could be expanded by increasing the number of States that accept the compulsory jurisdiction of the ICJ with the objective to achieve universal acceptance, and by including in environmental treaties (as an article or additional protocol) the option for any State party to refer a dispute under the treaty to the ICJ."
- Climate Governance Commission (November 2023), pg. 56

By establishing an International Court for the Environment

"A tailored international legal institution to uphold the obligations of State and non-State actors under MEAs and other relevant law will be needed, serving as the central venue for the resolution of international environmental law disputes, scaling up recent successes in national and international climate litigation. This would closely interface with the GEA and have an explicit mandate to, among others: (1) resolve disputes and issue advisory opinions, with broad coverage; (2) facilitate access by NGOs and the private sector parties in the work of the court; (3) draw upon a scientific body to assess technical issues; and (4) establish specialist panels related, for example, to mining, aviation, and other such fields"
- Climate Governance Commission, statement (September 2023), pg. 6

By establishing an International Debt Restructuring Court

" . . . An "International Debt Restructuring Court," [would be] similar to national bankruptcy courts. This court would ensure that agreed international principles regarding the priority of claims, necessary overall write-downs, and sharing of 'haircuts' are followed. It could differentiate between distinct debt categories, which might include government, government guaranteed, and government-acquired private debt, so as to make transparent the actual effective liabilities of the sovereign. It could also determine what debts could be considered 'odious,' and it would be able to grant potential private or public creditors authority to extend 'debtor in possession' financing, as in corporate restructurings. National courts would have to recognize the legitimacy of the international court, and both creditors and debtors will therefore follow its rulings."
- Stiglitz Commission (2009), pg. 124

By establishing an International Anti-Corruption Court

"An International Anti-Corruption Court would prosecute high-level officials and their co-conspirators in corruption cases where national jurisdictions are unable or unwilling to prosecute the offenses that they are already required to criminalize as members of the UN Convention Against Corruption. It should be an international institution of last resort operating on the principle of complementarity. Accordingly, its jurisdiction would aid governments unable to prosecute kleptocrats and thereby help deter others. The Court should also help to recover and repatriate stolen assets and be a resource to national level authorities that seek to enhance their capacity to enforce anti-corruption law at the domestic level."
- Interim People's Pact for the Future (2023), p. 16

Upgrade international human rights architecture

"Improve the credibility, efficacy, vitality, and legitimacy of the international human rights architecture. The full realization of fundamental human rights would represent, in itself, a transformational shift towards revitalizing the global system. This would require increasing the drastically underfunded budget of the human rights system and ensuring that human-rights centered values drive policy and practice. The Universal Periodic Review must have increased accountability in order to affect change on the ground"

- UN75 People's Declaration and Plan for Global Action (2020), pg. 8

<u>Create intergovernmental bodies for under-addressed global issues</u>

A Commission on Youth and Ageing Populations

"Establish ad hoc commissions to address emerging issues. As humanity deepens its understanding of the threats and opportunities it faces and of its global interdependence, new institutions that speak to those threats and opportunities will need to be established. These could include, for example, an intergenerational commission to address concerns of youth and ageing populations . . ."
- UN75 People's Declaration and Plan for Global Action (2020), pg. 9.

A Commission on Media, Technology, and Cyber Threats

"Establish ad hoc commissions to address emerging issues. As humanity deepens its understanding of the threats and opportunities it faces and of its global interdependence, new institutions that speak to those threats and opportunities will need to be established. These could include, for example, . . . a commission on media and technology to address the role of misinformation and other cyberthreats; . . ."
- UN75 People's Declaration and Plan for Global Action (2020), pg. 9.

A Commission on Involuntary Displacement of Peoples

"Establish ad hoc commissions to address emerging issues. As humanity deepens its understanding of the threats and opportunities it faces and of its global interdependence, new institutions that speak to those threats and opportunities will need to be established. These could include, for example, . . . a commission on displacement to address protections, legal recognition, and access to services for those involuntarily displaced."
- UN75 People's Declaration and Plan for Global Action (2020), pg. 9.

PROPOSED MAJOR CHANGES IN GOVERNANCE CONSULTATIVE PRACTICES IN THE MULTILATERAL SYSTEM

<u>By elevating the role of science in global governance</u>

By establishing a research programme on climate-altering technologies

"Create a global responsible research programme on climate-altering technologies, which brings together diverse and inclusive voices, including indigenous communities and experts from developed, developing and emerging economies, for robust scientific assessment and international cooperation between States, intergovernmental bodies and the UN (UNEA), international institutions (Climate Overshoot Commission), global conventions (London Convention/ Protocol, CDB, and Kunming-Montreal Protocol) and academic and financial institutions to prevent uni- and multilateral action of unproven geoengineering technologies"
- Interim People's Pact for the Future (2023), p. 9

See also:
Albright-Gambari Commission (2015), pg. 52
UN75 People's Declaration and Plan for Global Action (2020), pg. 9

By establishing an International Panel on Planetary Boundaries

"[The International Panel on Planetary Boundaries] . . . , which would have a technical function – to integrate information and reporting from sectoral/technical bodies – and a policy function – to communicate scientific findings and policy matters to relevant national and international governance bodies, global or regional summits and conferences, and the general public. A linked international expert subpanel on Earth System Risks, as a supplementary science-policy mechanism, should provide systematic assessments and on-going monitoring of the status of Earth system vital functions. The enhancement of the global science-policy interface should inform governmental decision making on an ongoing basis".
- Climate Governance Commission statement (September 2023), pg. 4

<u>Elevate the role of youth and ageing in global governance</u>

"Establish ad hoc commissions to address emerging issues. As humanity deepens its understanding of the threats and opportunities it faces and of its global interdependence, new institutions that speak to those threats and opportunities will need to be established. These could include, for example, an intergenerational commission to address concerns of youth and ageing populations; a commission on media and technology to address the role of misinformation and other cyberthreats; and a commission on displacement to address protections, legal recognition, and access to services for those involuntarily displaced."
- UN75 People's Declaration and Plan for Global Action (2020), pg. 9

<u>By intergrating regional intergovernmental bodies into the global governance system</u>

"The UN must gear itself for a time when regionalism becomes more ascendant world-wide and assist the process in advance of that time. Regional co-operation and integration should be seen as an important and integral part of a balanced system of global governance. However, the continuing utility of the UN Regional Economic Commissions now needs to be closely examined and their future determined in consultation with the respective regions."
- Commission on Global Governance, (1995) chapter 7

Formalize a new structure for civil society support to governments

Via major group-based advisory assemblies - 1

"As multidimensional mega-crises inherently involve multiple components of the global order and thus very diverse communities of actors, the . . . arrangement would institutionalize advisory assemblies[20] in order to engage each of these communities in identifying causes and solutions to a given mega-crisis. Each advisory assembly would be expected to define the respective constituency's response to each specific mega-crisis, advise [governments and International Leadership Council (see pg. 30 below)] in its deliberations, and see to it that its members do their part in implementing the [government and ILC] decisions for effectively dealing with the crisis. Each advisory assembly would also be expected to evaluate the views of the other advisory assemblies and dialogue with them on causes, impacts and solutions. This interactive structure breaks with the traditional pattern for intergovernmental bodies just 'receiving' input or group statements from non-state organizations from separate communities, while it maintains the state-centric character in its core working methods."
- FOGGS (2021), pgs. 9 -10

Via major group-based advisory assemblies – 2

"The Secretariat should encourage the main constituencies that the United Nations works with to form broad networks to help it with selection and quality assurance. But the United Nations should not demand this or stipulate how it is to be done. Such networks would be encouraged to advise secretariats and bureaux on the participation of their constituencies in intergovernmental processes and to help monitor practices and revise strategies, perhaps leading to their evolution into recognized advisory groups. The Secretariat should discuss with those groups possible codes of conduct and self-policing mechanisms to heighten disciplines of quality, governance and balance."
- Cardoso Eminent Persons Panel, Proposal 23 (2004), pg. 21

Via a General Assembly streamline accreditation process

"The United Nations should realign accreditation with its original purpose, namely, it should be an agreement between civil society actors and Member States based on the applicants' expertise, competence and skills. To achieve this, and to widen the access of civil society organizations beyond Economic and Social Council forums, Member States should agree to merge the current procedures at United Nations Headquarters for the Council, the Department of Public Information and conferences and their follow-up into a single United Nations accreditation process, with responsibility for accreditation assumed by an existing committee of the General Assembly.
- Cardoso Eminent Persons Panel, Proposal 19 (2004), pg. 20

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[20] The initial assemblies could include (a) a science / knowledge-based assembly (e.g. Intergovernmental Panel on Climate Change (IPCC)-like science bodies), depending on the issue at hand each time; (b) a religious leaders and moral philosophers assembly to show a new appreciation of ethics as a driving force in crisis response; (c) an assembly for business leaders who have a working commitment to the sustainable development goals and human rights; (d) an assembly for the labour / trade union and professional associations; (e) an assembly for indigenous peoples modelled on the existing UN Permanent Forum for Indigenous Peoples; (f) a gathering point for civil society organizations and social movements; (g) an open-door assembly for under-represented and affected communities (i.e. migrants and people with disabilities); (h) a parliamentary assembly consisting of representatives of national and regional parliaments; and (i) an assembly of local, sub-national authorities.

Via a series of global UN conferences

"World conferences under the UN auspices, especially those dealing with cross-cutting, complex subjects have a proved a valuable instrument in the past. They have made it possible to focus attention on given global issues. They have generted in-depth studies and analyses and sensitized public opinion and decision-makers. They have also provided opportunities for debate and wide participation, including that of civil society. And they have produced documents, agreements, plans and programmes of action that have guided follow-up policy action and have thus performed a vital global leadership function"
- Boutros-Ghali & Gosovic (2011), pg. 67

See also: Cardoso Eminent Persons Panel, Proposal 4 (2004), pg. 16

Via interactive digital engagement

"… Give more voice to civil society. Our consultations surfaced a consistent call for greater inclusion of civil society in the core work of global governance. 'Civil society' is broadly defined here to mean non-governmental organizations operating in the civic space, such as trade unions, faith-based organizations, Indigenous networks, research institutions, think tanks, independent media groups, and other types of non-governmental entities. There are a number of concrete steps that could improve inclusion of civil society, such as: (a) using digital space to involve more groups in United Nations processes; (b) formally including Economic and Social Council (ECOSOC)-accredited civil society groups in common spaces in the United Nations; and (c) building interactive dialogue with civil society into formal United Nations sessions."
- High Level Advisory Board on Effective Multilateralism (2023) Recommendation 1, pg. 15

Via improved use of the Arria formula and Security Council seminars

"Security Council members should further strengthen their dialogue with civil society, with the support of the Secretary-General by:
- Improving the planning and effectiveness of the Arria formula meetings by lengthening lead times and covering travel costs to increase the participation of actors from the field. United Nations country staff should assist in identifying civil society interlocutors"
…
- Installing an experimental series of Security Council seminars to discuss issues of emerging importance to the Council. Serviced by the Secretariat, these would include presentations by civil society and other constituencies as well as United Nations specialists, such as special rapporteurs"
- Cardoso Eminent Persons Panel, Proposal 12 (2004), pgs. 18-19

PROPOSED MAJOR CHANGES IN GOVERNANCE RULES IN THE UN AND UN SYSTEM

<u>Modify existing decision-making processes</u>

Correct the practice that 'consensus' means unanimity (i.e. eliminate the universal veto)

 ". . . A frequent obstacle to more effective multilateralism is the overreliance on decisions by consensus, which has been interpreted in many settings to mean unanimity without objection. While ostensibly a reflection of collective decision-making, in practice this highly inefficient and unfair approach allows a small number of States to block action that is clearly needed to address issues of global concern. It has led to stagnation on denuclearization, hampered more equitable global finance, and enabled a minority to obstruct meaningful action on the environment. This does not mean there is no place for consensus; in some settings, it is an important mechanism to protect against excesses of power and prevent impunity. But where consensus prevents equitable and effective decision-making on issues of global concern, alternatives must be found"
- High Level Advisory Board on Effective Multilateralism (2023), Recommendation 4, pg. 19

". . . Majority/supermajority voting approaches at the [climate] COP for important issues, would help to avoid a watered-down, least common denominator dynamic (especially when a single country can wield de facto veto authority over proceedings – effectively holding the world to ransom). . . Furthermore, the Presiding Officer could also reinforce the understanding among state parties that consensus, when employed, is not a synonym for unanimous support, and that countries have an option of expressing their dissenting views while also not blocking the proposals"
- Climate Governance Commission (November 2023), pgs. 36-37

Periodic review of procedures and commitments

"Opportunity to review these issues every 10 years, for example, allows for pragmatic progress on achievable priorities now and striking an evolving balance between desirability and feasibility. Rather than a specific structural decision or choice of mechanism, it is the notion of an evolving global rule-making capacity that is crucial to the UN's effectiveness, credibility and ability to become a genuine problem-solving organization in the future. "
- Global Governance Forum (2023/2024), pg. 28

Revise procedures and elections at the International Court of Justice

The Chamber Procedure of [the International Court of Justice] should be modified to enhance its appeal to states and to avoid damage to the Court's integrity. Judges of the World Court should be appointed for one ten-year term only, and a system of screening potential members for jurisprudential skills and objectivity introduced. The UN Secretary-General should have the right to refer legal aspects of international issues to the World Court for advice, particularly in the early stages of emerging disputes."
- Commission on Global Governance (1995), chapter 7

By establishing new working methods for the United Nations Environment Programme (UNEP) and United Nations Environment Assembly (UNEA)

" . . . strengthen the authority of UNEP and the UNEA to address the climate and interrelated environmental crises to increase accountability, action, incentives, and support for commitments under current key multilateral environmental agreements (MEAs). Provide

them with an advisory role at the IMF and World Bank, and endow them with a facility (via an IPPB or otherwise; see No. 4, above) for information exchange and consolidation, and a policy clearinghouse to generate recommended actions in real-time. A public accountability platform could oblige States to publicly state their progress on commitments and be subject to criticism and feedback."
- Climate Governance Commission statement (September 2023), pg. 4

See also: Interim People's Pact for the Future (2023)

Revise the selection process for intergovernmental bodies – the Human Rights Council

"Non-competitive elections help enable this: each regional group of states has a set number of seats, and it's common for prior negotiations to ensure that no more candidates stand than seats available. This is why civil society calls for competitive elections as a minimum condition to enable greater scrutiny of the human rights records of states standing for the Council."
- Civicus (2022), pg. 44

Adopt new processes to adopt and implement resolutions and decisions

Institute tiered voting rules

"The Summit of the Future should identify key processes to be shifted to qualified majority, double majority, or non-unanimous definitions of consensus voting systems. While making every effort to achieve unanimous decisions in all multilateral forums, our response to issues of global concern cannot be decided by a small number who benefit from the status quo. Shifting towards qualified majorities, or a new definition of consensus that does not require unanimity in the case of deadlock in multilateral processes, could help to address long-standing shortcomings in environmental governance, the Conference on Disarmament's meetings on denuclearization, international financial institutions, and other areas noted throughout this report. Such a shift would constitute a significant improvement in the efficiency"
- High Level Advisory Board on Effective Multilateralism (2023), Recommendation 4, pgs. 19-20

Institute double majority voting at the IMF

"...extend [...] the practice of double majority voting, which is prevalent in other international bodies, to major decisions taken in the IMF. The Fund's Articles of Agreement already allow for double majority voting — 85 per cent of voting power and a 60 per cent majority of members — to amend the Articles of Agreement. A double majority requirement would ensure that principal shareholders with sufficient collective voting power to direct the IMF's agenda would be required to secure the agreement of a majority of members for major decisions…"
- High Level Advisory Board on Effective Multilateralism (2023), pg. 36

See also: Our Common Agenda Policy Brief 6 (May 2023), Recommendation 4, pgs. 6-7

Use special rapporteurs to investigate environmental rule violations

". . . UNEP and UNEA could provide a special rapporteur group possessing mandates to investigate and report publicly on environmental violations. This body could also monitor gaps between international climate commitments and current trends on the fulfillment of these targets."
- Climate Governance Commission (November 2023), pg. 50

Develop a code of conduct for negotiating global agreements[21]

"The Summit of the Future could also include agreement to develop a code of conduct for negotiating international agreements on issues of global concern that would consolidate commitments on data transparency, reliance on independent scientific research, gender parity, and inclusion of a range of traditionally marginalized groups (youth, women, civil society, smaller States, and local and regional authorities). This code of conduct also should help to increase accountability from the outset by establishing standardized implementation and enforcement processes, pairing commitments with the resources and capacities to track implementation. Such a step would help to address long-standing criticism that international negotiations lack teeth and allow for open-ended commitments without accountability"
- High Level Advisory Board on Effective Multilateralism (2023), Recommendation 4, pg. 20

The use of non-binding, straw voting

". . . the Presiding Officer could make use of questions, restatements, and summaries to ensure mutual understanding and awareness of points that require further consideration, as well as informal non-binding, straw voting on issues in question to discern the level of support for a certain proposal . . . More generally, countries with similar goals could use non-binding declarations to voice support for a proposal or take this opportunity to identify possibilities for bilateral co-operation on a narrower set of issues"
- Climate Governance Commission (November 2023), pg. 37

Introduce mandatory multilateral authority

"Given the urgency of action to address the rapidly growing impact of climate change, a possible first step towards the acceptance of binding global legislation could be to give the UN Environment Assembly (UNEA) with its universal membership the authority to legislate to protect planetary boundaries as defined by science"
- Global Governance Forum (2023/2024), pg. 18

Re-balance membership in key international organizations

Re-structure the north-south balance in Basel Committee of the Bank for International Settlements

"The Basel Committee of the Bank for International Settlements (BIS) and the FSF/FSB set important global economic standards in areas such as data dissemination, bank supervision, financial regulation, and corporate governance. Most developing countries are not represented in today's standard-setting institutions. Deeper reforms in the FSB must, accordingly, address deficiencies in its governance, mandate, and economic perspectives...The FSB and all other standard-setting institutions must become more representative and accountable to adequately reflect the views of and the conditions in developing countries"
- Stiglitz Commission (2009), pg. 96[22]

Re-balance international financial standard setting bodies

"The task of ensuring coherence in regulatory principles among national authorities must be undertaken by international standard-setting bodies, such as the U.S. Financial Accounting

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[21] Could address over-all transparency standards and criteria to exclude civil society from negotiation fora
[22] Sentences re-arranged from the original.

Standards Board (FASB), supported by an accountable Secretariat with access to a diversity of viewpoints. For the FSB to take on this role as a global authority in identifying systemic risk for the financial system, it would require an international capability that goes beyond that of the FSB and the BIS. International financial regulation will require coordination beyond central banks (the major constituency of the BIS) and must include securities and corporate regulators as well as accounting standards among its key priorities.

"By the same token, if the [Financial Stability Board] FSB is to become the main instrument for the formulation of reforms of the global financial system, it must do a better job in taking into consideration the distinctive aspects of developing country economies, how regulations in developed countries may affect the economies of the developing countries, and the importance of financial stability for economic development."
- Stiglitz Commission (2009), pg. 97

Give subnational and non-state actors ability to adopt more stringent rules

"Over the past two decades, the UNFCCC COPs have seen a growing number of stakeholder institutions participate either formally, as members of their state delegations, or informally. To broaden the array of stakeholders in the anticipated 2015 Paris Agreement, some have argued that the agreement should be opened in some way to signature by actors other than national governments, to include provincial and state leaders, mayors, industry and professional associations, and civil society organizations, including women's organizations. . . , it may be more productive in both the short and the long run for the various coalitions and initiatives working to limit climate change to announce a parallel commitment and signing process, whereby they commit to deeper and faster action than that pledged by national leaders—as a starting point for a new social compact for global climate action"
- Albright-Gambari Commission (2015), pg. 51

Elaborate UN staff/consultancy rules and regulations

"Ensure that all international civil servants are provided with appropriate guidance and support to enable them to actively implement and defend the UN's values and principles. Outline how the UN will uphold its commitment to protect staff who do so and hold accountable staff who do not."
- UN75 People's Declaration and Plan for Global Action (2020) pg. 10

See also: Childers & Urquhart (1994), pg. 210

PROPOSED MAJOR GOVERNANCE CHANGES BETWEEN MULTILATERAL ORGANIZATIONS

Establish improved working methods between the International Criminal Court (ICC) and the Security Council

"the UN Security Council should establish enhanced working methods with the ICC, including a protocol or code to support ICC investigations and prosecutions, including sanctions (such as asset freezing), and the enforcement of ICC arrest warrants."
- UN75 People's Declaration and Plan for Global Action (2020), pg. 10

Establish improved working methods between the United Nations Framework Convention on Climate Change (UNFCCC) and other international regimes

"The UNFCCC is broadly accepted as the primary forum for international negotiations and climate decision-making. Nevertheless, several other international entities, such as the Montreal Protocol, the International Civil Aviation Authority, and the International Maritime Organization, carry important responsibilities and authorities over various aspects of the climate problem. So, too, a number of international clubs and coalitions such as the G20 and the Major Economies Forum have undertaken climate initiatives. Coordinated action across a broad range of actors and issues will likely yield a greater aggregate impact than multiple separate endeavors. To promote synergies and reduce redundancies or incompatibilities, the UNFCCC should enhance coordination between these regimes and institutions."
- Albright-Gambari Commission (2015), pg. 50

Reform the institution structures of the global financial system

By putting in practice key proposals

"Overhaul the Bretton Woods Institutions, taking forward the Bridgetown Agenda for the Reform of the Global Financial Architecture, Earth4All, and the Debt Relief for Green and Inclusive Recovery (DRGR) Project, among other initiatives. Reforms should improve representation and legitimacy. . ., all within the context of managing the planetary emergency. Such institutional reforms should ensure a shift from an extractive economy to a well-being economy, . . . Other strategies for reform include the design of a long-proposed "Tobin Tax" on financial transactions (and other public international revenue-generation tools), and the establishment of a global public investment (GPI) concept as an essential principle for modern international public finance, both poised to finance the green transition."
- Climate Governance Commission statement (September 2023), pg. 6

By establishing a Global Financial Authority

"A new Global Financial Authority [would]… coordinate financial regulation in general and to establish and/or coordinate global rules in certain areas, such as regarding money laundering and tax secrecy. (Chapter 3 discusses the role that the UN Committee of Experts on International Cooperation in Tax Matters should play in these efforts.)"
- Stiglitz Commission (2009), pg. 96

By creating an environmental advisory service for the International Financing Institutions (IFIs)

" . . .UNEP and UNEA could also be given an advisory role in key international institutions like the World Bank and the International Monetary Fund (IMF), helping to integrate the work of the bodies such that all funded projects help sustain Planetary Boundaries. The UNEP and UNEA could also play a role in advising on the creation of new financial instruments and institutions or the reform of current institutions to improve on climate and allied types of ecological finance . . ."
- Climate Governance Commission (November 2023), pg. 50

By establishing a UN Tax Commission

"It is time to establish a truly universal, intergovernmental UN tax commission and negotiate a UN Tax Convention to comprehensively address tax havens, tax abuse by multinational corporations and other illicit financial flows. . ."
- Society for International Development (2021), pg. 21

Expand the UN system to include the WTO

"The World Trade Organization (WTO) is the only universal body for setting trade rules and resolving trade disputes. The WTO is the only universal intergovernmental institution which, at the insistence of major industrial countries, does not have an institutional agreement with the UN (i.e. the 'Arrangements for Effective Cooperation with other Intergovernmental Organizations — Relations Between the WTO and the United Nations' of 15 November, 1995, provides only for informational cooperation), even though it has separately acceded to coherence commitments with the Bretton Woods Institutions. Given its status as a major stakeholder in the UN Financing for Development process, the WTO should be brought into the UN system of global economic governance while maintaining its legal and institutional constituency."
- Stiglitz Commission (2009), pg. 100

See also: Childers & Urguhart (1994), pg. 196

Expand the UN system to include the Basel Institutions

"More inclusive and appropriate representation in the BIS and FSB would result not only in a fairer system but also in better regulation leading to a more stable global financial system with welfare-enhancing effects for all. It would be less dominated by those who have benefited from current arrangements, with greater voice from those countries that have not benefited . . .The lack of accountability of important, private standard-setting bodies is an additional area of concern. Private entities such as the International Accounting Standards Board (IASB) and the International Organization of Securities Commissions (IOSCO) develop, for instance, standards for cross-border regulation that have systemic impacts on the international financial system, yet they are exempt from any political accountability. Increased international public oversight of governance of the international financial system requires that critical standard-setting activities, at a minimum, be reported to an intergovernmental body for approval. This is particularly important in light of the greater interconnectedness among financial market segments. Global banks have increasingly expanded their operations into securities markets and own or control brokerage and security."
- Stiglitz Commission (2009), pg. 97

<u>Set up a UN system-wide Intergovernmental Leadership Council (ILC)</u>

"the international community could . . . ensur[e] an all-of-multilateralism response . . . through a common platform for inter-organizational deliberations between UN system bodies and other inter-governmental organizations on any matters that one of these entities would wish to discuss . . . Its limited but quite challenging goal would be to create the dynamics for effective all-of-multilateralism responses to mega-crises by ending the intergovernmental fragmentation of the international system on all non-military matters...This . . .body . . . [c]ould have four operational goals: 1. To address global crises that are recognized to go beyond the scope or capacity of any single existing multilateral institution, thus strengthening the legitimacy and effectiveness of the multilateral system as a whole; 2. To correct the coherence gap between the organizations at the core UN system and those of the financing, trade, and monetary systems and the regional and sub-regional intergovernmental institutions; 3. To allow for the development of joint operational capacities in implementation of the common decisions, thus establishing in practice a whole-of-multilateralism response to multi-dimensional mega-global crises; and 4. To create a context to experiment with new working methods, which can move the interagency and intergovernmental system forward."
- FOGGS (2021), pg. 7

See also: Childers & Urguhart (1994), pg. 190

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