

High-Level Advisory Board on Effective Multilateralism Public Consultation

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1. What are the areas of global concern where governance improvements are most needed?

The global governance system is tested by emergencies and it keeps being found wanting especially in its prevention of crisis mandate. Russia's invasion of Ukraine has further revealed the profound inadequacies of the global architecture meant to guarantee peace, security, and human rights, as the COVID-19 pandemic did before it. Many of the institutions and processes by which international decisions are made, and by which norms are set and diffused, are out of date and unable to meet present-day, entrenched challenges. In a rapidly changing world, they are not fit for purpose: the case for better global cooperation, enabled by UN reform, has never been stronger.

While international governance institutions were set up to prevent war and tackle large problems of development, peace and security and human rights, they have largely failed to offer people-centred responses to contemporary international economic, social, political and environmental crises. Global problems still lack global people-oriented solutions. But the crisis is more than one of efficiency. It is also one of democracy. The institutions of international governance are not open enough: they do not organise themselves to be exposed systematically to people's voices. It is hard for people to relate to them or indeed to understand them. They are less democratic even than the states that make up their membership, and it is naive to expect citizens' voices to be filtered through their states to be heard at the global level. As such, international level institutions reproduce and amplify national democratic deficits. The global governance picture is one in which there are huge disparities between who gets to have a say and who does not: the wealthiest states and corporations disproportionately influence international agendas and norms. Too often, powerful states skew international governance institutions towards their interests.

Transnational corporations enjoy privileged access to many international institutions. They exert considerable influence over many of the states that have formal ownership of international institutions. Imbalances of power are reinforced by a lack of transparency and accountability, which make it harder to shed light on these realities. When international

institutions consult with civil society, they consult selectively and superficially; they privilege larger, wealthier or less critical civil society organisations (CSOs), which enjoy disproportionate access, and may be reluctant to share and dilute the few opportunities they have. In any case, access does not usually translate into influence. There is an absence of truly global, mass citizens' organisations that can organise to act as alternatives and counterbalances to global institutions owned by governments. Because they are skewed towards élite interests and offer little scope for direct accountability, international governance institutions cannot be considered to be representative of, or to be serving adequately, the world's citizens.

This is not to suggest that multilateralism could be dispensed with. Indeed, there is a danger at present that reform proposals could increase the power of large states and corporations, making current democratic deficits worse rather than better. Rather the need is for fairer, systematic, more transparent and demonstrably influential access by a broader range of voices. It is essential to remember that international institutions are also formed in recognition that there are large-scale problems that do not restrict themselves to borders and that cannot be solved by states alone – such as the present-day challenges of climate change, economic dysfunction and ongoing conflicts – and that there are collective action problems that need to be overcome, in that individual states may lack incentives to take action unless they can be assured that others will, or may ride for free on the actions of other states without contributing their share.

Each of the aforementioned areas of global concern is explored below.

A. Failure on the big issues

A key criticism of the global governance system is that it often ducks or fails to make significant progress on big issues. The international system can frequently be seen to fail when it comes to responding to large, complex emergencies. The Ukraine crisis represents the most glaring example of manoeuvring between powerful states creating deadlock, with the result that international agencies are failing to deliver Ukraine's people from this bloody conflict. The most evident failing comes at the UN Security Council (UNSC), the body charged with ensuring international peace and security. The UNSC, indeed, could do little to respond to Russia's invasion of Ukraine due to the Russian veto on the resolution brought on 25 February. Although the UN General Assembly (UNGA) and Human Rights Council (UNHRC) passed resolutions calling for an immediate end to Russia's aggression and establishing a commission to investigate rights violations, the UNSC vote fell far short of the unanimity required to communicate that Russia cannot get away with flouting international law. Russia voted on a matter in which there was a direct conflict of interest between its duty as a UNSC member to uphold the UN Charter and its status as instigator of a conflict. Sadly there is nothing new in this.

Veto power has hamstrung the UNSC time and again, leaving it sitting on the sidelines of major conflicts, with action vetoed by states that have a stake in those conflicts. The UNGA and the UNHRC also sometimes act as fora for international rhetorical performance, lacking substance. Double standards and selective posturing on human rights by states to advance their strategic interests continues to undermine the legitimacy of these institutions. The patchy response should provoke fresh reflection on how the international system works and who it serves. Civil society's critiques of global governance and proposals for UN reform

must be given urgent consideration. The issues the UN deals with are too important to be left to states alone. The inadequacy of the existing arrangements is now impossible to ignore. The many states that have condemned Putin's actions only to be forced to look on as he ignores the rules and attempts to manipulate UN processes must embrace civil society's reform agenda as part of the solution (see below).

B. An out-of-date system

The era since the establishment of the UN has seen profound changes. From the 51 initial member states, the UN membership counts now 193 states. We are slowly moving towards a multipolar or apolar world. Moreover, civil society organisations play key roles in addressing festering global issues such as violent conflict, abuse of human rights, widening inequality and climate change caused by environmental degradation. Yet the formal institutions of global governance remain stubbornly state-centric despite some positive moves on inclusion. While we live in fluid dynamic times some government blocs have been able to freeze an outdated status quo to their advantage.

C. Lack of accountability, limited dialogue

As well as the issue of the dominance of states, international governance institutions are also accused of being insufficiently open and lacking accountability. One way to enhance accountability, short of enabling direct accountability to citizens, is to improve civil society participation. Civil society does its best to engage with any spaces available in international institutions' processes, but the pattern is inconsistent at best and it is clear that civil society participation was rarely designed into the structures of institutions. In the UN, states often delay civil society reports and accreditation on flimsy grounds and each institution offers a varying level of space for civil society. What spaces are available tend to privilege élite civil society groups, and in all cases, civil society complains of being behind not only states but also the private sector when it comes to influence. While consultation with civil society has grown over time, sometimes it still appears as an afterthought. CSOs are not involved in designing structures for their own inclusion. Action from civil society can be effective in challenging agendas, but the essential relationship is still one of response. This is no trivial matter. When civil society is excluded or marginalised, UN institutions risk being disconnected from the people closest to the major issues the UN is supposed to be tackling. This was the case, among others, at COP26, UNGA76 and CSW66.

Even when institutions try to engage with civil society, they often fail to make special efforts to reach out to young people, women and other typically marginalised groups, such as people with disabilities and indigenous peoples. Therefore, if consultative processes take place inside flawed institutions, they may fail to challenge those flaws; indeed, they may reproduce them, or be used to confer a layer of legitimisation. Consultations can become box-ticking exercises and often CSOs recommendations do not go further than the conference room. This lack of clear routes for quality input – and to enable efficient scrutiny – is troubling from the point of view of efficiency: if international governance institutions are not informed by the widest range of well-informed inputs, the design and reach of their programmes will not be optimal, while without feedback processes, institutions will not learn how to do things better. But more fundamentally, there is a problem with democracy.

D. The democratic deficit.

The pre-eminence of states as international actors causes a democratic deficit at the global level. When states with internal democratic challenges work internationally, they bring their lack of democracy with them into the international arena. A lack of domestic democracy and limited accountability to citizens allows for narrow notions of national interest to be constructed around élite interests, which are then advanced and defended internationally. Undemocratic states use their presence in the international arena to reinforce each other and try to legitimise their behaviour. States that are uncomfortable with democracy, alternate voices and activism at home are unlikely to encourage them abroad. Even mature democracies are not immune from the malaise of advancing vested minority interests in international affairs and states that promote themselves as progressive voices fail to live up to high expectations when international deal-making comes into play.

Moreover, citizens are able to have much less influence on international institutions than on their own governments. The challenge is that citizens do not have direct relationships with international governance institutions; their involvement is filtered through representatives of their states, whether that be politicians democratically elected to some greater or lesser extent, or appointed, career officials over whom citizens cannot exert direct accountability.

Finally, agenda-setting and decision-making on important policies are shifting to the UN and its specialised institutions, as well as to international fora such as the G8 and the G20. Even in states with long-established democratic practices, this is problematic given the remoteness of international institutions from citizens. This problem is further exacerbated in the large number of states where civic participation is more limited and there is some degree of antipathy towards civil society by the state. In these cases, the prospects for citizens to engage with global institutions through their states seem slim. There is a double democratic deficit here: citizens who lack voice at the national level cannot look to international fora as an alternative and, given the privileged role of states and large corporations within international institutions, national voicelessness is amplified at the international level.

2. What governance improvements could be achieved?

The need has never been more obvious for a rules-based international order in which states are held accountable for human rights violations. The existing system is inadequate. The UN has become bureaucratic and slow-moving, too often reacting to crises rather than intervening to help prevent them, accused by people living in conditions of appalling conflict in countries as diverse as Afghanistan, Ethiopia, Myanmar, Palestine, Sudan, Syria, Yemen and more recently Ukraine of abandoning them when the need is greatest.

Critiques of global governance arrangements and therefore proposals for reform can be grouped into two camps: those relating to global governance institutions' efficiency and those relating to democracy. While greater efficiency is important, CIVICUS asserts that the test of any reform should be that it makes global governance more open to, and visibly influenced by, a wider diversity of people's voices.

Civil society's calls for UN reform help provide a way forward. For what concerns efficiency, civil society has long been working with supportive states to develop proposals to make the UNSC workable, including by developing norms on veto moderation and encouraging states to abdicate veto power. These finally appear to be making some headway, with UNGA adopting a resolution in April that means states that use their veto power will have to explain their decision at UNGA with the aim at least of raising the political costs of using vetoes.

But beyond ideas about how specific parts of the UN could be made to function better, there is the need to consider what fundamental changes may help the UN to deliver on the ideals of its founding Charter and to improve the openess of the institution. Although the UN Charter begins with the words, 'We the Peoples of the United Nations', the UN - as seen - still remains built around states. Civil society is making clear that the issues the UN deals with are too important to be left to states alone. There was a missed opportunity in 2021 when the UN Secretary-General published "Our Common Agenda". Although its analysis of global problems was sound, when it came to its recommendations the report lacked the ambition civil society is calling for.

Civil society is urging that UN institutions and processes are democratised and opened up to bring greater diversity of voices to the table, particularly the voices of those directly affected. If civil society is to have a stronger voice, then at least part of the solution may come in one of the key current calls from civil society (#wethepeoples): for the UN to appoint a system-wide <u>civil society envoy</u>1. The appointment of such an office would help smooth out the great inconsistencies in the way different parts of the UN engage with civil society and link between the various civil society focal points across the UN. It would stand up for civil society and help it cut through the UN's bewildering and opaque layers of bureaucracy. It would powerfully contribute to strengthening citizen engagement and empowering citizens and civil society to help deliver the world we want and the UN we need, enabling greater participation, spurring inclusive convenings and driving the UN's outreach to the public and civil society organisations. This envoy should champion the implementation of a broader strategy for opening up the UN to people's participation and civil society voices. This call, put forward by a range of civil society organisations working with the UN representatives of Costa Rica and Denmark, won the backing of over 50 states and numerous further civil society groups. Most recently, it was supported by the UN Independent Expert on the promotion of a democratic and equitable international order.

A second way of opening up and democratising the UN - and potentially other global governance institutions - would be through the creation of the instrument of a <u>United Nations World Citizens' Initiative</u> (UNWCI)², which enables people to put forward proposals on key issues of global concern for discussion and further action at the highest political level. Any proposal that reaches a certain threshold of popular support should be put onto the agenda of the UNGA or UNSC. In many countries, there are instruments that allow citizens to provide input for consideration of the executive or legislative branch of government. In the European Union, there is the official instrument of a European Citizens' Initiative (ECI) which gives citizens the power to submit a legislative proposal to the European Commission. In

¹ A background paper can be found <u>here</u>.

² A study on the practical implementation of this reform can be found <u>here</u>.

principle, the ECI enables everyday citizens to identify a problem, propose a solution and submit their proposal, based on the support of one million EU citizens, to the European Commission for review. The ECI represents the first transnational tool of participatory democracy in the world. The idea of a UNWCI is that if a certain number of global citizens endorses a citizen-launched initiative, UN bodies such as the UNGA or the UNSC have to put the item on their agenda and give representatives of the initiative the floor to make their case. In terms of the UNGA, this could be done during the annual general debate while heads of state and government are present. A UNWCI will allow global citizens to have more impact in a world with growing dilemmas that require global cooperation of both states and citizens alike. It will help create a citizen-based global political sphere.

Last but not least, civil society is pushing for the creation of a <u>UN Parliamentary Assembly</u> (UNPA)³, which allows for the inclusion of elected representatives in the agenda-setting and decision-making of the UN. The assembly would act as a representative body and watchdog connecting the people with the UN and reflecting a broad diversity of global viewpoints. Such an assembly would not simply be a new institution; as the voice of citizens, the assembly would be the manifestation and vehicle of a changed consciousness and understanding of international politics. The assembly could become a political catalyst for further development of the international system and of international law. It could also substantially contribute to the United Nation's capacity to realize its high objectives and to shape globalization positively.

These new tools would help the UN and member states to tackle global challenges more effectively, enhance the legitimacy and democratic nature of global governance and facilitate its transformational potential.

3. How could the international community seek more equity, fairness, and effectiveness in multilateral decision-making?

Global governance needs a rules-based series of international governance institutions that have coherent mandates and work cohesively together. There should be clarity to outsiders on what each institution is trying to achieve, how it tries to achieve its aims and what the entry points are - with open and transparent procedures. There should be as wide an inclusion of a diversity of civil society and citizens as possible. Civil society should be involved in defining processes for their inclusion, rather than simply being invitees to spaces that are not of their making.

While a degree of flexibility needs to be built into the system, so that institutions can change to reflect shifting landscapes, what can really help the international community and its institutions is to rework themselves as open, listening and learning institutions. Neither states nor élite groups where powerful states and business interests coincide should be assumed to have the monopoly on learning and innovation. Similarly, while a flexible response is sometimes needed in the face of crisis, and the current structure certainly often fails on that score, the need is surely to build up the ability to anticipate and prevent crisis, rather than react too late to events. The true test of any reform should be that it advances openness, access and accountability – that it serves democracy.

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³ A study on the practical implementation of this reform can be found here.

In the future of global governance envisioned by CIVICUS, states of course remain important, being aware that an international system without them is unimaginable. But inclusive, democratic multilateralism is needed, rather than élite and secretive multistakeholderism. There is, therefore, a need for new and equitable rules of engagement between states, businesses, civil society and international institutions in the international arena.

While international governance institutions may be out of date, no corresponding, broadly owned, citizen-led global movement has emerged to act as a counterpoint. Bigger, broader civic forces are needed, rather than élite civil society. Technology offers new possibilities here. Alongside this, social accountability tools, already popularly used in many countries and communities, need to be adapted and applied to enable large-scale, citizens' accountability over international institutions.