



Foundation for Global
Governance and Sustainability

**AN APPRAISAL OF
THE GLOBAL GOVERNANCE PROPOSALS
IN THE UN SECRETARY-GENERAL'S
“OUR COMMON AGENDA” REPORT**

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Background Paper
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AN APPRAISAL OF THE GLOBAL GOVERNANCE PROPOSALS IN THE UN SECRETARY-GENERAL'S "OUR COMMON AGENDA" REPORT

Background note

for FOGGS UN Day webinar on 26 October 2021

by Harris Gleckman and Georgios Kostakos

INTRODUCTION

On 10 September 2021, Secretary-General Antonio Guterres released his "[Our Common Agenda](#)" (OCA) report with [an address](#) to an informal session of the UN General Assembly. A second informal session on the report was held on 25 Oct 2021. This background paper is limited to an appraisal of the global governance proposals in Our Common Agenda.



The context for the development of this report is crucial for a proper understanding of the proposals included in it. As part of the build-up to the UN 75th anniversary events, UN member states negotiated a "Declaration on the Commemoration of the Seventy-fifth Anniversary of the United Nations",¹ which was eventually adopted at the UN General Assembly's high-level meeting on 21 September 2021. The Declaration requested the Secretary-General "to report back before the end of the seventy-fifth session of the General Assembly with recommendations to advance our common agenda and to respond to current and future challenges". The OCA report was produced in response to that request through a consultation process described in the Annex to the report.

¹ See <https://www.un.org/pga/74/wp-content/uploads/sites/99/2020/06/200625-UN75-highlight.pdf>

Another thing to keep in mind is that by the time the report was issued the Secretary-General had secured his re-appointment for a second five-year term, so he was free to make bolder proposals. Other crucial differences between 2020 and 2021 include the transition from the Trump we-don't-like-the-UN Administration to the Biden we-are-back Administration and the higher comfort level of Governments to use virtual and hybrid meetings to maintain the momentum of multilateralism.

Unfortunately, as will be argued below, the shift into a new and secured second term did not inspire the Secretary-General to actually be bold. Many of his governance proposals are presented as contingent on actions that others might take or simply as 'could be done' ideas. And his most interesting global governance proposals are those delayed for at least two years until – and if – they are endorsed in 2023 by his proposed 'Summit of the Future' and the UN General Assembly. Overall, the proposals mark a further weakening of the intergovernmental leadership at the UN toward one with an expanded global governance role by corporate-centric multistakeholder partnerships. This proposed legitimization of an apparent shift away from a state-centric multilateral system will have a significant impact on international decision-making, as well as on the transparency of decision-making, broader legitimacy and public trust. As the Secretary-General is proposing the creation of new multistakeholder governance bodies without a prior review of the terms of reference of these bodies by the intergovernmental process, the movement toward a United Nation 2.0 also means a relative strengthening of the autonomy of the Office of the Secretary-General vis-à-vis the General Assembly, ECOSOC, and related intergovernmental bodies.

The challenge for those active around the UN system is how to take best advantage of this two-year period till the 2023 Summit (a) to develop bold proposals to restructure global governance in light of contemporary global aspirations, democratic governance and the multidimensional crises of the 21st Century, and (b) to re-align the relationship of the various parts of the intergovernmental system, including the economic components of the intergovernmental system, for enhanced policy and program coherence. Ministries of Foreign Affairs, CSOs, academics and social movements can use this time to put forward their democratic participation and good governance ideas for the next phase of global governance. FOGGS and others have diagnosed a range of contemporary institutional weaknesses. The challenge now is to use these diagnoses to formulate more effective institutional arrangements, a new global narrative, and a new set of legal principles that can lay the basis for the next generation of global governance.

This background paper selects six global governance issues from those included in the Secretary-General's "Our Common Agenda" report for discussion at FOGGS' UN Day 2021 webinar. For each issue, the paper provides a short summary of the Secretary-General's proposal with a citation to the relevant paragraph(s) in the report and an analytic assessment of that proposal to start the webinar reflection on the future of global governance.

A. THE SECRETARY-GENERAL'S MANAGEMENT FRAMEWORK FOR THE UN SYSTEM

The Secretary-General proposes that the UN should be more “networked, inclusive and effective”. Indicative of this new management direction are the following quotations:

“While the fundamental purposes and principles of the United Nations endure, the Organization must evolve in response to a changing world to become more networked, inclusive and effective.” (Secretary-General’s introductory statement to the informal session of the General Assembly where he presented his “Our Common Agenda Report”)

“I encourage Member States to give serious consideration to these ideas, in keeping with our quest for a multilateralism that is more networked, inclusive and effective. (para 130)

The crucial question is what does the Secretary-General mean by ‘networked multilateralism’. Nowhere in the report is there a hint of an explanation. Interestingly, there is also no explanation for how one could appraise the ‘effectiveness’ of ‘networked multilateralism’.

The related term of “network governance” has two discrete meanings:

In academic discussions of global governance, ‘network governance’ is a descriptive term. It is one way of describing a number of rather independent or un-coordinated actions that all seem to be converging on a similar goal. For example, there are fifty projects in different countries, in different academic disciplines, and in different social circles fighting to get a toxin off the market. Since the advent of volunteerism in global governance, political science and international relations professionals have struggled to develop a concept to gather all these relatively autonomous projects together into a common analytical governance framework. This approach is based on two assumptions – first that each project is connected in some way to other related projects and that a map of these projects looks like a computer network and second, no single actor in the network (not a government, not a multilateral body, no one) can be seen as providing leadership to all the individual actions.

In the late 1990s and early 2000s, the term ‘network governance’ migrated into the international political world. The Obama Administration, for example, took the view that voluntary government actions were fine (e.g. their no-treaty approach to climate and the resulting Paris Agreement with its voluntary “nationally determined contributions”) and that as a general policy direction they were going to ‘lead from behind’ in a number of international areas. “Network governance” then became a way to say things were being ‘governed’ without the Administration taking leadership.

A key element of the political use of the term is to make sure that one part of the network cannot effectively -- and should not aspire to – direct another part of the network. In this logic, the UN system should not try to impose pro-poor policies on the Bretton Woods Institutions (BWIs), which happen to also be UN system members, or on transnational corporations (TNCs); intergovernmental bodies cannot – and ought not – make decisions pushing individual governments (especially the most powerful ones) to act in a certain way; and multistakeholder groups or public-private partnerships (emphasis on private) should be free to manage public goods and public commons without ‘interference’ from governments and the multilateral system. The advocates for network governance claim that a global policy space operating as per above is in fact ‘governed’,

thus there is no need for state or multilateral leadership. In short, this version of ‘network governance’ is intended to provide no guidance on how to advance an international issue from point A to point B, not even to define clearly the elements of the desirable point B, as vague targets allow more freedom to the network members. It is a perfect rationale for the continued silo functioning of the multilateral system. It also reduces the capacity of the UN system to equalize power and equity within a globalized economy, as the materially strongest nodes of the network can dominate the overall network.

In this system of global governance, measuring ‘effectiveness’ is simply not possible. In this sense the combination of ‘effectiveness’ criteria with ‘network governance’ or ‘networked multilateralism’ is almost an oxymoron. Of course, politically it is necessary to assert things-will-get-better under ‘network governance’ but there are no possible benchmarks, no tools to appraise whether traditional multilateralism in a particular area is better or worse than networked multilateralism, and no way to hold one actor, the UN system or any other public or private actor, accountable for any particular governance failure. Unfortunately, the Secretary-General’s report provides no guidance on how his Office measures or proposes to measure success.

The third key term in the Secretary-General’s management framework is ‘inclusive’. In this case, there are two divergent meanings to the term. ‘Inclusiveness’ entered the global governance political vocabulary around the time of the conferences of the 1990s, particularly the 1992 Rio Environment and Development Conference or ‘Earth Summit’. The key idea then was that ‘non-governmental organizations’, the broad term in the UN Charter for non-state actors, was no longer meaningful. There were labor groups, environmental activists, educational leaders, private sector executives, indigenous peoples, women’s organizations, farmers’ organizations – all of whom have a different perspective that should be shared with governments as unique voices. In the Rio process, this inclusiveness was formalized by the concept of [Major Groups](#). In the Rome-based organizations, this inclusiveness approach became central to the growth of the Civil Society Mechanism in the Committee on Food Security. Over the next decades other social movements representing for example youth and physically challenged people asked and were accepted into a wider, more inclusive scope of Major Groups And Other Stakeholders.

In the last ten years, the politics of participation in global governance changed with the advent of multistakeholderism and the inclusiveness terminology shifted. While the Major Groups categories did include ‘the private sector’ as one such group whose unique voice should be heard by Governments, different parts of the private sector felt that each of their voices needed to be separately heard and that on different global governance topics different firms and different international trade associations should be in the lead on behalf of ‘the private sector’. The international business community and multistakeholder groups has adopted the ‘inclusiveness’ vocabulary to say that the separate parts of the private sector - stock markets, international accountants, TNCs in the service sector, venture capitalists, investment advisors, developing country manufacturers, the banking sector, the corporate-led grant making foundations - should be separately recognized around the table while re-casting most of the other communities previously designated as Major Groups into a singular presence as ‘civil society organizations’. This narrowing and potential cooptation of the ‘inclusiveness’ framework needs to be monitored carefully, as it may increase dramatically the ‘votes’ of the private, profit-making sector in ‘networked multilateralism’.

B. SECRETARY-GENERAL'S NEW DEFINITION OF MULTILATERALISM

The Secretary-General proposes a significant commitment to multistakeholder governance under a revised definition of multilateralism. This commitment is in line with the Strategic Partnership Agreement that the UN Secretariat has signed with the World Economic Forum.² Indicative of the commitment of the Office of the Secretary-General to multistakeholderism is the following:

"We need a UN 2.0 that can offer more relevant, systemwide, multilateral and multi-stakeholder solutions to the challenges of the 21st century." (Introductory statement to the General Assembly)

The report has 28 references to 'stakeholders' and proposes the establishment of eight new UN affiliated multistakeholder projects:

- (1) a multi-stakeholder dialogue on outer space (para 91);
- (2) a multi-stakeholder dialogue for Global Digital Compact (para 93);
- (3) a multi-stakeholder effort to significantly reduce violence worldwide and in all its forms, including against women and girls (para 31 and para 89(d));
- (4) a way to build a multi-stakeholder momentum from the Generation Equality Forum (para 32);
- (5) a multi-stakeholder emergency taskforce on vaccines (para 66);
- (6) a multi-stakeholder meeting before the 2023 climate stocktaking meeting (para 83);
- (7) a re-purposed Trusteeship Council as multi-stakeholder body able to tackle emerging challenges and, especially, to serve as a deliberative forum to act on behalf of succeeding generations (para 125); and
- (8) a high level, multi-stakeholder Summit for the Future (para 103).

At the same time, the report, while it does call for a number of new General Assembly actions of a voluntary nature, contains no recommendations for new legally binding intergovernmental conventions or treaties.

All of the themes identified for multistakeholder processes clearly need greater international attention. The question is what is the best mechanism for the UN Secretariat – and the intergovernmental process – to use to develop global policies and programs for each of these areas. Seven inter-related concerns should be addressed before there is agreement to expand UN system engagement with multistakeholderism : (1) what process was used to decide that a state-led process with input from multiple constituencies was not appropriate; (2) what mechanism is proposed for those governments not invited to participate in a particular multistakeholder process to have a democratic input into the process; (3) what should be the reporting obligations for UN affiliated multistakeholder projects to the relevant intergovernmental body; (4) what rules should govern UN-supported multistakeholder taskforces to make sure that all types of non-state actors have the same range of access to the multistakeholder body as they have to intergovernmental bodies and

² See <https://www.weforum.org/press/2019/06/world-economic-forum-and-un-sign-strategic-partnership-framework>

that internationally accepted practices of transparency apply to the multistakeholder body; (5) how should the intergovernmental process review the role of the UN Secretariat participating in multistakeholder groups; (6) what conflict of interest standards should be applied to participating organizations and individuals when the UN Secretariat is working with and thus bestows UN legitimacy on a multistakeholder group; and (7) when multistakeholder groups are acting as ‘deliberative forums’ in place of intergovernmental bodies, what should be the responsibilities and liabilities of the non-state participants.

C. SECRETARY-GENERAL’S PROPOSALS FOR AN EMERGENCY PLATFORM AND A RE-PURPOSED TRUSTEESHIP COUNCIL

The Secretary-General recommends giving new authority to two institutions. In one case taking an existing Charter body, the Trusteeship Council, and altering its composition and mandate; in the other case creating a special and time-bound multistakeholder body to respond meaningfully to new global crises. He presents these ideas as follows:

“ . . . I propose to work with Member States to establish an Emergency Platform to respond to complex global crises. . . . It would be triggered automatically in crises of sufficient scale and magnitude . . . ” (para 101)

“I invite States to consider making the [Trusteeship] Council available as a multi-stakeholder body to tackle emerging challenges and, especially, to serve as a deliberative forum to act on behalf of succeeding generations. Among other tasks, it could issue advice and guidance with respect to long-term governance of the global commons, delivery of global public goods and managing global public risks.” (para 125)

The Emergency Platform proposal has similarities with the FOGGS recommendation for a Security Council for non-military threats,³ but at the same time it differs in a number of ways: (a) the Secretary-General’s proposal calls for ad hoc establishment of an Emergency Platform for each emergency, while FOGGS’ recommendation is that the world faces so many un-managed global crises that there should be a permanent body established for that purpose; (b) FOGGS’ proposal is that the new body needs obligatory authority, while the Secretary-General’s idea is to continue volunteerism in global governance; (c) FOGGS’ proposal explicitly breaks with the siloed nature of the current intergovernmental system, while the Secretary-General’s recommendation does not address this issue; (d) FOGGS’ proposal creates a series of non-state actor assemblies to provide significant global constituencies an opportunity to develop their recommendations to a state-centric body, while the Secretary-General’s proposal is for another ‘egalitarian’ multistakeholder body; and (e) FOGGS’ proposal foresees the involvement of states in two ways, through the GRC itself and through the companion Intergovernmental Leadership Council (ILC) that would bring together the existing intergovernmental bodies of the UN system, while the SG’s proposal is that the Secretary-General would establish an Emergency Platform for each crisis. It should also be noted that FOGGS’ proposal for an ILC to deal with multi-dimensional crises beyond the capacities of any

³ See FOGGS UN2100 Initiative at <https://www.foggs.org/un2100initiative> and latest iteration of the proposal for a Global Resilience Council at https://www.foggs.org/wp-content/uploads/2021/06/FOGGS_GRC-Revisited-Text-FINAL_23June2021.pdf

single existing UN body could be operational within a year, while the SG’s Emergency Platform(s) would not be operational for at least two years, pending High-level Advisory Board clarification and endorsement by the Summit of the Future.

As noted in the Secretary-General’s report, the proposal to re-purpose the Trusteeship Council has been discussed before, including during the preparation of the 1992 Rio Earth Summit. At that time the idea was that this Charter body could become the ‘Trusteeship Council for the Environment’. The Secretary-General’s current recommendation is to give a repurposed Trusteeship Council a far wider mandate for future generations.

In 1992 and in other discussions about altering the terms of reference of the Trusteeship Council, Governments and the UN Secretariat acknowledged a number of significant challenges. Two of these major challenges are (1) that the Council has an unusual composition, as specified in the Charter (seats are designated for colonial powers and it is not a universal membership body) and (2) changing its Charter function from governing the transition of colonies to statehood to something completely different would mean that any repurposing would most probably require a formal Charter amendment. Whatever the benefits of a Charter amendment (and one could think of a good number of them), any opening of the Charter for revision would have to deal with Security Council membership and would have to be confirmed through formal ratification by member states, with the current permanent members of the Security Council having de facto a veto.

D. SECRETARY-GENERAL’S HIGH-LEVEL ADVISORY BOARD AND THE MULTI-STAKEHOLDER SUMMIT OF THE FUTURE

New ideas for global governance need wide acceptance by Governments before they can become part of multilateralism. The Secretary-General wants to draw on the advice of former heads of state or government to build consensus on some key global governance issues and then to use their status as ‘global elders’ to encourage adoption by Governments. Once the Secretary-General has the report of these Elders, he plans to widen the process of introducing new ideas on global governance by convening a ‘Summit of the Future’. The gist of his ideas is indicated by these extracts from the OCA report :

“I will ask a High-level Advisory Board led by former Heads of State and/or Government . . . to identify global public goods and potentially other areas of common interest where governance improvements are most needed and propose options for how this could be achieved. . . . The Advisory Board could also take into account the proposals made throughout this report, including the repurposing of the Trusteeship Council and the creation of an Emergency Platform.” (para 102)

“...it will be important to 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.” (para 103)

The recommended governance agenda for the high-level multistakeholder ‘Summit of the Future’ is in para 103 of the report. They include the items (f) to (k) summarized in Section E below, as well as the Emergency Platform and the repurposed Trusteeship Council.

The High-level Advisory Board recommendations will be crucial in determining the direction of reforms to make the UN structurally fit for the 21st century. One feature of the Board’s suggested composition is curious. By their experience, former heads of state and government are on the older side of the age continuum. However, the report goes to great length to say that youth and the future generations should be central to the next phase of global governance. One example of this new focus on governance and youth can be found at the start of the OCA report: “Strengthened solidarity is long overdue with the existing generation of young people, who feel that our political, social and economic systems ignore their present and sacrifice their future” (para 11). It would have been a bolder proposal if at a minimum the Advisory Board had an equal number of leaders who were under 30 years of age as there were over say 60.

E. OTHER GOVERNANCE THEMES IN THE SECRETARY-GENERAL’S REPORT

Almost every other paragraph of the “Our Common Agenda” report has a recommendation that could impact global governance in general or at least the global governance of specific sectors, such as:

- (a) a global code of conduct that promotes integrity in public information (para 26);*
- (b) a World Social Summit in 2025 (para 30);*
- (c) a review of the working methods of the Commission on the Status of Women (para 32);*
- (d) an update of the modalities of the universal periodic review by the Human Rights Council (para 34);*
- (e) a Biennial Summit at the level of heads of State and Government between the members of the G20 and the members of the Economic and Social Council, the Secretary-General and the heads of the international financial institutions (para 73);*
- (f) Advancing governance for global public goods and other areas, as appropriate, in the light of the findings of the Advisory Board (para 103a);*
- (g) Anticipating sustainable development and climate action beyond 2030 (para 103b);*
- (h) Peace and security, for the new agenda for peace (para 103 c);*
- (i) development of a Global Digital Compact (para 103d);*
- (j) agreement on the sustainable and peaceful use of outer space, move towards a global regime to coordinate space traffic and agreement on principles for the future governance of outer space activities (para 103e);*
- (k) a possible agreement on a Declaration on Future Generations (para 103g);*
- (l) an Advisory Group on Local and Regional Governments (para 119).*

All of these topics have a history in international relations and each deserves a separate assessment.

It is also interesting to identify what global governance topics are not included in the Secretary-General’s report. Among these ‘missing’ topics are:

- i. Reform and strengthening of the international judicial system;
- ii. Financing the UN and the UN system;
- iii. Minimizing or abandoning the veto in the Security Council;
- iv. Rights for Nature;
- v. Demolishing silos, particularly those of the BWIs, WTO, and the Basel Institutions;
- vi. Reversing the growth in global inequality and ensuring the resilience of communities and nations around the world through local sufficiency and changes in the terms of trade, supply chains, etc.

F. THE PROSPECTIVE TWO-YEAR GLOBAL GOVERNANCE TIMETABLE

The calendar for the forthcoming global governance discussions looks something like this:

- In the 76th session (fall of 2021), the General Assembly may complement its two informal sessions with a formal session to present Government's views on the Secretary-General's proposals and prepare a resolution on the follow up process.
- Afterwards, the Secretary-General will establish the High-level Advisory Board
- After the Advisory Board is established, they will presumably arrange some level of public engagement to gauge public perspectives on the long list of tough topics assigned to them.
- In the meantime, the Secretary-General may proceed with the implementation of some of the proposals that fall under his purview.
- After the Advisory Board prepares its recommendations, there will be a prep comm and consultation process for the "high-level multistakeholder 'Summit of the Future'", probably in late 2022 or early 2023.
- Subsequently in 2023, the Secretary-General will host the " high-level, multi-stakeholder 'Summit of the Future' "
- The outcome of the Summit of the Future and possibly a final paper from the Secretary-General will go to the 78th session of the General Assembly in the fall of 2023. Among the other proposals, as the Emergency Platform is one of the agenda items for the Advisory Board and the Summit of the Future, it appears that this Emergency Platform will not become active until at least 2023.

With the Stockholm+50 Summit and a Summit on Transforming Education in 2022, this will be a very busy two-year period for global governance issues.