



Foundation for Global  
Governance and Sustainability

# **GLOBAL GOVERNANCE AND 'OUR COMMON AGENDA': A CRITICAL REVIEW**

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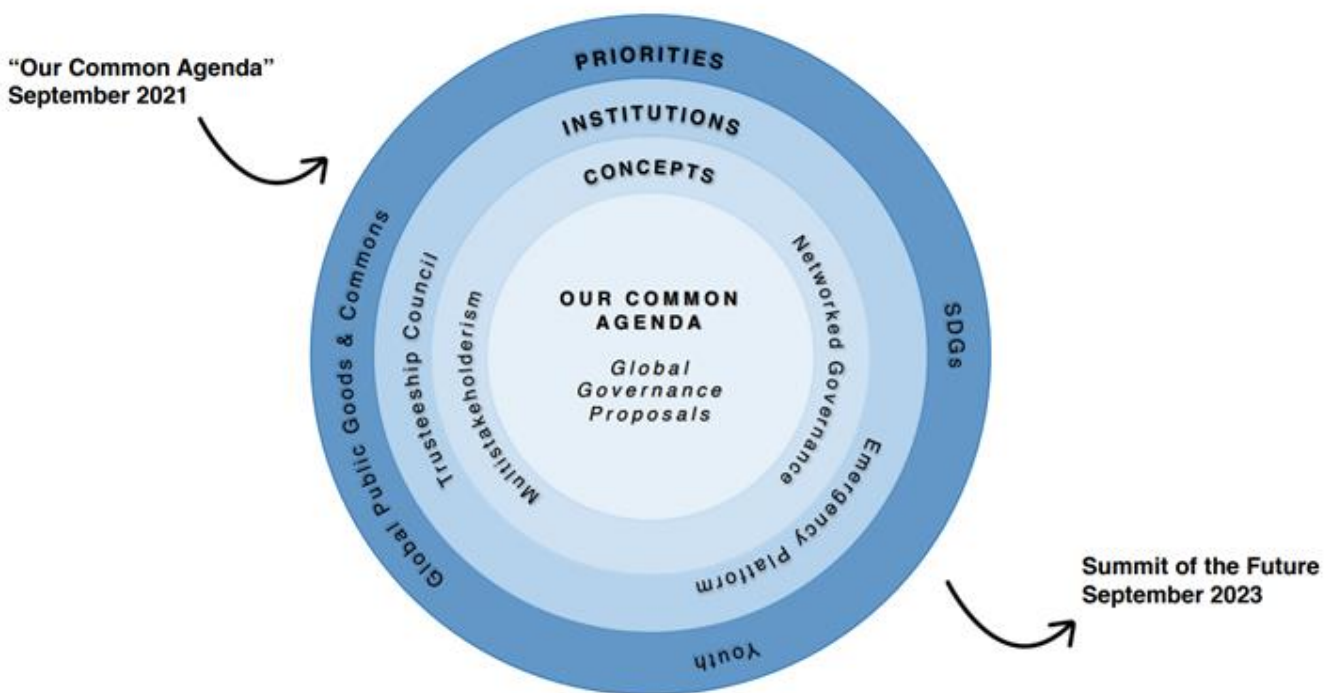
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*by Harris Gleckman and Georgios Kostakos*



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## EXECUTIVE SUMMARY

Building on earlier papers published by the Foundation for Global Governance and Sustainability (FOGGS), which clearly identified the need for the global governance system developed after World War II to be significantly revised to address effectively today's multidimensional crises, this Discussion Paper looks closely at the set of global governance proposals contained in the UN Secretary-General's *Our Common Agenda* (OCA) report of September 2021. The overall conclusion is that the proposals fall short of what is actually needed in terms of boldness and ambition. For the most part, the proposals put forward would perpetuate the current system of diffuse responsibility and improvisation in addressing the pressing challenges of today and tomorrow. They unfortunately mark a further weakening of the intergovernmental leadership at the UN and legitimize the trend towards an expanded global governance role by corporate-centric multi-stakeholder partnerships.

After decades of efforts in the UN system to enhance transparency of intergovernmental processes, provide access to global decision-makers by civil society, scientists, and social movements and ensure the political representation of all states, a move away from established intergovernmental practice is likely to further weaken public trust in the UN and multilateralism. Multi-stakeholder bodies that are systematically promoted as a replacement of intergovernmental bodies have amongst other characteristics that they are not bound by public engagement or disclosure requirements, neither have a practice of regional, gender or political balance, nor any standardized rules on decision-making, arrangements hard fought and won in the intergovernmental context over the past decades. While multi-stakeholder bodies with active transnational corporate involvement may appear to enhance speedy decision-making and efficiency in implementation, there is little concrete evidence that they build greater effectiveness in delivering the (common) goods, while they certainly undermine the legitimacy and public trust in the international system.

The proposed creation of new multi-stakeholder governance bodies without a prior approval of the terms of reference and membership of these bodies by the intergovernmental process, also means that the movement towards a UN 2.0 entails a relative strengthening of the autonomy of the Office of the Secretary-General to subcontract to outside actors items normally on the agenda of the UN General Assembly, ECOSOC and related intergovernmental bodies. A major concern in this regard is that key groups of developing countries and key civil society organizations, whose active role is necessary to implement global goals, may not feel the ownership of outcomes produced from such an outsourced process. As regards the rare case when an intergovernmental body is promoted, like the OCA proposal of resuscitating the Trusteeship Council and attempting to reinvent and re-purpose it as something that it was never meant to be, this would only embroil the intergovernmental process in an endless debate about UN Charter amendment that can lead nowhere. A proposal to establish an Emergency Platform for dealing with emerging global crises, on the other hand, leaves it up to the UN Secretary-General to select the participants each time and has no provisions for decision-making and implementation, nor for resource allocation and continuity, all of which are necessary for lasting impact.

The above major concerns notwithstanding, the UN Secretary-General's proposal for a 'multi-stakeholder "Summit of the Future"' in 2023, preceded by a 'Transforming Education Summit', as well as Stockholm+50 in 2022 and followed by a 'World Social Summit' in 2025, puts squarely on the agenda the need to rethink existing global governance arrangements and adapt the multilateral system to the requirements of today and tomorrow. An open and inclusive exchange of ideas among the whole range of state and non-state actors, with the active engagement of the world's citizens, could culminate in a set of broadly-accepted solutions that would be adopted and implemented through a revived intergovernmental process. This would go a long way towards restoring the legitimacy and effectiveness of the UN and multilateralism and making them fit for the future.

## 1. Introduction & background to *Our Common Agenda*

On 10 September 2021, UN Secretary-General Antonio Guterres released his [Our Common Agenda](#) report (OCA) at an informal session of the UN General Assembly that [he addressed](#). The report came in response to a request by the UN Member States included in the '[Declaration on the Commemoration of the Seventy-fifth Anniversary of the United Nations](#).' A review of global governance around the 75<sup>th</sup> anniversary of the UN and in fact the 100<sup>th</sup> anniversary of the League of Nations provides the world a powerful opportunity to rethink and reconstruct the institutional pillars of global governance to meet the needs of the 21<sup>st</sup> century. As with those efforts of 100 years ago and 75 years ago, the process of building a governance system for the 21<sup>st</sup> century requires bold and creative ideas.

The Secretary-General's 90 recommendations in OCA cover a wide variety of topics, which he identified through a series of global consultations. Several key proposals relate to global governance and the shape of 'United Nations 2.0', a central focus of our work at the Foundation for Global Governance and Sustainability (FOGGS). In this critical review, we identify four main areas of concern, which need to be fully and openly discussed if the consultations leading to the proposed 2023 'multi-stakeholder "Summit for the Future"', are to have solid, inclusive, human-centered and sustainable results.

This is the sequel to a Background Paper published by FOGGS in October 2021, entitled '[An Appraisal of the Global Governance Proposals in the UN Secretary-General's 'Our Common Agenda' report](#)' by the same authors. The current paper is selective in its focus and does not cover all proposals included in the Secretary-General's report. It is meant to inform discussions held at the UN, among Member States and other engaged constituencies, as they focus their attention on the road to the Summit of the Future. The paper incorporates elements of the October paper, as well as of the online discussion with global governance experts convened by FOGGS for UN Day 2021 on 26 October 2021 under the title 'Reviewing "Our Common Agenda" for a Resilient World' (see video recording [here](#)).

## 2. The overall conceptual framework

In OCA the Secretary-General proposes that the UN should be more 'networked, inclusive and effective' and expresses the view that 'multi-stakeholder governance' should now be seen as part of the UN 2.0, particularly for most forward-looking issues and initiatives. There is no clear definition, though, of 'networked multilateralism,' no clear explanation of how one could appraise its 'effectiveness', nor any proposed rules for how the UN system should participate in multi-stakeholder governance. While it is stressed that the OCA proposals have been developed through a wide-ranging consultation with civil society, the recommendation for a multi-stakeholder component to multilateralism seems to be more in line with the Strategic Partnership Agreement

signed by the Office of the Secretary-General with the World Economic Forum (WEF) in 2019,<sup>1</sup> which has been the object of sustained opposition by leading civil society organizations.<sup>2</sup>

Why are these two concepts and their implications of concern? In the late 1990s and early 2000s the term ‘network governance’ started to be used in politics as a way to claim **things are being ‘governed’ without political leadership or accountability, through voluntary actions by various actors**. A key element of the political use of ‘network governance’ is to make sure that **one part of the network cannot effectively – and should not expect to – direct another part of the network**. In this logic, one can infer that the UN system should not try to impose pro-poor policies on the Bretton Woods Institutions (BWIs) 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 multi-stakeholder groups or public-private partnerships (emphasis on private) should be free to manage public goods and global 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 will dominate the overall network. In such a network of multiple actors with no clear lines of responsibility **it is impossible to hold accountable any actor**, be it a part of the UN system, one or more states, or any other public or private actor for any particular governance failure.

**The OCA call for ‘multi-stakeholderism’ is offered as a way to enhance ‘inclusiveness,’** which is another virtue the Secretary-General assigns to networked multilateralism in OCA. The UN Charter already foresaw the inclusion of non-governmental organizations (NGOs) providing advice to ECOSOC. Over the years it became apparent that the NGO category was no longer sufficient to describe the diversity of non-state actors like labour unions, environmental activists, educational leaders, private sector executives, indigenous peoples, women’s organizations, farmers’ associations – all of whom have a different perspective that should be shared with governments as unique voices. In the process leading to the Rio ‘Earth Summit’ in 1992, this inclusiveness was formalized by the concept of ‘Major Groups’.

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<sup>1</sup> See ‘World Economic Forum and UN Sign Strategic Partnership Framework’, World Economic Forum, 13 June 2019, available online at <https://www.weforum.org/press/2019/06/world-economic-forum-and-un-sign-strategic-partnershipframework> (last accessed on 21 November 2021).

<sup>2</sup> See, for example, ‘End the United Nations/World Economic Forum Partnership Agreement - Open letter to Mr António Guterres, Secretary General of the United Nations’, The Transnational Institute (TNI), 25 September 2019, available online at <https://www.tni.org/en/article/end-the-united-nationsworld-economic-forum-partnership-agreement> (last accessed on 21 November 2021) and ‘Hundreds of Civil Society Organizations Worldwide Denounce World Economic Forum’s Takeover of the UN’, FIAN International, 26 September 2019, available online at <https://www.fian.org/en/press-release/article/hundreds-of-civil-society-organizations-worldwide-denounce-world-economic-forums-takeover-of-the-un-2207> (last accessed on 21 November 2021).

With the subsequent addition of other social movements such as youth and physically challenged people, the more inclusive concept of '[Major Groups and Other Stakeholders](#)' (now abbreviated as MGoS) emerged. In the last ten years, though, the politics of participation in global governance changed with the advent of multi-stakeholderism. The international business community 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 international decision-making table, while re-casting most of the other communities previously designated as NGOs or MGoS into a singular presence as 'civil society organizations', ***thus multiplying the influence and 'votes' of profit-driven actors while reducing those of voluntary, collective interest and solidarity-driven groups and nation-states.***

FOGGS has argued in its [Global Resilience Council paper](#) that now is the time for a fundamental institutional shift in the role of constituencies of non-state actors advising the intergovernmental process. One way to move towards an inclusive, open UN would be to have ***formal constituency assemblies*** offering their collective knowledge and advocacy positions for consideration by intergovernmental bodies. These constituency assemblies could be based on the experience and lessons learnt from the Rio Major Groups experiment, now providing a formal doorway to intergovernmental bodies and governments leading intergovernmental processes throughout the UN system. Each constituency assembly could be invited annually by the relevant intergovernmental body to gather the views of their community on a limited number of pressing global issues.

Each constituency assembly would also be welcomed to define high priority concerns that they feel need to be appropriately addressed by the UN General Assembly or other relevant intergovernmental bodies and to express their constituency's views on the recommendations of the other constituency assemblies. It would be in the self-interest of Governments involved in multilateralism to arrange for necessary meeting space, virtual secure communications, and staff support for these constituency assemblies. In this 'open UN' approach, the intergovernmental system would have a formal, direct channel to the resources of key international constituencies and these international constituencies could be re-inspired to engage with the decision-making bodies of the UN system, as well as with other constituencies, in addressing global crises and threats.

The OCA report is clear in its enthusiasm for UN participation in multi-stakeholderism. It proposes the creation of nine ***new multi-stakeholder governance bodies or dialogues***:

- (1) a multi-stakeholder dialogue on outer space;
- (2) a multi-stakeholder dialogue for Global Digital Compact;
- (3) a multi-stakeholder effort to significantly reduce violence worldwide and in all its forms, including against women and girls;
- (4) a way to build a multi-stakeholder momentum from the Generation Equality Forum;
- (5) a multi-stakeholder emergency task force on vaccines;
- (6) a multi-stakeholder meeting before the 2023 climate stocktaking meeting;
- (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;

- (8) a high level, multi-stakeholder Summit for the Future; and
- (9) the consideration of shifting the Commission on Women to a multi-stakeholder format.

This means that ***a range of crucial topics for the future of humanity would get outsourced to ad hoc coalitions of private and public actors***, which are self-selected and/or convened by the UN Secretariat, taking these topics out of the purview of the legitimate intergovernmental machinery, as is for example the case with the [COVAX Facility](#) for COVID-19 vaccinations established loosely under the WHO.

If the intention is to reposition the UN at the centre of global problem solving, while engaging all relevant stakeholder constituencies, why not build on the great multilateral conferences of the 1990s and book a new round of multilateral conferences of the 2020s, with enhanced participation of experts, social movements, regional bodies, the private sector, and other communities providing support to the multilateral process? The first of these Conferences of the 2020s could be a multilateral Summit of the Future, rather than the OCA proposed ‘multi-stakeholder “Summit of the Future”’.

Some key conceptual concerns / questions regarding any expansion of the UN system engagement with multi-stakeholderism and the full adoption of ‘networked multilateralism’:

- (1) What mechanism should be used to decide that a state-led multilateral organ or process with input from multiple constituencies is not appropriate and an issue should best be handed over to a multi-stakeholder process or public-private partnership?
- (2) What mechanism should be put in place for those governments not invited to participate in a particular multi-stakeholder process to have a democratic input into the process?
- (3) What should be the reporting obligations for UN-affiliated multi-stakeholder processes to report to the relevant intergovernmental body or bodies?
- (4) What rules should govern the work of UN-supported multi-stakeholder bodies to make sure that all types of non-state actors have similar access to the multi-stakeholder body as they have to intergovernmental bodies and that internationally accepted practices of transparency apply to the multi-stakeholder body?
- (5) How should the intergovernmental process review the UN Secretariat’s participation in multi-stakeholder groups?
- (6) What conflict of interest standards should be applied to state/intergovernmental and non-state actors, as well as to the UN Secretariat and related individuals regarding their participation in multi-stakeholder groups and the legitimacy they thus bestow on such groups?
- (7) When multi-stakeholder groups are acting as ‘deliberative forums’ in place of intergovernmental bodies, what should be the responsibilities and liabilities of state/intergovernmental and non-state participants?
- (8) What would be the consequences if this diffuse network of partnerships, absence of intergovernmental leadership and lack of enforceable rules become the norm in global governance?



### 3. Proposed institutional arrangements

Multilateral institutions provide the backbone for any coherent structure of global governance. Today we are faced with multiple global crises that are clearly beyond the capacity or terms of reference of any part of the UN proper or of the UN system. ***Any plausible resolution of such crises requires addressing their multidimensional nature through a realigned set of organizations with normative, programmatic / operational and macro-economic power.*** No longer is a ‘hunger crisis’ something that can be solved by FAO and the other Rome-based organizations alone but requires the expertise and capacities of over 10 different, legally autonomous parts of the UN system. Neither is it plausible to resolve today’s global crises with the current institutional separation of the policy and operational parts of the UN system from the economic organizations based in Washington, D.C. and Basel. And no longer is it credible to get a handle of global crises without asking tough questions about the functioning of globalization and its key institutional actors, transnational corporations. Avoiding these realities will not get us a set of institutions fit for the future.

The UN, the BWIs, and the UN system were created in the aftermath of World War II. Governments took into account the then recognized failure of the League of Nations in designing the new system to avoid the scourge of war and to manage inter-state and trade conflicts. ***The world still needs to manage the scourge of war and build peaceful foundations for many conflict areas. But it also needs institutional capacity able to deal with a plethora of human rights, humanitarian, sustainable development, gender, ecological, global equity and solidarity issues.***

To that end, the Secretary-General recommends in OCA that new authority should be given to two institutions. One is an existing Charter body, the Trusteeship Council, and the other is a special and time-bound multi-stakeholder ‘Emergency Platform’ to respond meaningfully to new global crises.

As noted in OCA, 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 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 covering future generations and global public goods.

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, including: (1) that this Council has an unusual composition, as specified in the UN 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, with a ratification by two-thirds of Member States, noting that the current permanent members of the Security Council have de facto a veto, among other challenges.

The ***Emergency Platform*** proposal, on the other hand, is put forward as a response to complex global crises, but in the spirit of networked multilateralism and multi-stakeholderism it is described as ‘not ...a new permanent or standing body or institution’. It will rather be an ad hoc gathering of member state leaders, UN agencies, regional organizations and country groupings, civil society and private

sector bodies, research bodies and experts.<sup>3</sup> It is left to the UN Secretary-General and their convening power to decide who will be invited to participate each time. There is no clear provision, however, regarding consultation and decision-making arrangements, implementation and monitoring mechanisms, sanctioning or redress procedures.

In this context, we suggest a comparison with the FOGGS June 2021 proposal for a [‘Security Council for non-military threats’](#), also known as **‘Global Resilience Council’** (GRC) mentioned earlier.<sup>4</sup> The GRC is meant to address similar crises as the Emergency Platform but it differs from the Platform in a number of ways, notably by being at the same time a standing body, flexible and inclusive, while being anchored on the ultimate responsibility of states and multilateralism. These differences in approach highlight further concerns about the course of action proposed in OCA.

- (a) The OCA proposal calls for ad hoc establishment of an Emergency Platform for each emergency, while FOGGS’ recommendation is that the world faces so many unmanaged global crises that there should be a permanent body established for that purpose;
- (b) The OCA approach is to continue volunteerism and ad hocery in global governance, while FOGGS’ proposal is that the new body needs obligatory authority;
- (c) The OCA recommendation does not address the fragmented nature of the current intergovernmental system, while FOGGS’ proposal explicitly breaks away from this;
- (d) The OCA proposal is for another ‘egalitarian’ multi-stakeholder body, while 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;<sup>5</sup>
- (e) The OCA approach is that the Secretary-General would establish an Emergency Platform for each crisis, while 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;
- (f) It should also be noted that the OCA Emergency Platform(s) would not be operational for at least two years, pending High-level Advisory Board clarification and endorsement by the multi-stakeholder Summit of the Future, while FOGGS’ proposal for an ILC to deal with multi-dimensional crises beyond the capacities of any single existing UN body could be operational within a year.

The OCA breaks new ground with a proposal for a biennial summit of key actors in global governance bringing together the Heads of State or Government of the G20, the members of ECOSOC, the UN Secretary-General and the heads of the international financial institutions. On the international financial side, this would significantly upgrade the annual meeting between ECOSOC, the BWIs, World Trade Organization (WTO) and the UN Conference on Trade and Development (UNCTAD) that evolved from the 2002 Monterey Conference on Financing for Development. At the same time, this proposal also generates some concerns, as per the points below:

<sup>3</sup> ‘Our Common Agenda’, para. 101.

<sup>4</sup> See also FOGGS UN2100 Initiative at <https://www.foggs.org/un2100initiative>

<sup>5</sup> For more details on this, see section 2 above.

- (a) What is the role of the G20 vis-à-vis the UN and its representative organs, such as ECOSOC?
- (b) What would be the outcome of such summits, and if there were commitments by the participating bodies, how would the implementation of these commitments be monitored?
- (c) Would there also be a role for the heads of other UN system agencies, regional and/or specialized organizations in this gathering to better address the interconnected challenges of today?

#### 4. Selection of priorities

*The OCA report rightly pays special attention to the youth and to future generations, although occasionally confounding the two*, even though the youth constituency can now articulate their views, while future generations cannot. The report also proposes the development of a new social contract at national and global level, which is appropriate but vague. There is the recognition of the importance of dealing with a wide variety of emerging topics (see list in section 2 above), but their handling is assigned to new UN-affiliated multi-stakeholder partnerships. OCA recommends seeking the advice of a ‘High-level Advisory Board’ of former heads of state and government on how to implement the concept of global public goods and a range of other topics, and asks the General Assembly to develop a data governance declaration on the use of big data.

While the above are important issues that need tackling, both the way that is proposed to tackle them and some noticeable omissions generate serious concerns:

- a. The OCA contains no recommendations for the negotiation of new legally binding intergovernmental treaties nor further efforts to enhance the implementation of the international rule of law vis-à-vis emerging public goods, like digital access in safety and privacy;
- b. Some issues of major importance are not treated in any way in OCA, such as: (i) reform and strengthening of the international judicial system; (ii) the incorporation of the Basel-based finance institutions into the UN system; (iii) the financing of the UN, the UN system and the implementation of global commitments; (iv) minimizing or abandoning the veto in the Security Council; (v) the rights of / obligations towards Nature.

#### 5. A two-year opportunity to rethink and renew the UN and multilateralism

New ideas for global governance need proper processing and eventually wide acceptance by governments and civil society before they can become part of multilateralism. The Secretary-General wants to draw on the advice of a High-level Advisory Board 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 the intergovernmental machinery. Should such a Board be established, as suggested in OCA, its recommendations will be crucial in determining the direction of reforms for the UN and the UN system in 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 OCA report goes to

great length to say that youth and the future generations should be central to the next phase of global governance. 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.

Moreover, the plan for the two-year period that started with the publication of OCA and will conclude with the ‘multi-stakeholder “Summit of the Future,”’ is not precise in an important respect. It could be understood that this reflection and action period would culminate in a UN 2.0 that would come into existence through a multi-stakeholder process under the UN Secretary-General’s sponsorship, replacing the way final decisions were previously made on such matters, namely through an intergovernmental process. Would that be acceptable, legitimate and effective in practice? It would most probably require a follow-up process run by UN Member States, which would give the final shape to the reforms and would delay implementation till 2024 or later. In this light, an earlier process that would be anchored on multilateral consultations and an intergovernmental summit with decision-making powers would be the way to go, with extensive inputs from other stakeholders.

The challenge for those active around the UN system is how to take best advantage of this two-year period until the proposed multi-stakeholder Summit of the Future in 2023:

- a) to develop bold proposals to restructure global governance in light of contemporary global aspirations, democratic governance principles and the multidimensional crises of the 21<sup>st</sup> Century,
- b) to re-align the relationship of the various parts of the intergovernmental system and, if necessary, to propose new institutions for the future, and
- c) to engage with the difficult question of financing the global governance institutions on a regular, predictable, comprehensive and adequate basis.

FOGGS and others have diagnosed a range of contemporary institutional weaknesses plaguing multilateralism. The challenge now is to use these diagnoses to formulate more effective institutional arrangements, a new global narrative, and a new set of legal standards and conventions. The OCA report has generated renewed interest and momentum towards renewing multilateralism. We encourage Ministries of Foreign Affairs, national parliaments, civil society organizations, academics and social movements to use the period till the 2023 Summit of the Future to put forward their good governance ideas and work closely and constructively together to shape the next, better phase of global governance for the 21<sup>st</sup> Century.

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