

Values and Principles for an Enhanced International System: Operationalizing Global “Good Governance”

The United Nations should transform itself from a large community of governments, diplomats and officials into a joint institution for each inhabitant of this planet ... The most important thing that we should seek to advance in the era of globalization is a sense of global responsibility. Somewhere in the primeval foundations of the world’s religions we find, basically, the same set of underlying moral imperatives. It is in this set of thoughts that we should look for the source, the energy and the ethos for global renewal of a truly responsible attitude towards our Earth and all its inhabitants, as well as future generations. Without the ethos emanating from a rediscovered sense of global responsibility, any reform of the United Nations would be unthinkable, and without meaning.¹

Vaclav Havel, President of the Czech Republic

At the foundation of any effective institution must be a common understanding of its purpose, basic values and operating principles. If we are to reform the United Nations and take it to the next significant evolutionary step in global governance, we need to start with the values and principles already grounded in UN declarations, statements and existing materials.² In this chapter we briefly discuss several clusters of substantive values and principles relevant to international governance. Whether rooted in the core precepts of global philosophies or religions (as Havel notes), or in international secular sources, the range of widely affirmed values and principles on which governments have agreed at the UN and in associated processes represent a repository of common global aspirations. Collective action on the basis of shared,

¹ Vaclav Havel, President of the Czech Republic, Statement at Millennium Summit, General Assembly Plenary 3, Press Release GA/9758 8th Meeting (PM), September 8, 2000. www.un.org/press/en/2000/20000908.g9758.doc.html.

² See, e.g., Spijkers, Otto. 2011. *The United Nations: The Evolution of Global Values and International Law*, Cambridge, Intersentia. See also Ignatieff for a practical-philosophical exploration of what international “ordinary virtues” might bind us. Ignatieff, Michael. 2017. *The Ordinary Virtues: Moral Order in a Divided World*, Cambridge, MA and London, Harvard University Press.

internalized values and principles is crucially important, facilitating trust among diverse actors, engendering productive consultation and intelligent, good-faith exchange.³ When institutions and communities at all levels of governance are guided by shared values and common goals, they function effectively and do not require heavy-handed enforcement. Moreover, internalized, shared values at the international level facilitate addressing global complexity and the vast, diverse field of actors associated with our new global governance landscape in which decentralized and networked globalization also engages a wide range of private, non-state actors.⁴ Values and principles are not cosmetic, but rather provide a basis for designing “hard” obligations, as well as effective, legitimate institutions and governance processes with appropriate checks and balances.

In this chapter we also review operational values associated with the processes of “good governance,” as we feel strongly that the international community should commit to and genuinely realize *good* governance as a key value at the international level. There should be a shared international aim for genuinely functional global governance, achieving the goals the international community has set out for itself, including the full implementation of the “peace system” vision,⁵ as well as other laudable aims of the Charter such as social and economic progress. These efforts must be grounded in values conducive to general human well-being, to be achieved within the parameters of planetary boundaries, while addressing the existential crises that we now confront caused by exceeding these boundaries.⁶ Tireless and painstaking efforts should be employed until these aims are realized.

A common and mundane criticism of the UN is that it is “all talk,” and that there is significant hypocrisy when the organization’s explicit aspirations and declarations and other statements are adopted but not implemented. We call for a new phase of implementation of agreed international norms, and the concrete realization of stated international aspirations, through enhanced international institutions and processes, such as those described in this book. However, as Havel notes, a new ethical commitment and a much deeper sense of global responsibility are required if we are to build these institutions and to confront the global challenges we now face. New international mechanisms must be developed that are equipped to solve our

³ Hence the emphasis and the practical importance we put on education, including the moral dimension, for a renewed international system (see Chapter 19 on education for transformation).

⁴ The Sustainable Development Goals (SDGs), the UN 2030 Agenda and the UN Global Compact initiative explicitly invite companies and individuals to become actively involved in implementing the relevant goals and principles of these initiatives.

⁵ That is, the collective security, obligatory supranational dispute resolution, the prohibition on the international use of force and the attendant opportunity for disarmament that the Charter sought to establish (see Chapter 10). For an anthropologist’s perspective on the necessary features of “peace systems,” see Fry, Douglas P. 2012. “Life without War.” *Science*, Vol. 336, No. 6083, pp. 879–884.

⁶ E.g., climate change (and a possible “hothouse earth” tipping point) and catastrophic biodiversity loss. See also the risks and emerging crises sketched in Chapter 1.

unavoidable collective problems, which also incarnate a basic coherence and legitimacy in a reliable, values-based international system. To this end, in the final part of this chapter we describe how our reform proposals might be “operationalized,” clustered around various substantive and process values for sound international governance.

Grenville Clark, at the time of the framing of the 1945 UN Charter, criticized those leading the negotiations for repeating the same errors seen in the League of Nations, in terms of what was needed in order to correct the Charter’s key flaws. He noted that “We must recognize, indeed, that in comparison with the unique galaxy of our [US] Revolutionary statesmen, our generation lacks maturity for the framing of great institutions.”⁷ A certain broadness of vision, as noted by Habermas (see Chapter 10), is now required to design systems and great institutions for the twenty-first century that serve all.

THE UN LEGACY: A VALUES-RICH LANDSCAPE

The principles of the Charter are, by far, greater than the Organization in which they are embodied, and the aims which they are to safeguard are holier than the policies of any single nation or people.⁸

– Dag Hammarskjöld

From the Preamble and text of the UN Charter through the Universal Declaration of Human Rights (UDHR), to numerous other treaties, declarations and statements on wide-ranging topics, the UN system has, since its inception, had a powerful normative role in defining and building global consensus on the principles and values that unite the human race.

One can indeed argue that the principal goal of the 1945 Charter was to enable a watershed moment in human history, as it unapologetically sought to establish clear new principles for a values-based international order to replace the muddled, precarious and amoral circumstances that preceded it. If “[h]istory . . . is a nightmare from which [we are] trying to awake,”⁹ the San Francisco conference determined “to save succeeding generations from the scourge of war” and to awaken the peoples of the world from its repetitive nightmare.

The Charter’s Preamble and Chapter I most notably set out the framing ideas of the new international order, with purposes and general binding “principles” to guide

⁷ Clark, Grenville. 1944. “Dumbarton Oaks Plans Held in Need of Modification: Viewed as Repeating Essential Errors of League of Nations and Offering No Assurance of International Security – Some Remedies Suggested,” *New York Times*, October 15; ProQuest Historical News Papers; The New York Times, pg. E8.

⁸ Statement during the Suez Crisis, October 31, 1956. Official Records of the Security Council, 751st meeting. Quoted in Urquhart, Brian. 1973. *Hammarskjöld*, London, Sydney and Toronto, The Bodley Head, p. 174.

⁹ Joyce, James. 1961. *Ulysses*, New York, Random House, p. 34.

member state behavior under Article 2, seeking to establish an international “peace system” (see Chapter 10). Various other related “values” and interdependent obligations are interlaced throughout the rest of the document. Since 1945, now endowed with this new “Great Charter,” states and their representatives, and other relevant actors, have struggled to implement the high ideals of the new instrument, listening to or fighting against “the better angels of our nature,” with varying degrees of success.

The lack of a truly effective institutional and juridical architecture that would support the ideals of the Charter, and the problem of the Security Council vetoes, were roundly criticized by a range of actors at the time of its adoption, with, however, the hope and symbolism it represented still acknowledged:

For those of us who have fought not for power but because we believe in the possibility of peace, the Charter is more than a series of harmless platitudes. Weak and inadequate as it stands today, it is all that we shall have won from the war. By our effort, it may yet become a symbol and instrument of a just order among men. No matter how remote our chances or how distant our success, we have in simple honesty no alternative but the attempt to make it that.¹⁰

Regardless of evident failures, setbacks and even the simple lack of implementation of important Charter provisions and other international treaties since 1945,¹¹ they have established core international values, principles and obligations under international law. The Charter itself has been ratified by virtually every state in the world – an astounding accomplishment in universality. Charter values are already covenanted to by the nations of the world, notably also embracing the international human rights *acquis* that has grown out of the relevant Charter provisions. Together, the shared international norms issuing from the UN system are a priceless heritage of humanity and a remarkable collective achievement.

The Sustainable Development Goals (SDGs) and the UN 2030 Agenda provide a recent, wide-ranging statement of unanimously shared values and principles of all members of the international community. They represent a recent broadening of the universally accepted aims of international action including the need to eliminate poverty, achieve universal education and reduce inequalities, leaving no one behind. Adopting such goals implies a moral obligation to achieve them. It clearly follows that an essential purpose of global governance should be to create the enabling conditions for the achievement of these goals globally and the implementation of the principles on which they are based, together with governments and all the actors of civil society.

¹⁰ Meyer, Cord. 1945. “A Serviceman Looks at the Peace.” *The Atlantic Monthly*, Vol. 176, No. 3, p. 48.

¹¹ For example, responsibilities of the Security Council to conclude military agreements for collective security action under Article 43, or in relation to disarmament under Article 26 (see Chapters 8 and 9).

Recent scholarship has sought to analyze what might now be deemed “global values,” tracking a maturation of the UN system in this respect.¹² Regardless of what exactly might be considered to be the full corpus of shared international values or norms, whether binding international law or “soft law,” we now find ourselves in a happy state of being “norm rich” at the international level – with, however, challenging or incomplete implementation of those norms, and a deficit in institutional capacity for judicial interpretation and enforcement.

However, there are now calls for the defense of the “rules-based” international order that was sought to be established in 1945 against serious emerging threats. A recent meeting of the G20 underlined a renewed shared “commitment to work together to improve a rules-based international order that is capable of effectively responding to a rapidly changing world.”¹³ There are even proposals for a “G9” made up of “middle power” democracies as a “Committee to Save the World” if the United States is no longer prepared to support and further the post-World War II “liberal international order” that it centrally assisted in creating.¹⁴

The current “crisis in multilateralism” presents an important opportunity to take stock of the multilateral system as it now stands, and to work to strengthen it significantly. The existing shared values and principles form a sound basis for the types of Charter and institutional enhancements we call for in this book, achieving new levels of implementation and enforcement of international norms and a higher standard of excellence in global governance. International values and principles must match a reality in action and in concrete institutions, with trust in and legitimacy of global governance organizations firmly established.

ETHICAL FOUNDATIONS FOR COLLECTIVE ACTION: HUMAN DIGNITY AND CAPABILITY

Chapter 11 describes the principles and values found in the Universal Declaration of Human Rights, and subsequent human rights instruments enabled by provisions of the Charter, from a primarily juridical perspective. Here we further explore the ethical foundations for global collective action, and the important role of the values held and lived by each individual in contributing to social cohesion and advancement from the bottom up, as well as to the institutions within which they are active.

¹² Spijkers, *The United Nations*.

¹³ G20 Leaders’ declaration: Building consensus for fair and sustainable development. Buenos Aires, Argentina, November 30–December 1, 2018. www.g20.utoronto.ca/2018/buenos_aires_leaders_declaration.pdf.

¹⁴ Daalder, Ivo H. and James M. Lindsay. 2018. “The Committee to Save the World Order: America’s Allies Must Step Up as America Steps Down.” *Foreign Affairs*, Vol. 97, No. 6, November/December, pp. 72–83. www.foreignaffairs.com/articles/2018-09-30/committee-save-world-order.

The starting point is the fundamental concept of human dignity and purpose, implicit in the rights to which each human being is entitled from birth. The UDHR and other human rights instruments acknowledge that human reality includes dimensions that are material, social, rational and intellectual, and for many people spiritual, as articulated in the human right to freedom of religion or belief.¹⁵ To fulfil that human purpose is for each individual to develop all those dimensions as far as they are able, within the inevitable limitations of any human life. This means starting life within the protection of a secure family; benefiting from adequate food, water, shelter, health services and other means of life; receiving both a moral and material education; acquiring skills and capacities to be able to work and contribute in some way to society and wealth creation; marrying or having a partner and raising a family; living in security and dignity within a social framework; and ultimately aging and dying without too much suffering. It is commonly accepted that government has an important role either in the direct provision of the necessary services or in ensuring that they are made available through others; hence the major place given to health services, education, social security, protection from internal and external threats, economic development and environmental management, among other government services.

From this shared human identity – the inherent dignity of all persons, our general life-cycle needs and our interdependence with the social spheres in which we live – it follows that everyone needs a moral education in those values conducive to social cohesion and constructive contributions to their community, country and world civilization, within the frame of what might be called the common ethical heritage of every human being.¹⁶ Everyone needs to understand her or his individual and collective rights *and* responsibilities. It has been correctly noted that too much emphasis has been placed on individual rights in isolation, and insufficient attention paid to our responsibilities to each other, to cultivate the genuine solidarity needed, within and among societies, to tackle together the very serious challenges that now lie before us.¹⁷

¹⁵ See, e.g., Penn, Michael, Maja Groff, and Naseem Koroush. 2019. “Cultivating Our Common Humanity: Reflections on Freedom of Thought, Conscience, and Religion,” in Neal Rubin and Roseanne Flores (eds.), *The Cambridge Handbook of Psychology and Human Rights*, Cambridge, Cambridge University Press, chapter 13.

¹⁶ See *ibid.*; Falk, Richard. 2001. *Religion and Humane Global Governance*, New York, Palgrave Macmillan.

¹⁷ Various authors have recently explored how social cohesion and cultures of cooperation (“the connections among individuals’ social networks and the norms of reciprocity and trustworthiness that arise from them,” in the words of Putnam), including on a mass scale, are a type of crucial social capital required for healthy and successful societies with problem-solving ability. Turchin, Peter. 2016. *Ultrasociety: How 10,000 Years of War Made Humans the Greatest Co-operators on Earth*, Chaplin, CT, Beresta Books; Putnam, R.D. 2000. *Bowling Alone: The Collapse and Revival of American Community*, New York, Touchstone Books/Simon & Schuster, p. 19.

These lived “everyday virtues” need to be more consciously internalized. This would give effect to the aims of the UDHR, to Eleanor Roosevelt’s vision of “human rights in small places” embedded throughout our daily environments (see Chapter 11), and to the type of peace system that the Charter envisions “to practice tolerance and live together in peace with one another as good neighbours.”¹⁸ Some examples are living by principles of justice and equity, showing generosity and solidarity, and the need to leave no one behind (as enshrined in the UN 2030 Agenda). Other social principles and goals could include the essential shared identity of humankind in all its diversity, an appreciation of cultural differences, trustworthiness, avoiding conflict and contention, and replacing feelings of fear or hate with stronger feelings of compassion. Economic principles include the importance of the economy as a service to society, beyond narrow materialism, applying moderation, building a just and sustainable civilization, and creating the means to achieve higher purposes such as revealing the unlimited potentials in human learning and consciousness. The growing global impact of human society on the environment leads to some essential environmental principles, such as the preservation of life-support systems of the biosphere, acknowledging the criminal nature of serious environmental damage and perhaps developing ways to give nature legal standing, respecting nature or notions of Mother Earth found in a range of indigenous cultures, and appreciating the material, cultural and spiritual dimensions of human relationships to the natural world. There are sources of such principles in all the great religious traditions, many philosophies and moral treatises, and the rich traditions of indigenous peoples, among others.¹⁹ Principles such as these are what give each of us our individual moral or ethical framework, whether conscious or unconscious and simply taken for granted. Because of our by now inescapable interdependence and the gravity and uncertainty of the threats to our common future, sincere and lived ethical frameworks are more important than ever, and are perhaps our only hope.

The foundation of any system of justice is reward and punishment. Yet a legal system that relies primarily on police systems, courts and prisons is inefficient, expensive and socially damaging, locking people away when they could be contributing to society. A citizenry motivated by high ideals, educated to good morals and with a conscience regarding right and wrong has little need for such machinery of justice; the same is true at the international level and with respect to the highest levels of political leadership (see Chapter 19).²⁰ An ethical motivation to do good

¹⁸ Fry, “Life without War.”

¹⁹ See, e.g., the prominent interfaith declaration “Towards a Global Ethic,” drafted at the 1993 Parliament of the World’s Religions in Chicago, IL. <https://parliamentofreligions.org/parliament/global-ethic/about-global-ethic>.

²⁰ The United States, for example, has some of the most strict and onerous lobbying regulations in the world, yet is still plagued by dramatic policy-making distortions due to corporate lobbying, with an estimated US\$3.4 billion spent per year on this pursuit.

and to be of service to all humanity is much cheaper and more effective than the threat of punishment, which is then only needed as a last resort. The higher are the ethical standards in a society, with the attendant investments in the health and education of its peoples, the less the need for heavy systems of justice. An authentic belief in a transcendent being, for example, which includes a notion of higher accountability for one's deeds, can also provide an internal motivation to be honest.²¹ Community social sanctions for unethical behavior are a powerful force as well. Such motivations are also the best response to corruption, which flourishes – at times even despite strong legal regulation – when a society lacks ethical standards.

As we reconsider the roles of governance for the twenty-first century, we must explore ways to extend to the institutions of governance a similar foundational moral framework. The existing set of UN declarations and principles is an important starting point. Just as selfless service is an expression of an individual ethical stance, so should governance in service to the collective be the high standard of an international system. Governance should never be seen as an end in itself, but as a tool to achieve social goals. Collateral principles would, of necessity, include efficiency, subsidiarity, moderation and achieving an optimal size rather than an endless bureaucracy. We discuss below certain good governance “process” values, which are important for efficient systems.

Inherent in the notion of human dignity and the endowments of moral reasoning is the importance of human capability, innate capacities, and ingenuity. Investments in human capital are crucial for national and international development, economic and otherwise.²² Generally, there is a need to resuscitate our faith in human capacities for large-scale collective action, and our ability to solve global problems, peacefully and competently, on a scale heretofore not attempted. If we have sincere common ethical values, shared international goals and faith in our abilities, we shall be equal to the tasks before us. As economist Jeffrey Sachs has noted, global poverty is not a resource issue, as internationally we have unprecedented wealth; it is at root an ethical issue.²³ We should consciously cultivate ambitious, solution-oriented and innovative mindsets in addressing global governance and resolving global problems. This is part and parcel of a movement, at the macro level, away from zero-sum to collaborative approaches in international affairs, based on human solidarity around

²¹ See, e.g., Sheiman, Bruce. 2009. *An Atheist Defends Religion: Why Humanity Is Better Off with Religion than without It*. New York, Alpha (Penguin Group), chapter 2, p. 23 et seq.

²² World Bank. 2007. *World Development Report: Development and the Next Generation*. Washington DC, World Bank Group.

²³ He notes, for example, that “[t]he world has not developed a political or ethical sensibility of a global society . . . Most of the institutions that are charged to deal with these problems are post-World War II institutions like the United Nations, or departments of government that were created in the 20th century along structural lines that are not equipped to understand these challenges or to treat them in a holistic way.” Nee, Eric. 2010. Interview with Jeffrey Sachs (Environment), *Stanford Social Innovation Review*, Summer. https://ssir.org/articles/entry/qa_jeffrey_sachs.

shared values, employing our very significant aggregate technical skill and expertise in service of collective well-being. As affirmed in the SDGs, all actors across society have an important role to play in service of our shared goals.

ABSOLUTE SOVEREIGNTY IN AN AGE OF GLOBAL CHALLENGES

The Age of Nations is past. It remains for us now, if we do not wish to perish, to set aside the ancient prejudices and build the earth. . . . The more scientifically I regard the world, the less can I see any possible biological future for it except the active consciousness of its unity.²⁴

– Pierre Teilhard de Chardin, S.J.

Behind current global governance failures is, among other things, what has been understood as the concept of “absolute sovereignty.”²⁵ A rigid notion of national sovereignty has become an inadequate foundational principle.²⁶ It may have been useful for an earlier scale of human organization, and the rise of modern nations has shown how it worked at its best. During decolonization, it became the rallying cry of newly independent nations taking control of their own land and resources. Addressing this issue in the context of UN reform is highly sensitive and will trigger initial push-back by many countries. However, in a globalized world it is increasingly leading to failures. Non-interference in the internal affairs of states is often used as a screen for national abuse, corruption and the individual aspirations and egos of national leaders. The twentieth century has shown how the sovereign right to make war in defense of national interests or to extend power led to the ruinous world wars. With the advent of nuclear weapons, their use in the next war would not only lay waste the countries directly involved but would precipitate planetary contamination, undermining civilization as we know it, if not exterminating the entire human race. Lack of effective international coordination and supranational policy enforcement on climate and other key planetary systems likewise threatens our general survival.

²⁴ Pierre Teilhard de Chardin, S.J., in his essay, “The Spirit of the Earth,” cited in Teilhard de Chardin, P. 1969. *Human Energy*, London, Collins, p. 37.

²⁵ Some authors, however, have contradicted traditional narratives of the autonomous sovereign states in relation to international organizations, underlining, for example, the interdependence of individual state construction or reform and the activities and growth of international organizations in the modern era. Sinclair, Guy Fiti. 2017. *To Reform the World: The Legal Powers of International Organizations and the Making of Modern States*, Oxford, Oxford University Press.

²⁶ Indeed, the normative construct of sovereignty has come under increasing question and debate in light of increasing international cooperation and integration. Besson discusses a number of these debates and proposes the concept of “cooperative sovereignty” with the framework of the European Union in particular: “[i]n the European context, cooperative sovereignty provides the normative framework for the development of a dynamic and reflexive form of constitutionalism.” Besson, Samantha. 2004. “Sovereignty in Conflict.” *European Integration online Papers (EIoP)*, Vol. 8, No. 15. Available at SSRN: <https://ssrn.com/abstract=594942>.

Cord Meyer, fresh from World War II, in “A Serviceman Looks at the Peace” in *The Atlantic Monthly*, describes the irrationality of absolute sovereignty as follows:

Our present world is composed of more than fifty separate sovereign and independent nations. Each one of them jealously guards its twofold sovereignty, through which it proclaims itself free from any interference by others in its internal affairs and equally free in its external affairs to make any decisions that it wishes . . . We should frankly recognize this lawless condition as anarchy, where brute force is the price of survival.²⁷

A second dimension of the obsolescence of national sovereignty as the central principle of governance is its failure even in the best-governed states, given powerful international forces. What is the use of high principles and effective governance at the national level when there is anarchy at the global level? More and more domains of governance are escaping from national control or even influence in a globalized world, from the economy to migration to the flow of information. In too many cases, states are pushed by unrestrained global competition into a race to the bottom, trying to retain or attract corporations and investments by lowering corporate taxation, reducing environmental and social regulations or safeguards, and offering special exemptions to the economically powerful, as discussed in Chapter 14. The real independence and well being of nation states can only be assured today by interstate collaboration in supranational mechanisms, just as the freedom of individuals is best guaranteed by the protections of an effective national government.

In the emerging framework of global governance, various useful features of national governance should also be employed at the global level (e.g., adequate legislative, judicial and executive functions, discussed in various chapters of this book), while refining our concept of national sovereignty to ensure it is suitable to our era (e.g., employing notions of “cooperative sovereignty”), and still being sure to safeguard vital aspects of national autonomy. In any federal system, for example, many crucial responsibilities are, as much as possible, left to lower levels of government. A reformed UN system would need to carefully protect national autonomy, and may need, for example, an explicit Declaration of National Rights and Responsibilities as a protection from overreach at the global level, and judicial oversight to uphold that protection. At the same time, it will need to evolve a clear definition of those extreme conditions that would justify global institutions interfering in the internal affairs of countries (as has already begun to be developed, including under the International Criminal Court (ICC) and under the Responsibility to Protect norm, to name two examples), which might include uncontrolled corruption, extreme abuse of power, a failed government, and the responsibility to protect citizens or a significant minority against criminal behavior or abuse by a government.

²⁷ Meyer, “A Serviceman Looks at the Peace,” p. 44.

A related problem is the present narrow definition of the responsibility of a sovereign government only for its citizens, however it chooses to define this. This allows governments to ignore, neglect or persecute those within its borders who fall outside their definition of citizenship. In a world where every government was equally efficient and responsible in providing for their citizens (including when out of their country), this might work, but today this is the exception rather than the rule. Many governments are too poorly resourced, autocratic, corrupt or incompetent (or all of these), if not a failed state, excluding many millions at home from the benefits that a government should provide, while driving many to flee the impossible conditions in their country of origin with no hope that their nationality, if they have one, will provide any protection abroad. Enhanced and legitimate global institutions, such as those proposed in this book, should seek to close this gap in uneven international protection and current governance deficits at the national level.

Indeed, an increasing proportion of the world population is not being represented or defended by any national government, if not actively persecuted or expelled. In a system relying excessively on national sovereignty, what government is responsible for and speaks on behalf of those it fails or refuses to recognize within or outside its national borders: non-citizens, refugees, migrants (legal or illegal), and those with no legal existence, either stateless or whose birth was never registered? These are the invisible masses often not captured in official statistics or masked by aggregated measures, who have too frequently been left behind. In an effective global system, no human being should be left in limbo.

CONTEMPORARY APPROACHES TO GOOD GOVERNANCE

Since the late 1980s there has been a vibrant debate within the academic community and in policy-making circles about the role of government in creating the conditions for sustainable economic development and well-being for all citizens.²⁸ There have been at least two dimensions to this debate. One has focused on the nature and content of public policies that create an environment conducive to security, economic growth and prosperity, whether in the overall management of the macroeconomy or in a broad range of complementary sectoral and institutional factors and policies. The second has focused on the exercise of political authority in a society for the management of its resources, and the *quality* of government in this process, identifying the key building blocks of good governance. The broadening of development objectives to include equity and social justice, civil and other basic human rights, peace and security, has thus established a natural linkage between governance on the one hand and development on the other. The insights of modern good governance thinking apply equally to the national and international levels,

²⁸ Kaufmann, D. and A. Kraay. 2002. "Growth without Governance." *Economia*, Vol. 3, No.1, pp. 169–229.

with of course key governance institutions, that are taken for granted at the national level, found deficient or absent at the international level (hence the international reform proposals of this book).

One approach to the question of what constitutes good governance has been to refer to a minimal set of characteristics on which there might be broad international agreement, including in relation to international human rights standards (see Chapter 11). Attempts have been made to link such a minimal set to the UDHR, as representing the consensus of the international community on some fundamental, broadly held values.²⁹ Various articles of the Declaration address such concepts as: the will of the people as the basis of government authority and hence the need for the periodic establishment of the legitimacy of governments through elections (Article 21); the safety of citizens and the right to equal protection under the law (Article 7); the availability of information, and freedoms of association and expression (Article 19); the ownership of property (Article 17); and the right to a standard of living adequate for the health and well-being of the individual and his/her family (Article 25). All of these would appear to be essential components of good governance and have been used as the “raw material” with which to formulate the underlying conceptual framework.

Daniel Kaufmann and his colleagues at the World Bank put forward a useful definition of governance as “the set of traditions and formal and informal institutions that determine how authority is exercised in a particular country for the common good, thus encompassing: (1) the process of selecting, monitoring, and replacing governments; (2) the capacity to formulate and implement sound policies and deliver public services; and (3) the respect of citizens and the state for the institutions that govern economic and social interactions among them.”³⁰ For measurement purposes and to facilitate analysis, they further introduce two concepts for each of these three dimensions: voice and external accountability; political stability and lack of violence, crime and terrorism; government effectiveness; lack of regulatory burden; rule of law; and control of corruption. While not explicitly mentioning the UDHR in their definition, it is clear that they draw content and nourishment from it. The utility of developing a framework for governance with reference to a set of principles such as those contained in the Declaration is obvious. It makes unnecessary the need to build consensus on a new set of guiding principles, likely a difficult task in the context of a diverse community of nations with often diverging interests. As this thinking has evolved, a consensus has gradually emerged as to what are some of the central, core characteristics of good governance. It is useful to identify briefly four such factors judged to be of fundamental importance, drawing

²⁹ Landell-Mills, P. and I. Serageldin. 1991. “Governance and the External Factor.” *The World Bank Economic Review*, Vol. 5, pp. 303–320.

³⁰ Kaufmann, Daniel, Aart Kraay and Massimo Mastruzzi. 2010. *The Worldwide Governance Indicators: Methodology and Analytical Issues*. Draft Policy Research Working Paper, World Bank, September. <http://info.worldbank.org/governance/wgi/pdf/WGI.pdf>.

in particular on the valuable work of Amartya Sen in this field.³¹ These are accountability, transparency, consultation and the rule of law.³²

Accountability

One factor pertains to the exercise of power, which must take place within a framework of *accountability*. Adequate safeguards are introduced to prevent the abuse of that power where, for instance, ruling elites use it for personal gain rather than public benefit. Recent trends toward democracy and political pluralism in all regions of the world are seen as facilitating this task, which will at a minimum involve the periodic legitimization of governments through popular choice, making them more responsive to the needs of society.³³ The issue of accountability is closely linked to that of participatory development and democracy. Unless people feel that they have a say in whom they are ruled by, they cannot be expected to fully support the government's policies. Without such public support, even well-designed plans will in the end amount to very little. Furthermore, while democracy is a necessary ingredient of creating an economy based on the rule of law (see section below), it is not a sufficient condition to ensure responsible governments that will work in the interests of the majority.³⁴ Many have pointed to the successful development experiences of economies such as the Republic of Korea, Singapore, and Taiwan – non-democratic regimes during the periods of highest economic growth – to highlight the complex nature of the relationship between democracy and development.

Much is at stake here. Sen convincingly argues that those countries in which governments operate in an environment of political legitimacy tend to be much better at allowing the formation of vital understandings and beliefs among the population that directly impinge upon aspects of the development process – for

³¹ Sen, Amartya. 1999. *Development as Freedom*, Oxford, Oxford University Press.

³² For an early look at the concept of good governance and the role of external agencies and donors in promoting it, see Landell-Mills and Serageldin, "Governance and the External Factor."

³³ It is important, however, to note that there is a distinction between safeguarding the *principles* of democracy or participatory governance – giving voice to the people, ensuring that governments are made legitimate through popular choice – and many of the habits, taken to excess, that are too often attached to the contemporary *practice* of democracy, such as extreme partisanship, adversarial political campaigns, vast financial contributions to political parties, the role of the media and, more generally, the circus that sometimes surrounds the election of public officials in many parts of the world and that has done so much to turn many citizens away from participation in the political process and resulted in low voter turnouts during national and local elections.

³⁴ Easterly notes a number of reasons why democracy may not take hold, including "elite manipulation of the rules of the political game, weak social norms, landed wealth, natural resources, high inequality, corruption, and ethnic nationalism and hatreds." Easterly, William. 2006. *The White Man's Burden: Why the West's Efforts to Aid the Rest Have Done So Much Ill and So Little Good*, New York, Penguin Press, p. 129.

instance, the notion that female education, employment and ownership rights exert powerful influences on a woman's ability to control her environment and improve her condition.³⁵

Transparency

A related aspect of good governance is *transparency*, the willingness of governments to open to public scrutiny the accounts and activities of public institutions and to institute reliable systems of auditing and financial management. Lack of openness, more often than not, does not serve useful public ends but has instead been used to hide unlawful practices and abuse. Transparency is particularly important in the case of the tax system, where the ability of governments to collect revenues will depend on public perceptions of the fairness of its operation and the proper use that is made of public funds. The experience of the Nordic countries fully bears out these observations. These countries have the lowest levels of corruption in the world (they consistently are top performers in Transparency International's Corruptions Perceptions Index) and some of the highest tax burdens in the world – and yet they have no major problems with tax compliance. Businesses and citizens may *wish* for a lower tax regime, but ultimately they understand that tax revenues get translated into high investments in education and training that boost innovation capacity, in excellent infrastructure and in extensive safety nets providing ample social security. Sen notes that societies operate better under some presumption of trust and that, therefore, they will benefit from greater openness. The freedom for society's members to deal with one another under “guarantees of disclosure and honesty” are essential to prevent corruption and other abuses.³⁶

Consultation

Peace and security and sustainable social and economic development depend to a great extent on the government's ability to generate a broad consensus for change. A process of good faith *consultation* whereby the government elicits the views of various sectors of society – businesses, professional organizations, academics and researchers, nongovernmental organizations (NGOs) and other organizations of civil society, local communities and indigenous peoples, etc. – is likely to result in greater understanding of and commitment on the part of the population to the sometimes painful measures that accompany the implementation of various development or environmental protection strategies. Consultation is also likely to result in a more equitable distribution of the costs of adjustment and thereby enhance the

³⁵ López-Claros, Augusto and Bahiyih Nakhjavani. 2018. *Equality for Women = Prosperity for All: The Disastrous Global Crisis of Gender Inequality*, New York, St. Martin's Press.

³⁶ Sen, *Development as Freedom*, p. 39.

chances of sustainable reforms. The building of consensus through consultation is at the root of participatory governance and facilitates transparency and accountability. In this respect, the development of a thriving non-profit sector since the mid-1990s has greatly contributed to enhancing the possibilities for meaningful consultation between government and civil society.

One challenge in consultation is determining the circle of who is consulted, and who participates in decision-making. The adoption in the UN 2030 Agenda of the principle of “no one left behind” implies a wider circle of participants than just those already with some power or influence.

Rule of Law

Closely linked to the issue of accountability is the need for the *rule of law*, the notion that the rules that govern a society are applicable to all. As noted in Chapter 10, the rule of law, at both the national and international levels, has been affirmed as a key international value and operational principle multiple times at the UN, and by the highest levels of political leadership. There is increasing recognition that without a reasonably objective, efficient and predictable judicial system and legal framework, accountability will have no legal underpinnings and the goals of good governance will be undermined. The absence of an adequate legal framework and judicial system will encourage corruption and crime, diminish peace and security, increase business costs, discourage investment and introduce an element of uncertainty that will be detrimental to the development process. This is true at both the national and international levels.³⁷

There have been a number of attempts to provide a meaningful definition of the rule of law, which has meant any of a number of things including, as noted by Trebilcock and Daniels, government bound by law, equality before the law, law and order, the presence of a predictably efficient system of justice and the existence of a state that safeguards human rights.³⁸ Some have argued that the concept is linked to notions of liberty and democracy, necessarily implying constraints on the power of the state and the guaranteeing of basic freedoms for citizens, such as those of speech and association. In this view, the rule of law has elements of political morality and is very much a foundation for a just society. It is certainly inseparable from the morality underpinning contemporary democracy, with its emphasis on the protection of

³⁷ Groff, Maja and Sylvia Karlsson-Vinkhuyzen, 2019. “The Rule of Law and Accountability: Exploring Trajectories for Democratizing Governance of Global Public Goods and Global Commons,” in Samuel Cogolati and Jan Wouters (eds.), *The Commons and a New Global Governance*, Cheltenham, Edward Elgar, pp. 130–159.

³⁸ Trebilcock, Michael J. and Ronald J. Daniels. 2008. *Rule of Law Reform and Development: Charting the Fragile Path to Progress*, Cheltenham, Edward Elgar, p. 15.

individual rights, including those of free expression, voting and the right to private property.³⁹

UN Secretary-General Kofi Annan offered the following definition, supporting the inclusion of substantive rights and participatory governance, postulating “the rule of law” as:

a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.⁴⁰

Interactions among Good Governance Attributes

From the previous discussion, it is clear that these various elements of good governance – accountability, transparency, consultation and the rule of law – are not independent. Further, interactions with various other governance vectors are inevitable and conflicts could arise in the short run. For example, participatory processes implemented in an environment of political pluralism and openness may add an element of unpredictability to the decision-making process. It may take longer to forge the necessary consensus around a particular strategy, as the views of various stakeholder groups are considered and possibly brought on board. Sen caricatures a “blood, sweat and tears” approach to development, where “wisdom demands toughness and a calculated neglect of ‘soft-headed’ concerns,” such as the need for a safety net that protects the very poor, providing certain social services for the population at large, favoring political and civil rights at an early stage and regarding democracy as a “luxury” that can be put off for the distant future.⁴¹ Transparency in the use of public resources may, likewise, impose some constraints on the spending priorities of government, particularly in the context of countries operating in a context of democracy.

³⁹ In some countries, many politicians may interpret the rule of law to be the rule *by* law, meaning that there is no presumption of government subordination to the law, which is seen as a vehicle not to limit its power but rather to serve its purposes. (This is what is meant by the “dictatorship of the law – the government may wish to do as it pleases). This clearly is not consistent with contemporary and widely accepted notions of the rule of law, which is presumed to be embedded within a constitutional order with appropriate checks and balances.

⁴⁰ United Nations Security Council. 2004. *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies*. Report of the Secretary-General, August 23, UN Doc. S/2004/616, p. 4, para. 6.

⁴¹ Sen, *Development as Freedom*.

But these challenges do not detract from the intrinsic value of the core building blocks of good governance, including at the international level, and the overriding need to pursue them as essential ingredients of enlightened sustainable development. Only to the extent that all parties concerned jointly cooperate to nurture the growth of these key building blocks will the international community be able to contribute in a meaningful way to unleashing processes aimed at both improving the welfare of its most needy members and enhancing people's capacities to manage change. Furthermore, in the presence of these core elements of good governance, the credibility of government policies will be significantly strengthened. Government credibility is a precious commodity; without it the business community and civil society will act in ways that will undermine the effectiveness of policies, whether, as already noted, we refer to the paying of taxes or the entire range of other policies that require the participation of the private sector and the public for their successful implementation.

It is therefore possible to interpret the heartbreakingly disappointing fruits of economic development in many parts of the developing world during the last half-century in terms of the absence of the basic building blocks of good governance, including the strength to resist pressures of unsustainable exploitation from without.⁴²

IMPLICATIONS FOR THE UNITED NATIONS: MAKING ENHANCED GLOBAL GOVERNANCE EFFECTIVE

We have dwelt at some length on the question of what some of the key values and attributes of good governance may be, in essence to reflect on the extent to which these are present in the United Nations as presently constituted. It should be fairly obvious to the reader by now that the system that came into being with the UN Charter in 1945 was more a reflection of the highly uneven distribution of power in the world at the time and the desire of the four largest founding members to entrench or preserve certain national prerogatives. Several examples already dealt with in other chapters include the one country – one vote rule for the General Assembly (GA) and, most importantly, the existence of veto power for the permanent members of the Security Council, the at times heavy-handed way in which large members have used the UN for the pursuit of national strategic objectives, and a whole range of practices and rules that have emerged over the past seven and a half decades. These make it abundantly clear that UN governance mechanisms do not conform to the standards of good governance identified here.

⁴² This is not to say that the developed world is necessarily well-governed, in keeping with the above principles. We address multiple governance problems in the high-income countries in various forms in Chapters 13–18.

In the Box below we examine how a range of these flaws are addressed in the proposals we have put forward, based on established shared values and modern thinking on good governance. We sketch out how a reformed, values-based international governance system could work, “operationalizing” the various proposals set forth in the other chapters, in particular, if implementation of the reform proposals were to be effected through comprehensive Charter review (see Chapter 21 for a discussion on possible implementation pathways and scenarios).

Box

Operationalizing Key Attributes and Values of a New Global Governance System

Core Values

An amended UN Charter would assure and give central place to the fundamental human rights of all persons, the principle of binding international rule of law, the peaceful settlement of disputes, collective disarmament and security, certain core principles of environmental stewardship and sustainability, and other values deemed fundamental to the new international order.

One of the first tasks of the reformed GA could be to compile and enumerate the core values enshrining the good of all humankind and the equal value of all human beings, drawing from the significant current *acquis* of international law, both “soft” and “hard.” These would be made explicit in legally binding texts to serve as the basis for legislation, judicial review and enforcement, with the frame of the revised UN Charter serving as a global constitution. This consolidated document would represent the coherent declaration of core values, rights and responsibilities for international governance and sustainability, complemented by a clear definition of the remaining scope of national autonomy, and an individual Bill of Rights as one of the foundations for accountability.

The 2030 Agenda and its SDGs provide a globally accepted example of the application of core values and their implementation, exemplifying a framework for adapting and focusing international governance structures, mechanisms and programs, as well as implementation at the national and local levels and by all economic actors and civil society.

Core values would be implemented dynamically by legislative and judicial interpretation, through legally binding acts of the GA in its areas of responsibility, and the international judicial mechanisms emerging from these reform principles. Norms of equality before the law, protection by law from arbitrary abuse of power, transparency and other fundamental values inherent in established rule-of-law structures would be implemented throughout the system. An Office of Ethical Assessment advisory to the GA would ensure that it is informed of the relevant core values underlying proposed legislation.

The envisioned reformed legislative dimension of the UN would manifest values of democracy and consultation, proportionally representing the world’s populations in

the reformed GA, and engaging recognized advocates of the global public interest in a Chamber of Civil Society.

Strong provisions against large-scale international criminality and corruption, beyond national responsibilities or enforcement capacities, would give the international community for the first time the necessary tools to fight criminal disregard for core values, and to prosecute the individuals and groups responsible. With such mechanisms and core values in place, the new international system would necessarily drive the creation of a new generation of uncompromised leadership, subject to the highest standards, whose efforts are devoted to good governance and the public good.

The core values of the common identity and interdependence of humankind, as well as those enshrined in the revised Charter, should also be incorporated in all international educational tools, and reflected, as much as possible, in national constitutions and education. They should be essential components in the training of heads of state and their cabinets, international civil servants, contributors to global institutions and the personnel responsible for enforcement mechanisms, so that much implementation of values is internalized in individual ethics and a responsible conscience. Relevant resource materials should be made available to all educational systems, and modern media used for their global distribution; an enhanced UN News Service can assist in this process, as it functions to build appropriate levels of popular understanding of international governance institutions.

The focus on wealth inequality within the frame of the broader reform proposals, for the first time seeking to address systematically national and international extremes of wealth and poverty, would further change the current, inefficient international order based on spending for a militarized notion of security, to focus on the well-being and practical needs of all individuals and populations of the world. The new rationalized and effective international order would be oriented toward human well-being and values of “human security,” with a corollary international “right to peace,” secured, inter alia, through greatly strengthened Charter provisions for collective security, disarmament and the peaceful settlement of disputes.

Decision-Making Capacity, Consultation and Rule of Law

The proposed reform of executive functions presently in the Security Council would significantly enhance decision-making capacity in international governance, as the use or threat of the use of the veto power has regularly caused crippling delays or failures to act. Abolition of the veto has been proposed multiple times in Charter history to enhance UN decision-making on crucial issues, most recently and prominently in humanitarian crises, where permanent members possessing the veto have been requested to abstain from its use. The new Executive Council, with its management function, would be preoccupied with taking regular and wide-ranging operational decisions in its oversight and coordination mandate for the entire UN system. A key task of the Executive Council would indeed be to enhance decision-making effectiveness throughout the system, including through internal management, leadership formation and administrative reforms.

The professionalization, systematization and clear lines of control and accountability of the International Peace Force, subject to protocols and objective criteria for its deployment and use, would likewise remedy the inefficient, under-resourced, ad hoc system currently used to conduct peacekeeping and collective security operations. Effective and mandatory mechanisms for, among others, mediation, conciliation, arbitration and judicial resolution would resolve most disputes, with force used only as a last resort.

With reform of the GA, there would now be a duly constituted, legitimate and representative body to take decisions on crucial issues of peace, security and environment in particular (and on other matters in the future). As with other legislative bodies at the national level, the GA would convene a suite of specialized committees on issues of core concern, such as collective security action, enforcement of international judgments, climate change, etc., with the assistance of specialized, advisory technical experts, as proposed. A possible advisory Chamber of Civil Society, composed of members of global civil society, would be a strong catalytic force driving UN decision-making, exerting active and vigorous pressure for ongoing change, innovation and reform. The Chamber would act as a watchdog on UN governmental decision-making and operations, applying scrutiny to hold governments and the international institution to account and to force it to take decisions on pressing issues.

The strengthened role of international judicial authorities would significantly enhance decision-making processes in the international system, as courts would be tasked with deciding upon issues of core concern to states, individuals and the international community, which too often now represent festering conflicts with no hope of decisive resolution. Likewise, binding protocols on the peaceful settlement of disputes would allow staged and clear decisions on issues related to international peace and security.

Effectiveness

With the foundations for this step already established in the existing system, the proposal suggests a substantial advance in establishing genuine, comprehensive rule of law at the international level. The international community would be equipped with the supplementary architecture and tools required to ensure that international decisions and policies are implemented and observed. Binding adjudication, compulsory, universal jurisdiction of the key international courts, and an effective range of enforcement mechanisms, including the use of the International Peace Force as a last resort, would ensure that there is no ambiguity in the enforceability of international law, decisions of international tribunals and implementation of the terms of the UN Charter itself – including its prohibitions on the use of force, save under narrow exceptions.

Ensuring adequate financing for international institutions would be a highly significant reform toward substantial gains in effectiveness of the UN and related bodies. Currently, effectiveness and the scope of operations are hampered by paltry, inconsistent funding. The ambitious and comprehensive collective security and disarmament components of the proposal would likewise free resources for

international (and national) institutions in service of the public good, allowing for a true peace dividend. The disarmament agency, with robust and comprehensive inspection functions, would facilitate implementation of a general international disarmament process, overcoming traditional security dilemmas and costly arms races among states.

The Executive Council, with core management duties, would primarily be focused on operational efficacy and the coherent implementation of policy and programming decisions taken by the GA.

Tackling corruption is key to ensuring efficacy in global governance, as its prevalence perverts lines of implementation of international norms at the national level, leads to diversion of resources and constitutes a general drain on the system. The proposal suggests a model of complementary prosecution and oversight for addressing corruption at the national level, generally following the model of the ICC in this respect.

Ongoing system efficacy would be safeguarded with mandatory five-year reviews of GA powers, a ten-year mandatory General Conference for review of the UN Charter and, if necessary, bypassing the present Security Council if it chooses to block meaningful Charter reform in the first instance (see Chapter 21). Various individuals and bodies in the reformed UN institutions could regularly make suggestions for system reform and enhancement, based on operational experience.

Finally, the UN would now be a body with significantly enhanced democratic and representative legitimacy, with reformed legislative chambers, a representative Executive Council, a well-trained, independent international judiciary, and a UN Bill of Rights, to heighten the willingness of all actors to cooperate and comply with its decisions and accept its global management responsibilities. The focus on international basic education and quality access to information on UN institutions and activities would likewise strengthen this dynamic of legitimacy and participation in an international “social contract” for more effective governance.

Resources and Financing

The institutions underpinning the new mechanisms of global governance must be adequately resourced to provide a steady, predictable source of funding to finance its multiple operations. A system of funding that involves a level of automaticity is proposed, in order that the UN is insulated from the uncertainties associated with member state budgetary discretion. By allocating directly to the UN budget a fixed share of each nation's gross national income (GNI) (our preferred approach), the UN would be empowered to implement its work program reliably and formulate its strategies in a medium-term framework.

While there are, in principle, multiple sources of such funding, a relatively modest 0.1 percent of GNI would not only bring into being a transparent and fair system, but it would also make available to the UN an expanded envelope of resources that could be allocated to a broad range of economic and security needs, substantially strengthening the organization's capacity to deliver on its Charter responsibilities.

While it would be tempting to shift the burden of financing to high-income countries, universal participation in funding by all countries is an important principle, to encourage ownership by all member states of the new governance system.

If the system of funding envisaged is linked to national income, wealthier states will automatically make larger contributions in absolute terms than lower-income members. Additional sources of international funding based on principles of equity and progressive taxation, such as those suggested by some prominent economists (e.g., a Tobin tax), or those based on successful models employed by international organizations (e.g., the International Maritime Organization), would also be explored. Adequate and predictable funding would allow the UN to build a highly professional staff, including the creation of the International Peace Force.

General Security

The issue of security will be addressed from multiple perspectives. First, an International Peace Force would be created to act on behalf of the international community as reflected in the deliberations of the GA and Executive Council, under whose authority it would operate. While recognizing the need for national forces to safeguard internal national security, it would bring about the creation of a tool for the prevention of international aggression and other threats to peace, and ensure compliance with the revised Charter. Creating an International Peace Force would be an important confidence-building measure, enhancing the credibility of the UN in fulfilling its security responsibilities. It would also ensure, through the creation of a true system of collective security, a better allocation of global economic and financial resources, with states empowered to redirect resources now allocated to the maintenance of excessively large military establishments to socially productive ends.

Second, the reforms would ensure the mandatory and peaceful settlement of international disputes and the enforcement of international law. In particular, compulsory jurisdiction would be granted to the International Court of Justice (ICJ) over international legal disputes for all UN members, departing from the current system requiring states' agreement to adjudicate. Revisions to the Charter would also make mandatory acceptance by all UN members of the statute of the ICC. Third, there would be a significant strengthening of the current system of non-binding human rights oversight mechanisms through creation of an International Human Rights Tribunal. Fourth, a new Bill of Rights attached to the Charter would include fundamental human rights protections in specified areas. Finally, the process of international disarmament would be consistent with the transition to a global security model firmly anchored in the principle of collective security, the dignity of persons and the rule of law.

Flexibility

The proposed institutional mechanisms have levels of built-in review and revision procedures to ensure that international governance can be adapted to changing conditions and can learn from accumulated experience. Governance mechanisms

should develop organically in response to needs, form following function, with change considered normal and necessary.

At the constitutional level, obligatory periodic review of the Charter would open the door for necessary revisions, and for relevant principles underlying widely accepted customary and soft law to be codified in the foundation text.

The Executive Council would have the mandate to review UN system performance, ensure good governance and management, and make necessary adjustments through administrative and UN system reforms.

As unnecessary posts are abolished and new needs defined, institutional flexibility requires complementary procedures for social security and human resource management to protect the rights of international civil servants and facilitate optimal use of their capacities. This could reduce bureaucratic blockage and resistance to change.

Some flexibility will be required in gradually implementing the components of substantial UN reform, depending on the willingness of governments to accommodate necessary changes. While collective adoption by consensus would be ideal, provisions are included to sidestep any blockage by recalcitrant governments and enable the larger community of common interests to go forward, while gradually building the trust necessary for more substantial changes (e.g., confidence-building is a major component of the disarmament proposals).

Accountability and Transparency

The core values provide the foundation for accountability at all levels, and the framework for legislative, executive and judicial action for their application. Charter revision should incorporate provisions for transparency and public access to information. As collective consultative bodies, the GA and Executive Council provide some protection from individual abuse of power and the ability of any one country to block international action. The revised Charter would create higher standards of government accountability and mechanisms for international action where necessary to intervene against security threats, abuse of power and human rights violations at the national level.

Once the GA is fully elected by popular vote, it would be directly accountable to its universal electorate through regular renewal of its membership. The Executive Council would have the mandate to ensure accountability within the UN system. The Chamber of Civil Society would provide a formal channel for civil society and global stakeholders to address accountability within and across the system.

A better educated global public electing its representatives to the GA would also provide a fundamental level of accountability, and should come to see the core values as essential criteria for the selection of candidates for international governance responsibilities.

An international press and media system freed from national hindrances and interference could express the diversified views of humankind and stimulate open, responsible and constructive debate on issues facing humanity, investigating abuses, ensuring transparency and supporting general public education. The GA would need

to legislate on the necessary standards, responsibilities and safeguards for an independent world press and associated media, especially given the advent of universal media access and the temptation to manipulate public opinion for partisan political and ideological ends. The media could, rather, become a tool for increased public participation in international governance, a potential already exploited prior to Rio+20 and for the 2030 Agenda.