



Commission on  
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JUSTICE & GOVERNANCE

Background Paper

## Mobilizing Smart Coalitions and Negotiating Global Governance Reform

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## **Abstract**

Drawing lessons from three international commissions and two international campaigns since the mid-1990s, this study considers the conditions and strategies for successful “smart coalitions” of state and non-state actors working to realize ambitious global governance reforms. Reform strategies that harness the strengths of diverse partners over a sustained period are shown to increase their prospects for success. The background paper concludes by advocating for two distinct reform vehicles for channeling the ideas, resources, networks, and political support of smart coalitions: Reform through Parallel Tracks and the convening of a World Summit on Global Security, Justice & Governance in 2020.

## **Policy Implications**

- The main players, ideally both state and non-state representatives, should engage in a constructive policy dialogue as early as possible in the formation of a smart coalition.
- Bottlenecks to reform can be avoided by changing narratives and reframing issues.
- The articulation and mobilization of political support within a smart coalition for clear, near-term interim milestones can generate an irreversible snowball effect toward the realization of broader and more ambitious global governance reform objectives.

## **About the authors**

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## 1. Introduction

Achieving bold yet practical reforms to fill the acute gaps in global governance detailed in this volume requires at least two key ingredients. First, they need an attractive ethical vision that accounts for the power and interests of states and increasingly powerful non-state actors and ensures basic human rights for people everywhere. Anchored around the concept of just security, the reform proposals in this book offer such a positive, alternative vision for a more just and peaceful world order. Second, reforms require a realistic strategy for change, rooted in a rigorous, shared analysis and harnessing the ideas, networks, resources, and leadership of multiple actors in a broad-based coalition to move this new vision forward.

This study examines two types of past reform initiatives, to glean lessons for designing and implementing a comprehensive change management effort aimed at realizing the kinds of recommendations introduced in this volume. The first involves an analysis of earlier international commissions (namely, the 1995 Commission on Global Governance, the 2001 International Commission for Intervention and State Sovereignty, and the 2004 High-Level Panel on Challenges, Threats, and Change) committed to advocating for significant global governance reforms, as well as a review of the strategies they adopted for engendering their proposed reform agenda. The second derives lessons from two multi-stakeholder coalitions (namely, the International Campaign to Ban Landmines and the associated “Ottawa Process,” and the Coalition for an International Criminal Court and associated Rome Statute for an International Criminal Court) that brought to fruition two specific global governance reform innovations. Among the major characteristics of the most successful strategies for reform of the global system and sustained partnerships to drive change are an emphasis on building coalitions to initiate and nurture reforms, skillful multilateral negotiations, a concern for resource mobilization, and the introduction of tools to measure progress and respond to setbacks. Drawing on these lessons, the authors present two vehicles for mobilizing for change and negotiating global governance reform, building on concepts developed initially for the Albright-Gambari Commission on Global Security, Justice & Governance.

## 2. International Commissions and their Reform Strategies

International commissions have been a part of global governance reform efforts for decades, but in many ways, they only took off after the cold war. In total, more than thirty international commissions, involving over 500 commissioners, deliberated, produced (often quite comprehensive) reports, and aspired to impact world affairs.<sup>1</sup> They have, to varying extents, “shaped and influenced the global discourse on a wide range of international policy issues.”<sup>2</sup> Mostly, though, they have had an impact in the realm of ideas. Although they reflect emerging norms in world affairs, their relative separation from the “normal” processes of intergovernmental diplomacy have led to visions of the world and solutions to its problems that rise above the lowest common denominator. “What unites all high-level panels is that they have an international membership, enjoy independent standing, are set up for a limited duration to address a particular UN-relevant challenge, and present their findings in a final report with

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<sup>1</sup> Gareth Evans, “Commission Diplomacy,” in *The Oxford Handbook of Modern Diplomacy*, edited by Andrew F. Cooper, Jorge Heine, and Ramesh Thakur (Oxford: Oxford University Press, 2013), p. 278.

<sup>2</sup> Ramesh Thakur, “High-Level Panels,” in *The Oxford Handbook of International Organizations*, edited by Jacob Cogan, Ian Hurd, and Ian Johnstone (Oxford: Oxford University Press, 2014), p. 5.

recommendations to change”, contend Sebastian von Einsiedel and Alexandra Pichler Fong.<sup>3</sup> Their distinguished membership offers a sense of legitimacy and credibility to such proposals, facilitating serious debate and, in critical cases, acceptance and implementation.

At the same time, a large number of well-intentioned and well-analyzed recommendations of myriad commissions of eminent individuals have suffered from insufficient follow-through, even though, to quote Edward Luck, success is all about “follow-up, follow-up, and follow-up.”<sup>4</sup> Although their influence on the realm of ideas is important—and should not be dismissed—and several commissions have demonstrated marked progress in channelling emerging global norms into credible policy recommendations, their respective records suggest that their impact could have been greater had they employed more efficient methods to press for implementation of their proposed reforms. To glean lessons in this regard—both positive and negative—we turn to the experiences of the Commission on Global Governance, the International Commission for Intervention and State Sovereignty, and the High-level Panel on Threats Challenges, and Change.

## 2.1 *Rebuilding the neighborhood: Commission on Global Governance (1995)*

The Commission on Global Governance (COGG) was set up in April 1992 to re-examine the place of global governance after the Cold War. Willy Brandt, former chancellor of West Germany, organized two meetings in 1990 and 1991 as follow-up to the major reports of the 1982 Independent Commission on Disarmament and Security Issues (Palme Commission), 1983 Independent Commission on International Development Issues (Brandt Commission), the 1987 World Commission of Environment and Development (Brundtland Commission), and the 1987 South Commission (Nyerere Commission).<sup>5</sup> Noting a consensus among the attendees that there was still a need for further multilateral cooperation, Brandt invited former Swedish prime minister Ingvar Carlsson and former Secretary-General of the Commonwealth of Nations, Shridath Ramphal of Guyana, to co-chair the twenty-eight-member Commission on Global Governance. The co-chairs presented their report, *Our Global Neighborhood*, in February 1995 (shortly before the United Nations’ 50<sup>th</sup> anniversary) to then UN Secretary-General Boutros Boutros-Ghali.<sup>6</sup> Supportive of the endeavor, Boutros-Ghali promised to help promote the Commission’s work and advocate for the adoption of its recommendations.

*Our Global Neighborhood* proposed a wide variety of UN system reforms, such as the establishment of a UN Volunteer Force and limits on veto use by permanent Security Council members. The Commission’s “Call for Action,” the 432-page report’s seventh and last chapter, summarizes its major recommendations and lays out a plan for “next steps.”<sup>7</sup> In emphasizing the timing of its report, the Commission urged world leaders to mark the 50<sup>th</sup> anniversary of the United Nations by considering the UN’s achievements, but also to recognize the need for major improvements, especially given the changing international political order and the then-recent mass atrocities in Rwanda, Somalia, and Bosnia. Although the Commission pointed to the

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<sup>3</sup> Sebastian von Einsiedel and Alexandra Pichler Fong, “The Rise of High-Level Panels: Implications for the New UN Secretary-General”, *Occasional Paper 9*, UN University Centre for Policy Research, January 2017.

<sup>4</sup> Edward C. Luck, “The UN Reform Commissions: Is Anyone Listening?” in *International Commissions and the Power of Ideas*, edited by Ramesh Thakur, Andrew F. Cooper, and John English (Tokyo: United Nations University Press, 2005), p. 279.

<sup>5</sup> Jessica Erin Unterhalter, “Commission on Global Governance,” *Encyclopedia Britannica*, 11 March 2013, <http://www.britannica.com/EBchecked/topic/1917949/Commission-on-Global-Governance>.

<sup>6</sup> *Our Global Neighborhood*. The Report of the Commission on Global Governance (Oxford: Oxford University Press, 1995).

<sup>7</sup> *Our Global Neighborhood*, pp. 335–57.

possibility of Charter revision under Articles 108 and 109, it emphasized that many of its recommendations could be implemented without Charter revision. To achieve lasting global governance reforms, the COGG proposed a “World Conference on Governance” to be held in 1998, with the aim of having its decisions ratified by 2000. Global civil society was encouraged to champion the entire change management process, which was expected to pressure governments to keep commitments and institutionalize progress. Emphasis was also given to international leadership, although *Our Global Neighborhood* made no suggestion as to *who* should lead.

Despite this reasonably sound follow up-strategy, very few of the COGG’s recommendations were implemented. There was no “World Conference on Governance,” nor did most of the proposed institutional renovations ever materialize. According to Gareth Evans, “[t]he [COGG] generated a mass of recommendations that were both adventurous and specific, but so many of them were beyond what the market was capable of bearing for the foreseeable future that its report became almost a byword for wishful thinking.”<sup>8</sup> Still, the COGG’s visionary and daring statements had significant *ideational* impact, catalyzing debates that had value in themselves and forced the international community to think about the UN’s role in the reshaped world order.<sup>9</sup> Other recommendations had an indirect policy impact. Its recommendation to involve civil society more in UN decision making launched a gradual cultural shift in that direction. And while its idea for a UN Volunteer Force did not materialize, the need for more capable military and police standby capacity for UN peacekeeping would be picked up by the Brahimi Report of 2000. Perhaps most notably, UN Secretary-General Kofi Annan’s formation of the UN Global Compact in 2000 can be traced to the COGG’s idea that business had the responsibility to promote good global governance.<sup>10</sup>

## 2.2 Establishing a responsibility to protect: International Commission for Intervention and State Sovereignty (2001)

The International Commission for Intervention and State Sovereignty (ICISS) was, in essence, a state-funded panel of eminent persons responding to the conceptual crisis in UN conflict prevention.<sup>11</sup> The Canadian government established ICISS in September 2000, appointing Gareth Evans, former Foreign Minister of Australia, and the high-level Algerian diplomat Mohamed Sahnoun, as co-chairs. Together with ten other commissioners, they tried to bridge the intervention-sovereignty divide. The Commission also featured an advisory board of former foreign ministers who “provided a political reference point and follow-up mechanism for the ICISS recommendations.”<sup>12</sup> The intervention-sovereignty divide had widened during the Kosovo crisis in 1998–1999, which saw a forceful NATO intervention without any clear Security Council

<sup>8</sup> Evans, “Commission Diplomacy,” p. 295; Also see: Thakur, “High-Level Panels,” p. 15 who reminds us that “[p]anels that have something to say on everything are unlikely to be remembered for anything.”

<sup>9</sup> Evans, “Commission Diplomacy,” p. 287.

<sup>10</sup> Evans, “Commission Diplomacy,” p. 287.

<sup>11</sup> Ramesh Thakur, “Intervention, Sovereignty, and the Responsibility to Protect,” in *International Commissions and the Power of Ideas*, edited by Ramesh Thakur, Andrew F. Cooper, and John English (Tokyo: United Nations University Press, 2005), pp. 180–182.

<sup>12</sup> Jennifer Welsh, Carolin J. Thielking, and S. Neil MacFarlane, “The Responsibility to Protect: Assessing the Report of the International Commission on Intervention and State Sovereignty,” in *International Commissions and the Power of Ideas*, edited by Ramesh Thakur, Andrew F. Cooper, and John English (Tokyo, New York, Paris: United Nations University Press, 2005), p. 199.

mandate. The ICISS' final report, titled *The Responsibility to Protect*, was released in December 2001.<sup>13</sup>

The ninety-one-page report had a very clear focus: reframing the international debate on humanitarian intervention by introducing the concept of the “responsibility to protect” (R2P). R2P holds that, while a sovereign state has the primary responsibility to protect its own citizens, the international community is allowed—even obliged—to intervene if a state is no longer able or willing to do so. To alleviate some states’ fears of R2P’s abuse, ICISS introduced criteria to guide UN Security Council decisions on the use of force and stressed that R2P should not be concerned solely with military intervention. It argued for that the international community should take multiple, non-violent steps to assist states in living up to their responsibility to protect before considering coercive outside intervention. The R2P report’s final chapter addressed “the way forward,” emphasizing that strong leadership—from politicians, NGOs, and media—would be required to realize the Report’s goals.<sup>14</sup> It pinpointed the crucial need to mobilize *domestic* support to translate mere talk into the political will to act. Through moral, financial, and national interest arguments, politicians should muster domestic support for international actions to exercise the responsibility to protect. The Commission further pointed to the UN Secretary-General and sub-regional organizations as important potential catalysts for action. To institutionalize its recommendations, *The Responsibility to Protect* recommended that the General Assembly adopt a Resolution endorsing the basic elements of the concept, and recommended that the UN Security Council reach agreement on basic “Principles for Military Intervention.” Lastly, it recommended that the five permanent members of the Security Council reach a “gentleman’s agreement” not to use the veto in cases involving mass atrocities.

ICISS was remarkably successful in reframing the debate on one of the more contentious issues in contemporary international affairs.<sup>15</sup> Certainly, not every country liked the idea that the international community would be allowed (indeed, have a responsibility) to intervene in a country’s domestic affairs. The critique was twofold: On one hand, states such as Venezuela and China argued that the concept would invite potential abuse (an argument that was strengthened by the 2003 invasion of Iraq and the US government’s subsequent justification by alluding to humanitarian intervention principles).<sup>16</sup> On the other hand, states, including the United States, felt that the report’s criteria and strong language might compel them to become involved in cases outside of their perceived national interest.<sup>17</sup>

Alex Bellamy describes three factors that were crucial to obtain consensus at the 2005 World Summit.<sup>18</sup> First, the Canadian government, the Commission’s main sponsor, and some of the Commissioners specifically adapted their language to assuage concerns about the Commission’s proposals: The report’s “just cause” threshold was set high, while the idea that Security Council members should limit the use of their veto was quietly dropped. Second, the 2004 High-Level Panel report, *A More Secure World*, and Kofi Annan’s *In Larger Freedom*, both crucial for setting the agenda of the 2005 World Summit, adopted the normative language of the

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<sup>13</sup> International Commission on Intervention and State Sovereignty [ICISS], *The Responsibility to Protect* (Ottawa: International Development Research Centre, December 2001).

<sup>14</sup> ICISS, *The Responsibility to Protect*, pp. 69–75.

<sup>15</sup> It must be mentioned here that the “responsibility to protect” already had a longer intellectual history. The work of Francis Deng was perhaps one of the more influential works on the subject at that time. See: Francis M. Deng et al., *Sovereignty as Responsibility: Conflict Management in Africa* (Washington, DC: Brookings Institution Press, 1996).

<sup>16</sup> Welsh, Thielking, and MacFarlane, “Assessing the Report,” p. 216.

<sup>17</sup> Alex J. Bellamy, “Whither the Responsibility to Protect? Humanitarian Intervention and the 2005 World Summit,” *Ethics and International Affairs* 20, no. 2 (2006), p. 153.

<sup>18</sup> Bellamy, “Whither the Responsibility to Protect?” p. 153.

ICISS report, giving its recommendations a major credibility boost. Third, the African Union and the United States tentatively accepted the R2P concept, although both made significant reservations.

Eventually, the wording of the World Summit Outcome document omitted key elements of the original R2P concept to assuage concerns by member states. The acceptance of R2P was a major achievement, but the concessions significantly weakened its potential, to some extent setting it up to fail when applied.<sup>19</sup> Immediately after the World Summit, international inaction on the Darfur crisis left some ardent R2P supporters disappointed.<sup>20</sup> And where the concept was invoked, results were mixed. For example, the 2011 intervention in Libya, the first major military intervention authorized by the Security Council with language directly appealing to R2P,<sup>21</sup> suffered from a lack of consistent follow-up.<sup>22</sup> Furthermore, critics have argued that NATO unduly used the Security Council language as a pretext for regime change, undermining the fragile international consensus on R2P.<sup>23</sup> It not only undermined support for the concept, but the limited resources dedicated to the reconstruction of Libya resulted in perceptions that R2P was more about regime change than about helping a society through all phases of dealing with a violent conflict and its aftermath.

### *2.3 Sharing a more secure world: High-Level Panel on Threats, Challenges, and Change (2004)*

In November 2003, UN Secretary-General Kofi Annan appointed Anand Panyarachun, the former Prime Minister of Thailand, as the chair of the High-Level Panel on Threats, Challenges, and Change (HLP). The appointment was a direct result of Annan's contention, expressed in a seminal September 2003 speech to the General Assembly, that the United Nations had reached a "fork in the road" after the United States intervened in Iraq, the previous March, without UN Security Council authorization. The High-Level Panel was tasked with charting a way forward for the UN by analysing the threats and challenges facing the world and proposing ways in which the UN and the broader international community could better respond to them. Released in November 2004, the HLP's report, *A more secure world: Our shared responsibility*,<sup>24</sup> was widely lauded as a considerable academic and visionary achievement.

The report contained 101 recommendations on a wide variety of topics. Although its primary focus was on achieving a more secure world, its broad definition of security—involving both state and human security—resulted in recommendations on subjects as diffuse as eradicating poverty, Security Council reform, countering environmental degradation, and adopting the Responsibility to Protect.<sup>25</sup> The report encouraged world leaders to use the 2005 World Summit, marking the 60<sup>th</sup> anniversary of the UN, to rethink their conceptions of security and ensure "a

<sup>19</sup> Bellamy, "Whither the Responsibility to Protect?" p. 146.

<sup>20</sup> Christina G. Badescu and Linnea Bergholm, "The Responsibility to Protect and the Conflict in Darfur: The Big Let-Down," *Security Dialogue* 40, no. 3 (June 2009), pp. 287–309.

<sup>21</sup> In Resolution 1970, the UN Security Council unanimously declared that the Libyan authorities had a "responsibility to protect its population."

<sup>22</sup> Roland Paris, "The 'Responsibility to Protect' and the Structural Problems of Preventive Humanitarian Intervention," *International Peacekeeping* 21, no. 5 (2014), p. 569.

<sup>23</sup> Justin Morris, "Libya and Syria: R2P and the spectre of the swinging pendulum," *International Affairs* 89, no. 5 (2013), pp. 1265–83.

<sup>24</sup> *A More Secure World: Our Shared Responsibility*. Report of the High-Level Panel on Threats, Challenges and Change, 2004, UN Document A/59/565.

<sup>25</sup> This leads Luck to criticize the HLP for lacking focus: Edward C. Luck, "How Not to Reform the United Nations," *Global Governance* 11 (2005), pp. 407–08.

more effective United Nations for the twenty-first century.” Many of the HLP’s recommendations were endorsed by Kofi Annan, who adopted them in his follow-on report, *In Larger Freedom*. However, the work of the HLP lacked a clearly articulated follow-on strategy.

Perhaps the most divisive issue discussed in advance of the World Summit was the proposed expansion of the Security Council’s membership, which remained a politically sensitive topic, reflected in the fact that the HLP itself could not reach consensus. Council reforms tend to invoke protest from the current permanent members, who cite fears of reduced effectiveness. But proposals for more permanent seats also invariably provoke infighting amongst potential “new” members. The discussions on Council reform, which focused around these issues, almost sank the rest of the HLP’s reform agenda. Only after deciding that discussions on Security Council reform should be postponed until after the 2005 Summit were the UN member states able to hash out a (still fragile) consensus on the other topics.<sup>26</sup>

Although the HLP’s Security Council reform proposals were ignored, two recommendations did see significant follow-up, leading to major institutional innovations. First, the World Summit agreed to replace the Commission on Human Rights (CHR). Although historically responsible for major steps in the promotion of human rights, such as adoption of the Universal Declaration of Human Rights, and having become “the world’s premier political forum” for human rights,<sup>27</sup> the CHR suffered from a “credibility deficit” because of the non-binding nature of its work and the election of an increasing number of notorious human rights abusers as its members. One critic even argued that the CHR’s work had “cast a shadow on the reputation of the [entire] United Nations system.”<sup>28</sup>

In response, the HLP recommended the creation of a Human Rights Council (HRC) to remedy these shortcomings.<sup>29</sup> At the 2005 World Summit, member states agreed on the need for reform but disagreed about specifics (size, place in the UN system, mandate, etc.). The outcome document, stressing the UN’s commitment to human rights, decided to establish a Human Rights Council and asked the President of the UNGA to negotiate the details.<sup>30</sup> Jan Eliasson, the President at that time, took upon himself a months-long task, together with Dumisani Kumalo of South Africa and Ricardo Alberto Arias of Panama, to negotiate the form that the HRC would take. John R. Bolton, the United States permanent representative, led a significant opposition effort. However, by March 15, 2006, the negotiators had stamped out a proposal for the General Assembly to put to a vote. The plan to seek a majority vote offended the United States and was one of the reasons it voted against the proposal and did not seek membership on the HRC. This was perceived as a potential problem for the new Council’s effectiveness and credibility. However, the first election for the upgraded body, on May 9, 2006, was deemed a success.<sup>31</sup>

A second major institutional innovation proposed by the High-Level Panel was the Peacebuilding Commission (PBC).<sup>32</sup> Proposed to function in cooperation with a UN Secretariat Peacebuilding Support Office (PBSO), the PBC would fill a major institutional gap “explicitly designed to avoid State collapse and the slide to war or to assist countries in their transition from war to peace.”<sup>33</sup>

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<sup>26</sup> Luck, “How Not to Reform,” pp. 410–412.

<sup>27</sup> Paul Gordon Lauren, “To Preserve and Build on Its Achievements and to Redress Its Shortcomings’: The Journey from the Commission on Human Rights to the Human Rights Council,” *Human Rights Quarterly* 29, no. 2 (2007), p. 325.

<sup>28</sup> Quoted in: Lauren, “The Journey,” p. 309.

<sup>29</sup> *A More Secure World*, pp. 282–91.

<sup>30</sup> Lauren, “The Journey,” pp. 332–33.

<sup>31</sup> Lauren, “The Journey,” pp. 333–34, 338–41.

<sup>32</sup> *A More Secure World*, pp. 261–69.

<sup>33</sup> Cited in: Robert Jenkins, *Peacebuilding: From Concept to Commission* (New York: Routledge, 2013), p. 60.

Among its key elements, the PBC should maintain close relations with the Security Council and have a conflict preventive mandate, limited membership, and involvement in a country both before and after a conflict.<sup>34</sup> Kofi Annan supported the idea, altering it somewhat to be more acceptable to member states, including the Group of 77, most notably dropping the PBC's preventive capacity.<sup>35</sup> World Summit negotiations on the PBC were highly charged: the rapid rise in UN peacekeeping operations by 2005 and the ongoing conflicts in Iraq and Afghanistan lent a particular sense of urgency to the debate.<sup>36</sup> To produce a broad consensus, the preventive capacity was quickly sacrificed. Negotiators tossed other key elements as well: there would be no clear definition of peacebuilding, the close connection to the Security Council was weakened, and crucial design questions were sidestepped, such as the precise configurations through which member states would conduct work and engage relevant non-state actors.<sup>37</sup> The Outcome document did, however, contain a commitment to establish a Peacebuilding Commission no later than 31 December 2005.<sup>38</sup>

After the World Summit, state delegates negotiated a simultaneous Security Council and General Assembly resolution to set up the Peacebuilding Architecture (comprising the Peacebuilding Commission, the Peacebuilding Fund, and the Peacebuilding Support Office). But elements of the UN bureaucracy—especially the Secretary-General's Department of Political Affairs and Department of Peacekeeping Operations—mobilized to marginalize the role of the PBA, as did many developing countries, and Ambassador Bolton.<sup>39</sup> As a result, the foundational resolutions (UNGA Resolution 60/180 and UNSC Resolution 1645) gave the PBC an *advisory role* only, meaning “that the Commission lacked any independent authority or decision making power.”<sup>40</sup> However, the drafters did add a promise to review the PBA's work every five years, offering avenues for reflection and improving its chances of success through incremental reform.

To date, the PBC has struggled with its original design flaws. The new architecture's unclear definition of peacebuilding, although initially instrumental in creating consensus, was also detrimental to the PBC's development. Yet, by 2012, the PBC had created a bureaucratic space for itself, managing to survive in an at times hostile environment.<sup>41</sup> The ten-year review of the PBA in 2015 took another serious look at the architecture, culminating in two historic resolutions on peacebuilding in 2016 by the General Assembly (Resolution 70/262) and Security Council (Resolution 2282), to be followed by a 2017 report on “Sustaining Peace” by the new Secretary-General, António Guterres.

## 2.4 Learning from the three commissions

<sup>34</sup> Jenkins, *Peacebuilding*, pp. 60–62.

<sup>35</sup> Jenkins, *Peacebuilding*, pp. 63–64.

<sup>36</sup> Abiodun Williams and Mark Bailey, “The Vision and Thinking at the Time of the Establishment of the UN's Peacebuilding Architecture,” in *UN Peacebuilding Architecture: The first 10 years*, edited by Cedric de Coning and Eli Stamnes (Abingdon; New York: Routledge, 2016), pp. 7–11.

<sup>37</sup> Jenkins, *Peacebuilding*, p. 69.

<sup>38</sup> Richard Ponzio, “The United Nations Peacebuilding Commission: Origins and Initial Practice,” *Disarmament Forum* 2 (2007), p. 5.

<sup>39</sup> Jenkins, *Peacebuilding*, p. 67.

<sup>40</sup> Necla Tschirgi and Richard Ponzio, “The Dynamics That Shaped the PBC, PBF and PBSO in the Early Years,” in *UN Peacebuilding Architecture: The first 10 years*, edited by Cedric de Coning and Eli Stamnes (Abingdon; New York: Routledge, 2016), pp. 2–3.

<sup>41</sup> Jenkins, *Peacebuilding*, pp. 11–15, 43.

The above examples demonstrate the potential of international commissions to channel emerging global norms into policy recommendations. In some cases, these recommendations were followed by actual reforms. When the initial condition of a growing political consensus was met, the crucial variable seems to have been the extent to which the international commissions devised and applied a follow through strategy. Only those commissions which took the time and effort to generate support for their ideas saw results. Thus, although the publication of a well-researched and well-written report has its own merits, the publication of a report should represent, at most, the culmination of the first phase of a reform process.

Leadership is also essential. A mix of civil society and government champions can create the right balance between advocacy and decision-making capabilities. As argued in the next section, the creation of smart coalitions to bring about global governance reform can deliver significant results over time. Canada's constant support for ICISS recommendations, which fitted nicely with its human security agenda, gave that Commission a consistent and strong advocate. The subsequent endorsement of the R2P norm by the High-level Panel and the Secretary-General were also crucial to maintaining momentum and pressure on UN member states to follow through on ICISS' recommendations, giving the original commission a further credibility boost. But the process by which the R2P concept was made more acceptable politically to UN member states also highlights the need for care and skill in shepherding such reform initiatives lest they be unduly weakened, even altered unrecognizably.

That is, one must search for a balance between what ought to be and what is feasible. International commissions should carefully analyze whether their recommendations are "ripe" for market, so to speak. The Commission on Global Governance showed that a report that relies too much on an idealistic vision—especially in the absence of a strategy for reform and commitment to sustain a program of advocacy—can easily be dismissed as overly optimistic. At the same time, the COGG demonstrated the positive longer-term impact that international commissions can have on international policy dialogues (several of the commission's ideas, in the end, were simply "ahead of their time"). Indeed, some of the COGG's recommendations were later picked up by policy makers when political conditions were more favorable. For example, direct UN engagement with the international business community was realized, if belatedly, through creation of the UN Global Compact. On the other hand, the translation of several High-Level Panel recommendations by Kofi Annan in his *In Larger Freedom* report, to make them more digestible politically, in some cases undercut them, thereby weakening the eventual negotiated outcome. For example, the Peacebuilding Commission's overall mandate was toned down considerably and key recommended authorities were stripped.

### 3. Smart Coalitions Mobilizing Support for Global Governance Reform

The rising importance of non-state actors in current world affairs is a widely recognized phenomenon.<sup>42</sup> The impact of some NGOs in mobilizing support and contributing directly to negotiations on key global governance issues has similarly gained recognition in the past two decades, especially since the signing of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction (also known as the Mine Ban Treaty) in 1997. Such transnational advocacy networks are most effective at the normative level, often as norm entrepreneurs, promoting a norm's development and

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<sup>42</sup> See the conceptual framework chapter *Just Security in an Undergoverned World* (OUP, forthcoming).

pressuring governments to build it into their policy guidelines. Usually seen as a useful addition or complement to the state model of governance, such networks also have a capacity for shaming non-compliant governments, conducting public advocacy campaigns, and mobilizing citizens' support for important global governance reforms in a manner that governments cannot (or choose not to) match.<sup>43</sup> As such, they have a potentially significant role to play in mobilizing support for and then contributing to formal multilateral negotiations on global governance reform.<sup>44</sup>

Global civil society<sup>45</sup> has traditionally concerned itself with many subjects directly connected to the promotion of "justice." Indeed, one could argue that justice, often receiving only limited attention in traditional diplomatic channels, is a "traditional concern" of international NGOs (INGOs). Their connection to the promotion of security (in the narrow sense) is less clear, however. Indeed, the realm of high security politics appears, at first sight, to not be as conducive to civil society involvement but squarely within the purview of states.<sup>46</sup> Still, as detailed below, the Mine Ban Treaty has shown how civil society activism, in cooperation with like-minded states, can engineer marked changes even in security politics.

The tendency of NGOs to organize in coalitions has seemed to be a surprisingly effective model to mobilize support and apply pressure on governments to achieve a desired change. NGO coalitions were particularly successful in the second half of the 1990s. The International Campaign to Ban Landmines (ICBL) and the Coalition for the International Criminal Court (CICC), most notably, mobilized significant numbers of NGOs from a diverse and large number of countries. They organized major campaigns to ensure favorable treaty outcomes in Ottawa and Rome, respectively. As such, they exemplify many of the ways in which transnational civil society campaigns can develop and diffuse norms and mobilize widespread support from civil society organizations to achieve global governance reform. This section examines these two NGO coalitions, looking at how they operated in recent decades, and what lessons might be learned about the role of transnational civil society in global governance reform.

### 3.1 Anti-personnel landmines: The Ottawa Process

The Ottawa Process refers to a series of diplomatic events revolving around the pursuit of a comprehensive ban on Anti-Personnel Mines (APMs). After a 1994 review conference failed to strengthen Protocol II of the 1980 Convention on Prohibitions or Restriction on the Use of Certain Conventional Weapons (CCW), a group of "good countries" and NGOs organized meetings in January 1995 and April 1996 to make progress outside of the regular diplomatic channels.<sup>47</sup> The ensuing "Ottawa Process" saw meetings in Vienna, Bonn, Brussels, and Oslo, concluding with a major conference in Ottawa where state delegates from 133 countries signed the Mine Ban Treaty.

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<sup>43</sup> Nicola Short, "The Role of NGOs in the Ottawa Process to Ban Landmines," *International Negotiation* 4 (1999), pp. 490–91; Lesley Wexler, "The International Deployment of Shame, Second-Best Responses, and Norm Entrepreneurship: The Campaign to Ban Landmines and the Landmine Ban Treaty," *Arizona Journal of International and Comparative Law* 20, no. 3 (2003), pp. 561–606.

<sup>44</sup> Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1999).

<sup>45</sup> While using this term, we are aware of critiques of seeing these transnational advocacy networks as a civil society of any sorts. For one hard-hitting critique, see: Kenneth Anderson, "The Ottawa Convention Banning Landmines, the Role of International Non-Governmental Organizations and the Idea of International Civil Society," *European Journal of International Law* 11, no. 1 (2000), pp. 91–120.

<sup>46</sup> Keith Krause, "Transnational Civil Society Activism and International Security Politics: From Landmines to Global Zero," *Global Policy* 5, no. 2 (May 2014), p. 229.

<sup>47</sup> Short, "The Role of NGOs," p. 482.

The NGO coalition influencing this process was established a few years before the start of the Ottawa Process. In 1992, the Vietnam Veterans of America Foundation and Medico International established the ICBL and hired a coordinator to oversee it. This small cooperation eventually grew to between 750 and 1,000 NGOs from forty-five to fifty countries, which all subscribed to the goal of pursuing a comprehensive ban on the use, production, and stockpiling of APMs. Although characterizing itself as “a collection of self-organized national campaigns under the auspices of a coordinator, Jody Williams,”<sup>48</sup> the ICBL was highly centralized in its dealings with governments, with only a few of its members involved in negotiations directly. The ICBL’s campaign focused on raising awareness and reframing the discussion: by issuing a variety of reports, it presented evidence that APMs were not only a military matter, but also, more importantly, a humanitarian matter.<sup>49</sup> Reframing the issue not only legitimized the Campaign’s own involvement but also showcased prominently its goals through the international media: the human suffering caused by APMs was an easily communicable problem appealing to a wide international public.

A further important element of the campaign was the support of key governments, which were mostly middle powers such as Norway and Canada. The Canadian government played a crucial role in financially supporting the ICBL and then pressuring governments during the Ottawa Process (which, in the end, was mostly state-driven). Canada welcomed NGOs in the multilateral negotiations and encouraged them to lobby governments all over the world to participate in and sign the Ottawa Process’ culminating treaty. This cooperation between international civil society and like-minded governments to build coalitions for change was where the Ottawa Process was so remarkable and successful. Their combined effort seemed to be a hallmark of a kind of “New Diplomacy.”<sup>50</sup>

Whereas the assumption previously had been that any advances in global security could not be made without the support of the major powers (especially the United States), the Ottawa Process proved otherwise. Although sympathetic to the overall norm, Washington mobilized against specific elements of the treaty, trying to limit its applicability and to exclude specific geographical zones (such as the demilitarized zone between North and South Korea). The ICBL, however, stressed the importance of a comprehensive ban, as they feared that vague definitions (for example, what exactly constituted an anti-personnel mine) and exemptions for some countries but not others would create an incentive for other countries to claim similar rights or accuse the regime of being unfair. Furthermore, the ICBL discredited claims of military necessity by disseminating information and conducting awareness campaigns, for which they also elicited support from high-ranking (ex-)military figures. The ICBL’s activities, combined with the activities of like-minded states, discredited the US position. However, they did not manage to convince the US to sign the final treaty.

The ICBL saw the adoption of the Mine Ban Treaty as a great success. However, as many countries, several of whom were major military powers or notorious users of APMs, had not yet adopted the treaty, the ICBL had enough reasons to continue the campaign to further diffuse the norm against the use of APMs. Their role as an information provider continued, and so did their lobbying efforts to convince states to sign the treaty. The ICBL therefore recognized that the signing of the treaty represented only the beginning of its work; and its continued campaigning saw further success, winning the treaty signatures of some 30 additional countries.

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<sup>48</sup> Short, “The Role of NGOs,” p. 483

<sup>49</sup> Wexler, “The International Deployment of Shame,” pp. 568–72.

<sup>50</sup> Crucially, the ICBL recognized that states would, in the end, be the ones to make decisions.

### 3.2 Responsibility for atrocity: The International Criminal Court

On July 17, 1998, at a UN conference in Rome, 120 state delegations voted in favor of a treaty, marking the pinnacle of a decades-old push for an international criminal court. The Rome Statute, as it was called, established the basis for an independent, permanent, Hague-based court with the jurisdiction to try individuals most responsible for crimes against humanity, war crimes, and genocide. The idea had been around for over a century. Shortly after the Second World War, the International Law Commission led a significant push to establish an international court before the rapidly changing geopolitical situation thwarted those efforts. Throughout the Cold War, the lack of judicial proceedings against perpetrators of state crimes had created a culture of impunity. However, the idea for international criminal justice institutions again gained momentum in the early- to mid-1990s. The UN Security Council responded to horrendous crimes in Rwanda and the former Yugoslavia by establishing the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY). The rise of ad-hoc tribunals to combat impunity was a “watershed moment” and created momentum for the push towards a more permanent court.<sup>51</sup>

The Coalition for the International Criminal Court (CICC) built on this momentum. William Pace, executive director of the World Federalist Movement (WFM), realized that the work of the Sixth Committee of the UN on the International Criminal Court was becoming serious and mobilized NGOs to pressure the Sixth Committee to make its work more serious and achieve results.<sup>52</sup> In February 1995, the CICC was established. At first a small organization, consisting of 25 core NGOs mostly based in New York (such as Amnesty International and Human Rights Watch), the Coalition eventually grew to include over 2,000 member organizations.<sup>53</sup> In many ways, the CICC resembled the ICBL. As an issue-driven coalition of organizations striving towards the same simple goal—a powerful and independent international criminal court—the CICC maintained a loose organizational structure, making no explicit membership requirements nor limiting its members in their actions. These characteristics, combined with the strong normative power of its message, ensured a great deal of attention and support, both from supporting governments and a numerous NGOs worldwide.<sup>54</sup>

Although the CICC played a crucial role in maintaining momentum and keeping up pressure, equally important was the formation of a like-minded group of states. The group consisted of European, Oceanian, and Latin American states, who were willing to push the envelope, if necessary without great power support. The like-minded group, despite some internal dissension on specific topics, formed a strong, united front. They rallied around a 1994 draft statute prepared by the International Law Commission (ILC).<sup>55</sup> However, the ILC draft lacked several provisions the CICC thought necessary for a strong, independent Court. The ILC draft did not grant the ICC automatic jurisdiction, making its procedures dependent on approval by the

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<sup>51</sup> Marlies Glasius, “Expertise in the Cause of Justice: Global Civil Society Influence on the Statute for an International Criminal Court,” in *Global Civil Society Yearbook 2002*, edited by Marlies Glasius, Mary Kaldor, and Helmut K. Anheier (Oxford: Oxford University Press, 2002), p. 139.

<sup>52</sup> Cenap Cakmak, “Transnational Activism in World Politics and Effectiveness of a Loosely Organised Principled Global Network: The Case of the NGO Coalition for an International Criminal Court,” *The International Journal of Human Rights* 12, no. 3 (June 2008), p. 375.

<sup>53</sup> Cakmak, “Transnational Activism in World Politics,” p. 376.

<sup>54</sup> Cakmak, “Transnational Activism in World Politics,” p. 381.

<sup>55</sup> David Bosco, *Rough Justice: The International Criminal Court in a World of Power Politics* (Oxford: Oxford University Press, 2014), p. 38.

state.<sup>56</sup> Nor did it feature an independent prosecutor, who would be able to launch cases on his or her own initiative.<sup>57</sup>

Simultaneously, some states with veto powers in the UN Security Council started a counter-campaign. Arguing that the UN Security Council should remain the primary organ designated to deal with peace and security, they thought it imperative to make the ICC subservient to the Security Council. The CICC delegates made it a priority to develop relations with representatives of both sides of the debate, combining their information and advocacy campaigns with lobbying efforts. The relationship between the CICC and the like-minded group was so close that sometimes they were seen—side by side—as one and the same actor.<sup>58</sup>

Thanks to the concerted effort of the like-minded group and the CICC, the UN Sixth Committee, in June 1998, organized a conference in Rome. It was here that the groups supportive of a strong International Criminal Court most clearly reaped the benefits of their strong organization and coordination. The CICC had a major impact on the conference, with its 236 representatives outnumbering all other delegations.<sup>59</sup> Because of their numbers, they attended almost all parts of the conference. With all the side-meetings, working groups, and other events, this could not be replicated by any state delegation. This gave the Coalition a crucial information function. Many delegations, especially the smaller ones, depended on such dissemination outlets as *The International Criminal Court Monitor*—through which the CICC framed information in the direction of its own goals—to stay updated.<sup>60</sup> Besides being present as credentialed observers, some NGO representatives also took part in the conference as members of state delegations, giving them the opportunity to directly take part in the negotiations. Through regular strategy meetings, the Coalition coordinated the efforts of members serving on state negotiations.

The Coalition and like-minded governments had to overcome significant obstacles. The main issues were the role of the Security Council, the importance of the prosecutor, the definition of crimes (including gender-specific crimes and the crime of aggression), and the trigger mechanisms for Court jurisdiction. In general, the CICC and the like-minded group favored a much more independent Court with wide-ranging powers, while its detractors either disliked the entire idea of anything resembling international jurisdiction, or argued for a restrained Court to operate under the guidance of the Security Council. The detracting states, however, were clearly in the minority. They further suffered from significant internal differences, while the like-minded group was able to put together a coordinated and unified front.<sup>61</sup> The proactive stance of some working group chairs, most of whom came from the like-minded group, combined with NGO efforts to push wavering governments to significantly strengthen the language from the 1994 ILC Draft on automatic jurisdiction and the independent prosecutor.<sup>62</sup> Even though the 1994 ILC draft was, thus, significantly changed to strengthen the ICC, the Coalition did not succeed in including the “crime of aggression.” Due to dissension over its definition, the delegates decided to defer the question.

As per custom for a UN conference, the desired result of the Rome Conference was to achieve consensus on a draft Statute. However, the stretched-out negotiations eventually caused the conference president, the Canadian Philippe Kirsch—after pressure from his foreign minister, Lloyd Axworthy—to decide to give up this option and instead push for a vote. This was done in

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<sup>56</sup> Cakmak, “Transnational Activism in World Politics,” p. 374.

<sup>57</sup> Glasius, “Expertise in the Cause of Justice,” pp. 153–55.

<sup>58</sup> Cakmak, “Transnational Activism in World Politics,” pp. 385–87.

<sup>59</sup> Glasius, “Expertise in the Cause of Justice,” p. 147.

<sup>60</sup> William R. Pace and Rik Panganiban, “The Power of Global Activist Networks: The Campaign for an International Criminal Court,” in *Civil Society in the Information Age*, edited by Peter I. Hajnal (Hampshire: Ashgate, 2002), p. 124.

<sup>61</sup> Bosco, *Rough Justice*, p. 45.

<sup>62</sup> Cakmak, “Transnational Activism in World Politics,” p. 374.

the knowledge that most major powers would not be supporting the institution. But, it was thought, major power support could be sought later.<sup>63</sup> This seemed to continue the precedent set by the Mine Ban Treaty. After more than a month of negotiations on more than 1,700 brackets in the draft Statute, the final version of the Rome Statute was finally adopted by 120 votes in favor, seven against, and twenty-one abstentions.<sup>64</sup>

The Coalition for the International Criminal Court continued its campaign after the signing of the Rome Statute. At Rome, state delegates had decided that the Statute would go into effect when 60 states had ratified it. Many ICC supporters thought the requirement would take at least a few decades to be fulfilled.<sup>65</sup> To accelerate the process, the CICC and the like-minded group pushed on with a global ratification campaign. Within four years, they had achieved remarkable success, and the Rome Statute went into effect on July 1, 2002.

### *3.3 Lessons from smart coalitions*

The Ottawa Process and the process leading towards the establishment of the International Criminal Court were both significantly influenced by coalitions of NGOs. Major global governance innovations ensued when treaty-making processes—traditionally reserved for sovereign states—included NGO representatives. The ICBL and CICC, respectively, played a major role in norm diffusion, pressured reluctant governments, conducted awareness campaigns, suggested treaty text revisions, fulfilled an information function, and sometimes directly influenced the negotiations as a part of state delegations. The cooperation with like-minded states seems to have been a crucial factor for the establishment of these “smart coalitions for change.” Both during the Ottawa Process and during the drafting of the Rome Statute, large coalitions of NGOs sought the support of like-minded states. Middle powers like Canada, whose human security agenda to an important extent drove the adoption of both treaties, applied their “soft power” despite opposition from major powers, such as the United States, China, and Russia.

The lesson here might be that to arrange smart coalitions, employing the relative advantages of each partner is a key to success. The advantages of INGOs include their expertise, their ability to give the negotiations at least an appearance of democratic legitimacy,<sup>66</sup> and their ability to shame governments. In addition, they often play the role of norm entrepreneurs. The Canadian government, for example, might not have been as prominent as the CICC in challenging the US counter-campaigns against the ICC and Mine Ban Treaty. The sorts of naming-and-shaming campaigns led by INGOs surely would have caused serious diplomatic problems if pursued by Canada. But governments, as the primary actors in today’s multilateral system, still assume the main responsibility for the maintenance of global security. They have the resources and the decision-making power to implement rules and to enforce them. In short, the ICBL would have been simply unable to convene state delegates to sign a binding treaty.

It must also be emphasized that these kinds of coalitions cannot be successfully pursued for all global issues. The CICC and the ICBL both had clearly pronounced and relatively simple,

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<sup>63</sup> Bosco, *Rough Justice*, p. 49.

<sup>64</sup> Glasius, “Expertise in the Cause of Justice,” p. 140. See also: Roy S. Lee, “Introduction: The Rome Conference and Its Contributions to International Law,” in *The International Criminal Court: The Making of the Rome Statute: Issues, Negotiations, Results*, edited by Roy S. Lee (The Hague: Kluwer Law International, 1999), pp. 13, 23–26.

<sup>65</sup> Bosco, *Rough Justice*, pp. 68–71.

<sup>66</sup> It could be argued that the participation of NGOs can give a negotiation process democratic legitimacy because there is more direct involvement from the grass-roots and there is more influence of groups who claim to represent the people instead of state interests. Nevertheless, it could also be argued that this democratic legitimacy is only present at the surface, because the participation of unelected representatives who are not necessarily accountable to their constituents, actually makes the process less democratic.

focused goals. Their clear, unwavering messages could be translated into easily identifiable slogans that resonated, for whatever reason, with numerous governments. The ICBL and CICC could, therefore, relatively easily mobilize many NGO and state supporters. Furthermore, the responses forged to both problem-sets had a strong normative dimension. There were few states genuinely convinced that they should be allowed to pursue mass atrocities, or willing to claim that APMs did not cause unnecessary harm to civilians. As such, one-issue advocacy campaigns, pursuing a widely shared norm, appear to have the greatest chance for success in mobilizing support: complex, more nuanced issues with limited marketable aspects are far less likely to raise a compelling level of support among governments or NGOs.

Another major achievement, in the eyes of many, was the adoption and enforcement of major treaties without great power support. The United States, China, and Russia—all permanent members of the UN Security Council and all three of major military, economic, and demographic significance—did not sign either the Mine Ban Treaty or the Rome Statute, unwilling to be restrained in their (foreign) policy options. The NGO coalitions heralded the possibility to circumvent these governments in the pursuit of global governance reform as a sign of an age in which the Realpolitik considerations of great powers would no longer be hampering the pursuit of justice and security for all. One could, however, also say that the fact that some of the world's major military, economic, and demographic powers did not participate undermined the treaties in their effectiveness and reduced their legitimacy.<sup>67</sup> At the same time, some observers have argued that the two treaties have still elicited second-best responses from non-signatories and improved compliance with the norm indirectly.<sup>68</sup> For example, the US began moving towards gradual implementation of the Mine Ban Treaty's main provisions, and over time, improved its relationship with the ICC. Yet one could fairly question the results of the two treaties had the Rome Statute and the Mine Ban Treaty been adjusted (or watered down) to accommodate US, Chinese, and Russian concerns.

In conclusion, the Ottawa Process and the process leading to the ICC demonstrate the potential of smart coalitions to mobilize support and realize significant global governance innovations. By making use of the relative strengths of each, NGO coalitions and like-minded governments can cooperate in pursuit of a more just and secure world. Though not a focus for the above examples dealing with the Mine Ban Treaty and the International Criminal Court, future smart coalitions could also, in many cases, benefit from the considerable financial and human capital for global problem-solving and effective communications wielded by the international business community and media. Similarly, regional organizations and local (sub-national) authorities are also poised to make tangible contributions, especially given their unique position and knowledge for implementing a reform initiative in their geographic zone.

## 4. Elements of a Successful Strategy for Global Governance Reform

Having analyzed earlier major international commissions and two successful examples of smart coalitions for global governance reform, we now turn to more general lessons from the cases

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<sup>67</sup> For example, see the article by Anderson, who states that: "The Ottawa Convention is a great achievement, but it is, frankly, the childishness of small and weak states to think that tweaking the noses of the great powers by signing a treaty opposed by those powers means "overcoming" them." See: Anderson, "The Idea of International Civil Society," p. 108, note 56; Also, see David Bosco's tables for the ICC, which show that 67 percent of the world's population live in non-member states, and non-member states possess 73 percent of the world's armed forces Bosco, *Rough Justice*, pp. 5–7.

<sup>68</sup> Wexler, "The International Deployment of Shame," pp. 594–605.

reviewed, including the potential of coalitions of NGOs and like-minded states to engender progressive global systemic change. Their ability to promote norms, implement change, and sustain momentum offers key opportunities to implement successfully a global governance reform agenda. Although each smart coalition necessarily adapts to the specific conditions and requirements of a given issue area, the following three elements are typically vital prerequisites for success:

*First*, it is important that the main players, ideally both state and non-state representatives, engage in a constructive policy dialogue as early as possible in the formation of a smart coalition. Involving key stakeholders in the early stages and offering them the chance to mold the reform agenda increases their ownership. When treated with mutual respect through iterative dialogues, these actors build trust in one another, forming the basis for future consensus-building, while appreciating differing interests. Cooperation is further improved when the myriad unique stakeholders recognize their different kinds of expertise and capabilities. Governments, civil society organizations, businesses, media, regional organizations, and local authorities all maintain strengths and weaknesses. To maximize the full potential of smart coalitions, it is important to carefully assess, cultivate, and harness the ideas, networks, resources, and leadership skills of all actors with something to offer.

*Second*, as illustrated by the ICISS commission and the ICBL coalition, bottlenecks can be avoided by changing narratives and reframing issues. Complex topics, from effective international responses to climate change and cyber-attacks to reform of the Security Council, have been mired in political tension and sometimes irreconcilable policy positions adopted by negotiators for decades. The framework of just security introduced in this volume—which is sensitive to political tensions, while ensuring that neither justice nor security imperatives are neglected in critical international policy debates—offers the possibility of reframing the narrative to change the narrow perspectives which have led to a logjam in negotiations. For example, viewing climate change as a global security concern, backed with supportive arguments from security and military professionals, can help to buttress long-standing global justice worries and perspectives on climate change, thereby engendering political support from those who had, heretofore, resisted global collective action to mitigate its effects.

*Finally*, although reform takes time and patience is sometimes certainly a virtue, the articulation and mobilization of political support within a smart coalition for clear, near-term interim milestones can generate an irreversible snowball effect toward the realization of broader and more ambitious global governance reform objectives. Normative movements can force unwilling governments to adopt (as an interim measure) second-best responses, eventually forming the basis for further change. For instance, the universal adoption of the Responsibility to Protect norm at the 2005 UN World Summit—and subsequent negotiations on a new UN member states code of conduct spawned by R2P's introduction—has increased pressure on the veto wielding Permanent Five members of the Security Council to pause and consider whether to issue a veto in situations involving potential mass atrocities, while longer-term deliberations persist on curtailing the use of the P-5 veto in other, broader matters of the Council.

At the same time, it is important that any promised near-term milestones are carefully tracked. Careful measurement of specific interim and long-term objectives through a combination of qualitative and quantitative monitoring tools, as well as multiple independent sources of data and analysis, are important to ensure that pledges are kept and momentum is maintained. To ensure the effective monitoring of progress, the different coalition stakeholders should communicate on a frequent and transparent basis—benefiting today from modern, cost-effective means of communication. Coordinating, in a dynamic, open, and flexible way, activities aimed at sustaining a reform effort facilitates implementation and builds resilience to the political, financial, and/or technical setbacks that can be expected along the way.

#### 4.1 Major obstacles to global governance reform to be overcome

Learning from the cases examined in this study, strategies and approaches for global governance reform must also comprehend and overcome the three chief impediments to global systemic change:

1. *A lack of political will to change, particularly among powerful countries mired in narrow definitions of “national interest” and senior international civil servants capable of obstruction.*

Garnering and sustaining political support is central to advancing global policy and institutional reforms. Within the UN political context, reform proposals that threaten the interests of major powers, of standing coalitions of member states, or the bureaucratic interests of major departments or agencies, rarely prevail unless change proponents mobilize pressure against such powerful stakeholders’ resistance. Perennial efforts to reform the Security Council have faced such obstacles. Despite increased interest over the past two decades in UNSC reform by the broader UN membership, permanent members China, Russia, and the United States (all wielding veto authority) appear skeptical of change. Recent Member State negotiations have lacked the robust commitment to reform normally signaled by active give-and-take diplomacy.<sup>69</sup> Nevertheless, with a carefully calibrated reform package (as elaborated further in the next section below) building on the upwelling of self-critical analysis that marked the UN’s seventieth anniversary in 2015, we believe political momentum can be renewed. At the same time, great power consent is not always a prerequisite for change, as the entry into force of the Mine Ban Treaty in 1999, the Rome Statute of the International Criminal Court in 2002, and the acceptance of the Responsibility to Protect as a global norm in 2005 attest.

2. *Failure to effectively design and advocate a specific policy or institutional reform.*

As related above, *Our Global Neighborhood*, the report of the 1995 Commission on Global Governance, was criticized for making complex and ambitious recommendations deemed too far ahead of their time.<sup>70</sup> On the other hand, reforms introduced in official multilateral negotiations are too often rudimentary or limited in scope. For example, successive working groups on UN General Assembly (UNGA) reform have dedicated attention to improving the language of UNGA resolutions, while avoiding a serious discussion on clearing the cluttered Assembly agenda, ending long-standing debates, or tracking the implementation of past resolutions. To get beyond such tinkering, effective reform proposals must account for what is politically feasible and invest in a comprehensive communications strategy to make the case to policymakers and the broader public—through, for example, the media—for why a reform idea is needed, timely, and realistic. Key stakeholders, including powerful states and standing coalitions of member states but also increasingly influential non-state actors from civil society and the business community, are critical to driving (as well as holding back) reform. They must, therefore, be engaged skillfully to champion reform over an extended period.

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<sup>69</sup> Richard Gowan and Nora Gordon, “Pathways to Security Council Reform” (New York, NYU Center on International Cooperation, May 2014), p. 5; Letter to the President of the General Assembly from Chair of the Intergovernmental Negotiations (IGN), H.E. Ambassador Zahir Tanin, April 20, 2013.

<sup>70</sup> According to Gareth Evans, “the [Commission on Global Governance] generated a mass of recommendations that were both adventurous and specific, but so many of them were beyond what the market was capable of bearing for the foreseeable future that its report became almost a byword for wishful thinking.” See Evans, “Commission Diplomacy,” p. 295.

3. *Limited skill and effort invested in sustaining a reform program through completion.*

The well-argued recommendations of previous international commissions and high-level panels have tended not to be accompanied by plans to sustain a reform agenda, even though, as one influential commentator notes, it is all about “follow-up, follow-up, and follow-up.”<sup>71</sup> Neither the 1995 Independent Working Group on the Future of the United Nations nor the 1995 Commission on Global Governance, for example, followed up in any meaningful way on their significant proposed changes to the UN Economic and Social Council.<sup>72</sup> Even when an idea is quickly accepted, as was the Peacebuilding Commission proposed by the 2004 High-Level Panel on Challenges, Threats and Change, poor implementation suggests the need for a major overhaul less than a decade later. Mobilizing support for and sustaining a global governance reform program can benefit, as contended above and further detailed below, from multi-stakeholder smart coalitions of like-minded state and non-state actors.

#### 4.2 A “Three plus two” strategy for global governance reform

Key elements of an effective way to approach global governance reform—and both better understand and tackle the reform obstacles outlined above—can be represented in what may be described as a “Three plus Two Strategy”: Three critical sets of actors and two major reform vehicles for channeling actors’ ideas and political support toward achievable, yet transformative goals.

The *first* major set of actors, UN Member States, remains the bedrock of the international system, despite the diffusion of power from states in recent decades to sub-national and non-state entities. Since many of the reform ideas envisaged in this volume would alter current intergovernmental bodies and further dent the armor of state sovereignty, state buy-in, or at least states’ agreement not to block progress, is fundamental to achieving global systemic reform. Recent history shows that both sector-specific and more comprehensive reform efforts depend on leadership from a few champion countries, from both the developed and developing worlds. This was the case with many significant initiatives in the late 1990s and early 2000s, including the landmine treaty, the campaign to end the use of child soldiers, and issues related to Women, Peace & Security, through the Human Security Network, a loose association of developed and developing countries led by Canada and committed to helping countries in or recovering from protracted violent conflict. Perhaps the time has now come to inaugurate a similar kind of “Just Security Network” of select countries to champion progressive changes in our global system of governance?

The *second* set of actors—global civil society—encompasses non-governmental organizations, social and religious movements, community-based groups, the business community, scholars, and journalists. From the Coalition for the International Criminal Court and Jubilee 2000 Campaign (that effectively raised awareness and political support for highly indebted lesser developed countries) to the Compact of States and Regions (the go-to platform for states, provinces, and regions to measure and manage their greenhouse gas emissions that contribute to climate change), substantive change in global governance rarely occurs without the active engagement of a diverse range of non-state actors. In building a new kind of smart coalition of like-minded states and non-state actors to drive reform, the Albright-Gambari Commission on

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<sup>71</sup> Luck, “The UN Reform Commissions,” p. 279.

<sup>72</sup> Independent Working Group on the Future of the United Nations, “The United Nations in Its Second Half-Century” (New York and New Haven Conn.: Ford Foundation and Yale University, 1995), pp. 26–40; Commission on Global Governance, *Our Global Neighborhood*, (Oxford: Oxford University Press, 1995), pp. 153–62.

Global Security, Justice & Governance called for a new Platform on Global Security, Justice & Governance Reform.

This Global Platform idea reflects a multi-stakeholder approach to global governance reform and innovation, intended to fully harness the capabilities and ingenuity of its varied members. A series of Track 1.5 policy dialogues, anchored around thematic priorities identified by the Commission, could help to deepen the focus of global reform advocates on select, achievable goals, while at the same time establishing an informal mechanism for sustained and concerted action on behalf of those goals. Another, complementary, idea is to convene Global Town Hall meetings—now under preparation by civil society groups in the U.S.—to further broaden the network and engage grassroots organizations and individual activists in future conversations about the governance of our increasingly interdependent planet.

The *third and final set* of actors is international civil servants, including especially the leadership of the UN Secretary-General, who wields many tools and may choose among many potential courses of action to exert influence. When using these tools with courage, creativity, and political acumen, Secretaries-General become protagonists for global governance reform, alongside governments and non-governmental actors.

The first of the two major reform vehicles is what the Albright-Gambari Commission called “Reform through Parallel Tracks.” It recognizes that different kinds of multilateral reform ideas will require different kinds of multilateral negotiating forums and will proceed at different speeds. For example, specific UN task forces in New York—composed, for example, of a select group of Permanent Representatives (PRs) from all major regions and co-chaired by PRs from the Global North and South—could deliberate on creating new or reforming existing bodies, such as a UN Parliamentary Network to advise the UN General Assembly or upgrading the UN Peacebuilding Commission to a Council, prior to final negotiation in the UN General Assembly or Security Council.

Some advantages of such an approach would be to facilitate the sequencing of reform priorities based on criteria such as urgency, political feasibility, and cost, without getting bogged down in a potentially over-ambitious reform agenda. At the same time, focusing only on specific institutional or other changes may limit opportunities to exploit linkages between issues and actors across what needs to be a better integrated system of governance, given both the tensions and potential complementarities between, for example, peace, development, and the environment. Moreover, narrowly defined reform agendas reduce chances for “give-and-take” among negotiators and can be more easily subverted by one or two powerful opponents.

A second reform vehicle, and one the authors believe has the potential to capture the imagination of world leaders and citizens alike, is to organize, in the run-up to the United Nations’ 75<sup>th</sup> anniversary, a series of formal intergovernmental, yet also multi-stakeholder, negotiations leading to the convening, in September 2020, of a heads of state and government-level World Summit on Global Security, Justice & Governance—ideally, as part of the now-traditional UN Summit planned to mark important anniversaries. The 2020 Summit is expected to include a five-year review of progress toward meeting the Sustainable Development Goals (SDGs). A wider aperture for such a World Summit has the potential to contemplate the whole international system and its institutions, anchored around the United Nations, and to adopt system-wide reforms that seek greater coherence, reduce waste and duplication of effort, and encourage mutually reinforcing linkages between several, interdependent issue areas, including global governance for improved implementation of the SDGs.

One possible model for inspiration could be the 1987 Brundtland Commission, which, through its landmark report *Our Common Future*, called for what became the 1990–1992 UN Conference on Environment and Development Conference process with four month-long Preparatory

Committee meetings, culminating in the June 1992 Rio Earth Summit. The Summit resulted in the UN Framework Convention on Climate Change, the Biodiversity and Desertification Conventions, and the Agenda 21 sustainable development action plan, which continue to have lasting impacts today.

Some advantages of a World Summit on Global Security, Justice & Governance include serving as a defined rallying point for smart coalitions of like-minded state and non-state actors and generating political momentum for multiple, urgent, global reform initiatives. It could also facilitate strong negotiation outcomes through deal-making across a broad reform agenda that speaks to diverse interests and outlooks. Conversely, a World Summit that includes highly contentious reform issues, such as the expansion of the Security Council and curbing of the veto power of its permanent members, may divert international attention away from equally significant, but perhaps more politically feasible global governance reforms (which appears to have happened in 2005, when the High-Level Panel's proposals for Security Council reform seem to have, initially at least, poisoned the atmosphere for other multilateral negotiations on sensitive security topics).

## **5. Conclusion: The Future of Global Security, Justice & Governance**

Among the major characteristics of the most successful strategies for reform of the global system and sustained partnerships to drive change are building coalitions to initiate and nurture reforms, skillful multilateral negotiations, a concern for resource mobilization, and the introduction of tools to measure progress and respond to setbacks. The cases examined in this background paper—the Commission on Global Governance, the International Commission for Intervention and State Sovereignty, the High-Level Panel on Threats, Challenges, and Change, the International Campaign to Ban Landmines, and the Coalition for the International Criminal Court—offered examples of both international best practices in these categories and of failures to either pursue or execute them effectively. As the new UN Secretary-General, António Guterres, undertakes his own reforms of the UN Secretariat and engages member states to such ends, he would be well-served to draw on the experiences and hard fought lessons from these earlier global governance reform initiatives.

To succeed in building a United Nations and other institutions of global governance for twenty-first century challenges, it is vital that multilateral diplomacy begins to move away from a competitive zero-sum or lowest common denominator framework. Instead, a better balance must be struck between local, national, regional, and global interests. The smart coalitions underscored in this study can persuade powerful stakeholders to get on board by employing strong arguments, a skillful engagement of the global media, and a network governance approach that maximizes the combined, unique capabilities and expertise of state and non-state actors; through such an approach, major states will at times acquiesce, even when they do not perceive a particular reform as in their immediate interest—or when political inertia prevents them from stepping up. “Getting from here to there,” then, depends not only on an attractive ethical vision (just security) and set of clear guideposts along the way (interim milestones), but also on who participates, the level of enlightened global leadership exerted, and how the journey unfolds.

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