DEMOCRATISATION OF GLOBAL GOVERNANCE

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CONTENTS

ACKNOWLEDGEMENTS

During October 13-16, 2002, nearly 600 delegates from 70 countries around the world gathered in Montreal (Canada) to participate in an International Conference on "Global Governance 2002". Labeled as GO2 by its organizers, Forum International Montreal (FIM), the participants found the experience most stimulating and thought provoking.

The process of organizing and participating in GO2 was an exceptionally stimulating experience for me as well. For the first time, different tracks of civil society initiatives dealing with diverse aspects of Global Governance were brought together on a common platform by FIM.

In all the excitement and engagement of the conversations and dialogues during the Conference, participants found a great deal of meaning, but little documentation. The organizers themselves were unclear or unsure of the lasting value of the rich debates and made no systematic plans for documentation of proceedings. During the summer of 2003, the Board of FIM decided to convene another international conference basing on their own experiences and a unanimous recommendation by all the participants of the previous Conference. The theme of GO5 is "Global Democracy: Civil Society Visions and Strategies". As the realization for the need and significance of GO5 began to unfold, it became clear that the deliberations of GO2 somehow needed to be captured and shared with the delegates of GO5, in order to advance, deepen and broaden various ideas and strategies shared during GO2.

I have agreed to undertake this rather impossible task (with very limited records of proceedings available) at the cajoling of my friend and colleague Nigel Martin (President & CEO of FIM). Over the past several months, I have been able to snatch some days and hours (from my ongoing considerable responsibilities as full-time President & CEO of PRIA in India and several volunteer roles in national and global civil society networks and associations) to work on this paper. My deep appreciation and thanks to Michel Chaurette (CEO of CECI) and IDRC for making this possible. Mario Lavoi of FIM provided much needed materials and support…thanks.

My attempt in putting together this paper is to describe, as faithfully as possible, two years later, the nature of debates and emerging recommendations towards different tracks and streams of global governance. Some of these focused on Institutions and Architecture; some others entailed principles, frameworks and value systems. I have tried to weave them together in a way that makes sense to

me. I hope it makes sense to the organizers and participants of GO5. I would take responsibility for any omissions and commissions in this paper; I hope speakers and presenters of these ideas would find some resonance in this paper.

I enjoyed preparing this paper as I had to reflect upon and analyse my own thoughts, which has enabled me to gain some degree of coherence in my thinking. Thanks for this opportunity.

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I. THEN

At the turn of the new millennium, hopes of humanity were high; waves of democratic politics in many societies had created optimism about the future of human freedom. Citizens' voices had begun to influence big players at international stage. Jubilee 2000 campaign had secured assurances from WB/IMF and rich countries for debt relief to poor countries of the south; protests on the streets of Seattle had made WTO wake up to listen to voices of discontent with "globalisation".

By the time the Board of FIM began to plan an international conference (GO2) on the theme of "democratizing global governance" during May 2000, the IT bubble on the stock market had begun to burst in America. The Millennium Assembly of Heads of Government/State at UN in September 2000 had launched an ambitious program of development called Millennium Development Goals (MDGs), along with specific proposals for reform of the UN itself.

As further planning of GO2 moved along, EURO was successfully launched in Europe; Monterrey Conference on financing for development had been concluded with last minute (as usual) compromises between major OECD countries about the size and scope of "new" money available for MDGs. The new US government had reneged on its promise on Kyoto Protocol and International Criminal Court. World Social Forum (WSF) at Porto Alegre in Brasil had created a new space for civil society alliances against "predatory" globalisation.

The attack on September 11, 2001 on World Trade Centre in New York and Pentagon in Washington dramatically altered the international scenario. Terrorism at the global level began to be seen as the most significant threat to humanity; its Islamic face began to be made more visible. The "War against Terror" brought together a new international coalition to fight the "evil" of terror around the world. A massive attack on Afghanistan by allied forces had decimated the most "visible sites" of terror in that country.

As delegates began to arrive in Montreal for GO2 in October 2002, news came about the then recently concluded World Summit on Sustainable Development (WSSD) in Johannesburg (South Africa), including bickerings and conflicts among rich nations of the world. Increasing possibility of attack on Iraq had been on delegates' minds when the GO2 Conference opened in Montreal on October 13, 2002.

II.   GO2 CONFERENCE

Forum International Montreal (FIM) began to function in 1998 as a global civil society platform to enhance the influence of civil society on the United Nations and multilateral system. After convening two annual forum to share experiences and analyse results of some concrete cases of civil society engagement with multilateral institutions, the Board of FIM decided to convene a Conference on `Democratising Global Governance' (GO2) in Montreal during October 13-16, 2002.

The Conference aimed to bring together diverse civil society initiatives in democratising global governance. It was, therefore, organized through <u>nine</u> distinct tracks. One track focused on the United Nations – how to make it more effective, stronger and accountable? Another focused on Human Rights and the agenda of global governance. Democratizing trade regimes and making WTO accountable became the focus of third track. Holding trans-national corporations accountable and `governing' trans-national financial flows were two additional tracks in GO2. Certain constituency-based tracks were also included in the design of GO2: Parliamentarians and global governance; local governments and global governance; trans-national civil society and its own democratic challenges. Ninth track focused on possibilities and constraints of engagement in global governance by non-dominant (language) groups --- francophony, arabic, etc.

Thus 600 delegates from 70 countries gathered together to share experiences and innovations in strategies and outcomes of **democratising global governance**. Besides civil society delegates, participants included members of academia, governments and multi-lateral institutions.   Nearly 60 workshops were organized by the delegates themselves on a wide variety of related issues.

Deliberations across different Tracks of the Conference identified and analysed emerging concerns about governance structures and processes at global level, and made proposals for democratizing global governance. This paper attempts to synthesise those concerns, analyse the underlying reasons for these governance deficits, describe the unifying set of principles which emerged from the deliberations, and highlights certain key proposals for action. It concludes by narrating the context now as preparations for GO5 move forward.

III.   EMERGING CONCERNS

In his opening remarks, Nitin Desai, then UN Under-Secretary General for Economic and Social Affairs set the debate by acknowledging the need for serious reform in the UN System itself.

"…..member states articulate only national interests as perceived by executive branch of governments ……….. (therefore), the central point of change is moving beyond the regime of inter-state relations at the international level. The world has changed dramatically in the past decade. Trans-national Corporations are the dominant force in today's world economy…. just as the emergence of a global civil society.   There is a growing importance of networks of civil society organisations at the international arena……………".

1.   **The United Nations system has become weak and ineffective; it is facing a serious resource crunch and unable to fulfill its Charter effectively.** After the end of Cold War, the General Assembly has become marginalized. The Security Council has gained much prominence and influence. The UN system had been able to promote consensus among its member countries on a number of significant human issues during the 1990s through a series of Conferences; agreements on child rights, environment protection, gender justice, human rights, habitat, social development, lifelong learning, reproductive health, etc had been reached during this period.

During World Conference of Civil Society (WOCSOC) held in Montreal in December 1999, Cyril Richie observed:

"For over 50 years, the United Nations System --- on paper, but not sufficiently frequently in practice --- has reflected and represented humanity's deep aspiration for peace, security, dignity, justice, equality, and a better future for all communities and peoples. Through United Nations organisations, conferences and treaty negotiations, the world's governments have established a body of agreements, obligations and goals that create the mechanisms and standards for that better future. But governmental performance in using and implementing these mechanisms and standards has too often fallen short."

The mid-term reviews and on the ground experiences of civil society had clearly shown huge gaps in actual implementation of these commitments

by the international community (for systematic analysis of these gaps, see Social Watch Reports by Roberto Bissio, www.socwatch.apc.org).

2.   **The structural adjustment programs of the World Bank and IMF during the late 1980s and 1990s had caused huge impacts on the people of many developing countries.** Basic services had been curtailed, public sector had been weakened, unemployment had increased. These countries remained under severe debt and most of their tax revenues were used up by interest payments on these debts. These powerful global institutions were prescribing a neo-liberal economic agenda which was pushing recipient countries of the south to a uniform package of privatization, liberalization and globalisation. The East Asia financial crisis in 1997, and response of Bretton Woods Institutions (BWI) to the governments of those countries, further exposed the inadequacy of their models and recommendations. Most regional development banks (AfDB, IADB, ADB etc) had blindly followed WB/IMF formula and prescriptions too. These institutions remained committed to their policies despite criticism from around the world.

As Chiriboga (1999)[1] points out "despite the efforts to enrich the debate on structural adjustment with well-structured and well-documented national case studies, World Bank resisted dialogue.........Infact, the International Development Assistance (IDA) refinancing, and the pressure for such resources to be used in social development programs, was the key issue for the NGO Working Group's actions between 1993 and 1998 and was the main leverage to strengthen its pressure capacity within the Bank (on reforming its policies)".

These policies and programs of BWIs did not correspond to the agreements and treaties being entered into by the member governments in the UN. In fact, conditionalities and policies imposed by WB/IMF on the countries of the south resulted in their inability to act as per the commitments made through the Economic and Social Council (ECOSOC) of the UN.

3.   **The economic forces had gained considerable speed and strength during this period of globalisation.** Trans-national corporations (TNCs) had increased global presence as producers and marketers of goods and services; local suppliers and manufacturers were being used to access cheap labour; in order to attract investment and jobs, many governments were offering tax-havens and ignoring compliance with labour and

environmental standards and laws; such companies had enormous wealth and expertise to directly influence the economic policies of many countries where they were moving in. There was considerable concern about absence of any significant regulation and control over these corporations. Even the previously active mechanisms in the UN had been sidelined; on the other hand, the UN was developing Global Compact with such TNCs.

As Nitin Desai put it during the Conference:

"For most part, TNCs operate in multiple jurisdictions without any significant accountability to these jurisdictions. TNCs have powerful impact on foreign policy priorities of many countries".

The flow of capital trans-border had increased dramatically with the evolution of online trading technology and dismantling of controls through the borders of countries. Thus trillions of dollars worth of speculative capital flows were moving daily from market-to-market, causing havoc on stock markets and currency and bullion prices. This dramatic increase of **unaccounted and unseen capital flows** had made many governments chase mirages and get their people hurt in the process. As Ann Pettifor (Jubilee 2000) remarked during the Conference, most of this speculative flow is invested in stocks and betting, without monitoring and regulation.

4. **In the meanwhile, new problems of human survival have acquired a trans-border character.** Individual nation-states are unable to control these through unilateral domestic policies precisely because of their trans-border nature in origin and spread. Ecological problems like acid raid, pollution of air and water, destruction of bio-diversity, depletion of ozone layer and climate change, etc. have been acknowledged as new trans-border threats, spreading beyond a country of origin, and threatening the survival of entire humanity, and living earth itself.

Similarly, new diseases and epidemics are causing trans-border threats to health of all people around the world; HIV/AIDS has already spread to nearly 100 countries of the world; SAARS threatened human health of travellers and migrants in Indo-china recently; animal diseases like "mad cow" and "bird-flu" have shown propensity for rapid trans-border spread through the food chain.

Threats to security of people and property through acts of violence, use of arms and terrorism have enormously increased in recent years. Widespread availability of fire-arms is linked to drug-trade and smuggling through various mafia groups; access to destructive weapons and technology to groups and gangs intent on use of violence "to be heard and to do business" has become rather easy and problematic.

The report of the Commission on Global Governance[2] (1995) had observed that there was a critical need to convene an international convention on curtailment of the arms trade and demilitarisation of international society.

The local injustices and global economic disparities have triggered a massive wave of human migration across the world. While migration as a means of improving the standard of life has been a long-standing historical phenomenon, and many governments in the past have encouraged it to attract certain types of skills, it has increasingly acquired a more destructive character through "forced" migration (and equally forced return home) and illegal human trade and trafficking. Sex trafficking involving young girls and women has become a global trans-border problem.

5. **Recent years have also witnessed terrible increase in violence and death in fighting across several communities in domestic locations.** Human massacres at genocidal level, ethnic cleansing at grand scale and violence against particular tribal, ethnic and religious communities with direct or indirect abetment by governments and their security forces has been witnessed in Eastern Europe, Middle East and Africa, though such patterns are not totally absent from other regions. **There has been a failure on the part of the international community to prevent or contain such crimes against humanity.** Mechanisms for early warning and quick response in such situations of trans-border or domestic violence and "forced displacement" have been non-functional; many perpetrators of such violence, including governments and their security forces, have been going ahead in pursuit of their "criminal agenda" with impunity in such a situation.

These concerns were articulated with data, analysis and passion during the Conference. The delegates in the Conference further analysed the underlying causes of such emerging concerns in the global arena; these have been described below in the form of Governance Deficits in the global sphere.

IV. GOVERNANCE DEFICITS

Several trends and processes have been evolving over a period of time to result in such a gridlock of concerns in the global arena; these have now come to a head in a way that makes further progress impossible without taking a holistic and systemic view of these causes and their interrelationships.

1. The agreements in arenas of environment and development concerns have been an outcome of much deliberations during various UN Conferences, ECOSOC and Commission on Sustainable Development; many civil society actors at domestic and international levels have worked with national governments and UN experts to evolve significant consensus on priorities, targets and methodologies. Many of these have also resulted in regimes, covenants and treaties; others have remained at the level of aspirational goals to be strived for through national policies and programs, with support from the international community.

   The system and mechanism for monitoring and reporting compliance have been inadequate at the UN level. Civil society coalitions have attempted so (like Social Watch, Human Rights Watch, Gender Monitoring, Education Watch, etc). But the results of this "watching" have not necessarily improved implementation at national or global levels. Weak political will, inadequate resources and external exigencies have been the main reasons for the tardy implementation of these commitments.

   On the other hand, most agreements in relation to macro-economic policy reform, sector reform, currency and debt management have been driven by agreements made with the WB and IMF. Their staff and experts regularly monitor compliance of these commitments made by the recipient governments, and future tranches and installments of funds from these International Financial Institutions (IFIs) are linked to the progress made in relation to agreed targets. Thus compliance with financial and policy reforms needed to implement human and infrastructural development programs funded by IFIs is assured more frequently by national governments. Most civil society actors have been advocating against such structural adjustment programs, and engage with IFIs to demand that their lending operations align themselves to the commitments and agreements made in other UN fora.

   Christine Dawkins observed during the Conference:

"The relations between UN and international economic institutions are weak; the present system keeps World Trade Organisation as a dominant authority, over and above the UN…….".

Due to a long history of separate decision-making structures and absence of any coordination with the UN system, these IFIs have maintained an independent political economy of decision-making which is very closely allied with the treasury departments of OECD countries and donor governments.

The UNDP Human Development Report[3] (2002) acknowledges this reality: "Put bluntly, the IMF and World Bank will not be able to do their jobs effectively if they remain tied to structures that reflect the balance of power at the end of the Second World War. Nearly half of the voting power in the World Bank and IMF rests in the hands of seven countries."

The situation has gotten even more conflicting and confusing with the creation of WTO in 1994. Its agreements and regimes are enforced even more rigorously; other governments can lodge complaints for non-compliance; the hearing and judgment procedure is much more efficient; the system of invoking penalties operates swiftly and summarily. **Thus trade and finance related treaties, regimes and agreements signed by governments of the southern countries are much more strongly binding, in effect, than agreements on social, human and ecological development agenda.**

Roberto Bissio analysed this reality during the Conference:

"The problems we are facing has to do with service discussions (GATTS in WTO). Many states have human rights agreements which are legally binding; WTO has strong teeth, while human rights framework is not strong in penalising non-compliance by governments".

2. **With the proliferation of agreements and regimes, there are overlapping authorities and conflicting jurisdictions to which southern governments are subjected.** Global WTO agreements are incoherent with regional trade agreements like NAFTA, MERCOSUR, ASEAN etc.; some countries have bilateral arrangements and trade cooperation mechanisms which are not in line with regional or global agreements. In addition, there other "axis of cooperation" which do not overlap with the above jurisdictions; for example, APEC is an alliance of pacific rim countries around cooperative

programs in trade, culture and human development; its rival ASEM brings in Europe with Asian countries on similar issues, but different agreements. The Cotonou Agreement between EU and ACP (Africa, Caribbean, and Pacific) countries spells out another framework of cooperation on similar issues of human and social development, economic growth and trade relations.

In all this confusion and conflict of overlapping and competing regimes and jurisdictions, the sovereignty of nation-states is being compromised; the agreements on Agriculture and TRIPS bind member states to a set of commitments which reduces their ability to make domestic policy for the well-being of their people; likewise, many regional and bilateral agreements push for greater protection for foreign capital than what is offered to domestic capital.

John Clarke remarked during the Conference:

"….erosion of sovereignty of state goes deeper than WTO; economic policy space has reduced for developing countries……look at exchange rates, fiscal regimes, interest rates…… Therefore, mere derailment of WTO process may not be enough, since these may be replaced by bilateral regimes which are more unequal in power".

3. **The international mechanisms for enforcement of justice are weak and inadequate.**

Waren Allmond observed during the Conference:

"Is global governance recognizing the primacy of human rights?
……In Vienna Conference in 1993, 130 states agreed that Human Rights are universal and indivisible, but institutions for enforcement of these international standards on Human Right are weak and nonexistent……"

International Court of Justice (ICJ) was set up in 1945 to intervene to settle disputes between nation-states. The ICJ in Hague has played an important role with respect to conflicts between member states; however, it has no means to enforce its judgments and rulings. The classic case of Nicaragua vs. USA, when taken to ICJ against the US government mining the ports of Nicaragua, prompted the government of USA to declare in October 1985 that it will no longer abide by the decisions of ICJ; when the ICJ ruled that USA violated international law, a UN General Assembly resolution calling

for compliance by the government of USA was carried by 94 to 2 (USA& Israel) vote. But there is no mechanism to enforce compliance.

Likewise, judicial reviews of violations of human rights (particularly in case of women, minorities and indigenous people) by national governments and their security apparatus have not been meaningfully operationalised; some regional mechanisms (like in Africa, the Americas and Europe) are functioning, but not fully effective to call for prompt judicial reviews and monitoring enforcements.

Similarly, establishment of criminal courts to establish guilt and rule punishment for crimes against humanity have worked in some cases like Rwanda and Bosnia-Herzovagia; but the capacity of these tribunals, availability of legal professional resources and response of political leaderships have been inadequate even in these cases.

Betty Murungy, while describing such experiences of Tribunal for Rwanda during the Conference, remarked that: "the responsibility of media in hate campaign still needs to be established."

While International Criminal Court (ICC) has now been set up following the coming into force of the Rome Statute, not all countries have agreed to abide by its jurisdiction. Government of USA declared on May 6, 2002 that it did not intend to abide by it for its own citizens; bilateral extradition and citizen protection treaties also come in the way of effective implementation of a universal system of justice which is applied equally and fairly to all countries, all governments, all institutions (including corporations) and all citizens of all countries.

Bill Pace observed during the Conference that most western democracies: refuse to act in international arena as democracies: "US threatened to keep its peace-keeping forces out of ICC ……… this is not acceptable. No one has the right to commit crimes, howsoever powerful; the rule of law must apply to all."

4. **While the populations, countries and economies of the world are getting increasingly interdependent and interconnected, there has been a steady decline in multilateralism in recent years.** Many powerful countries in the world, by virtue of their economic wealth and military might, acting in their narrow and immediate self-interest, are violating or ignoring various agreements, treaties and norms that have bound the countries together at

the international arena since the second world war; superpower arrogance and defiance of such agreements is further inciting willful violations of other agreements and international rules by other countries.

Such asymmetry of power relations between countries of the world is making multilateral cooperation difficult; richer countries come together in separate clubs like G8; the weakening of non-aligned movement and marginalisation of G77 has made it rather difficult for the poorer and smaller countries to come together and build common agenda and positions for multilateral negotiations. For example, technical expertise and financial means needed to meaningfully negotiate multilateral trade arrangements is not available to many such countries; even capacity and resources needed to maintain official presence in expensive locations of headquarters of such multilateral bodies (New York, Paris, Geneva, etc) is a major constraint for many countries.

This situation of increasing unilateralism is being further fueled by the reality that political leaderships negotiating international arrangements are "elected" on domestic basis; domestic electorate and its perceived interests drive the preferences and priorities of such political leaders. As competition for jobs and markets intensifies across countries, and as political leadership at national level remains weak in internationalist visions, it becomes difficult to analyse and address new problems facing humanity in a genuine multilateral perspective. Absence of global mandates for political leaders, and non-existence of mechanisms that legitimise representative leadership at the international level, further reinforce domestic and national self-interests as the primary basis for decision-making, resulting in dominance and compliance dynamics between nations, including formation of clubs, coteries and "marriages of convenience". **Global public good for all humanity today and generations to come in future is generally the casualty in such a situation.**

5. **While many more countries have been adopting multi-party electoral democracy as a form of political governance in recent years, the quality of democratic governance has been steadily declining in democracies.** Democratic politics is facing many deficits in established democracies; voting percentages have been declining; political party membership has been going down; spontaneity in political processes is being replaced by formal rituals; huge funds are needed to contest elections; media

manipulation and rigging of electoral process are "new competencies" needed to win elections and conduct electoral politics.

A recent (2002) report[4] by the Commonwealth Foundation found most citizens being alienated from their governments in the 47 countries where the study was carried out.

The national governments are being run by a few ministers and a large coterie of "unelected" officials; junior ministers in national cabinets are less influential than senior bureaucrats; parliaments are mere "rubber stamps"; even parliamentarians of ruling parties remain uninvolved back-benchers. Despite federal character of most political systems, provincial and local spheres of governments are not consulted adequately to "own" national policies; citizens feel alienated from the political decision-making, only treated as mere voters (once in a few years) or occasional "beneficiaries/consumers" of government policies and programs.

Inefficiency in service delivery and widespread corruption have contributed to loss of public trust in government officials and political leaders; as violations of laws and tax regimes by such officials and political leaders and their "near & dear ones" are ignored and not penalized, ordinary citizens have accepted that "some are more equal than others" in democracies too. Such trends are contributing to a growing sense of apathy, disaffection, resignation, disquiet and anger among the people in democratic polities.

Recent efforts to contain such discontent through "reinventing government" or "new public management" have not addressed the real core questions of accountability of elected representatives to citizens and greater voice and participation of citizens in matters of governance on an ongoing basis. Despite massive public demonstrations against wars in many countries around the world, national leaders choose to ignore them and commit their militaries and countries to wars against imaginary and weak "evil" opponents.
Kumi Naidu observed during the Conference:

"……Bush and Blair put democracy to great threats in the world; their actions are against public opinion. How can people actively influence their leaders?"

Thus the domestic terrain of democratic governance, as the bedrock of global governance, is itself weakening and faltering.

6. **The "tyranny of the vocal majority" in democracy tends to marginalise perspectives, priorities and cultures of minorities in most situations**. This phenomenon is even more pronounced at international arena. The dominance of Anglo-Saxon white male language, culture, modes of behaviour, persona and voice have tended to marginalise and exclude other languages, cultures, behaviours and voices in most international fora. The spread of internet and global electronic media has further reinforced the dominance of English language and western modes of dress and demeanour. But access to English language and digital highway is quite uneven, particularly in countries of the south and east. As a consequence, people of mandarin, french, arabic, hindi, spanish, portugese, and many other language communities are unable to access information about processes, structures, policies and programs in the international arena, thereby severely curtailing their ability to effectively participate in the discourses of global governance.

    This non-participation gets further confounded as languages are symbols of identities, regions and modes of thinking and understanding about realities. Other types of identities get confounded; arabic speaking are largely muslim people; their non-participation in monolingual global discourse curtails their voice but also makes them more susceptible to parochial, religious positions on international matters. Likewise, in many richer countries, indigenous, aboriginal people get excluded from global conversations as their languages and cultures are quite different from the dominant ones. Voices of women, racial and ethnic minorities are mostly excluded from public participation, in both domestic and global arenas. Such exclusions make it rather difficult to share diverse perspectives and positions, thereby limiting the potential for genuine consensus and shared ownership of mechanisms and priorities of securing peace, justice and freedom for all humanity.

7. In a significant way, civil society has been able to articulate the opinions and experiences of such excluded and voiceless communities and constituencies. In the past decade, civil society networks and alliances have been able to effectively engage with the agenda of UN Conferences to develop agreements with governments and inter-governmental organisations (IGOs); new alliances have been formed with business sector around human rights and environment issues; cross-regional alliances

have brought together experiences and knowledge from diverse contexts to bear on the analysis of, and generating solutions for, new problems; civil society has been able to provide additional views and resources in the face of inter-governmental conflicts and logjams.

Brown[5] et. al. (2002) note:

"These alliances have identified unrecognized issues, articulated implications of current practices, framed alternative policies, and mobilized campaigns to influence decisions and activities of national governments. In many cases they have been able to foster innovative actions on issues where the existing institutions of the interstate system have been blocked or otherwise unable to solve the problems."

Many issues for global decision-making were brought to the notice of these IGOs and governments through the efforts of civil society; displacements due to development projects (dams, etc), human rights violations of children and indigenous people, pollution of water and air, epidemics like HIV/AIDS, etc. became issues for international policy due to civil society efforts. In situations of contestation and disagreement with hegemonic world-views and policies of powerful governments and major IGOs, civil society has organised campaigns and advocacy efforts to challenge such positions even when some governments found it difficult to do so: protests against neo-liberal approaches to globalisation; agriculture, intellectual property and investment related positions of WTO; structural adjustment lending of WB/IMF; violations of human rights under the guise of "war against terrorism".

WSF as a coalition of such aspirations and concerns of civil society has been able to challenge the dominant paradigm through its slogan that "another world is possible". Civil society coalitions also collaborated with governments to bring about policies on bio-safety, climate change, ban land mines, criminal tribunals against genocides, etc.

In much of these international networks and coalitions of civil society, there are asymmetries of power too. A recent workshop at the Hauser Centre (2001) reflected on this too:

"Civil Society is not immune to these asymmetries, and it can become a vehicle for their reproduction or amplification. This outcome is most disappointing when those who ostensibly are working to rectify these imbalances unintentionally worsen already bad situations."

Organised and large development NGOs dominate civil society networks; community based organisations (CBOs) and faith-based associations have low visibility and power; trade unions and other social movements are largely not active in such platforms. Southern civil society groups, rooted in domestic realities and working to "serve" the poor and the needy, are most excluded; their engagements with provincial and local governments are sometimes seen as "disqualification" for global advocacy; most such alliances are "managed and resourced" from the northern centers of NGO headquarters; southern voices in many fora are expressed by their own local field staff from southern sites. **These trends raise questions in the minds of governments and IGOs, as well as others, about the legitimacy of such voices in international arena, their accountability to the constituency they speak on behalf of, and the substantive positions on advocacy agenda.** Most domestic indigenous southern civil society groups face serious constraints of information, capacity and resources to be able to engage with emerging issues at global arena.

V.   PRINCIPLES DEMOCRATICA

The deliberations during the Conference reiterated certain democratic principles which should underpin future system of global governance; these principles, when applied to address the governance deficits enumerated above, create the basis for specific proposals for action. Five democratic principles of global governance are:

1.   **Global institutions and agenda should be subjected to democratic political accountability.**

     All international activity should be subject to political scrutiny and regulation; it means that political processes and institutions should evolve frameworks and rules by which capital, trade, markets, trans-national corporations, inter-governmental organisations, etc. will be governed. It implies that political frameworks override economic logics and forces.

2.   **Democratic polity at global level requires legitimacy of popular control through representative and direct mechanisms.**

     These political processes and mechanisms should be legitimized through popular consent; they should be transparent and accountable to national governments in clear and direct manner; some form of representative fora

should complement the system of inter-governmental accountability at global sphere. Thus national executives should be kept on check through a global representative mechanism directly accountable to citizens.

3. **Citizen participation in decision-making at global levels requires equality of opportunity to all citizens of the world.**

    Citizen-centric democratic polity should enable, respect and value direct participation of informed citizens, their voice on particular policies and concerns; access to information to all citizens should be viewed as freedom; historical and structural discrimination and exclusion of certain categories of citizens should be overcome through provisions of different freedoms.

4. **Multiple spheres of governance, from local to provincial to national to regional and global, should mutually support democratization of decision-making at all levels.**

    Social control over nation-state and its institutions should be deepened and broadened; multiple spheres of governance within the country should be operating on the subsidiarity principle; domestic space for independent and vibrant civil society and media should be strengthened; local markets are developed for sustainable economic development; elected representatives and government officials are held accountable to citizens and their associations.

5. **Global public goods should be equitably accessible to all citizens of the world.**

    Public provision of certain public goods is essential for all people of the world; universal access to domestic and global public goods is the mandate of democratic governance at global level; peace and security, basic education and health, clean water and air, human rights are key global public goods to be made accessible to all citizens of the world.

The above democratic principles were reiterated in different ways throughout the Conference. A common framework for incorporating these principles is essential. Different proposals for action that emerged from various deliberations in the Conference can be viewed in light of these fundamental democratic principles underlying global governance.

VI.   PROPOSALS FOR ACTIONS

The Conference deliberations generated a vast array of recommendations and action points to be carried forward by governments, inter-governmental organisations and civil societies. Many of these proposals had emerged earlier in previous debates and fora; these were discussed, refined and reaffirmed. Some of these proposals were an outcome of the interactions during the Conference; they need further practical elaborations and refinements. In the spirit of examining all of these in a holistic and coherent manner, most significant clusters of these proposals are presented below.

1. **The Declaration of Universal Human Rights takes precedence over all other agreements, regimes and treaties in economic, trade and related development fields.** These Human Rights have to be viewed as holistic, indivisible and universal in their applicability. In addition to civil and political rights, social economic and cultural rights also need to be kept in focus. The primacy of human rights should be clarified in the UN Charter itself; international law in respect of human rights should be privileged over trade law; national constitutions and legal frameworks must explicitly include human rights of citizens and obligations of state agencies to respect and implement them.

   Even in situations of human conflict and "war against terror", governments must respect human rights of all citizens at home and abroad; use of force and military in dealing with conflicts internally and internationally should be based on demonstrated commitment to these human rights. Business and corporate actions, aimed at generating profits, should also take cognizance of, and not be violative of, the totality of human rights; these particularly and specifically include rights of minorities, indigenous people, children and women, as enshrined in the Vienna Declaration of 1993 (Conference Report by Iris Alemeida from the track on Human Rights).

   Independent monitoring and enforcement mechanisms for implementation of these rights should be strengthened at national and regional levels; while global mechanism can set standards and review them from time to time, regional mechanisms need to be created and strengthened to ensure compliance and to deal with instances of violation. This is particularly relevant for coalitions of civil society and media to actively pursue monitoring and complaint procedures at regional and national levels;

regional and international civil society networks can support, and protect if needed, national/sub-national networks engaged in monitoring such human rights compliance and violations.

2. **Likewise, treaties, covenants and regimes dealing with environmental issues of bio-diversity, climate change, wild life, marine life, air and water pollution, ozone depletion, etc need to be given primacy over economic development, investment and trade regimes and agreements**. International law with respect to such environmental issues on which global consensus and agreements between most governments have been reached should be so codified as to be enforced across countries (through their domestic legislations and monitoring agencies) at international sphere through monitoring and compliance procedures. Violations by private corporations and regional and national authorities should be restrained and penalized for future deterrence; public agencies should be complemented through the efforts of civil society, scientific community and media in this regard.

Trade agreements, investment and capital flow protocols should be consistent with the primacy of environmental standards and commitments; in particular, logging, mining and fishing concessions offered to private businesses should be subjected to such standards and procedures, be they to domestic or transnational business.

UBUNTU Forum initiative (2001) has similarly argued for reform:

"All of this requires the implementation of mechanisms for the coordination of world financial, economic, social and environmental policies. One proposal that has received wide-ranging support from a number of sectors is that of reforming ECOSOC (Economic and Social Council) so that it becomes an economic, social and environmental security council with effective authority over UN agencies, funds and programmes, the Bretton Woods Institutions and the World Trade Organisation. The International Monetary Fund and the World Bank should go back to their original mandates (world monetary and macroeconomic balance – IMF; reconstruction and development – WB), establish a democratic decision-making process and be effectively integrated under UN auspices. The World Trade Organisation should go back to being based in the UN and, along with UNCTAD, design world trade policies that are appropriate for fostering human rights and world social and environmental regulations" (www.ubuntu.upc.edu).

3. **International Court of Justice (ICJ) and its regional courts should be given independent and adequate funds over long haul for their ongoing work.** Procedures for accessing such justice at international levels should be made more accessible to civil society and citizen associations; violations by states and corporations of existing international agreements on human rights, environment and other regimes should be more transparently justiciable by ICJ. Preparations of protocols and codifications of international laws should be carried out in such a manner that these are available to civil society and legal profession in all countries.

    Similarly, International Criminal Court (ICC) needs to be adequately and independently endowed with funds to be able to act in situations of conflicts against humanity; civic associations should be encouraged to approach such Courts suo moto, without waiting for reference from UN or particular states; location specific tribunals should be set up to address specific instances of crimes against humanity.

    Mechanisms for enforcing compliance with the rulings of ICJ/ICC need to be robust and treat all countries, governments and institutions alike.

4. **A major opportunity for reform is to strengthen UN General Assembly.** Its voting and business procedures need to be made more transparent and efficient; its mandate should be spelt out more explicitly to hold Security Council and other organs of inter-governmental nature accountable to it; BWIs and WTO should be brought under the umbrella of UN in a functional manner to ensure their accountability to General Assembly; ECOSOC should be further strengthened to the level of an Economic, Ecological and Social Security Council with greater authority of mandate and coordination over specialized agencies of UN (FAO, ILO, WHO, UNESCO, UNICEF, UNDP, etc) and IFIs/Development Banks.

    "Most important is the creation of a new, broadly based Economic and Social Security Council as a principal entity of the UN, replacing the current Economic and Social Council (ECOSOC) and accountable to the General Assembly. The Economic and Social Security Council, without veto power, should in the longer term take on key decision-making roles in its areas of mandate, similar to those of the reformed Security Council" (Report of Global Governance Reform Project 2000, Le Trobe University, Australia).

The above proposals will necessitate major reforms of the Security Council membership, procedures and rights; VETO should be abolished; composition should be more inclusive and representative and its mandate more specifically outlined.

John Foster and Anita Anand[6] (1999) argued for a more reformed United Nations System:

"The United Nations in its present state cannot be the end of the quest for global governance but an important keystone, a zone of experiment, a meeting-place for visions and an instrument through which the full arch of self-government for a global community can be constructed."

5.   Further reform of the UN system is essential to go beyond the inter-governmental arrangements at global levels. **Parallel to General Assembly, a People's   Assembly needs to be created;** this can serve the basis of becoming the equivalent of World Parliament (similar to European Parliament) which will be representative of citizens around the world; it can be structured like a bi-camaral house in many national parliaments and provided specific mandates in monitoring compliances and violations and in approving major contentious decisions on state sovereignty and universality of human conditions.

Charles Leopard Mayer Foundation for the Progress of Humankind (2002) made proposals in support of this.

"We are convinced that some type of a parliamentary structure is in any case the most appropriate for managing, in all its complexity, the common problems of a community of more than six thousand million people. Contrary to a more centralized structure, such as a global executive power, and contrary to a fragmented structure such as that of the current nation-state system, a parliament could be the best common place for representing the diversity of cultural, political and professional forces of the whole world" (www.alliance21.org).

In addition, civil society organizations and networks, parliamentarian's groups and associations, trade union federations, professional experts' associations, local government networks and associations can be provided more effective access to information and fora for deliberation and consultation in a transparent and accountable manner. This may entail further upgradation and improved coherence of the current system of

accreditation of civil society to intergovernmental bodies, and access to documents and opportunities to participate in their fora. Such upgradation and improvement must make participation of civil society groups ongoing and sustained, not ad-hoc and occasional. Barbara Adams (then with UN's Non-governmental Liaison Service) observed during the FIM Forum in 1999, how such access has been improved, though much more needs to happen:

"The UN has recently developed a site on its home page dedicated to servicing civil society and many UN departments and the funds, programmes and agencies of the UN system are improving their "electronic" outreach to civil society."

6. **Civil society actions in support of above need to be based on significant improvements in their own functioning at trans-national levels.** Universal standards of transparency and accountability need to be adopted and applied in different national, regional and international contexts; mechanisms to monitor enforcement with such standards need to be developed at trans-national levels, as they have begun to happen in some countries.

Bill Graham, Canada's then Minister for Foreign Affairs, made a similar plea during the Conference. Nitin Desai argued for a need to develop stronger consensus within civil society on its relations with UN system.

Most transnational civil society networks and coalitions need to deliberately become inclusive of southern domestic civil society organisations in developing agenda and strategies of advocacy; building coalitions with national governments and business must be based on informed consent of all partners, specially from the south; representation and mandates from constituencies whose agendas are being addressed at global level should be secured in a manner of mutual accountability; policy advocacy and watchdog groups, specially based in northern sites of governance, must ensure long-term and organic links with grass-roots groups (Report by Srilatha Batliwala from the Conference Track on Trans-national Civil Society).

New partnerships in civil society necessitate developing working arrangements with trade unions, parliamentarians, local governments, academia, media, socially responsible businesses, etc. New ways of relating with domestic civil society in countries like USA need to be evolved to promote joint and solidarity actions in support of common causes. Existing trans-national networks of civil

society focusing on separate issues of human rights, environment, WTO, BWIs, reform of UN, control of TNCs and capital flows (like different tracks in the Conference) need to come together and develop **shared visions and common positions on principles and perspectives** in order to give greater weight to the forces of democratization of global governance.

In a similar vein, Candido Grzybowski[7] (2002) argues for…. "The legitimacy of citizenship is a result of principles and ethical values that mould the universal tenet of democracy and its constitutive being, i.e. citizenship in practice. The principles and values of liberty, equality, diversity, solidarity, and participation form the ethical foundation of citizenship and democracy".

Civil society also needs to commit itself to engage in a major and ambitious undertaking of widespread citizen education worldwide, in the perspective of our common destiny and shared humanity. This may also entail sustained capacity enhancement of southern grass-roots civil society actors and local/national governments and parliamentarians, with respect to accessing information and analysis of global trends and debates, ability to consult horizontally and develop common positions, and resources and opportunities to participate effectively in such trans-national for a and structures. **Prioritising such capacity enhancement is urgent follow-up ahead.**

VII.   NOW

Since the GO2 Conference (which debated a host of the above-mentioned ideas) in October 2002, much has changed in the world. The traditional alliance between North America and Europe altered over the use of force in Iraq; America and Britain decided to ignore pleas (especially from France and Germany) to develop a consensus towards Security Council led actions in Iraq; despite war- mongering by stoking the fears around Weapons of Mass Destruction (WMDs) in Iraq, millions of citizens in nearly 50 countries of the world went to street to demonstrate their rejection of war and embracement of peace in February 2003; the American-British attack on Iraq in March 2003 violated all norms of United Nations and global treaties and conventions. When the Board of FIM began to think about convening GO5 in the summer of 2003, the state of the world looked hopeless and unilateralism at its "glorious" peak; the defiance of Iraqi people, manifested through rebellion, after the "victory" and capture of Saddam Hussein, has since continued unabated; thousands of lives have been lost, millions of Iraqi homes destroyed; only to learn a year later that there were no WMDs, and that governments and militaries of America and

Britain had lied to the world; with this in the background, exposes of torture and defilement of Iraqi prisoners in Abou Ghareb prison of Iraq hit the media, further demonstrating willful American disregard for international treaties and conventions.

The expansion of Europe to include another 15 countries (from the erstwhile Soviet bloc) has created new and stronger Europe; Euro has become the strongest currency of the world, appreciating by nearly a third over the all-powerful American dollar; the collective voice of regrouped G20 countries (and the new southern axis of Brazil, South Africa and India) was amply heard in Cancun Ministerial Roundtable of WTO; the challenge to European and North American economic and political hegemony was more effectively visible in new protectionist tendencies in those countries; as China began to emerge as the factory of the world, and India as the software and R&D center of the world, votaries of "free" trade in the north began to raise barriers to outsourcing of businesses in their own countries. The World Social Forum moved to India in 2004, and mobilized new energies and visions in its ambit from the diversity of civil society.

In this scenario, US Presidential elections mobilized maximum numbers of Americans during campaigning and voting, while rest of the world prayed for sanity; in the results of reelection of President Bush, there is hope within apparent despair; forces of reform of the UN system have gathered momentum, both inside and outside the UN; the Report of the Commission on Social Dimensions of Globalisation (set up by ILO) released its findings, urging for greater efforts at deepening democracy at the local and national levels. Since then, greater interest in the dynamics of Global Governance has been shown by academics and practitioners alike; proposals for World Parliament have expanded to include "Inter-Parliament" Congress, e-Parliament, a Parliamentary sub-Council in the United Nations. Likewise, proposals of Tobin Tax received new endorsements and further elaborations in the form of Transaction Taxation on capital flows and Cess on movement of goods and services. New proposals on Global Truth Commission, Fair and Transparent Arbitration Process, Commodity Stewardship Council, Assembly of Local Authorities in the UN….. a large number of ideas for strengthening democracy in institutions and affairs of global governance.

At the turn of new year 2005, as preparations for the GO5 move forward to "Articulate Strategies and Visions of Democracy in Global Governance", nature has its own warning. Asian tsunami has devastated large regions of several Asian countries; nearly 250,000 people have died (including non-Asians), and

millions rendered homeless and hopeless; the global response of gestures of solidarity and willingness to help distant and unknown others is a manifestation of the possibility of the identity of planetary and global citizenships. Yet, tsunami is a devastating reminder of the "fragility and insecurity" of human life, in the face of natural phenomenon, not explainable through scientific rationality; only to be an article of "faith and healing". It is with such humility that democratization of global governance needs to be addressed in the coming period.

Notes:

1. Manual Chiriboga's paper in FIM Forum document "Civil Society Engaging Multilateral Institution", 1999.

2. "Our Global Neighbourhood", Commission on Global Governance, Oxford, 1995.

3. "Deepening Democracy in a Fragmented World", UNDP Human Development Report 2002, Oxford.

4. "Reviving Democracy", Knight Barry, Hope Chigudu & Rajesh Tandon, Earthscan, 2002.

5. "Practice Research Engagement and Civil Society in a Globalising World", Dave L. Brown (ed.), Hauser Centre/CIVICUS, 2001.

6. "Whose World is it Anyway? Civil Society the United Nations and the Multilateral Future", Foster, W. John & Anita Anand, The United Nations Association in Canada, 1999.

7. "From a Global Market place to Political Spaces", NIGD Working Paper Series, Leena Rikkila and Katarina Sehm Patomaki (eds.), 2002.