Task Force 7
Towards Reformed Multilateralism: Transforming Global Institutions and Frameworks

ENHANCING THE LEGITIMACY OF MULTILATERALISM: TWO INNOVATIVE PROPOSALS FOR THE U.N.

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Abstract

ndia's G20 presidency in 2023 is grounded in the theme 'Vasudhaiva Kutumbakam' (One Earth-One Family-One Future). One of six overall priorities of India's G20 presidency is "to continue pressing for reformed multilateralism that creates a more accountable, inclusive, just, equitable and representative multipolar international system that is fit for addressing the challenges in the 21st century."[1] This policy brief responds to this priority. Exploring the need for reformed multilateralism and the role the G20 can play as a group and through its individual members, it sets forth two specific recommendations for action at the United Nations: the creation of a United Nations Parliamentary Assembly, and the instrument of a UN World Citizens' Initiative.

The Challenge

1

A critical purpose of international cooperation, or multilateralism, is to serve as "a tool for states to align their long-term, enlightened national interests to achieve common goals."[2] Some of these goals are global public goods. This includes, but is not limited to, priority goods such as preventing the emergence and spread of infectious diseases, tackling climate change, enhancing international financial stability, strengthening the international trading system, achieving peace and security, and the cross-cutting issue of generating and sharing knowledge.[3] The provision of these global goods is necessary for states and their people to thrive. According to 'Our Common Agenda', a report by the United Nations (UN) Secretary-General, there is an additional need to jointly manage and protect the global commons that are "beyond national jurisdiction – the high seas, the atmosphere, Antarctica and outer space."[4] The provision of global public goods and the protection of global commons, he pointed out, "is an increasingly urgent task that we can only undertake together. Despite this, the multilateral system is not yet geared for the strategies, investments or solidarity needed, leaving all of us vulnerable to crises."[5] He makes this observation in connection with two scenarios of 'breakdown' or 'breakthrough' that depend largely on governments' policy choices. The former is characterised by rising geopolitical tensions, the underperformance of international institutions, a preference for unilateralism over solidarity, and, overall, an uninhabitable planet. The latter ushers in a "new era of multilateralism," an international system that acts fast and effectively with accountability of all actors and a prospering planet.[6]

Despite the fact that, in principle, the provision of global public goods and the protection of global commons ultimately benefits all, "demand will tend to outweigh supply" due to several issues: a tendency of governments to prefer volunteer commitments over legally binding rules, tensions between diverging short-term interests and shared long-term goals, an incentive to sit back and act as a "free rider" on goods provided by others, the risk of a single "weakest link" frustrating the provision of certain goods, and a lack of adequate and legitimate governing mechanisms.[7] The key challenge then is to conceptualise and bring to life a 'reformed multilateralism' capable of addressing these shortcomings.

Making multilateralism more accountable, inclusive, just, equitable, and representative, highlighted as a priority of India's G20 presidency, is related to the overall, cross-cutting issue of legitimacy. The goal of enhancing legitimacy is deeply linked to values and principles of justice and democracy, and can be justified by those alone. However, there is also an important functional significance due to the relationship between legitimacy and effectiveness. The level of trust, support, and cooperation an institution receives from its stakeholders is closely tied to its real or perceived legitimacy. Without sufficient legitimacy, an institution may face resistance, opposition, or non-compliance, which impede its ability effectively to achieve its intended purpose.

The UN Secretary-General has observed a global 'trust deficit disorder,' a part of which is that "trust in global governance is also fragile, as 21st-century challenges outpace 20th-century institutions and mindsets."[8] With almost universal state membership and a mandate to discuss all matters of global concern, the UN is the most important institution of multilateralism. While the UN's Charter was proclaimed in the name of 'We the Peoples,' it has been an exclusive association of national governments. Its primary bodies are composed of representatives of the executive branches of member states.[9] It is widely accepted, though, that the implementation of global policies requires the collaboration of a wider array of stakeholders. For this reason, public trust in the UN and its perceived legitimacy arguably has a strong influence on the overall effectiveness of global governance. But these are weakened insofar as the UN does not adequately represent the many minority and opposition groups that are temporarily or permanently excluded from the government of their country. Furthermore, there are no mechanisms that allow ordinary citizens to connect to the UN's deliberations and decision-making. These are two primary areas of concern in terms of enhancing the UN's legitimacy.

The G20's Role

2

The G20 includes 19 countries and the European Union (EU), together representing around two-thirds of the world's population, over 80 percent of global GDP, and 75 percent of global greenhouse gas emissions and world trade. Except for the EU, which has a special status as a regional organisation, all G20 countries are also UN members. While the G20's primary focus is on coordinating global economic and financial governance, the group and its members acknowledge the interconnections of this field with other policy areas and recognise their special international responsibility. The G20's scope thus has been widened to include subjects such as mitigating climate change, fighting terrorism, advancing the UN's Sustainable Development Goals, food security, and global health.

Overall, the G20 can be characterised as a multilateral forum that aims to strengthen the provision of global public goods through voluntary policy coordination. However, as a self-selected group of governments with no permanent formal structures, the G20 has been facing a constant stream of criticism. Its legitimacy[10] and efficiency[11]

have been contested in various ways, and critics have argued that there is "no proof that there is a trade-off between legitimacy and efficiency."[12]

There are various options as to how the G20 can increase the legitimacy of multilateral collaboration. First, the group could review its own operations, especially in regard to what governments and other stakeholders it includes and interacts with beyond its core membership. Additionally, it could look at establishing formal structures and mechanisms, including setting up a permanent secretariat, and improving coordination with the UN.[13] Some relevant measures have been taken, such as creating some ten engagement groups, including Civil20, Parliament20, and Think20, and extending summit invitations to a rotating set of additional governments depending on focus issues.

But the G20 can only go so far without radically changing its format. While radical change may indeed be needed, India's G20 priority of "pressing for reformed multilateralism" points to a role the grouping can play beyond reviewing its own arrangements. Like-minded member countries can use

the G20 format to deliberate on and coordinate action aiming at legitimacy-related changes at the UN. This is an opportunity for the G20 to show leadership and impact in a field that international diplomacy has neglected. The G20 relies on the UN for the implementation of coordinated policy in various fields; so, in this regard too, the G20 would benefit from a more legitimate—and more effective—UN.

Recommendations to the G20

3

I n line with the civil society statement for inclusive global governance, which enjoys the support of over 200 civil society organisations, groups, and networks from all world regions,[14] this policy brief recommends that the G20 and like-minded G20 members initiate intergovernmental negotiations—coordinated with the UN's upcoming 2024 'Summit of the Future'—on creating (1) a UN Parliamentary Assembly (UNPA), and (2) the instrument of a UN World Citizens' Initiative (UNWCI).

According to the UN General Assembly (UNGA), an "equitable international order" requires the "right to equitable participation of all, without any discrimination, in domestic and global decision-making."[15] The two recommended institutions would formally establish such a right. The UN Charter allows both to be instituted by a majority vote of the UNGA as subsidiary bodies.

To refine the proposals and develop common positions, like-minded G20 members alongside other UN member states could establish a 'Group of Friends of Inclusive Global Governance' at the UN, closely involving civil-society representatives, parliamentarians, and experts.[16]

United Nations Parliamentary Assembly

The UNPA would serve as a formal body that allows elected representatives of UN member states to deliberate on and be involved in UN affairs.[17] While considering the concerns of their local constituencies and giving them a voice at the UN, these representatives should be called upon to promote the interests of humanity rather than those of any particular nation or community. To encourage this mindset, the UNPA's work should be based politically and procedurally on transnational groups established by its members according to shared viewpoints. This would transcend and complement the intergovernmental character of other UN bodies based on geopolitical regional groupings.

The UNPA could debate all matters it deems relevant, and present its views to the UN and the global public. It would provide a global platform to diverse perspectives while also facilitating a better understanding of UN activities among parliamentarians and citizens, thereby strengthening political and

public support of the UN. According to Parlasur (the Mercosur parliament), the UNPA could act as "an important link between the UN, its agencies, governments, national parliamentarians, and civil society".[18]

The UNPA can be vested with a variety of powers and functions if member states so wish. Set up by the UNGA as a subsidiary body, its potential powers are defined by the scope of the powers and functions of the UNGA itself. Just like the UNGA, the UNPA would not encroach on the domestic affairs of member states. The European Parliament noted that such an institution should be equipped with "genuine rights of information, participation and control" vis-à-vis the UN.[19] According to the Pan-African Parliament, the institution "should have participation and oversight rights, in particular, to send fully participating parliamentary delegations" to intergovernmental negotiations and "to establish inquiry committees to assess matters related to the actions of the United Nations, its personnel and its special programmes."[20]

The creation of a consultative UNPA was first proposed in 1949, based on the example of the Parliamentary Assembly of the Council of Europe. Today, it is possible to evaluate and learn from the examples of many other international parliamentary institutions, including the European Parliament, the Pan-African Parliament, and Parlatino (the Latin American Parliament); the parliamentary assemblies of the North Atlantic Treaty Organization, the Organization for Security and Co-operation in Europe, and the Mediterranean; and the parliamentary networks of the Non-Aligned Movement and BRICS. The utility of such parliamentary bodies is widely recognised by governments, and they have become "an established feature of international politics."[21] One of their key purposes is to help legitimate the authority of inter-governmental organisations. The UN is collaborating with the Inter-Parliamentary Union (IPU), which hopes to provide a parliamentary dimension to international affairs. But the IPU is not a UN body and thus cannot contribute to advancing the UN's legitimacy or accountability. The IPU and a UNPA have complementary functions and thus can work well in tandem.[22]

The members of a UNPA would not be government-appointed nor be allowed to take instructions from governments. In 2007, an international civil society

campaign was formed to help promote a UNPA.[23] Democracy Without Borders, which serves as the campaign's convening organisation, suggests that the UNPA's delegates "may be sent by the parliaments of member states and possibly regional parliaments. Implementation of direct elections should be possible at any time."[24]

While determining the exact number of seats allocated per country would be the subject of intergovernmental negotiations, it is recommended that the principle of degressive proportionality be observed, according to which populous states receive more seats than less populous states, but fewer seats *per capita* than the latter. Among other things, this principle provides for more legitimacy in terms of citizens' representation and makes it possible to balance the weight of small and large states in a fair way. From the perspective of populous G20 member countries, models based on degressive proportionality address the issue of a dominance of small states in terms of voting weight and representation in UN bodies such as the UNGA. Irrespective of population size, each UN member state has a vote share of 0.51 percent, which results in a combined voting strength of 9.84 percent for the G20 countries. The G20's share of seats and voting strength would be greater in the UNPA. Table 1 shows the number of seats allocated to G20 member states in two possible models.[25] In model A, each UN member state is allocated two seats, with 414 additional seats assigned in proportion to population size for a total of about 800 seats. In model B, a country's number of seats is the square root of its population in millions with a minimum allocation of two seats. Both models require rounding. Overall, model B leads to a flatter distribution and therefore seems more balanced. It provides all G20 member states with a stronger voting weight compared to the UNGA.

Table 1: Possible allocations of seats in a UN Parliamentary Assembly per G20 UN member state according to the principle of degressive proportionality

G20/UN member state	Share of population (%)	Model A		Model B	
		Number of seats	Share of seats (%)	Number of seats	Share of seats (%)
Argentina	0.59	4	0.5	7	0.8
Australia	0.33	3	0.4	5	0.6
Brazil	2.77	13	1.6	14	1.6
Canada	0.49	4	0.5	6	0.7
China	18.44	78	9,8	37	4.3
France	0.89	6	0.8	8	0.9
Germany	1.10	7	0.9	9	1.1
India	17.91	76	9.6	37	4.3
Indonesia	3.54	17	2.1	16	1.9
Italy	0.80	5	0.6	8	0.9
Japan	1.68	9	1.1	11	1.3
South Korea	0.68	5	0.6	7	0.8
Mexico	1.67	9	1.1	11	1.3
Russia	1.91	10	1.3	12	1.4
Saudi Arabia	0.45	4	0.5	6	0.7
South Africa	0.77	5	0.6	8	0.9
Turkey	1.09	7	0.9	9	1.1
UK	0.88	6	0.8	8	0.9
US	4.33	35	4.4	18	2.1
G20 (without EU) total	**60.3**	**288**	**36.2**	**237**	**27.8**

UN World Citizens' Initiative

The instrument of a UNWCI would provide individuals with a formal mechanism to influence the agenda and decision-making of the UNGA, the UN Security Council (UNSC), or indeed a UNPA, if established, if certain conditions are met.[26] In many countries across the world, a participatory instrument of citizens' initiative exists at the local or regional level.[27] In the EU, the European Citizens' Initiative was included in the Treaty of Lisbon and became operational in 2012. The proposed UNWCI would be an agenda-setting instrument that follows three procedural steps: (1) launch of an individual initiative, (2) collection of signatures, and (3) presentation and response. While details remain to be discussed, the following illustrates how the instrument might function.[28]

In the initial step, citizens who wish to launch an individual initiative must form an organising committee composed of at least ten individuals from different world regions, as the initiative should reflect a matter of global interest. The requirement of geographical representation could be aligned with the UN's allocation of the UNSC's ten non-permanent seats among regional groups. The organising committee will draft its proposal so that, in principle, it could be adopted as is. It will then submit it to the UN for official registration. All matters under the purview of the UNGA or the UNSC will qualify except proposals that violate the general purpose of the UN as stated in Article 1 of the UN Charter, which includes respect for human rights, among other things. If a proposal is disqualified, the organising committee should be entitled to appeal the decision.

In the next step, the initiative will be open for signature on a secure online platform, operated on behalf of the UN, which lists all current initiatives open for endorsement. This official website, ideally available in all languages, will provide guidance on how the instrument functions and how an initiative can be launched. It should also be possible to collect signatures in writing and add them to the platform. UN country offices, governments, and civil society groups could establish contact points so that citizens can also get in-person advice. A system to verify the authenticity of signatures will need to be set up. An initiative will be deemed successful if it attracts, before its expiration, a

certain relative and absolute number of signatures from individuals around the world. It has been proposed that an initiative should be considered successful if, (1) within 18 months, it receives (2) the support of 0.5 percent of the population from each of at least ten UN member states distributed across UN-defined regions, as previously mentioned, and (3) a total number of signatures of at least five million.[29]

Once an initiative succeeds, it will be, depending on its subject, added to the agenda of either the UNGA or the UNSC within three months. Representatives of the organising committee should have a right to present their initiative in person. Subsequently, the UNGA or the UNSC will have to deal with three possible outcomes: the draft proposal could be adopted as is, be adopted with amendments, or be rejected. For the implementation and management of this UNWCI mechanism, the UN will need to set up an administrative office.

Attribution: Andreas Bummel and Thomas Pogge, "Enhancing the Legitimacy of ultilateralism: Two Innovative Proposals for the U.N.," *T20 Policy Brief*, May 2023.

Endnotes

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