

Policy Brief #5

Recommendations on Global Governance

for the UN General Assembly Open Working Group on Sustainable Development Goals (OWG on SDGs)

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The recommendations on global governance presented here have been compiled from two civil society consultations conducted by UN-NGLS in 2013: a teleconference-based consultation that resulted in the report [Advancing Regional Recommendations on the Post-2015 Agenda](#), and an [online consultation](#) on four post-2015 reports to the Secretary-General. A list of organizations that participated in these consultations is available [here](#). While presenting a wide range of views, this brief does not intend to represent the complete breadth of perspectives and recommendations from civil society on the subject of global governance.

Consultation participants articulated that in a globalized and interdependent world, existing international human rights agreements compel fully participatory, transparent, and accountable global governance bodies. To be just and effective, governance must embody these characteristics during all stages of policy-making, implementation, monitoring, and evaluation, in accordance with the human rights to direct participation in government and public affairs, access to information, and access to justice and administration. Accordingly, civil society emphasized that the post-2015 agenda must be defined, implemented and monitored through fully participatory, transparent and accountable processes in which all voices are heard.

Civil society networks identified that governments represented in major global governance institutions, especially those dealing with economic, financial and trade affairs, such as the World Bank, International Monetary Fund (IMF) and World Trade Organization (WTO), have historically and systematically failed to ensure that these institutions operate in a manner consistent with human rights obligations of Member States, both in their own internal functioning and through the policies they establish and implement. Therefore, consultation contributors emphasized, the post-2015 development agenda must reassert the human rights obligations in the governance of global institutions, and call for the reforms necessary to ensure that all rights are respected, protected, and fulfilled.

Detailed recommendations are presented below, first according to three overarching objectives, in accordance with the inputs received:

1. Establishing participatory, transparent and accountable global governance;
2. Reforming global economic governance; and
3. Ensuring corporate accountability and transparency.

1. Establishing Participatory, Transparent and Accountable Global Governance

- a) Implement [Principle 10](#) of the 1992 Rio Declaration on Environment and Development, which recognizes the rights to access to information, public participation, and justice in environmental matters; promote the

development of regional agreements to realize these rights, such as the UN Economic Commission for Europe's [Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters](#).

- b) Establish equitable and democratic representation in all global governance institutions; increase the voice of developing countries, especially Least Developed Countries, and ensure that they are supported to participate equally.
- c) Adopt mechanisms and allocate resources to increase the participation and capacity of all citizens and stakeholders in decision-making, especially women, people living in poverty, children, youth, and older people – particularly of the global South.
- d) Recognize civil society, including non-governmental organizations, social movements, informal alliances, and community-based organizations, as key partners in identifying issues, informing policies, budgeting, implementation, monitoring, and evaluation.
- e) Create an enabling environment for civil society in these dimensions of governance by mainstreaming participatory processes and providing funding and meaningful avenues for civil society participation. Governments and the UN system must establish mechanisms and allocate resources to ensure full participation of all citizens and stakeholders, including through capacity building.
- f) Ensure meaningful participation of civil society and local authorities in defining and implementing the post-2015 agenda, including by building on the model of the [Civil Society Mechanism](#) (CSM) of the FAO Committee on World Food Security (CFS), which involves a sophisticated system of balanced civil society representation.
- g) Ensure timely and comprehensive accessibility of information, including on budgets, revenue, and resource allocation. When developing targets and indicators, incorporate comparable, qualitative, and quantitative data, disaggregated by gender, age, location, income, ethnicity, caste, disabilities, etc.
- h) Implement and commit to strengthening the UN human rights framework for intergovernmental processes and mechanisms for monitoring and accountability, including the [Universal Periodic Review](#) of the UN Human Rights Council, and mechanisms under human rights conventions. The post-2015 development agenda should refer to human rights treaties for substantive and procedural standards when articulating the responsibilities of States.¹
- i) Strengthen the legitimate role of the United Nations, as an inclusive and universal multilateral body, in holding international institutions accountable for their policies and actions; develop effective mechanisms to hold States, international financial institutions, and businesses accountable for their economic, social, and environmental impacts domestically and extraterritorially, in accordance with States' baseline obligation to "Do No Harm" and to fulfil human rights.²
- j) Ensure that informal global governance arenas (such as the G20 and G8) correct imbalances in participation and ensure transparency and accountability, through corrective discussion about the minimum basis of credible global governance.

2. Reforming Global Economic Governance

- a) Reform and democratize international financial institutions – particularly the World Bank, IMF, the Bank for International Settlements and the Financial Stability Board – to ensure that they: i) increase the voice and leverage of people and governments from developing countries, particularly Least Developed Countries; ii) include the full participation of all Member States; iii) genuinely respond to national and regional circumstances and priorities, and reflect shifts and increasing interdependencies in the global

¹ Center for Economic and Social Rights (CESR) and the Office of the High Commissioner for Human Rights (OHCHR), [Who Will Be Accountable? Human Rights and the Post-2015 Development Agenda](#) (2013), page 12.

² *Ibid*, page 22.

economic landscape; and iv) catalyze productive investment. As the World Bank and IMF are part of the UN system, the UN should subject them to effective oversight.

- b) Ensure that the policies and programmes of international financial institutions are explicitly consistent³ with the international human rights obligations of Member States, including by applying the [Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights](#); agree to meaningful indicators in the post-2015 agenda that can address extra-territoriality and hold States and industries to account.
- c) (Re)structure the global economic architecture according the Rio principle of “common but differentiated responsibilities” and the [UN Guiding Principles on Foreign Debt and Human Rights](#).
- d) Ensure that international trade and investment agreements provide developing countries with the flexibility to adapt trade policies and regulate foreign investors to protect the public interest – especially to bolster the livelihoods of small producers, foster nascent domestic industries, and ensure universal access to lifesaving medicines.
- e) Ensure that all negotiating positions at the WTO are consistent with sustainable development and human rights objectives (including full and productive employment and decent work for all) and are open to the scrutiny of civil society.
- f) Under UN oversight, create an independent and fair sovereign debt resolution mechanism and follow-up process to the 2009 UN conference on the financial crisis.
- g) Make all documents pertaining to multilateral, regional, and bilateral trade negotiations and to the activities of international financial institutions publicly available.

3. Ensuring Corporate Accountability and Transparency

- a) Establish a regulatory framework for the corporate sector that requires private companies to report on and be liable for their social and environmental impacts and their effects on human rights, with particular attention to: local communities including migrants, fisherfolk, forest and indigenous peoples, pastoralists, and other marginalized communities; oceans; the extractive industries sector; the tobacco industry; farm animal welfare; and the role of corporate activities in generating conflict.
- b) Supplement the UN [Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework](#) with binding enforcement measures, including legislation, court adjudication, and penalties for violations.
- c) Adopt a Global Convention on Corporate Responsibility.
- d) Require country-by-country reporting by transnational corporations (TNCs) of their financial performance in, and payments to, each country of operation or trading presence; build and strengthen mechanisms to hold businesses to account for their extraterritorial activities.
- e) Establish a mandatory system of labelling of products from enterprises with a track record of human rights violations and/or of causing serious damage to the environment.
- f) Ensure that private investment facilitates local content requirements, as well as knowledge and technology transfer; modify trade and investment agreements to achieve this goal.
- g) Require enterprises to publicly disclose “confidential business information” when it is relevant to determining market share and defining inter-firm arrangements, such as strategic alliances and joint ventures.
- h) Address the problem of excessive concentration of corporate power, such as global cartels that stifle innovation and crowd out alternative initiatives, through reinstating the equivalent of the former UN Centre on Transnational Corporations to monitor TNCs and help ensure that States respect their commitments to regulate them.

³ *Ibid*, page 51.