

# Innovations in Global Governance: How Resilient, How Influential?

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Two political movements, transnational in scope and promoting divergent views of global governance, have recently collided. Over the last three decades, a diverse collection of actors—private corporations, nongovernmental organizations (NGOs), and subnational (state, provincial, and urban) governments—has developed and promoted a global agenda of collective action. From advancing human rights to combating climate change, these actors have become new governors in world politics. More recently, a second movement—a loose array of populist and nationalist groups and governments—has questioned the forward momentum of institutionalized global cooperation. Brexit, followed by the Donald J. Trump administration’s withdrawal from the Trans-Pacific Partnership and the Paris Agreement on climate change, as well as proposed cuts in U.S. contributions to the United Nations and development assistance, suggest a weakening—if not undermining—of the network of treaties, institutions, and relationships constructed over the last seventy years.

Each of these movements aims to transform a global order based on intergovernmental agreements and institutions. The first movement has already done so by increasing participation in global governance of new actors who are pursuing cooperative outcomes in collaboration with and independently of national governments and intergovernmental organizations (IGOs). Their involvement both complements and complicates the traditional international order. The second movement, in contrast, asserts national interest and sovereignty against the constraints of global governance.

Although the conflict between these two movements remains unresolved, they will likely shape the future global order. The eight memoranda that follow, commissioned for a Council on Foreign Relations workshop, examine innovations in global governance across four critical issues on the global agenda: peace-building, human rights, the cyber domain, and climate change. These memoranda, by leading practitioners and researchers, describe the landscape of global governance in each area; estimate sources of resilience and disruption, including those from nationalist and populist political pressure; and chart innovations that could improve the effectiveness of global governance.

## *THE EMERGING LANDSCAPE OF GLOBAL GOVERNANCE*

NGOs, corporations, and subnational governments have long attempted to influence global governance, but in most issue areas their influence has been exerted through national governments and IGOs. Recently, as documented in these memos, the role of the former in global governance has become both more substantial and more direct. In part, the involvement of a broader array of actors in governance has followed from the increasing complexity of these issue areas. For instance, as documented by Mark P. Lagon and Eileen Donahoe, efforts to protect human rights have expanded beyond civil and political

rights to include transnational phenomena such as human trafficking, global health (infectious disease), and internet freedom. None of the four issue areas is dominated by a single IGO or cluster of IGOs; such fragmentation has produced more access points for new actors.

NGOs play different roles in these global governance innovations. Advocacy organizations have long been active in pressuring governments and businesses to adopt appropriate behavior in support of human rights and protection of the environment. Less visible but no less influential are NGOs that implement policy and those that are involved in capacity-building and knowledge transfer in several issue areas, particularly peace-building. Technical advisory and standard-setting bodies constitute another arena for nongovernmental action that is increasingly important in climate change and internet governance.

The private sector is perhaps the most pivotal in internet governance and cybersecurity, where decisions of companies such as Google and Facebook influence governance on the internet and private organizations—such as internet registries and the Internet Corporation for Assigned Names and Numbers (ICANN)—participate in governance of the internet. The commercial importance of the internet is not replicated in the other issue areas, but the role of business in arresting climate change has grown in importance. As Karen Florini suggests, corporations that actively support the Paris accord are unlikely to change course, even after the U.S. government withdraws from the agreement. Climate change has unavoidable consequences for the corporate bottom line. Where implications for corporate performance are less clear, recent business activism has been more episodic. As the human rights agenda has expanded, human rights NGOs and advocates in such areas as human trafficking, labor rights, and global health have increasingly targeted businesses as possible allies in achieving their goals. In peace-building, although economic development is part of the governance mandate, corporations have been most important as contractors, rather than investors, with a growing role in the implementation of peace-building programs. Private security companies in particular have enjoined to adopt conflict-sensitive and rights-respecting policies and to encourage peace-building efforts.

While subnational governments have played a lesser role in internet governance and human rights, areas in which national governments have asserted primary jurisdiction, they are more visible in efforts to address climate change. The C40, for instance, is a network of megacities that coordinates urban policies to mitigate climate change. Subnational governments can also play important roles in peace-building. Sarah Sewall's advocacy of micro-peace-building and Susanna P. Campbell's criticism of prevailing top-down prescriptions point to peace-building strategies that are more focused on local actors, governmental and nongovernmental. Local governments can influence conflict outcomes, as demonstrated in Northern Ireland, where the willingness of local police to refrain from sectarian favoritism resulted in less violence.<sup>1</sup>

Across these four issue areas, one innovation in global governance has been the emergence of less formal, creative multilateral organizations in response to the existing slow-moving, formal intergovernmental mechanisms. These institutionalized coalitions of the willing have proved to be useful instruments for collective action. The Community of Democracies and the Open Government Partnership concentrate on governance and human rights. The Proliferation Security Initiative has provided a networked response to emerging nuclear security issues. Several such groups address different dimensions of internet governance: Freedom Online Coalition, Global Commission on Internet Governance, Global Conference on Cyberspace/Global Forum on Cyber Expertise, and Internet Governance Forum. The organizations that Florini categorizes as Paris Agreement “relatives” (such as the Green Climate Fund and NDC Partnership) and as non-Paris plurilateral and multilateral initiatives (such as the Clean Energy Ministerial and the Climate and Clean Air Coalition) also occupy this category.

Some of these governmental groups, though not all, are more open to partnership with NGOs and corporations.

Multistakeholder initiatives, which have proliferated in recent years, constitute a more radical departure from conventional global governance.<sup>2</sup> Some, such as the Voluntary Principles on Security and Human Rights, include governments; others, such as the Global Network Initiative, do not. Their missions are often focused on improving corporate conduct, as exemplified by the International Code of Conduct Association (ICoCA), which governs private security providers. Such arrangements, described by Donahoe as “open, multistakeholder, and merit-based,” have become a principal format for governance of the internet. Particularly in the environmental and climate space, similar innovative institutions set standards for corporations and subnational governments. As Tim Maurer describes, in this model of global governance, national governments are “part of a broader ecosystem of actors that have influential and decisive roles.”

Although some observers view this new landscape as one of fragmentation and lacking in common purpose, others tend to agree with Florini that it is a “glorious profusion of state, nonstate, and hybrid entities.” These divided opinions characterize the distinction between governance of the internet (its technical infrastructure), where multistakeholder innovations have worked well and have received the support of most governments, and governance on the internet, which Donahoe views as experiencing “conceptual confusion about governing roles and responsibilities,” as well as an assertion of sovereign control.

#### *GLOBAL GOVERNANCE INNOVATIONS: DISRUPTION AND RESILIENCE*

Political movements and national leaders intent on reasserting national sovereignty and questioning the value of global governance institutions are only the latest political disruption faced by the IGO-centered global order. Proponents of untrammelled markets have questioned the value of the International Monetary Fund and the World Bank since the 1980s; anti-globalization activists on the left, on the other hand, continue to reject the support offered by the Bretton Woods institutions for regulated capitalism. The Group of Twenty (G20) summit in Hamburg reflected these competing challenges: the U.S. president held fast to his rejection of the Paris climate accord and his acceptance of protectionism as anti-globalization demonstrators filled the streets.

The populist and nationalist backlash against globalization and existing global governance institutions should not be overstated: the Conservative Party’s loss of its majority in the latest British election and the victory of Emmanuel Macron, an outspoken supporter of global cooperation, in the French presidential elections suggest its limits. Nevertheless, a shift in U.S. policy appears to be underway, and whatever the future of President Trump and the coalition he represents, the effects on other political actors could persist. Overall, the disruptive effects of nationalist or sovereigntist retrenchment in global governance appear greater and more immediate in arenas in which national governments and intergovernmental action remain dominant. Recent innovations in global governance, themselves both a product and a source of disruption in the older, IGO-centered model of global governance, could provide resilience in the face of nationalist challenges. In other words, innovation could produce greater stability in the face of domestically driven change in national policies.

Peace-building and human rights are much more susceptible to governance stagnation in the face of recent changes, since national governments remain central to both. An inward turn by the industrialized states could produce a setback in peace-building efforts at a time of major crises in South Sudan, Syria, and Yemen and long-standing conflicts in Afghanistan, Iraq, and Somalia. In contrast to NGOs or private foundations, national governments have the resources and political stature to promote the existing global agenda in peace-building; domestically driven retrenchment on the part of the most powerful states would diminish funding for this sector. In addition to flagging national commitment, Campbell and Sewall both point to other long-standing sources of ineffectiveness. For Campbell, IGOs and the national governments that support them often produce one-size-fits-all rules that do not take account of local contexts in which peace is to be built. Reduced effort on the part of influential national governments might, therefore, produce space for innovations that could eventually lead to greater effectiveness. For Sewall, the privileged role of host governments—the very governments participating in or emerging from conflict—has often obstructed peace-building efforts.

Innovations in human rights have been associated with liberal democratic states, and according to Lagon, governments and intergovernmental agreements remain essential actors in forwarding the human rights agenda. Retrenchment by powerful democracies will affect support for civil and political rights in particular. Amol Mehra points out the essential role of governments in enforcement of human rights standards, a role that nonstate actors cannot replace. In this issue area, unlike climate or trade, emerging powers, such as China, will not provide new leadership; in some cases, they will likely support inaction under the guise of noninterference in domestic affairs.

Even before the latest wave of nationalist and populist movements in Europe and North America, Maurer points out, increased concern over cybersecurity had contributed to renewed efforts by national governments to reassert control over internet governance. As Donahoe describes, though, the inherent transborder nature of the internet, the fact that digitization has such widespread effects, and the degree to which the private sector is deeply entrenched in digital governance have shaped governance in the digital domain for some time. These very features could also promise future resilience.

After President Trump announced that the United States would withdraw from the Paris Agreement on climate, one might have anticipated pessimism about global governance of climate.<sup>3</sup> However, U.S. policy change is less of an immediate threat in future governance of this issue area than others, since climate governance has witnessed the greatest innovation. As Florini points out, the Paris Agreement “remains in force regardless of whether the United States remains a party to it.” The G19+1 outcome of the 2017 Hamburg summit confirmed Florini’s assessment that the Paris Agreement remains robust.<sup>4</sup>

More important, although national governments are signatories to the agreement, their accord expressly recognizes both additional multilateral arrangements that aim to prevent climate change as well as the role of nongovernmental and subnational actors. Put differently, the Paris Agreement is only one element of climate governance. As Florini documents, the range of nonstate and subnational actors in this field is large and growing. Robert C. Orr explains how this complex and diverse ecosystem is in part the result of a conscious effort by the United Nations to construct alternative governance mechanisms in the wake of unsuccessful multilateral negotiations. That ecosystem will remain—and likely grow—even in the absence of commitment or activism by some national governments.

Greater resilience to nationalist rollback is most likely in arenas of global governance where national governments are less dominant. Some of the disruptors to global governance that led to innova-

tion also promise resilience to national policy change. Where national governments have been less central from the beginning or have been slow to act, more space has opened for local governments, private firms, and NGOs to devise new modes of governance. Governance of the internet, with its long-standing multistakeholder models, and the diverse ecology of climate governance are prime examples.

### *REIMAGINING GLOBAL GOVERNANCE: FUTURE INNOVATION*

To provide insurance and amplify resilience in the face of political uncertainty, more innovation in global governance will be required. Even in issue areas such as human rights that have depended on the support of national governments, innovation can provide additional supports in specific sectors. As Mehra points out, reimagining the corporate role to include enhancement of human rights has led to new governance arrangements that have had some success in modifying the behavior of private security providers (ICoCA, for example). Prominent corporations in the cyber domain have at times shown greater attention to human rights in that sector than their governments have. Mehra urges continued efforts along these lines.

In their endorsement of micro-peace-building and the empowerment of local actors, Campbell and Sewall highlight the importance of local initiatives. Campbell argues that all successful peace-building is local in the sense that it is designed to address the specific needs, opportunities, and strengths of particular conflict-affected institutions, enabling the localization of global norms. To carry out these nuanced interventions in dynamic conflict-affected contexts, global bureaucracies need to become more nimble and creative at the local level. Sewall suggests the importance of small-scale, indigenous efforts for peace-building success. Innovation might also solicit additional sources of support. The private sector—whether security companies or local businesses—can also behave in ways that exacerbate or ameliorate violence. In Colombia, parts of the private sector played important roles in the peace process.<sup>5</sup> NGOs, particularly those well integrated into the local setting, could nudge host governments (as well as other armed actors) toward better behavior.<sup>6</sup>

Innovations in climate governance could provide models for other issue areas. Orchestration by the United Nations, important in forging the Paris Agreement model in climate governance, might also serve to enable peace-building innovations. A transfer of the multistakeholder models of ICoCA, ICANN, or the Climate Action Network, which coordinates NGOs in order to influence other actors, would be a more ambitious undertaking.

Successful innovations have several common characteristics. First, they mobilize a diverse set of actors. Second, while they reflect strong commitments to principles, they also feature flexible processes that allow rapid responses to a changing environment. Third, although they have typically emerged as a result of nongovernmental and subnational agency, they have also generated support from national governments and IGOs. Finally, and particularly in the internet and climate domains, these innovations gain credibility from their foundation in demonstrated expertise.

Such innovations have grown in prominence, particularly when dealing with issues that have recently emerged on the global agenda. Pessimists might describe this as a consequence of the traditional global order's impending collapse in the face of political opposition, with plucky but ultimately impotent initiatives appearing in the cracks of an otherwise crumbling facade. However, innovation has the potential to be more constructive and influential.

Sympathetic observers are divided. Some see these new actors and institutions as adding to the resilience of global governance. Nevertheless, they remain dependent on IGOs and national governments for their effectiveness. As Orr implies, the multistakeholder concert can benefit greatly from an IGO conductor, such as the United Nations, in arriving at the right tune. Others believe these innovations could lay the foundation for a new architecture of global governance. It is too early to evaluate these divergent assessments. For now, it would perhaps be best to regard these innovations in global governance as scaffolding (to borrow a term from Sewall): new structures that can both prevent collapse and facilitate renovation.

## ENDNOTES

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1. Amy Grubb, "Microlevel Dynamics of Violence: Explaining Variation in Violence Among Rural Districts During Northern Ireland's Troubles," *Security Studies* 25, no. 3 (2016): 460–487.
2. Multistakeholder initiatives (multistakeholderism) award nongovernmental actors, such as private corporations and NGOs, a role in global governance arrangements that is influential and legitimate. Legitimacy is awarded by the inclusion of those affected by governance. National governments often remain important actors in such initiatives, but, in contrast to more hierarchical or intergovernmental models of governance, they do not play a dominant role.
3. Michael D. Shear, "Trump Will Withdraw U.S. From Paris Climate Agreement," *New York Times*, June 1, 2017, <http://nytimes.com/2017/06/01/climate/trump-paris-climate-agreement.html>.
4. At the July 2017 Hamburg summit, nineteen members of the G20, other than the United States, reaffirmed their commitment to the Paris Agreement.
5. Angelika Rettberg, "Business and Peace in Colombia: Responses, Challenges, and Achievements," in *Colombia: Building Peace in a Time of War*, ed. Virginia M. Bouvier (Washington, DC: United States Institute of Peace, 2009), 191–204.
6. Oliver Kaplan, "Nudging Armed Groups: How Civilians Transmit Norms of Protection," *Stability: International Journal of Security and Development* 2, no. 3 (2013): 62.