



Discussion Paper

# The Relationship Between the UN and Regional Organizations, Civil Society, NGOs, and the Private Sector

Independent Commission on Multilateralism

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## Introduction

Since 2014, the world has been confronted with a series of crises that have challenged perceptions of global stability. From the rise of ISIS in Syria and Iraq, to the dispute between Russia and the West in Ukraine, to the spread of Ebola in Guinea, Liberia, and Sierra Leone, recent crises have struck at the core of the international system.

In its own way, each of these events has highlighted global interconnectivity. In an age of globalization, crises seldom remain contained within a single country; they tend to cross borders frequently, whether through forced migration, the spread of conflict risk, or the rippling outward of economic consequences. As a result, the fundamental challenges of the twenty-first century are all beyond the capacity of any single state to respond in isolation.

At the same time, due to a lack of resources and persistent geopolitical obstacles, among other factors, the multilateral system centered on the United Nations has proven unable to muster adequate responses, which has contributed to fears of global disorder.<sup>1</sup>

Founded seventy years ago with only fifty-one member states at a time when colonialism still covered much of the globe, the UN system has struggled to adapt to the accelerating complexity and interconnectedness of the twenty-first century. Increasingly, a consistent refrain has been heard: The global architecture of multilateral diplomacy is in crisis. To some, it is a moment of high risk that challenges the very resilience of the UN system as a whole; to others, it is a moment of great opportunity to build support for much-needed reform.

Whether a moment of high risk or great opportunity—most likely a bit of both—it is without a doubt a moment of growing complexity. More actors, institutions, and networks of interests are engaged in the international sphere than ever before. This paper will briefly discuss three of those: regional organizations; civil society and nongovernmental organizations (NGOs); and the private sector. It will also ask how the UN system can better leverage relations with and among these actors, institutions, and networks for a more efficient and legitimate multilateral system.

### I. Mapping the Terrain: The Growth of the International Sphere

Between 1990 and 2010, 668 multilateral treaties were registered with the UN. In part, this is consistent with the general post-war and post-Cold War growth of international law and multilateral diplomacy. In 1951, there were only 123 intergovernmental organizations; by 2011, that number had grown to 7,608, according to the Union of International Associations, and this trend has been accelerating.

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<sup>1</sup> Chester A. Crocker, “The Strategic Dilemma of a World Adrift,” *Survival* 57, no. 1 (February–March 2015); Moisés Naím, *The End of Power: From Boardrooms to Battlefields and Churches to States, Why Being in Charge Isn’t What It Used to Be* (New York: Basic Books, 2013).

For example, regional organizations, as well as the broader processes of regionalization and regional integration, have seen a particular surge of growth in the post-colonial and post-Cold War era. Approximately thirty-three regional economic organizations have been founded since 1989. The newest was established just last year, as the Eurasian Economic Union treaty came into effect on January 1, 2015. And at least twenty-nine regionally-based intergovernmental organizations have an established agenda related to international peace and security. This includes large, well-known organizations with strong peace and security sectors, such as the African Union, and smaller entities with less developed security architectures, such as the Pacific Islands Forum or the Caribbean Community (CARICOM).<sup>2</sup>

Meanwhile, by some estimates upwards of 40,000 international NGOs are working today, including large organizations with a global presence, like Amnesty International or Oxfam, and smaller organizations like ACCORD that only work in one specific part of the world.<sup>3</sup> Over 4,000 NGOs, representing various areas of civil society, have consultative status with the UN Economic and Social Council (ECOSOC), including the International Peace Institute.

In addition, private sector actors have become increasingly involved in international affairs. For example, the UN Children's Fund (UNICEF) gets a third of its funding from private sources.<sup>4</sup> The International Labor Organization, a specialized UN agency, gives trade unions and business associations equal voice with governments on its governing body.<sup>5</sup> The UN Global Compact has over 12,000 corporate participants and stakeholders committed to upholding international standards in the areas of human rights, labor, the environment, and anticorruption. Moreover, the international regulation of global financial markets is increasingly a private affair.<sup>6</sup> Private capital also has an enormous role to play in foreign aid and development, significantly outsizing official development assistance.<sup>7</sup>

The multilateral system centered on the UN, as founded at the end of the Second World War, is under stress. In response, new actors and institutions are increasingly engaged in processes of global governance, writ large, some of which bypass the UN entirely. If the UN is to remain capable of fulfilling its mandate to “maintain international peace and security” and “achieve

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<sup>2</sup> Thomas Hale, Kevin Mark Young, and David Held, *Gridlock: Why Global Cooperation Is Failing when We Need it Most* (Cambridge: Polity, 2013); Peter Wallensteen and Anders Bjuner, *Regional Organizations and Peacemaking: Challengers to the UN?* (London: Routledge, 2015).

<sup>3</sup> See <http://www.ngo.in/>.

<sup>4</sup> Dirk Salamons, “New Threats, Challenges and Opportunities for the Multilateral System” (presentation, Inaugural ICM Retreat, Manhasset, NY, February 21, 2015).

<sup>5</sup> International Labour Organization website, available at [www.ilo.org/](http://www.ilo.org/).

<sup>6</sup> Tim Büthe and Walter Mattli, *The New Global Rulers: The Privatization of Regulation in the World Economy* (Princeton, NJ: Princeton University Press, 2011).

<sup>7</sup> The Brookings Institution, “Making Development Aid More Effective,” Washington, DC, 2010, available at [www.brookings.edu/~media/research/files/papers/2010/9/development-aid/09\\_development\\_aid.pdf](http://www.brookings.edu/~media/research/files/papers/2010/9/development-aid/09_development_aid.pdf).

international co-operation in solving international problems,” it must strive to improve its relations and partnerships with these actors and institutions, including regional organizations, the private sector, civil society, and NGOs.

## **II. Current Debates: Relations among the UN, Regional Organizations, Civil Society, and the Private Sector**

### ***Regional Organizations: Competitor or Partner***

Current debates on this topic, especially in relation to security, have focused on regional organizations, or “regional arrangements,” as delineated in Chapter VIII of the UN Charter. Chapter VIII accepts regional arrangements only insofar as they are “consistent with the Purposes and Principles of the United Nations.” It also states that, having entered into regional arrangements, member states “shall make every effort to achieve pacific settlement of local disputes...before referring them to the Security Council.” This is also referenced in Chapter VI of the charter.

In this respect, the UN Charter system designates a role for regional organizations in addressing the risk of conflict in their own region before the Security Council gets involved. This has led to some confusion regarding when and to what degree the Security Council must be consulted. However, Article 54 does stipulate that the Security Council must be “kept fully informed of activities undertaken or in contemplation under regional arrangements” with regard to the maintenance of international peace and security.

Chapter VIII clearly sets out the primacy of the UN Security Council in relation to the use of force. Any enforcement action must go through the Security Council to be lawful under the UN Charter. Nevertheless, Article 4 of the African Union Constitutive Act provides for the right of the AU to intervene in a member state under “grave circumstances,” without reference to the UN Security Council. This provision has been contentious, as it would appear to encroach upon Security Council authority to mandate enforcement actions.<sup>8</sup> Some have argued that the potential for gridlock in New York should not restrict the ability of Addis to act to maintain security in Africa. On paper, the AU has moderated its position. The *AU Roadmap for the Operationalization of the African Standby Force* states that the “AU will seek UN Security Council authorization of its enforcements actions.”<sup>9</sup>

While the relationship between regional organizations and the UN is sometimes posed as one of competition, more often than not it is one of partnership. And this is where the most critical

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<sup>8</sup> African Union, *Constitutive Act*, Art. 4(h).

<sup>9</sup> African Union, *Roadmap for the Operationalization of the African Standby Force*, Addis Ababa, March 22–23, 2005, AU Doc. EXP/AU-RECs/ASF/4(i).

debates are happening. The issue is not so much about who has constitutional primacy at times of crisis—as regional organizations, including the African Union, are generally conceived to function within the UN framework—but rather how regional organizations and the UN can better cooperate to be most effective. This is a particularly important issue with regard to cooperation between the UN and the AU on peacekeeping, which was an important area of concern for the High-Level Independent Panel on Peace Operations. There are a number of important recommendations to that effect in the panel’s final report.<sup>10</sup>

Critical questions here relate to financing missions—especially those mandated by the UN Security Council—finding synergies among the institutional architectures, and improving strategic communications. Key to all of these is the relationship between the UN Security Council and AU Peace and Security Council.<sup>11</sup>

One question to consider is the extent to which the framers of Chapter VIII anticipated the form of today’s regional organizations. Today’s regional organizations are much more than mere “arrangements”; they are intergovernmental organizations with their own mandates, memberships, and permanent secretariats.<sup>12</sup>

However these questions are resolved, it must be kept in mind that all regional organizations are distinct. The structures, *raison d’être*, and histories of the AU, European Union, Union of South American Nations (UNASUR), and Association of Southeast Asian Nations (ASEAN), to name a few—not to mention regional military arrangements such as the North Atlantic Treaty Organization (NATO)—are all very different and lead to diverse institutional arrangements, political cultures, and functional manifestations. This will have to be taken into account as the UN pursues further partnerships with regional organizations across its broad peace, security, human rights, and development agenda.

### ***Civil Society: Deliberation and Implementation***

Over time, it has become clear that civil society participation in the work of the UN has the potential to augment both its legitimacy and its effectiveness. Debates in this area focus on how best to ensure the inclusion of representative civil society voices both in the field and at

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<sup>10</sup> UN High-Level Independent Panel on United Nations Peace Operations, *Uniting Our Strengths for Peace: Politics, Partnership and People*, June 16, 2015.

<sup>11</sup> Paul D. Williams and Solomon A. Dersso, “Saving Strangers and Neighbors: Advancing UN-AU Cooperation on Peace Operations,” New York: International Peace Institute, 2015.

<sup>12</sup> Wallensteen et al., p. 17.

headquarters. The relationship between the UN and civil society revolves around two general areas: deliberations and implementation.<sup>13</sup>

Civil society groups have taken part in UN deliberations since the organization's founding, as mandated by Article 71 of the charter, which allows for ECOSOC to establish official consultative relationships with civil society groups. At times, such consultative status can lead to concrete contributions to international policy. For example, civil society engagement was critical to meetings leading up to the UN Framework Convention on Climate Change and the initiative that led to the Ottawa Mine Ban Treaty, not to mention the development of the Sustainable Development Goals (SDGs).

Civil society groups have also been integral to the deliberations at agenda-setting global fora, such as the 1990 World Summit for Children, the 1995 Fourth World Conference on Women, the 1996 World Food Summit, and the 2000 World Education Forum.<sup>14</sup>

Beyond formal participation in official UN events, the mobilization of global civil society advocacy has the potential to profoundly affect international discourse. For better or for worse, the Save Darfur movement has been credited with broadly shaping the public perception of the conflict in western Sudan and putting the issue of genocide back on the international agenda.<sup>15</sup> Similarly, broad international advocacy networks have been recognized as having played an integral role in advancing the principle of the responsibility to protect (R2P) since its original articulation in the 2000 report of the International Commission on Intervention and State Sovereignty and its subsequent adoption by member states in the 2005 World Summit Outcome document.<sup>16</sup>

In addition to civil society participation in international deliberation and agenda setting, operational partnerships with civil society actors regularly play a critical role in the implementation of UN mandates and policy. Often, the effectiveness of UN humanitarian, developmental, and environmental work depends upon the possibility of relying on both international and local civil society partners. For example, the UN consistently works with humanitarian NGOs such as the International Rescue Committee or Oxfam to provide relief services in the wake of natural disasters, conflicts, or other situations of violence.<sup>17</sup>

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<sup>13</sup> Paul Wapner, "Civil Society," *The Oxford Handbook on the United Nations*, ed. Thomas G. Weiss and Sam Daws (Oxford: Oxford University Press, 2007), p. 257.

<sup>14</sup> Nora McKeon, *The United Nations and Civil Society: Legitimizing Global Governance—Whose Voice?* (London: Zed Books, 2009).

<sup>15</sup> Iavor Rangelov, "The Role of Transnational Civil Society," in *Responding to Genocide: The Politics of International Action*, ed. Adam Lupel and Ernesto Verdeja (Boulder, CO: Lynne Rienner, 2013).

<sup>16</sup> See the website of the International Coalition for the Responsibility to Protect, available at [www.responsibilitytoprotect.org/](http://www.responsibilitytoprotect.org/).

<sup>17</sup> Wapner, "Civil Society," pp. 259-260.

Furthermore, recent studies have shown that including representative civil society voices in the mediation of peace accords helps to improve both the chances of coming to an agreement among the belligerent parties and of sustaining the peace once agreed.<sup>18</sup> Including civil society voices in the negotiation of peace agreements helps to introduce social concerns that go beyond the balancing of interests and negotiation of power among armed actors. Civil society actors can help to bring issues of justice, gender, victim's rights, and livelihoods, among others, to the table. But more importantly, once engaged, civil society can help to facilitate and support the implementation of accords in the interest of long-term peacebuilding.<sup>19</sup>

Considering this rich history of engagement, Thomas Weiss has called civil society and NGOs the “Third UN,” after member states and the secretariat, because of their critical role in developing and implementing the UN agenda.<sup>20</sup>

### ***The Private Sector: Service Provider and Critical Partner***

This notion of the Third UN has expanded beyond civil society groups in recent years to include the business community and the private sector more broadly. In 1999, Secretary-General Kofi Annan established the Global Compact to leverage the power of business and the private sector to advance the universal goals of peace and prosperity. And in 2003, Annan convened the Commission on the Private Sector and Development to build consensus on how entrepreneurship can be “unleashed” to better serve the poor in the developing world.<sup>21</sup>

With over 12,000 signatories in 170 countries, the UN Global Compact seeks to encourage and assist businesses to align their operations with Ten Principles on human rights, labor, the environment, and anticorruption.<sup>22</sup> Adding further operational clarity and substance to the Global Compact’s commitment to corporate responsibility, the Human Rights Council unanimously endorsed the UN Guiding Principles on Business and Human Rights (or the “Ruggie Principles”) in June 2011.

The Global Compact also works to support businesses to advance “broader societal goals” as part of their work. It promotes the recognition that strong, stable societies with educated, healthy populations are good for business, as they go hand-in-hand with thriving markets and productive labor forces. In this regard, businesses and private investors will be critical to the

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<sup>18</sup> Marie O’Reilly, Andrea Ó Súilleabháin, and Thania Paffenholz, “Reimagining Peacemaking: Women’s Roles in Peace Processes,” New York: International Peace Institute, 2015.

<sup>19</sup> Thania Paffenholz, “What Civil Society Can Contribute to Peacebuilding,” in *Civil Society and Peacebuilding: A Critical Assessment*, ed. Thania Paffenholz (Boulder, CO: Lynne Rienner, 2010).

<sup>20</sup> Thomas Weiss, Tatiana Carayannis, and Richard Jolly, “The Third United Nations,” *Global Governance* 15, no. 1 (2009).

<sup>21</sup> Commission on the Private Sector and Development, “Unleashing Entrepreneurship: Making Business Work for the Poor,” March 1, 2004, available at <http://web.undp.org/cpsd/indexF.html>.

<sup>22</sup> More information available at [www.unglobalcompact.org](http://www.unglobalcompact.org).

success of the Sustainable Development Goals (SDGs) adopted in October 2015. The Global Compact plans to support corporate policies that advance the SDGs, as well as to facilitate their direct implementation through extensive local networks.

Indeed, “partnerships,” including with the private sector, have been cited as one of the five key components of the 2030 Sustainable Development Agenda as agreed in August 2015.<sup>23</sup> Furthermore, the Addis Ababa Action Agenda, recently agreed at the Third International Conference on Financing for Development, calls for the establishment of a Technology Facilitation Mechanism to support innovation in sustainable development.<sup>24</sup> For this to be successful, active participation by the private sector will be critical.

Beyond the big issues of human rights and development, the private sector has an increasing role to play in the practical, operational side of UN work. In part to increase efficiency, like many governments around the world, the UN has sought market-based solutions to better deliver on its mandate. This has led to an increase in public-private partnerships and the outsourcing of tasks to private companies. For example, the UN High Commissioner for Refugees (UNHCR) often uses private agencies to deliver funds to displaced peoples.<sup>25</sup> The UN Office for Project Services (UNOPS) reported spending more for procuring services than goods for the first time in 2009.<sup>26</sup>

This trend has included the UN’s use of private military and security companies, an industry that continues to grow worldwide. Private military and security companies sell services such as armed and unarmed guards, anti-piracy efforts, kidnap and ransom services, demining, disaster relief work, and support services such as transportation or maintenance, among other things.<sup>27</sup>

The growth of this industry has raised concerns about regulation and accountability. In response, the 2008 Montreux Document—negotiated as part of an intergovernmental process launched by Switzerland and the International Committee of the Red Cross (ICRC)—sought to define how international humanitarian law applies to private military and security companies.<sup>28</sup> In 2012, the UN Security Management System published *Guidelines on the Use of Armed*

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<sup>23</sup> United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development*, New York, August 1, 2015.

<sup>24</sup> See <https://sustainabledevelopment.un.org/topics/technology/facilitationmechanism>.

<sup>25</sup> *UN Handbook*, p. 260.

<sup>26</sup> Åse Gilje Østensen, “UN Use of Private Military and Security Companies: Practices and Policies,” SSR Paper 3, Geneva: DCAF, 2011, p. 5.

<sup>27</sup> *Ibid.*, p. 7.

<sup>28</sup> The Montreux Document, available at [www.eda.admin.ch/eda/en/fdfa/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/montreux-document.html](http://www.eda.admin.ch/eda/en/fdfa/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/montreux-document.html).

*Security Services from Private Security Companies* to be applied by all UN entities.<sup>29</sup> And in 2013, the US, UK, Switzerland, and other member states negotiated an agreement with security companies and civil society to develop a “multi-stakeholder oversight mechanism,” which will certify companies against the International Code of Conduct for Private Security Providers.<sup>30</sup> Ensuring that private military and security companies and their employees are well-regulated and accountable to authority will remain a challenge that requires continued multilateral engagement.

The private sector is also playing a necessarily big role on issues of cyber security. The critical infrastructure of the Internet, so integral to global economic and financial flows, is largely in the hands of private companies. It will be in part up to them, in partnership with governments, to protect it from potentially disastrous attacks.<sup>31</sup>

Furthermore, efforts to counter violent extremism online require public-private partnerships to negotiate information-sharing agreements and other intelligence-gathering mechanisms. Governments no longer need to gather vast amounts of data on subjects of investigation themselves; the private sector—through cell phone records, Internet service provider information, or social media data—already does. Governments just need to gain access.<sup>32</sup> In the post-Snowden era, this will remain a contentious issue of vigorous debate.

More generally, the issue of Internet governance remains a topic of broad concern, and how the multilateral system engages with the private sector to ensure a peaceful and free cyberspace will be a critical area to watch. The number of Internet users has more than tripled since 2005, with the majority of users now in the developing world. But cyberspace governance has not advanced significantly in the ten years since the World Summit on the Information Society (WSIS).<sup>33</sup>

For some, the recent ten-year review of the WSIS framework reveals too many cyber-governance gaps. A multi-stakeholder approach to the challenges of cyberspace governance will have to grapple with “the inherent tension between a global technology developed and

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<sup>29</sup> Available at

[http://psm.du.edu/media/documents/international\\_regulation/united\\_nations/internal\\_controls/un\\_unsms-operation-manual\\_guidance-on-using-pmsc\\_2012.PDF](http://psm.du.edu/media/documents/international_regulation/united_nations/internal_controls/un_unsms-operation-manual_guidance-on-using-pmsc_2012.PDF).

<sup>30</sup> James Cockayne, “Private Military and Security Companies Agree to Increased International Oversight,” The Global Observatory, March 4, 2013, available at <http://theglobalobservatory.org/2013/03/private-military-and-security-companies-agree-to-increased-international-oversight/>.

<sup>31</sup> Judith H. Germano, “Cybersecurity Partnerships: A New Era of Public-Private Collaboration,” The Center on Law and Security, NYU School of Law, October 2014.

<sup>32</sup> David Cole, “The New America: Little Privacy, Big Terror,” *The New York Review of Books* LXII, no. 13, August 13, 2015.

<sup>33</sup> Paul Meyer, “Gaps in Cyberspace Governance Abound, 10 Years after UN World Summit,” OpenCanada.org, January 7, 2015.

utilized by the private sector and civil society on the one hand, and an international political and legal system that is state-centric on the other.”<sup>34</sup>

Indeed, a similar tension can be found throughout the UN agenda between “We the peoples”—in part represented by civil society and the private sector—and the state-based system of international law and diplomacy.

### III. Challenges and Gaps

The multilateral system has many moving parts, and cooperation among the proliferating numbers of actors will be critically important to the cause of addressing current crises while seizing opportunities for progress. Clearly many challenges remain. A few for consideration include the following:

#### ***Regional Organizations***

- a. Regime Complexity: As regional organizations proliferate, there is a risk of excessive regime complexity leading to a confusion of rules, policies, and procedures, which could hamper effective responses rather than facilitate them. Many regional organizations intersect and overlap. Some are very active, others practically dormant. The key will be developing and improving frameworks for coordination and cooperation.<sup>35</sup>
- b. Burden Sharing: Similarly, it will be a challenge to learn how to leverage comparative advantages and share burdens and responsibilities so the proliferation of actors in the multilateral sphere can be for everyone’s benefit.
- c. Geographic Diversity: Also, as regional organizations become more important to the multilateral system, it must be recognized that not all regions have similar institutional traditions of regional cooperation. Regional organizations do not cover the globe. For example, while Latin America is rife with regional arrangements, East Asia is largely bereft outside of ASEAN, and the challenges of regional cooperation in the Middle East are well known. This may reinforce existing perceptions of a lack of equal representation and influence of countries and regions in the UN multilateral system.
- d. Not a Panacea: Regional organizations have proven their capacity to play an integral role in the maintenance of international peace and security, but they should not be seen as a panacea. Due to their proximity to local conflicts, regional organizations should in principle have more intimate knowledge of the situation and be able to respond more quickly, but proximity can also bring particular regional interests and rivalries into play, potentially to the detriment of efforts to reestablish peace and security. As a result, in

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<sup>34</sup> Ibid.

<sup>35</sup> Laura Gómez-Mera, “International Regime Complexity and Regional Governance: Evidence from the Americas,” *Global Governance* 21, no. 1 (January–March 2015).

certain contexts, the disinterested distance of third parties like the UN can be better suited to address conflict.<sup>36</sup>

### ***Civil Society and NGOs***

- e. Legitimation Gap: The UN is a member state organization. Yet it aspires to represent “We the peoples” of the world, and it must be recognized that some states do not represent all of their people. This has always resulted in a tension at the core of the UN: its people-focused aspirations are housed in a state-centered structure.<sup>37</sup> Incorporating civil society into the system has long been understood as one way to ease that tension. Today, non-state actors are increasingly important to international peace and security in both a positive and a negative sense. The challenge for the UN as a state-based system will be to incorporate the voices of new actors with constructive roles to play at both headquarters and in the field.
- f. Real Representation: However, it will be important to understand that not all civil society is itself representative. Global civil society, and especially international NGOs, is concentrated in the industrialized world. Thus, developing countries often see global civil society as just another vehicle for the West to push its agenda.<sup>38</sup> Moreover, some issues, interests, and needs are more on the forefront of international NGOs’ agendas than others, and some important concerns of vulnerable groups are not even on the agendas of local civil society groups for political, cultural, or religious reasons. The challenge will be to engage with a more diverse range of civil society organizations, including local actors.
- g. Effective Participation: This engagement must also be geared toward effective participation, not tokenism. Incorporating civil society should not just be for show or to check a box, but to advance the quality, effectiveness, and legitimacy of multilateral policymaking.

### ***The Private Sector***

- h. Accountability: As the private sector becomes increasingly involved in the implementation of multilateral policies, whether in the area of peace and security, sustainable development, or global finance, the challenge will remain ensuring that businesses and the individuals who work for them comply with relevant international and national law (such as international humanitarian law and human rights or environmental protections) and are made accountable for their actions when they violate such norms.

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<sup>36</sup> Jean-Marie Guéhenno made this point in a presentation on his book *The Fogs of Peace* at the International Peace Institute, New York, July 14, 2015.

<sup>37</sup> *UN Handbook*, p. 254.

<sup>38</sup> Panel of Eminent Persons on United Nations-Civil Society Relations (Cardoso Panel), *We the Peoples: Civil Society, the United Nations and Global Governance*, A/58/817, June 2004, p.7.

- i. The Global Commons: Related to the challenge of accountability is that of the compatibility between the profit motive and the pursuit of global well-being, in particular with regard to stewardship of the global commons. For example, private sector engagement on international development should not come at the expense of protecting the oceans or fighting climate change.
- j. Innovation: Most important, however, will be for the UN system to learn how to leverage the incredible dynamism of private-sector innovation to improve policy development and implementation across the broad international agenda. We are living at a time of extraordinary scientific, technological, and informational innovation. For the UN to remain relevant, it must find ways to tap into that dynamism for the common good of the planet.

#### IV. Recommendations

1. Early in her or his first term, the next secretary-general should **produce a strategic vision document** defining the UN's commitment to partnerships at all levels. In doing so, the document should articulate a recognition that to be relevant and effective in the twenty-first century, the UN must work to establish its considerable comparative advantages as a universal, charter-based organization in a wide network of partnerships with regional organizations, civil society, NGOs, and the private sector.
2. In comparison to Chapter VII of the UN Charter, Chapter VIII has been subject to relatively little scholarly attention. A consortium of research institutions, in consultation with the UN Secretariat, should **convene an expert-level conference on Chapter VIII** to better understand how it has been interpreted in the past and how it can be better utilized for the improved maintenance of international peace and security. For example, the following questions, among others, could be better understood: What specifically constitutes a "regional arrangement or agency" as defined by the UN Charter? What delimits "regional action" as referred to in Article 52(1)? What specific activities may a regional organization carry out under Articles 52(2–4) and 53? What is required for regional organizations to fulfill their duty to keep the Security Council "fully informed" of activities "in contemplation" of the maintenance of international peace and security?
3. Much of the focus on partnerships between the UN and the African Union has been on peacekeeping. But the AU Peace and Security Architecture and the AU Governance Architecture contain additional tools that should be explored for further partnerships. The UN Secretariat should **convene a working group to facilitate the development of such possibilities, including the joint analysis of issues** in the interest of long-term conflict prevention and sustainable peace.

4. Similarly, the AU and the UN should **extend the joint framework for an enhanced partnership in peace and security**, signed between the UN Office to the African Union and the Peace and Security Department of the AU Commission, to incorporate cooperation across the AU Commission and into relations with other arms of the UN system.<sup>39</sup>
5. It has been twenty years since the approval of ECOSOC Resolution 1996/31, which governs the relationship between the UN and NGOs. In that time, global civil society has grown substantially, as have the technological mechanisms through which international NGOs communicate and connect to the work of the UN. As a result, the council president should **convene a general review of the arrangements for consultation with NGOs**, with a view to updating ECOSOC Resolution 1996/31 to modernize access to NGOs and improve mechanisms for UN partnerships with NGOs, civil society, and the private sector, among other things.
6. The implementation of the 2030 Development Agenda will provide an excellent opportunity to foster partnerships among the UN, regional organizations, civil society, and the private sector. Civil society was key to designing the agenda, including through the precedent-setting Open Working Group on the Sustainable Development Goals (SDGs) and the intergovernmental negotiations on the post-2015 development agenda. Civil society will also have to be a critical component of the successful implementation of the SDGs. **The concrete practice of inclusion should be carried through to the follow-up and review in the High-Level Political Forum.**
7. The private sector must also continue to be engaged for the successful implementation of the SDGs. A good starting point would be to **further develop the SDG Fund's Private Sector Advisory Group's Framework for Action**. In particular, action will need to be taken to identify particular SDG targets that can be matched with specific private sector actors at the country level and to facilitate their connection.
8. To better leverage private sector dynamism, the UN Innovation Network, co-chaired by UNICEF and UNHCR, should **establish a platform to connect and scale up the "innovation labs"** currently being developed by UNHCR, UNICEF, Global Pulse, and others, which connect corporate partners, universities, and NGOs to explore technological and design-based solutions to specific operational problems. This platform could also work to provide better connections between headquarters and the field (i.e., between the head and arms and legs of the system).
9. There is a need to address improved operational partnerships during emergencies. The outcomes of the **United Nations Ebola Emergency Response (UNMEER) Lessons Learned**

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<sup>39</sup> Williams and Derso, "Saving Strangers and Neighbors," p. 15.

**Exercise** to be taken up by the General Assembly in the spring of 2016 should be studied in detail.

## **V. Conclusion**

The international sphere is more complex than ever before. In order to be effective, the UN must recognize that while it is uniquely placed by international law at the center of the multilateral system, it is but one among a host of local, national, and international actors.

The UN is nearly everywhere, which is both a strength and a liability, but it is never the only actor at play and is seldom, if ever, the most powerful international actor in any given crisis. This means it must improve its capacity for partnership, something that has been recognized repeatedly in the past year, whether in the review of the UN peacebuilding architecture, the report of the High-Level Independent Panel on Peace Operations, or the agreement on the SDGs.

Achieving the goals of maintaining international peace and security, protecting human rights, and promoting sustainable development in the twenty-first century will require working through networks of governments, regional arrangements, international organizations, private sector actors, and civil society. The most effective governments and international organizations will be those that best take advantage of this reality and position themselves as offering fora to coordinate, convene, facilitate, and inspire such networks.<sup>40</sup>

As a universal organization with 193 member states, charter ties to regional arrangements, and a long tradition of engaging civil society and promoting the positive power of the private sector, the UN is well-placed to do just that. If the UN were to improve its engagement with this multitude of local and global actors in a meaningful way, this could contribute significantly to achieving globally shared goals at the heart of the UN's *raison d'être*. At the same time, it would allow the UN to safeguard its role as the lynchpin of the international multilateral system and minimize potential side effects from the multiplication of actors that could be detrimental to the organization's purposes and principles.

The challenge will be to develop the strategic vision to recognize this transformation in the international sphere in order to best fulfill the UN's comparative advantage and truly make the organization fit for purpose in the twenty-first century.

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<sup>40</sup> Roland Paris, "Global Order through Disorder? The Promise and Perils of Plurilateralism" (paper presented at the International Studies Association 56<sup>th</sup> Annual Convention, New Orleans, LA, February 18–21, 2015).

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