

POLICY PAPER

The EU as an Architect of the Global Governance: Toward a European Integrated Approach in International Organizations



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Background: Global Governance Between Opportunities and Challenges

What is global governance?

Global Governance is defined as being a "system of rule at all levels of human activity - from the family to the international organization in which the pursuit of goals through the exercise of control has transnational repercussions"[1]. Such a notion has to be understood beyond the classical scope and tools of International Relations studies[2], since the target and actors of global governance do not only include Nations-States actions through diplomatic means: "Global governance is governing, without sovereign authority, relationships that transcend national frontiers. Global governance is doing internationally what governments do at home"[3]. Since Nation-States are gradually more embedded in interdependent relations, the substance of politics progressively slips out of the framework of the sovereign community.

The Global governance architecture involves norms, interaction among Nation-States, but also more importantly International Organization to develop and implement norms, regimes, or public policy to materialize an international management of transnational challenges[4]. If international institutions are essential for the management of global challenges, their legitimacy is however increasingly contested[5]. Consequently, the EU has to think about how we can create an architecture of the global governance which suits both the requirement of efficiency and the necessity of fairness[6]. The United Nations Secretary-General issued a report on "Our Common Agenda"[7] in September 2021, which developed key proposals across twelve commitments to strengthen global governance; enhance international solidarity and manage global common goods.

The EU is an Actor and Promoter of the Global Governance

Since 1964, the EU is legally recognized by the European Court of Justice[8] as being a subject able to represent itself in the international scene, which notably expresses its "right to legation" (right to send and receive diplomatic delegation). The commitment of the European Union for a multilateral and inclusive global governance can be found already in the implementation of the European Security Strategy (ESS)[9] in 2003; and the latest manifestation of this commitment can be seen in the EU Commission Communication "on strengthening the EU's contribution to rule-based multilateralism"[10] which states that "A well-functioning multilateral system is an EU strategic interest in its own right". As we saw in a previous article[11], the EU commitment to rules-based multilateral diplomacy translates the will to enhance EU actorness in the international society[12]. Then, because of the credibility of the EU in the international scene, relying on "multilateralism proving to work"[13], its strategy to enhance Institutions of Global Governance become both an existential problematic and translate its willingness to develop a rule-based international scene.

The EU Strategy: The Promotion of an Inclusive and Networked Multilateralism

If the EU pledged to support necessary reforms and modernization of multilateral institutions, we need to investigate the *how* and have an analysis of the challenge such modernization includes. The EU, in its objective to strengthen an inclusive multilateral global governance through its policy International Organizations need to consider both the multiple conceptions and interests regarding global governance, as well as hegemonic attempts of the most powerful players of the International System. The main documents defining the EU strategy to reinforce institutions of global governance are the Council Conclusion "EU action to strengthen rules-based multilateralism"[14] and the EU Communication on strengthening the EU's contribution to rules-based multilateralism[15].



In broad line, the EU strategy can be summarized by the will to promote a multilateral system which 1) "fit for purpose", through the promotion of different institutional reform of key International Organizations, in particular the World Trade Organization, the World Health Organization, and the United Nations[16], 2) is "inclusive", where the voices of the civil society, private sector and social partner found channels to do propose policy recommendation, especially meeting bringing together EU officials and representative of the civil society[17], 3) reaffirm the leadership of the executive branch of International organization, in particular the Secretariat General of the UN, through the promotion of International Law and Human's Rights Law, 4) the promotion of multilateralism as a strategic objectives of the EU, framing effort to reinforce institutions of global governance through an "interest based approach".

If this strategy is beneficial in many regards, such strategy tends to focus more on the modality of interaction among players of the international system, rather than focusing in particular on the international organization which allows the global governance to take true shape. Consequently, it tends to lower the problematic that unipolar power politics and marginalization of powerless actors induce on the fragmentation of global governance.

The Main Threat to Global Governance is Unipolar Power Politics and Marginalization of Powerless Actors

In addition to this variety of perspectives on Global Governance that have to be consider, one of the main challenges that institutionalized multilateralism is facing is unipolar power politics, implemented by the most powerful actors of the international system, which can create "gridlock"[18] and inefficiency to provide key collective answer to common challenges. Indeed, the idea of sovereignty continues to be used as a tool by global power to challenge the practical application of global governance and pursue their own agenda[19].

More generally, the development of autocratic-minded governments around the world has further contributed to the erosion of trust regarding multilateral diplomacy. However, this problem can arise from a different problem which is not only related to nationalism[20]. This politics can be analyzed as a strategy allowing emerging countries of the South to position themselves against global governance institutions which do not integrate them sufficiently, as the 2008 India-Brazil-South Africa Dialogue Forum has highlighted[21]. Hence, a cautious approach needs to be adopted by the EU to promotes International Organizations that sustains the Global Governance and need to take into account both the over-representation of great power which used those institution to enhance their own agenda, as well as marginalized countries which do not see their basic need for representation fulfill in the institution of the Global Governance.

If the EU wants to implement a successful policy regarding the promotion of Inclusive Global Governance, one way to achieve it is to develop and implement an integrated approach in International Organizations able to mitigate those two structural problems. In this context of in-depth redefinition of Global Governance and assault on multilateral diplomacy, this policy paper will be framed around the following research question: how can the EU build a strategy to build an inclusive and sustainable global governance through International Organizations?

Current State of Play: Challenges and Opportunities Facing the Institutions of Global Governances

The World Trade Organizations

The World Trade Organization (WTO) has been described as "the most remarkable achievement in institutionalized global economic cooperation that has ever been" [22], helping nations to build



common ground and rule-based trade systems, avoiding in theory trade war and developing prosperity in a multilateral fashion. The WTO today has a vastly expanded mandate with 164 members and rules covering 98 percent of world trade[23]. However, because of the complexity to reach consensus at the Global level, the multilateral agreement to develop rules for the global trade tends to be gradually set aside. The development of bilateral and regional agreement is hence likely to be an ongoing trend, which can both be an opportunity for countries to integrated themselves in closer economic area and a problematic of fragmentation of global rules and practices for trade, which would complexify and fragilize the global economy as a whole[24].

The WTO is facing structural issues, linked both with the transformation and complexification of the international economy (in particular the development of Global Supply Chain and Preferential Trade Agreements) and a shift by member states' attitude toward compliance with multilateral negotiation[25].

Two countries have challenged the WTO due to their rivalry: China and the USA. The USA has put forward several arguments to justify attempts to marginalize its opponent is the world economy. The USA has argued that 1) China implement illegal policy to foster trade imbalance (problematic especially linked with the relationship between chinese company and the state); 2) that China uses the leverage provided by its large market to get companies to share more technology than they might like in joint ventures; 3) that China's backslide on liberal market-oriented reforms (which raises question of antidumping and intellectual property protection)[26].

Those accusations raise the question of the ability of China to illegally foster its technological industry and to disturbed both the global market and countries' ability to produce strategic items, especially capital-intensive technologies of the data economy[27]. Observers fear that such rivalry will be accentuated with the development of the digital economy: indeed, because of the "winner take most" dynamic of the data-driven economy, geopolitical competition among players have the potential to get out of hand and to structurally disturb the rule based-global trade regime[28].

For instance, such accusation has led the USA to repeatedly threatened to withdraw from the WTO and had led the Trump administration to undermine the WTO by blocking the appointment of member to the Appellate Body, a central element of the Dispute Settlement System of the WTO, a problem still not resolved, and which undermine seriously the global trade governance[29]. On the other side of the power politics spectrum, the Least Developed Countries have been marginalized by the WTO system, and their inability to take voice in the institution have led their products to face tariff escalation[30].

This disregard for the specific need of developing nations not only hampers their potential economic development[31], which eventually have the potential to spillover into a distrust regarding the institution and a shift away by those countries from this key institution of the global economic governance[32].

The EU has been a major actor sustaining the WTO as the main institution of the governance of global trade. As the treaty states, the EU has exclusive competence for the conduct of international trade policy[33]. The EU is the only International Organization to have explicit membership in the WTO, due to the historical role that the institution of European integration has played in trade policy long before the institutionalization of the WTO in 1995[34].

Furthermore, the EU found itself to be a catalyst and an actor of the legitimation of the WTO itself, improving both the actorness of the WTO and the EU, while promoting the trade interest of European member states. In other words, the success of the EU unified representation at the WTO, alongside with member states, have been seen as a possible model to promote the role of the EU in other



international organizations[35]. The EU have been a historical promotor of the WTO and have also demonstrated its support to the organization in the context of the Covid-19 outbreak in a recent communication[36], as well as the urgent need to reform the institution to make it more resilient regarding structural challenges it is facing[37], but also vis-à-vis the green and digital transition[38]. Such reform has been including and promoted through an alliance of like-minded partner, the Ottawa Group[39], which promote the development of new rules on digital trade, services, and investment; implement new rules to avoid competitive distortion link to state support and interventions; reinforcing the monitoring and deliberative function of the organization; rethink the role of the Director General etc.[40].

The World Health Organization

The World Health Organization has benefited from historical exposition in the context of the Covid-19 outbreak. The current challenges the WHO is facing also highlight the fragilization of multilateralism as a driver of the governance of global health, in a context where risk for health is gradually becoming transnational[41]. The organization, implemented in 1948 in the aftermath of the Second World War, has implemented astonishing improvement in global health, especially in tackling infectious disease[42] and child mortality.

This specialized agency of the United Nations has the objective to promote the multilateral management of health problematic with the objective to provide universal access to the "highest possible level of health".[43] Its mandate includes the promotion of universal health care, monitoring of public health risks, and coordinate international responses to global and transnational health crisis[44]. The WHO is, however, facing several structural challenges, the first one is problematic linked to its legitimacy, another one connected to compliance from member states to its functions.

The first issue is connected to WHO well-functioning relies on the ability of the organization to appear as an independent and expertise driven organization[45]. However, the recent accusation of the organization to be complacent with the Chinese government, praising its action at a moment where the CCP overtly withheld data on the origin of the Covid-19 outbreak and constraining the WHO staff to investigate autonomously in the country[46]. This issue has raised the opportunity for nationalist minded leaders to implement unilateral politics regarding the global health crisis, such as the decision of Donald Trump to withdraw from the organization in 2020 in order to redirect funds to US health priorities[47].

This previous problem is also linked with a legal void regarding member states compliance with the data sharing. Indeed, if the ratification of the 2005 International Health Regulations mandated WHO member states to establish domestic pandemic surveillance systems to detect acute outbreaks and report them to the WHO, its regulations rely entirely on voluntary compliance, and the organization lacks a mandatory dispute settlement mechanism able to force member states to stand for their obligations[48]. Such problems, linked with the overall problem of the time required between diplomatic negotiation to reach the consents of states and the need to take urgent action have already been formulated in a report by The Lancet in 2015 in a context of outbreak of Ebola in West Africa[49].

Furthermore, the budget of the organization has stagnated, and become gradually more dependent on voluntary contributions from government and private founders[50]. Consequently, we understand that the core of the reform should focus on freeing the WHO from member states political interests, and to provide it more autonomy of action[51]. Such a challenge is even more needed in the case of developing countries, which often rely on the expertise of the organization to implement efficient health policy, and consequently, to prevent the outbreak of pandemic and global health crisis[52].



In the pandemic context, the EU is finding a renewed interest in the strengthening of institutions of global health. This topic was already acknowledged by EU institutions, as the Global Health Council Conclusion[53] stated that the improvement of the leadership of the WHO would be a priority of the EU and its member states. However, this commitment has not been translated into concrete actions, and the EU council did not have the support from health, development, and foreign ministries of member states[54]. Indeed, the EU lacks a clear vision of global health as a policy concept, as well as divergent objectives between member states and the EU institutions[55].

On a more formal basis, Health problematic lies as a member states prerogative, and the role of the EU in the matter has been a conflicting topic since the Lisbon Treaty[56]. The Covid-19 pandemic has been consequently analyzed as a wake-up call, in the aftermath of an inefficient national-level only approach that failed to respond to the transnational nature of the crisis. On one hand, the President of the EU commission's call for a European Health Union, in order to foster intra-European multilateral means to tackle the pandemic[57]. On the other hand, the EU council committed to promote reforms of the WHO in order to ensure efficiency and transparency[58], as well as support a set of measures strengthening WHO's normative role and capacity[59].

The United Nations

The United Nations have been described as a quintessential universal international organization, which successfully manages to avoid the development of large-scale threat among greater power while providing a diplomatic channel and forum to tackle transnational challenges humanity is facing[60]. The institution faced several reforms since its creation in 1945, since it aimed at adapting to a fast-changing international scene[61]. Such are in particular linked to the spectacular growth of membership since its creation. Indeed, we observe a membership inflation since the creation of the organization from 51 to 193 member states in 2021. If we need to greet this quasi-universal membership, we also need to acknowledge that it has complexified its functioning.

The last decades of the United Nations have witnessed the development of new institutional bodies, such as autonomous bodies, treaty organs, special agencies, and coordinator agencies[62]. However, the United Nations is currently facing a major challenge over its legitimacy. Indeed, during the 75th United Nations General Assembly, Secretary General Antonio Guterres praised the role of the UN in preventing a third world war, but he also was highly critic about the attitude of member states regarding the mushrooming crises which found a new magnitude in the context of the COVID19 outbreak: regional conflicts, hunger, rise of inequality and climate change[63].

The credibility and relevance of the UN to stage world affairs has never seem that much questioned since the Second World War[64]. The development of autocratic-minded government around the world has further contribute to the erosion of trust regarding multilateral diplomacy and the work of the UN in general[65], which have deeply fragilized the ability of the international community to rely on strong global governance mechanism in order to handle transnational crisis. The United States, Russia and China were not willing to enhance support over the UN Security Council vis-à-vis security and humanitarian crisis the world had face those last years (such as the rising tension in Palestine and Israel, the civil war in Ethiopia, in Myanmar or the unstable situation in Afghanistan)[66].

In this context, the Secretariat General decided to follow a cautious approach and had to engage with other International Organization such as the African Union to mediate active conflict, instead of having leverage to do it for itself[67]. More generally, great power competition put the United Nations System at risk, in the way it has the capacity to diverge the world order from multilateral diplomacy toward a cold war dynamic which would gridlock the international community's ability to create for itself tools to manage its common challenges[68]. From a security perspective, the example of the Syrian Civil war and the impasses induced by great power politics, especially from the US and Russia,



have let the conflict spillover toward Iraq and allowed the development of the Islamic State[69]. Hence, and the inability to provide an effective governance over global security through multilateral means will consequently put the international peace at great risks.

The necessity to reform the UN system has been acknowledged by both member states and the UN Secretariat General[70], and the EU committed in its strategy to help the reconstruction of the institution in order to ensure the doctrine of an "effective multilateralism"[71]. The EU, guided by both the EU global strategy for foreign and security policy[72] as well as other frameworks defending global cooperation, have favorized the development and implementation of a rules-based global order, with the UN at its center[73].

The EU have a major role in the United Nations system: it is the largest financial donors to the UN (one quarter of all financing contribution) and the largest development donor in the world (€75.2 billion in 2019)[74]. The EU's power in the United Nations comes from the ways the EU delegation is capable of creating coordinate positions among its Member States, leverage its diplomatic influence with third countries and put forward its interest through its representatives or through the voice of its Member States with broad support from other UN members[75]. The wish to promote the reform of the UN system, including reform of the Security Council and to support reform of UN bureaucracy, have been officialized by the EU parliament in 2018 in the European Parliament recommendation on the 73rd session of the UN General Assembly[76].

Policy Recommendations: Toward an Integrated EU Strategy to Promote the Institutionalization of a Fair and Inclusive Global Governance

Different lessons can be learned from those three examples and will guide our policy recommendation for the EU to strengthen the institutions of global governance. By focusing on the World Trade Organization, the World Health Organization, and the United Nations, we saw that similar challenges face key institution of the Global Governance throughout the 21st century, and particularly in the context of 2021-2022 where the need for collective and multilateral institutions are increasingly needed to foster global and transnational challenges.

In the same way, those three institutions have been pushed to implement organizational reform in a similar fashion and in order to implement similar transformation: the development of transparency, inclusiveness, and efficiency. Such reforms are pushed, as we saw, by the dual challenge that power politics induce in those institutions. On one hand, great powers use their influence in order to promote their interests and tend to use International Organizations as a forum to spread their influence, and gridlock them if they perceive that such a strategy will alter the position of their opponents.

On the other hand, least developed countries which are the one in the most urgent need to get access to those institutions in order to develop their economy and their security are marginalized from the decision making and rule development of those institutions, implemented by and for most advanced countries. Those two challenges are, at the end, feeding each other since the marginalization of some gives more room to the other to impose their will.

Proposition 1. Against Great Power Politics: an EU integrated framework to strengthen institutions of Global governance.

We consequently need to advocate for a bold and comprehensive EU strategy to foster and give strength to the institution of global governance in order to promote the European actorness in the International Scene, but also to provide tools to humankind to deal with urgent challenges which cannot be dealt with without a strong multilateralism. The European Union, as we saw, has supported, and enhanced the development and reform of those institutions of global governance. Indeed, the



European Union has a specific middle range position regarding the challenge of the institutions of global governance.

On one hand, we cannot state that the EU and its member states are marginalized from the decision making and the everyday policy making of those institutions. We review that the EU, through its delegation or its member states, have in those three examples a central role in the development and deployment of policy through the institutions of global governance. However, unlike other great power such as the USA, China or Russia, the EU rely on the well-functioning of multilateral organizations in order to ensure its economic and political stability, a situation that have been highlighted by the famous description of the EU as an "Economic giant, a political dwarf and a military worm" [77].

As we saw earlier, EU's strategy to strengthening a rules-based multilateralism tend to omit the importance of international institutions as a major pillar of the global governance, and the strategic nature of the reform of the WHO, WTO, and the UN, if acknowledge, is not framed into a specific and precise diplomatic doctrine nor clear objectives.

Firstly, a thematic shift should be operated in order to replace the idea of promotion of multilateralism into the promotion of global governance. Such semantic reform would have the benefit to put the emphasis from a modality of action and interaction toward a focus on international institutions and rules and will have the advantage to clarify the position of the EU regarding the nature of the fragmentation of world politics.

Secondly, the EU should consequently, through its delegation and through the delegation of member states, and in partnership with the executive branches of those international organizations, establish realistic roadmap and objectives of reforms and go beyond vague labels such as "inclusive multilateralism".

Proposition 2. The EU needs to commit to pluralism if it wants to be serious about global governance promotion.

If the idea of multistakeholder approach to multilateralism is a key milestone in the development of rule based and inclusive global governance, we have to stress that the EU should commit to the plurality of vision concerning global governance itself. If the EU wants to implement a successful strategy to promote a multilateral global governance and the International Organizations that sustain it, a clear understanding of the plurality of perspective on global governance is needed in order to seize the possible cognitive divergence and convergence that its strategy could encounter. We can raise several examples. For China, its involvement in global governance translates its wish to regain a central role in international politics, which it considers to be its historical right[78]. For India, global governance helps the country to develop an autonomous foreign policy, translating its historical desire on non-alignment[79], a position that was also followed by countries in Latin America[80] which seek to be more autonomous vis-à-vis the USA. In Southeast Asia, the ASEAN developed a global governance paradigm rooted in the notion of neutrality, sovereignty, peaceful settlement of disputes, and the promotion of social harmony and domestic stability[81]. The Russian perspective on global governance has been characterized by an attempt to challenge the liberal world order and the USA[82].

Proposition 3. Finding allies: reorganizing the Ottawa Group to reform the institution of Global Governance.

The logical consequence of the development of a comprehensive EU approach to promote the reform of the institution of global governance lies in finding international partners to support such reform.



In order to promote the reform of institutions of global governance and to mitigate the adverse effect of power politics, the EU has to develop strategic partnership in order to support at the international level such transformation of the global order beyond. We observed earlier that the necessity to reform such institutions is not a concern for the EU alone, and intergovernmental forums already exist to gather like-minded political authority to find solutions in common and to promote them internationally.

The first proposition that we would outline is to base the support of the reform of institutions of global governance on the Ottawa Group. The composition of the Ottawa Group is interesting in the sense that its member-states face structurally the same challenge as the EU: being important players of the international scene without having enough weight to afford an exit option from International Organizations. If the Ottawa Group had been implemented to think and promote reform of the WTO alone, we would argue that activating this political forum to discuss challenges of the fragmentation of world politics, to find solutions and promote them at the institutional level of the UN, WTO and WHO would be particularly fruitful. Indeed, most countries of the Ottawa Group have raised their attachment to international organization, as well as the democratic and liberal values that the EU aims at promoting globally.

Proposition 4. Finding allies: for a North-South Partnership to develop and deploy reforms of global governance.

As we saw, the other side of the crisis of global governance lies in the marginalization of developing countries in international organizations. Consequently, if the EU wants to foster multilateralism as a key modality of action to resolve transnational challenges, it has to bear in mind the question of integration of those countries in the setting up of reforms of institutions of global governance. We will advocate here for a close partnership between the European Union and the African Union, since those two organizations are alike in their willingness to develop multilateralism in the world order in a similar fashion.

Indeed, The African Union perspective on Global Governance highlights a "collectivist-driven" conception of multilateralism, where the idea of joint management is more important than the issue of sovereignty[83]. This perspective has the benefit to support the view of the EU, the idea of integration of African society in world politics, and to challenge unipolar power politics. For Africa and the AU, change in world politics these last years have brought more options in terms of partners to improve its capacity to implement partnership with actors of the international scene, fostering its own actorness. As the ETTG states "the AU is currently developing a vision for Africa's international partnerships, including a strategy for relations with global and regional powers and regional blocs such as the EU"[84]. Consequently, we are facing a potential convergence of interest as well as a convergence of value among the EU and the AU regarding the reform of Global Governance.



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