

GOOD GOVERNANCE AND MULTILATERAL DIPLOMACY

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Abstract

Good governance is a crucial element of the global struggle for sustainable development and peace. The United Nations Millennium Declaration of 8 September 2000 stipulates that success in meeting the key objectives of the current century depends, *inter alia*, on good governance within each country and at the international level. The article analyzes the specific contribution of multilateral diplomacy in promoting

good governance as an attribute of democracy, as well as its correlation with global solidarity and partnership. The catalytic role of multilateral diplomacy in this field is closely connected with the very essence of universal values to which good governance is expected to give tangibility at national and global levels. The author shares the legitimate appeals made by the United Nations in favour of good governance, solidarity and global partnerships and comes to the conclusion that by their active

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advancement multilateral diplomacy can become more instrumental in meeting the central challenge of the contemporary world to ensure that the irreversible process of globalization becomes a positive force for all humankind.

One of the most important documents of the 21st century is the United Nations Millennium Declaration adopted by consensus by the UN Millennium Summit, in New York, on 8 September 2000. The Declaration contains a set of fundamental values which are considered to be essential to international relations in the current century. These include: freedom, equality, solidarity, tolerance, respect for nature and shared responsibility. In order to translate these values into action, the UN Summit has identified a number of key objectives to which special significance is assigned. The key objectives belong to topical fields, such as peace, security, disarmament, development, poverty eradication, protecting common environment, human rights, democracy and good governance.

The largest diplomatic gathering in human history, the UN Summit came to the conclusion that success in meeting the objectives in the field of development and poverty eradication depended, inter alia, on good governance within each country and at the international level.(1)

How can multilateral diplomacy

contribute to the universal recognition of the fact that good governance grounded in democracy, the rule of law and respect for human rights is the best foundation for sustainable development? The reflections submitted in this essay as an answer are focused on the present challenges for the future of good governance in the era of globalization during which the management of complexity is a fundamental prerequisite for the survival and evolution of an authentic diplomacy, truly instrumental in the service of the universal values of humanity.

1. An Attribute of Democracy

In the absence of a normative definition, we may accept pragmatically that in broad terms governance is the exercise of political, economic and administrative authority to manage a nation's affairs. Governance encompasses a whole range of complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations and mediate differences.

For working purposes we can also specify some of the main elements of good governance which entered into the generally accepted international vocabulary as a result of successful efforts undertaken on its substantive aspects at various levels of multilateral

diplomacy. The enumeration of those elements, as suggested by the United Nations after intensive diplomatic negotiations, includes: participation, rule of law, transparency, responsiveness, consensus orientation, equity, effectiveness and efficiency, accountability and strategic vision. (2) It is understood that these elements and the characteristics attached to them are mutually reinforcing, are interrelated and cannot stand alone. Long and detailed negotiations are needed to come to consensus definitions of all these notions, taking into account the different cultural contexts in which they are used.

The rounds of negotiations during which good governance is professionally invoked and considered by diplomats in view of its inclusion in various resolutions are an integral part of a continuous process. Indeed, every day states conduct thousands of negotiations over thousand of issues in a bilateral context and in multilateral forums. Good governance is and remains a significant issue on the diplomatic agenda of both bilateral and multilateral negotiations.

It has been emphasized both in the specialized literature and in different stages of debates and negotiations that good governance was by its essence an attribute of democracy. In the era of globalization and competition, good governance is expected to combine in a rational, predictable manner economic reforms

and social responsibility with the aim of promoting institutional reforms, social stability and justice.(3)

Good governance is frequently praised by national delegations in international organizations, being recognized that it is an essential building block for meeting the objectives of sustainable development, prosperity and peace.(4) Lack of good governance has a negative influence on business development and economic growth. Poor governance poses serious threats to security and stability at national level and can generate “hot spots” among states.(5) Dysfunctional, unresponsive and non-transparent institutions generate incoherent and inefficient governmental policies, and open the way for corruption and abuses, underdevelopment, economic and social polarization.(6)

Under such circumstances it is obvious that bad governance in a developing country may affect its efforts aiming at progress and prosperity and has a general negative impact on the future of that country, in particular if it is ill-prepared for globalization. Events demonstrate year by year that some developing countries are frequently hostages of the foreign funds, having little control over capital flows. In such situations the need for good governance is vital and fundamental as it is also the constant requirement for a realistic vision and capacity to learn to live in the era of globalization. Multilateral diplomacy

cannot remain passive when confronted with this unavoidable requirement.

As the primary instrument of international communication and negotiation, diplomacy is permanently called upon to contribute to channelling global changes in an evolutionary, peaceful, democratic and rule-based manner. Its objectives include identification of common interests and agreement on collective or parallel action in their pursuit as well as the recognition of conflicting interests and possible agreement on compromise solutions.

Diplomacy contributes in a specific way to an orderly system of international relations and is the most common political technique for the peaceful settlement of disputes. It is permanently involved in conveying and clarifying of messages between governments, in the gathering of information and the cultivation of friendly relations. One of its priorities, as the main vehicle of foreign policy, is to facilitate the promotion of good governance both at domestic and international levels.

Multilateral/conference diplomacy strongly emphasizes the search for consensus while dealing with global issues as well as in its efforts to identify generally acceptable solutions on controversial issues. A genuine diplomacy involved in negotiations on global issues and serving adequately national interests may gradually lead to

the definition of a foreign policy consonant with the imperatives of good governance. International efforts to develop good governance at planetary level recommend themselves as an integral part of contemporary multilateral diplomacy.

One of the first stimuli to initiate a vigorous diplomatic action in favour of good governance came from the Summits of the Group of 7 (now eight) which announced that the heads of state and government of the participating countries would focus their efforts on promoting good governance and the rule of law, strengthening civil society, expanding women's political participation, and boosting business and labor support for democracy, particularly in young democracies and societies in conflict.

The substantive relevance of the position expressed by the Group of 7 could not pass unobserved in the United Nations, the most representative forum for multilateral diplomacy. Chronologically speaking, the UNDP-sponsored International Conference on Governance for Sustainable Growth and Equity (New York, 28-30 July 1997), attended by over 1000 participants, offered the first major occasion to give a new impetus to the very powerful worldwide movement for a stronger, more effective, more accountable and more transparent governance.

During the Conference it was pointed out that good governance

involved democratization, free elections, an accountable assembly, the rule of law backed by a strong judiciary, a free press, a civil society that had access to decision-makers, and a vibrant private sector. Other topical issues included : accountability in the public sector; effective strategies to deal with corruption; promotion of dialogue between governments and civil society; assistance to countries in crisis. It was also emphasized that all States should take all possible measures to further the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions and of the International Code of Conduct for Public Officials, both adopted in 1996 by the UN General Assembly after extensive diplomatic negotiations.

In 1997, the UN General Assembly urged Member States to criminalize, in an effective and coordinated manner, the bribery of public office holders of other States in international commercial transactions, and encouraged them to engage, as appropriate, in programmatic activities to deter, prevent and combat bribery and corruption. States were urged to diminish institutional barriers through the development of integrated management systems and the promotion of legal reforms, in accordance with their fundamental legal principles in both the public and private sectors. Moreover, the General Assembly also urged Member States to encourage a greater role for citizens in the

development of transparent and accountable government, by supporting the active participation of non-governmental organizations in the identification, planning and implementation of initiatives that raise ethical standards and practices in both government and business transactions and by providing training and technical assistance to other States, as appropriate, and to develop and implement standards of good governance, in particular, accountability and transparency, legitimate commercial and financial conduct and other anti-corruption measures.

All these issues have attracted a world-wide attention and have continued to be on the agendas of all major international meetings over the period 1997-2001. A few examples will illustrate this dynamic reality. The Third International Conference of New or Restored Democracies on Democracy and Development (Bucharest, 2-4 September 1997) recalled that universal aspirations for development could not occur and materialize in a political vacuum. An adequate environment must be created in which government policies, as well as market forces, civil actions and community activity may contribute to the fullest possible extent to the eradication of poverty to which more than a billion of human beings are currently subjected.

There is no doubt that development depends on the direct and active

participation of communities in decision making process in which people should have the right to articulate their demands. Individuals should be permanently visible on the political map in order to ensure credibility to decisions that affect their lives. Achieving sustainable development is possible only through strong, effective, participatory and capable governance.

2. A Global Concept

The complexity of this concept makes very valuable the practical contribution of diplomacy to the eventual unanimous recognition of the universality of the fundamental principles of good governance. The tasks of diplomacy in this field are delicate. The reasons are well known. The programmes for promoting good governance should not have as a target the homogenization of developing countries. It is the right and duty of every country to find its own path to good governance and democratization. Countries should not be bound by a ready-made model. Good governance can succeed only if it is in harmony with national culture and history. It cannot be imposed by force. While good governance may share common features on different continents, there is no one universal model of good governance. That does not exclude the possibility of having a body of principles recognized universally as guidelines for

programmes of good governance adapted to national specificities.

Efforts to promote good governance should not be interpreted as attempts made by powerful nations to impose their hegemony and values on nations who are less powerful. Globalization with a human face requires good governance but it should not lead to homogenization. Clearly, history, culture, traditions and individual characteristics across national borders have an undeniable importance and will continue to be a great source of differences and variability across national borders and within particular countries or groups of countries.

It is the role of diplomacy to explain and ultimately to convince within a broad process of negotiations that if there is a clear and non-controversial mandate of the UN to promote good governance, it can be achieved by encouraging inclusion, accommodation and tolerance which belong in fact to the basic principles of democracy. With such an understanding, democracy can be considered as one of the main pillars of good governance and of sustainable human development. Even if a comprehensive generally acceptable definition of good governance is still on the wanted list, any definition of it should necessarily encompass the proper functioning of the basic institutions of democracy, including those related to international relations.

In the diplomatic field it is important to have a well established professional civil service that is capable to absorb intelligently and to implement effectively the signals coming from political decision makers. International negotiation is both an art and a skill in which representatives of many countries meet to identify or create areas of agreement among different positions. We live in an era in which international negotiations are the predominant mode of relations between States and there are sound reasons to believe that this mode will continue to function for an undetermined period of time. Therefore, for practical purposes the adequate mechanisms of negotiation and of peaceful accomodation should be added to the relevant elements of good governance enumerated above.(7)

That brings again into the picture the current and future role of diplomacy in the international recognition of the crucial importance of good governance in the solution of complex problems in the era of globalization. We will remind just some of them. It is more and more obvious that globalization requires the establishment of a new, world-encompassing culture of cooperation. National interests cannot be sacrificed, but they have to be harmonized with humankind's global interests and values. The global governance concept is just at its beginnings. The creation of new institutions and the reform/adaptation of the existing ones to manage the

irreversible process of globalization is one of the major challenges in the 21st century.(8)

In the present international environment it may be necessary to adopt new accords of global governability, that implies in itself a new moral contract. Global governance is far from being a global government concept. According to the Commission on Global Governance initiated in 1989 which produced its full report in 1995, solutions to contemporary global problems can be effective only if they are based on pre-defined and universally accepted values and principles. The process of definition and acceptance of these principles and values is still far from its finalization. There is a continued need to strengthen constructive dialogue and genuine partnership in order to promote those principles and values.

Diplomacy has contributed to the gradual definition of such principles and values as reflected in the UN Millennium Declaration of 8 September 2000. In the light and on the basis of that Declaration, globalization is subjected to regulation in some basic spheres, such as world commerce, international competition, world finance and currency exchange, social relations and environment. It should be noted that diplomacy will be confronted with a lot of difficulties in this respect, as the codification and progressive development of international law in those spheres do not enjoy sufficient

support from the most influential members of the world community of nations.

There is a clear-cut awareness about these difficulties on the diplomatic front. As stated at the 1997 Bucharest Conference “Managing globalization requires capable leaders, political will and ethical determination to assume the risk and the moral responsibility of change. To consolidate Peace, Democracy and Development, taking into account the current danger of emerging economic models that lack justice, equity and solidarity, will require the implementation of at least eight principles. These imperatives are the following : to abolish corruption from politics; to solve conflicts of interest within the countries, in a democratic spirit; to stop the weapons race and to discourage waging war as a way of solving disputes; to promote peace and security for all; to give priority to children and the young in the solution of social problems; to promote quality of education for all and to preserve the environment and bio-diversity.”(9)

The above list of imperatives is not complete and may be eclectic in many regards, but there is no doubt that a whole programme of diplomatic activities can be conceived and constructed on that basis in order to find adequate solutions to complex problems emerging dramatically in the era of globalization. The essential element in that programme, so closely

linked to the concept of good governance, should be the promotion of respect for human rights and fundamental freedoms.

It has been a positive achievement of multilateral diplomacy to make a solid linkage between human rights and good governance. On 26 April 2000, the Commission on Human Rights adopted resolution 2000/64 entitled “The role of good governance in the promotion of human rights”. The document emphasizes that the strengthening of good governance at national level, including through the building of effective and accountable institutions for promoting growth and sustainable human development, is a continuous process for all governments, regardless of the level of development of countries concerned. In the same context it is noted that good governance practices necessarily vary according to the particular circumstances and needs of different societies.

The most remarkable element of the resolution is the express recognition in its first operative paragraph “that transparent, responsible, accountable and participatory government, responsive to the needs and aspirations of the people, is the foundation on which good governance rests, and that such a foundation is a sine qua non for promotion of human rights.” The second paragraph of the operative part emphasizes “the need to promote partnership approaches to international development cooperation and to ensure

that prescriptive approaches to good governance do not impede such cooperation.”(10)

This is a direct appeal to diplomacy in order to infuse substance and consistency to the promotion of good governance aiming at the protection of human rights and fundamental freedoms. The same appeal was repeated by resolution 2001/74 adopted by consensus by the Commission on Human Rights on 25 April 2001.

3. A Catalyst

The diplomatic dialogue proves every day that good governance is especially needed internationally in economic relations between nations. The developing countries insist that the most important decisions on economic policies should be made in universal forums. There is a large debate in the United Nations about how international decision-making process can be made more broadly participatory and how to narrow the gap between political rhetoric and actual performance while dealing with issues which are vital for the sustainable development of all countries.

At the national level, good governance can be critically assessed by seeing how successful a particular country has been in creating the ability to achieve a democratic consensus on the basic political, economic, social and

cultural objectives, to develop a strategic capacity for progress and to lead to the modernization of the whole society. At the international level, an open, stable and prospering world economy is inseparable from adequate systems of governance that are respected and respect-worthy. Such systems are expected to function on the basis of international law which by its universality offers significant legal guarantees that all states are direct participants in the management of globalization.

It is acknowledged that the greatest chance of safety and survival for small states lies in law, in institutions and especially in diplomacy, all of them being under the impact of good governance. Without good governance diplomacy cannot be successful in the performance of its specific tasks. It should be admitted that “diplomacy is the highest and truest expression of the state, and of a nation as a community in a world of national communities. Particularly for small states, effective engagement in the international diplomatic system is simply crucial.” (11)

The United Nations system illustrates that elementary truth by being first and foremost an institutional framework for modern diplomacy and collective decision-making of the international community. The United Nations legitimizes diplomacy and provides a convenient forum for general diplomatic activity. It is estimated that

more than 90% of multilateral diplomacy takes place within international organizations. In this respect the UN system acts as a facilitator and a catalyst. If by catalyst we understand, *inter alia*, “a person whose talk, enthusiasm, or energy causes others to be more friendly, enthusiastic, or energetic”(12), there are reasons to accept the expression “catalytic diplomacy” in which new kinds of actors deal with new kinds of issues, in new ways.(13)

Catalytic diplomacy finds the best place of manifestation in the United Nations, which is, indeed, a noble experiment in human cooperation. It is obvious for any attentive observer that the world remains divided by many and diverse interests and attributes which cannot be ignored in any responsible evaluation of international realities. Yet, the United Nations through multilateral diplomacy tries to articulate an inclusive vision about the present and future priorities facing humankind. In this regard diplomacy practiced under the auspices of the United Nations has a historic mission as it acts not only on current objectives of humankind, but aims at strengthening the existing elements of common ground and interests among nations in order to build up a universal consensus on global issues.

As a truly universal institution, the United Nations is the only world organization capable of forging a global partnership among all nations,

irrespective of the differences in their economic, military and demographic potential. Such a global partnership is highly necessary during the era of globalization whose functional interpretation is not identical for various groups of countries. To many proponents globalization holds out the promise of an unprecedented age of progress and prosperity, of creativity and productivity. It has been saluted as a herald of democratic ideas and values.

On the other hand, there are strong opinions according to which globalization has become an all-embracing pretext for the imposition of certain sets of ideas and values, as a process leading to a monopoly of economic power in the hands of a minority whose sole allegiance is to the working of market forces, while the majority of humankind is increasingly marginalized. This is a fact which cannot be underestimated by multilateral diplomacy which is called upon to assist all countries to develop the capacity to cope successfully with the effects of globalization, both positive and negative.(14)

It is cogent to note that the development of such a capacity requires good governance at the national level and genuine diplomatic efforts at international level. A recent example is the resolution 2001/32 entitled “Globalization and its impact on the full enjoyment of all human rights” adopted by the Commission on Human Rights on 20 April 2001. According to this

document, globalization is not merely an economic process, but also has social, political, environmental, cultural and legal dimensions which have an impact on the full enjoyment of all human rights. Multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization and the process of globalization must not be used to weaken or reinterpret the principles enshrined in the Charter of the United Nations. The resolution stresses that globalization has to be monitored and managed with a view to enhancing its positive impact and alleviating its negative consequences on the enjoyment of all human rights, both at the national and international levels. The Commission on Human Rights formulated in this respect a challenging task for multilateral diplomacy.

That task is being translated into practice by various initiatives, including those dedicated at the United Nations and in other forums to promoting and consolidating democracy. Both the Commission on Human Rights and the UN General Assembly adopted relevant resolutions on this issue. In resolution 2000/47 of 25 April 2000 the Commission on Human Rights reaffirmed that good governance, including through transparency and accountability, is indispensable for building peaceful, prosperous and democratic societies. It called upon states, inter alia, to enhance social cohesion and solidarity by developing and strengthening institutional and

educational capabilities, at local and national levels, to mediate conflicts, to resolve disputes peacefully, and to prevent and eliminate the use of violence in addressing societal tensions and disagreements.

Resolution A/RES/ 55/96 adopted by the General Assembly on 4 December 2000 contains appeals to improving the transparency of public institutions and policy-making procedures and enhancing the accountability of public officials. It calls for fostering high levels of competence, ethics and professionalism within the civil service and its cooperation with the public, inter alia, by providing appropriate training for members of the civil service. Multilateral diplomacy will continue to have an important role to play in the process of consensus-building on various practical objectives emerging from the relevant resolutions and other international instruments dealing with good governance.

4. The Hour of Global Solidarity

Is there any meaningful relationship between good governance, solidarity and multilateral diplomacy? In the light of the Millennium Declaration such a relationship exists and it is the task of multilateral diplomacy to further develop the operational nature of that correlation and express it in terms of action. The

prerequisites are favourable and stimulating. Recent developments prove that the direction is clearly defined and there are significant facts illustrating the truth that good governance is capable to have a positive impact on the consolidation of solidarity at the national level and to lead to the gradual creation of a culture of global solidarity. The irreversible process of globalization will have a human face if the universal value of solidarity becomes a tangible reality. In this respect, it should be recognized that the most inspiring stimuli came from the Holy See who has the best structured conception about solidarity as a universal value.

On 10 January 2000 the Holy Father, Pope John Paul II stated, *inter alia*, that “the century now beginning ought to be the century of solidarity” (15). The same idea has been developed by the Holy Father in his New Year ‘s message for 2001. He said: “All should try to promote a culture of real solidarity and of justice that is intricately linked to the value of peace, which is the primary objective for every society and necessary for national and international coexistence.”(16).

This pronouncement is in harmony with the requirements of good governance at all levels. We find in these words a further reflection and elaboration of the basic truth expressed in Latin in the admirable formula *opus solidaritatis pax* (peace is the fruit of solidarity), which has good chances to

follow the future of another Latin maxim, *pacta sunt servanda*, which is a fundamental principle/norm in public international law and in particular in the contemporary law of treaties, as codified under the auspices of the United Nations. Indeed, the essence of this principle is that every treaty in force is binding upon the parties to it and must be performed by them in good faith. Diplomacy is called upon to defend the sanctity of treaties in accordance with the principle *pacta sunt servanda*.

In the 21st century diplomacy should defend the universal values proclaimed by the United Nations, including solidarity, with the conviction *opus solidaritatis pax*. In an article aptly entitled “Common values for a common era” available on the Internet the United Nations Secretary-General, Kofi Annan, asserted that common values “provide a shared yardstick for the civilization of which we are all part. They form the essential framework of our peaceful dialogue and interaction with one another.” The world of values is immensely intricate and complicated, but through dialogue a consensus is emerging that they include the ideals and institutions towards which peoples have an affective regard.

Common values should be further defined through negotiations in order to enrich their content, to enlarge their area of applicability, to make them more functional, while avoiding the risk of keeping them at a high level of

generality. Indeed, commonality of values should not be used to narrow cultural principles which give specificity to universal values. What is common to all nations should be interpreted as a source of strength of central importance for global cooperation.

A broad dialogue on common values becomes more and more topical in the process of promoting global solidarity. In the conception of the Holy See as reaffirmed in January 2001 “the prime value which must be ever widely inculcated is certainly that of solidarity”. At the same time it was emphasized that “The present reality of global interdependence makes it easier to appreciate the common destiny of the entire human family, and makes all thoughtful people increasingly appreciate the virtue of solidarity”.(17)

The concept of human family should in fact be accepted by all those who believe in the Universal Declaration of Human Rights of 10 December 1948 which in its very first preambular lines states that the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

The Holy Father has managed to treat the destiny of human family in the context of the irreversible process of globalization and came to the conclusion that “A deep knowledge of

the unity of the entire human family and of the radical interdependence of all peoples should gradually foster a greater conviction that it is only true solidarity, understood as a moral quality that determines human relations, which can effectively safeguard the dignity and rights of individuals and, consequently, build peace within societies and among nations.”(18). The relevance of this pronouncement for the promotion of good governance at the national and global levels on the basis of the universal value of solidarity has been further demonstrated by new developments on the international arena.

The most important event in the field of multilateral economic diplomacy in 2000, the UNCTAD X, adopted on 19 February 2000 by consensus “The Bangkok Declaration: Global Dialogue and Dynamic Engagement” by which 190 countries acknowledged that “Solidarity and a strong sense of responsibility must be the guiding light of national and international policy. They are not only ethical imperatives, but also prerequisites for a prosperous, peaceful and secure world based on true partnership.”(19) These important ideas have fertilized the debates on economic and social issues as well as on human rights in the competent bodies of the United Nations. That illustrates the capacity of diplomacy to convey topical messages to appropriate destinations.

The presence of words *imperative* and *prerequisites* in the text just quoted is not the result of an abstract linguistic exercise, but it reveals the existence of a substantive consensus on the value of solidarity which does not belong any more only to the remote terminology of humanitarian assistance.

That fact was demonstrated in a most convincing way by the consensus embodied in the United Nations Millennium Declaration adopted on 8 September 2000 by the largest gathering of heads of state and government during the whole history of diplomacy. Solidarity was elevated at the level of a fundamental value essential to international relations in the 21st century. The UN Millennium Summit found that in keeping with solidarity “Global challenges must be managed in a way that distributes the costs and burdens fairly in accordance with the basic principles of equity and social justice. Those who suffer, or benefit least, deserve help from those who benefit most”.(20) If good governance is to be promoted at global level, can we ignore this requirement which has a dramatic resonance?

The contribution of the Millennium Summit to the proclamation of solidarity as a universal value is an extraordinary event in the evolution of this concept, but it should be admitted that we are still at a great distance from a practical globalization of solidarity. Louise Frechette, Deputy Secretary-General of the United Nations,

explained cogently that “Undoubtedly, differences of approach remain, particularly between industrialized and developing countries. The former put greater emphasis on human rights, the rule of law and good governance at the national level, while the latter look for stronger evidence of solidarity and a more equitable distribution of power and wealth between nations”.(21)

In our submission, there should be no antagonism between the two trends, but complementarity. Dr. Surin Pitsuwan, the former Minister of Foreign Affairs of Thailand, stated in a spirit and vision of mutual understanding between the two trends that “We should look to the start of the millennium as a new chapter towards forging greater unity and solidarity between the developed and the developing countries, between the weak and the strong, between governments and civil society, in order to fulfill our hopes and aspirations for achieving greater development and shared prosperity for all.” (22)

A similar idea was expressed by Louise Frechette, Deputy Secretary-General of the United Nations, at Stockholm. With reference to the UN Millennium Declaration she said: “Since the Declaration was adopted unanimously, the leaders of the industrialized world have associated themselves with that call. We must assume, therefore, that they intend to respond to it. After all, not only do they have a human obligation to show

solidarity with the developing countries, it is also in their interest to help those countries become full partners in the new global economy.” (23) Indeed, the emphasis on good governance should not be selective and should not neglect the obvious fact that the aspiration towards good governance cannot be separated from the body of universal values proclaimed by the United Nations which represents the most authoritative set of guidelines for diplomatic action during the present century. In that context it is appropriate to recall some recent encouraging developments.

During the special session of the United Nations General Assembly on HIV/AIDS (25-27 June 2001), which adopted by consensus the Declaration of Commitment, John B. Richardson, head of delegation of the European Commission, stated that “Global society is calling on the international community to recognize the magnitude of the problem and lend its support in combating it. This is the hour of global solidarity. The West must increase its efforts to help more nations and peoples to break the vicious cycle of disease and poverty”.

That call was in harmony with many similar opinions expressed during the special session, according to which the basic prerequisite for efficient prevention of HIV/AIDS is solidarity with those affected, as a humanitarian imperative. Kofi Annan, the Secretary-General of the United Nations,

summarized in the best way the spirit of the special session dedicated to HIV/AIDS, by saying: “Never since the nightmare began, has there been such a moment of common purpose. Never have we felt such a need to combine leadership, partnership and solidarity.” If that combination would be also inspired and strengthened by an authentic political will to use good governance for the implementation of the Declaration of Commitment at national, sub-regional, regional and world levels, that would highlight the value of multilateral diplomacy as an effective instrument in creating a holistic approach to address human, social, economic and cultural aspects of the HIV/AIDS problem, which has been described as a silent global menace threatening not only development and human security, but also international security.

5. Towards Global Partnerships

All political leaders should be genuine partners in forging a new global economy and in protecting the universal values as defined by the United Nations. This requirement is valid in all circumstances, including the recent events during which cogent questions have been asked about the legitimacy of the use of force. By joining a similar approach, we may follow Chantal de Jonge Oudraat in asserting that “leaders need to build strong international coalitions for

proposed coercive undertakings. Obtaining international support for these interventions is a function of the threat posed to regional and international security and human life. It also depends on national interests and leadership. The more countries see an internal conflict as a threat to their own security and a threat to higher values, the easier it will be to construct a coalition to support international intervention. (...) The United Nations has an important role to play in building and organizing international support for coercive actions, and it can provide legitimacy to coercive actions.”(24) A “threat to higher values” may be a danger for good governance at all levels.

These thoughts may be interpreted in the sense that giving materiality to an institutionalized solidarity, the United Nations may use its capacity to forge international coalitions and to provide legitimacy to its actions subject to adequate and unambiguous approval by the Security Council. It should be emphasized that in accordance with Article 24 of the United Nations Charter 1. “In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.” In a functional interpretation of this paragraph there is no difficulty in admitting that the

Security Council can create coalitions based on solidarity which will contribute to the implementation of duties of this main UN body in the field of the maintenance of international peace and security. That solidarity would be effective and action - oriented as the UN Charter disposes by Article 25 that “The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.” The advance agreement for such an acceptance may be also considered as an interesting example of good governance applied at institutional level.

It is not the purpose of these pages to analyze how a coalition based on solidarity and established by a decision of the Security Council may put into effect its mandate in a specific context, but it should be reminded that in harmony with the most simple definition and pragmatic understanding of solidarity, at international level it means unity or communion of interests and responsibilities among nations or mankind in general. Can solidarity be expelled or marginalized in an organization in which all its Members are firmly determined to practice tolerance and live together in peace with one another as good neighbors? May good neighborliness exist without solidarity?

If the United Nations is the highest form of institutionalized solidarity, it should be more visible in all its actions

and initiatives. Multilateral diplomacy should be more in the picture with realistic and well prepared initiatives. As pointed out by Dr. Supachai Panitchpakdi, former Deputy Prime Minister and Minister of Commerce of Thailand, global institutions should be urged "to go beyond their regular practices with coherent actions for the group as a whole. It is crucially challenging for these institutions to get together and work more closely, sharing more similar great ideas." (25) In an analogous spirit, Dr. Kim Hak-Su, Executive Secretary of ESCAP, asserted that "Since the effects of change brought about by development are multidimensional and require multidimensional responses, there is a need for institutions that can initiate and cope with the multifaceted aspects of change; ESCAP, by virtue of its multidisciplinary capability will continue to do so." (26)

It should be recalled that the Economic and Social Commission for Asia and the Pacific (ESCAP) is the largest regional body of the whole United Nations system, having 61 Members and Associate Members and the biggest demographic dimension. Its 57th session (Bangkok, 19-25 April 2001) can be mentioned as a success by using the resources of multilateral diplomacy for the fruitful promotion of its mandate, programmes and vision leading, inter alia, to the strengthening of the negotiation position of developing countries. Practice attests the existence of a multitude of bilateral

and multilateral negotiations on a wide range of protocols and conventions, notably in the areas of trade and environment. In that respect, the Executive Secretary cogently suggested that ESCAP could play an important role in providing meaningful training to developing countries in strengthening their capacity to participate effectively in such negotiations. (27) This is a direct contribution to the development of multilateral diplomacy through appropriate training, having in mind the requirements of global governance, which, in the interpretation given by the United Nations, means the cooperative management of global affairs.

At the European level, the imperative of solidarity in dealing with the complex political, economic and social issues confronting the 55 Members of the Organization for Security and Cooperation in Europe (OSCE) was reaffirmed in the spirit of the Istanbul Charter for European Security adopted on the 19th of November 1999. By virtue of this document, the OSCE participating States are committed to build their relations in conformity with the concept of common and comprehensive security, guided by equal partnership, solidarity and transparency. In harmony with that philosophy, Mircea Geoana, Minister of Foreign Affairs of Romania and Chairman-in-Office of OSCE, in his address to the Heads of OSCE Missions Meeting in Bucharest, stated on 22 January 2001: "We all have a common agenda: to make sure that the world is

safer, that new conflicts are prevented, that existing conflicts are contained and brought to negotiated settlement.(...) Problems are different. The nature of the work is specific. The challenges cannot be compared. Still, by sharing your experience with one another, we will all benefit from new ideas and a renewed sense of solidarity among us, conducive to success.”(28) Indeed, in multilateral diplomacy success is unconceivable without a sense of solidarity permanently renewed, as the specific circumstances may require in various cases.

Solidarity cannot be limited to the political field alone. As emphasized by Kofi Annan, Secretary-General of the United Nations, in his address to the World Economic Forum in Davos, Switzerland, on 28 January 2001, in tomorrow’s global society “markets must be open, but open markets must be fully underpinned by shared values and global solidarity.”(29).

The Davos Forum and the World Social Forum in Porto Alegre (January 2001) have vividly re-demonstrated the topicality of solidarity at the age of global politics.

It is undeniable that global politics risks to become fractured between those included and those excluded from the fruits of globalization. It appeared that a more pragmatic approach to the vast problematic of solidarity would be very useful and would help its eventual codification and progressive

development. Negotiating a culture of global solidarity is an endeavour of great significance for all States during the United Nations Year of Dialogue among Civilizations (2001) and in the light of several UN meetings, including the Brussels Conference on the least developed countries (May 2001). Taking the floor at the Brussels Conference, the representative of the Holy See, Apostolic Nuncio, Archbishop Diarmuid Martin, stated: “Our task is to make solidarity a reality. We must create a worldwide movement which understands solidarity as a natural duty of each person, each community and each nation. Solidarity must be a natural and essential pillar of every political grouping, the private possession of neither right or left, neither North nor South, but an ethical imperative of a humanity which seeks to reassert its vocation to be a human family.”(30)

It is rewarding to identify in paragraph 16 of the Programme of Action adopted by consensus by the Brussels Conference on 20 May 2001 the idea that “The development partners will assist in the implementation of the Programme of Action through the commitments undertaken herein in a spirit of genuine solidarity and shared responsibility.” It should be mentioned that the Conference was organized under the common auspices of the United Nations and of the European Union and was attended by 193 governments and many non-governmental organizations, with a

total of over 6500 participants.

Many representatives at the Brussels Conference and at other recent international gatherings pointed out that permanent negotiations were necessary in order to give more substance and vitality to universal values requested by the emerging global order. The devastating earthquakes in several countries, other natural disasters, as well as the reactions to such tragic events, including those from Europe and Asia, are pathetic reminders of the duty of solidarity as an imperative prerequisite of globalization.

A head of Asian State said that international solidarity has become an imperative; in its absence we might not survive this millennium.⁽³¹⁾ In Davos, Jean Francois Rischard, vice president for Europe of the World Bank, asserted inter alia: "(...) the solidarity concept that is at the heart of European identity is precisely the concept that can inspire new approaches in global problem-solving".⁽³²⁾

The United Nations may continue to bring an important contribution to the promotion of solidarity as a universal value starting with the current International Year of Dialogue among Civilizations and in the context of its follow-up.⁽³³⁾ Resolution 55/23 of 13 November 2000 emphasizes the need to acknowledge and respect the richness of all civilizations, to seek common grounds among and within civilizations in order to address threats to global

peace and common challenges to human values and achievements, taking into consideration, inter alia, cooperation, partnership and inclusion.

The mentioning of partnership in that context is significant by itself, as it reconfirms the positive trend encouraged by multilateral diplomacy of linking solidarity and partnership, as illustrated by the Millennium Declaration of 8 September 2000. The implementation of the Millennium Declaration is a challenging test for multilateral diplomacy. A lot of imaginative initiatives will be needed. The point of departure could be resolution A/RES/55/162 of 14 December 2000 which invites inter alia the regional commissions, in cooperation with regional intergovernmental organizations and regional development banks, to review progress made towards implementing the Millennium Declaration.

In addition, resolution A/RES/55/193 of 20 December 2000 entitled "High level dialogue on strengthening international economic cooperation for development through partnership" offers a new example of the functional linkage between solidarity and partnership, as defined through the channels of multilateral diplomacy at the United Nations, in the spirit of the Millennium Declaration. It reaffirms "the importance of continuing the dialogue to be conducted in response to the imperative of solidarity, mutual interests and benefits, genuine

interdependence, shared responsibility and partnership in promoting international economic cooperation for development.” It should be noted that this issue would continue to be considered in 2001 at the 56th session of the UN General Assembly. It remains to be seen how multilateral diplomacy will manage to further consolidate the linkage between good governance, solidarity and global partnership.

That is first of all a political task, but it requires also a legal approach. The relationship between power and justice in international law cannot be ignored while attempting to give global solidarity a juridical content and articulate it with the requirements of good governance and global partnerships. The task is far from being easy. Yet, as cogently observed by M Sornarajah, professor at the Faculty of Law of the National University of Singapore, “the attitudes taken by hegemonistic power are being challenged by the preference of the international community for the establishment of a normative order. The vigour of the challenge will accelerate as democratarian attitudes to law-making in the international community become entrenched. As power is an ephemeral phenomenon, it is in the interest of any hegemonic state to accept the fact that the existence of a normative order will work to its advantage too at some future time.”(34) It can be expected that a normative order will contribute also to the development of good governance with

positive effects on the future of multilateral diplomacy and its efforts in negotiating global solidarity and partnerships.

One of the most burning expectations is the universalization of the supremacy of international law which is crucial for peaceful relations and cooperation at all levels. The very process of globalization requires a normative approach conducive to what Adrian Nastase, professor at the Faculty of Law of Bucharest University, calls “a law of humanity”. It is assumed that humanity encompasses and expresses not only the community, the solidarity of peoples, the continuity of their identity and rivalries, but also a trans-temporal dimension covering past, present and future generations.(35)

Within the framework of an emerging “law of humanity” solidarity may become a tangible reality of the twenty-first century. It should be reminded that the greatest failures of the United Nations have not been caused by the imperfections of its Charter or by institutional difficulties of a structural nature, but rather by collective inability of its Member States to cement their solidarity and fully assimilate in practice the noble values and ideals of the world organization. The future of the United Nations is greatly dependent upon the genuine political will of Member States to give materiality to an authentic globalization of their solidarity and to functional formal and informal coalitions for

change transcending both geographical and political boundaries. Good governance may pave the way for an effective implementation of those objectives. (36)

If the United Nations is the indispensable common house of the entire human family, the unstinting support for its global objectives and values should become a timeless and universal commitment. Good governance, solidarity, multilateral diplomacy can be treated with moderate optimism at the United Nations. There is a broad consensus that good governance can be successfully promoted if the efforts undertaken towards its realization are part of a coherent, strategic vision.

A pedagogy of good governance may facilitate to leaders and to various population groups in their task of learning how to achieve a long-term perspective on good governance and human development in the era of globalization. Good governance will not become a universal reality by itself. Multilateral diplomacy will still have to accomplish a lot of difficult work using the art of persuasion. Governments themselves should acknowledge that change and globalization are in a relation of synonymy. It makes the situation more complex in a dramatic way. Errors will be made in various assessments of possible solutions. Success will not be easy. But if success is the intersection between opportunity and preparedness, a broader dialogue on

the issue should be stimulated with the active and energetic participation of academia.

In the numerous rounds of negotiations, the practitioners of multilateral diplomacy, while being sensitive to all new developments should assist in separating essential elements from the accessory ones. If good governance is to be promoted to the largest possible extent, its foundations offered by universal values should be permanently consolidated. Solidarity through its profound human substance has good chances to be constantly cultivated both at the national and global levels. Authentic diplomacy will always be realistic enough to recognize that the technical details of good governance cannot be considered and solved in an exhaustive manner in the existing international institutions. Cultural and religious differences can hardly be neglected in this field. However, if genuine diplomacy is based on creative thinking, it will always do its best to articulate and harmonize the specific recommendations made during the multitude of negotiations on economic, political and social matters with the requirements deriving from universal values proclaimed by the United Nations among which solidarity has a central place.

A moderate optimism should be retained in that respect. One of our present challenges is the economy of knowledge and information which is

capable to harness good governance. It is acknowledged at the highest political level that “with information technology, the concept of solidarity has been given a new thrust.”(37) This obvious development cannot pass unobserved by the practitioners of multilateral diplomacy venturing into uncharted waters of globalization. Good governance is expected to provide diplomacy with the necessary political equipment for dealing in a responsible way with the challenges of globalization, while solidarity must be the guiding light and the imperative prerequisite in the collective efforts to build up a prosperous, peaceful and secure world.(38)

Multilateral diplomacy should demonstrate its ability to persevere and succeed in the search of consensual solutions through negotiations that are consonant with the fundamental interests and aspirations of all peoples. The United Nations with its universality, legitimacy and well defined mandates may perform a unique role in stimulating and reinvigorating multilateral diplomacy by its own capacity to facilitate consensus-building on global issues.(39) It is a fact of life that the United Nations is contributing to forging global partnerships that would hardly have been conceivable even a decade ago. One of the most interesting examples is the Global Compact by which private corporations

would commit themselves to observe, in their corporate field, good practices, as defined by international community in the domains of human rights, labour and the environment. Diplomacy can help Member States to advance progressively towards global partnerships based on solidarity and go beyond supportive sentiments, and commit themselves firmly to specific actions meant to help them to meet successfully the major challenges confronting the international community in the present century.

It will be the permanent and responsible task of multilateral diplomacy to give tangibility to a culture of global solidarity guided by good governance and effective leadership, in a world in which forging global partnerships for solving major problems should become a generally accepted practice. In that regard we may join the prophetic words of the United Nations Secretary-General, according to whom “A global era requires global engagement. Indeed, in a era of growing number of challenges facing humanity, the collective interest is the national interest.” (40) If that thought-provoking aspiration is successfully negotiated and endorsed in the forums of multilateral diplomacy, all peoples would enhance their faith in the United Nations and its Charter as indispensable foundations of a more peaceful, prosperous and just world.

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