



Engaging “Our Common Agenda”

February 18, 2022
Meeting Summary:

Civil Society Experts Dialogue #3, linked to UN General Assembly informal consultation:

***“Frameworks for a Peaceful world –
promoting peace, international law and digital cooperation”***

Introduction

From February 10 to March 8 2022, the UN General Assembly will hold five two-day informal consultations, to allow Member States and others to further consider the recommendations from the Secretary-General’s Our Common Agenda (OCA) report, and the means for their implementation.

To support the OCA process, the Coalition for the UN We Need (C4UN) is hosting a series of civil society Experts Dialogues linked to these five General Assembly meetings. On February 18 over 50 civil society participants discussed the 11 OCA recommendations grouped in **Thematic Cluster #3, “*Frameworks for a peaceful world – promoting peace, international law and digital cooperation.*”** (A breakdown of all the OCA recommendations as they have been grouped into five thematic clusters is [here.](#))

Participants at the meeting were asked to identify those OCA recommendations that should be prioritized, what’s missing in the report, and next steps. Discussion focused particularly on (1) combating corruption, with a focus on the proposed International Anti-Corruption Court; (2) digital cooperation and human rights; and (3) the proposed New

Agenda for Peace. Ahead of the General Assembly meeting taking place February 20-21, this summary presents a condensed not-for-attribution overview of the comments and recommendations made at the February 18 meeting.

1) General observations

Corruption has emerged in recent years as one of the most intractable problems facing the international community, diminishing the ability of governments to operate within an environment based on the rule of law, and reasonable levels of openness and transparency.

Corruption flourishes because of a failure to enforce existing criminal statutes prohibiting bribery, money laundering, and the misappropriation of national resources. It undermines economic growth and thus government revenue, encourages informality, exacerbates income inequality and has also been shown to have strong linkages to systemic human rights abuses.

Corrupt leaders use power to sustain their legitimacy. **Democracy is essential to ensure accountability and good governance.** But democracy is also affected negatively by growing corruption worldwide.

The COVID pandemic has accelerated the growing reliance on digital technologies. Consequently, the digital divide has intensified: stark inequalities continue to grow between those who can access and use digital technologies and those who cannot. Furthermore, online criminal activities (e.g. human trafficking, organized crime, money laundering) increase the need for better regulation of the digital world.

For civil society, digital technologies provide new ways to exercise their freedoms of association, assembly, and expression. Online tools can also strengthen the practical work of CSOs, empowering peacebuilders, broadening understanding of negotiations, etc. But they are simultaneously providing governments and others with new ways of restricting rights, (e.g. surveillance, censorship, internet shutdowns), raising questions about how technological advances will affect an already shrinking civic space in the future.

We should not assume that digital rights are largely un-regulated. **Existing human rights standards provide the framework for ensuring better regulation of the digital sphere.** We don't need to re-negotiate or re-litigate universal human rights as we extend their application to the digital world.

There are legitimate questions regarding the utility and value-added of a New Agenda for Peace. The UN has had a proliferation of agendas in the peace and security realm (Sustaining Peace Agenda; Human Security Agenda; Women, Peace and Security Agenda; Children, Peace and Security Agenda; etc.). What has failed is the implementation.

Any New Agenda for Peace needs to shift the narrative, empower people, improve early warning and localize actions that support peaceful outcomes. The OCA should improve the UN's response architecture.

The OCA provides an opportunity to develop a “Rule of Law Package” of reforms that could strengthen key international justice institutions, including the International Court of Justice and the UN's Human Rights architecture. More effective institutional machinery could lead to greater adherence by Member States to the jurisdiction and guidance provided by these institutions.

2) Recommendations regarding the OCA paragraphs in thematic cluster #3:

Tackling corruption

The proposed International Anti-Corruption Court (IACC) should form a key element in the Secretary-General's “new vision for the rule of law.” The IACC would promote greater accountability and justice, level the playing field the business community, and allow asset recovery from laundered/stolen funds, which could be returned to the people (under appropriate safeguards).

The World Bank's StAR (Stolen Asset Recovery Initiative) program is a partnership between the World Bank Group and the United Nations Office on Drugs and Crime that supports international efforts to end safe havens for stolen assets and facilitate systematic and timely asset recovery. StAR provides a good starting point, although more can be done in this area.

Global digital compact and human rights reform

The potential for digitalisation to alter civic space - the physical, virtual, and legal places where people associate, express themselves, and assemble – for better or worse is a key concern for civil society.

Any Compact on Digital Cooperation should not involve a re-definition or re-interpretation of existing human rights norms. The application of human rights to prevent harms in digital or technology spaces and ensure digital inclusion for all should adhere to principles of legality, necessity and proportionality.

The Secretary-General is correct in suggesting (OCA paragraph 93) that multistakeholder consultations (including civil society involvement) are best equipped to develop an effective Global Digital Compact. These participation arrangements should allow meaningful participation for all relevant stakeholders, not just those working at close proximity to the United Nations.

A New Agenda for Peace

The New Agenda for Peace needs to promote more inclusive peace support efforts. The Secretary-General's system-wide engagement guidance needs to be better adhered to.

The funding of UN activities designed to support peaceful outcomes needs to be improved. Governments need to make the investment in early warning, mediation, prevention. Peacebuilding support is all too often channelled through governments, while a more inclusive approach, involving community-based actors would yield better results.

The proposed UN Emergency Peace Service (UNEPS – a permanent peacekeeping capacity that would be a “UN 911” first-responder for complex emergencies) would strengthen prevention, protection and peacebuilding. It would also upgrade UN peacekeeping practice and standards.

Roadmap for the development of international law

A better functioning international justice system is one key to a more inclusive, and effective UN system. A more predictable, rules-based international order would unlock greater potential for further global economic and social development, protection of human rights and peaceful settlement of disputes. Strengthening the international rule of law through a sensible “Rule of Law Package” would support implementation of Goal 16 of the 2030 Sustainable Development Agenda.

OCA-proposed Summits

Experience has shown the value of careful preparation of multilateral conferences and international summits. The proposed Summit of the Future and Summit for Social Development should build in inclusive multistakeholder preparatory processes.