

THE UNITED NATIONS AND THE RADICAL REFORM OF THE INTERNATIONAL SYSTEM


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Introduction

The United Nations (UN) was created at a unique moment, following the end of the Second World War. Inspired by the experience of the League of Nations (LON), it was built upon that institution's limitations and failures. The League of Nations, founded by the Treaty of Versailles in 1919 and dissolved in 1946, was indeed amongst the very first intergovernmental organisations created, aiming to "*develop cooperation among nations and guarantee them peace and security*". And so, in 1945, the UN was created, with the aims of promoting friendly relations between States, based on respect for the principle of equal rights and the self-determination of peoples and, by extension, of defending human rights. Defining the circumstances that must be met for the creation of a new international organisation, a new body of international law, is not an easy task. It depends, in part, on the circumstances at the time of its creation. As well as on the lessons learned from the history of the United Nations. Based on the progress and limitations of the United Nations, our aim is to recall some lessons and formulate some proposals for a new advance in international law.

We must take into account the characteristics of the current structural crisis, even if we are not yet able to determine its outcomes. Social, ecological, political and ideological contradictions remain ever-present, in each individual country as well as on a global scale. The crisis, in some ways, is evocative of that of the 1930s. Even if situations never recur in the same way, this reference allows us to reflect on the conjunction of an economic and social crisis, on wars, on alliances between the right and the extreme right and on geopolitical change. The first phase of decolonisation, that of the independence of States, is almost complete, with some significant exceptions such as that of Palestine. The liberation of nations and peoples, however, has barely begun. The international political situation is marked by a powerful contradiction: at the political level, a trend towards the rise of alliances between the right and the extreme right, combined with the increased radicalism of social movements, including feminist, ecological, anti-racist, migration, anti-racism, and indigenous peoples' movements.

In the current situation, three types of contradictions are particularly important. The first relates to social issues, the relations between social classes, with inequalities and discrimination of considerable significance. The second concerns a new and decisive element, that of ecological disruption, our approach towards nature, climate and biodiversity. The third is connected with war and democracy, both at the national and international level. Democracy brings into focus the relationship between politics and ideology. Local democracy integrates territories and different forms of municipalism. National democracy questions the relationships between peoples, nations and states. Global democracy is based on inter-national democracy which, in its existing form, refers to the United Nations system, itself in need of radical reform and reinvention.

The change of an era

We are experiencing a paradigm shift. With changes at all levels. The security phase of neoliberalism, since 2008, has been intensified by the ecological rupture, which introduces a huge discontinuity. Ecological change is already happening with climate and its consequences on biodiversity. Its impact on the evolution of the economic and social system is still unclear, but what is certain is that it will be considerable.

It is likely that we will experience a transition to a new phase of the capitalist mode of production, a shift equivalent to that triggered by the New Deal in 1929 which resulted in Fordist and Keynesian capitalism. This hypothesis began to develop out of the new forms of production, in particular, the digital. Changes in the main classes are another manifestation of this. Some clues can be found. In the ruling class, the contradiction between the financialisation of the bourgeoisie and the culture of the new digital leaders, executives and managers; moreover, in the generalisation of secondary education in the world. In the working class, in the contradiction between the evolution of the forms of wage labour and the precariat.

The hypothesis is perhaps not only one of a shift to another phase of capitalism. Immanuel Wallerstein's hypothesis is that of a structural crisis that calls into question the foundations of the capitalist mode of production¹. According to him, the capitalist mode of production is exhausted and in the next thirty years it will no longer be dominant. However, this crisis of capitalism will not lead to socialism. It will be followed by another mode of production, still unequal, but different. According to this hypothesis, capitalism will not disappear, but it will no longer be the dominant mode of production within social formations, much like the aristocracy did not disappear when it was supplanted by the bourgeoisie. New main social classes may be emerging in our societies. The new proletariat would be the result of the precariat, associating the precarious with certain forms of wage labour. The new ruling classes could arise from technicians and executives, as the social changes driven by digital technology are already demonstrating. Parasitic and rentier bourgeoisies would no longer be dominant and could give way to new ruling classes. Neoliberalism may still be present, but would no longer be completely dominant. After having already lost a large part of its legitimacy, it would need to tighten its means of repression in order to maintain its power.

Regardless of the hypothesis, that of the shift to a new phase of the capitalist mode of production or that of the shift to a new mode of production, the changes will be considerable and will result in years of transition marked by social and ideological upheavals. Major consequences are expected in terms of ecology and climate change with respect to the social dimension in terms of inequalities and discrimination, in terms of wars and the nature of political regimes, as well as in terms of the very meaning of democracy.

This prospect is confirmed by the ongoing geopolitical upheavals. They are directly connected to the wars that accompany the upheavals of the world order and in particular, the nature of political regimes and democracy. The United States is still dominant economically and militarily, however, its hegemony is being challenged. The principal area of conflict is shifting towards Asia, placing the US and China against each other. Europe is marginalised and war is deepening its divisions. The United States is exploring an alliance with Australia and Japan, which would also include Britain. China is strengthening the BRICS (group of countries, originally including Brazil, Russia, India, China, South Africa) and is initiating the process of expanding it. New powers are strengthening their regional positions. India in South Asia, Thailand and Indonesia in Southeast Asia, Australia in the Pacific, Turkey and Saudi Arabia in the Middle East, South Africa, Nigeria and Kenya in Africa.

¹ Immanuel Wallerstein, Randall Collins, Michael Mann, Georgi Derluguian, Craig Calhoun, *Does Capitalism Have a Future?*, Oxford University Press, 2013 and Immanuel Wallerstein, "Preface "Dilemmas of the Global Left" to Gus Massiah, *Strategy for the Alternative to Globalisation*, Montréal, New-York, London, Black Rose Books, 2015

Sovereignty is increasingly valued as a guiding principle. It reinforces identities and the weight of fundamentalism in religions. It is reflected in the rise of different types of authoritarianism². Freedoms and democracy remain reference values, but as abstract values. Distrust of political regimes has become widespread. The result is a great deal of mistrust of international institutions.

New emerging blocks are arising. Historically, these circumstances result in periods of tension, conflict, and even wars. Especially considering that this evolution is taking place very rapidly on a historical scale, in just a few decades and not over the course of a few centuries³, as in previous transitions. The global South presents itself, at the same time, both as an emerging bloc and as a diversity of nation-states of the South representing their national interests. Since 2013, China, India and Brazil have collectively overtaken developed Western countries in terms of global trade and production.⁴ The political assertion of a global South and the push for multilateralism coexist with the strengthening of major geo-cultural regions in the world order. In order to cope with such a rapidly changing world, to achieve a global architecture, there is an urgent need for reform. There are major challenges to address: peacekeeping; reducing inequalities and discrimination; the ecological challenge; the redefinition of democracy⁵. The UN, if reformed, could play a critical role in promoting these necessary reforms.

Attempts at the marginalisation of the United Nations

From 1980, there has been a serious attempt to marginalise the role of the United Nations led by the United States and France related to the formation of the G7. This was a way of redefining an international order, an institution of international order. However, there has been a rather interesting attempt to respond to this marginalisation within the United Nations. This happened through major international conferences. All the demands for reform coming from the countries of the South were answered by the countries of the North with: we cannot because we have a public opinion. In Cancun, for the first time, the countries of the South arrived saying: we also have a public opinion!

We still remain in a situation marked by neoliberalism, even if this neoliberalism is in crisis. Globalisation in its current, neoliberal phase, signifies a point of no return in the crisis of the international relations system based on post-war international agreements. The new global economic governance put in place by the G5 in Tokyo in 1979 established the foundations of the international system, namely: the generalised free movement of capital in a context of large public deficits, free trade within an area of global competition, the dominant standing of multinational corporations, adjustment to the global market within the framework of the Washington consensus led by the International Monetary Fund (IMF) and the World Bank, the regulation of the monetary system ensured by central banks and particularly the Federal Reserve (Fed) in the United States. The establishment of the World Trade

² Kavita Krishnan, « La multipolarité, le mantra de l'autoritarisme »,

<https://aplutsoc.org/2022/12/24/la-multipolarite-le-mantra-de-lautoritarisme-par-kavita-krishnan/>

³ Khalid Malik, « La grande transition : le non-alignement et la montée des pays du Sud » in Other-News [The Great Transition: Non-alignment and the Rise of the Global South](#)

⁴ PNUD, *L'essor du Sud : le progrès humain dans un monde diversifié. Human Development Report*, 2013

⁵ Kavita Krishnan, op.cit.

Organization (WTO) with its Dispute Settlement Body crowned the institutional framework of liberal globalisation. It ensures the expansion and primacy of the global market and organises the supremacy of business law over all areas of international law.

The United States and Europe have attempted to challenge the United Nations by setting up the G7, then expanding it to the G20. By exploiting their position in the Security Council, they opposed any evolution of the system that could work against their own interests. According to them, the United Nations should be reduced to a small organisation that resembles the World Bank, the IMF and the WTO, integrated by a military alliance based on the model of the NATO (North Atlantic Treaty Organization).

Questioning of the United Nations began in 1980, by regaining control through the management of the debt crisis. It then carried on with the fall of the Soviet bloc, in connection with the underestimation of democracy and freedoms. It was confirmed by the reactions to social struggles conducted against precariousness and liberalisation policies. A triple counter-offensive which resulted in an ideological hegemony that reached its peak with the fall of the Berlin Wall. In recent times, from a geopolitical point of view, the marginalisation of the United Nations by the G7 and the WTO has gone hand in hand with US hegemony and unilateralism.

The United Nations has not remained inactive in the face of this marginalisation strategy. It participated in the debate on the conception of development, providing it with some legitimacy. By organising major multilateral conferences on pressing issues, the United Nations has avoided the ritual reference to sustainable development, the dangers of a dubious consensus that would deny the contradictory and conflicting nature of development models and policies. This conception of sustainable development, beyond the trends, refers to the proposals discussed in the civil forums of the major multilateral conferences, in Rio (development and environment, 1992), Vienna (human rights, 1993), Cairo (population, 1994), Beijing (women's square, 1995), Copenhagen (social development, 1995), Istanbul (housing and cities, 1996), Kyoto (climate, 1997), Durban (racism, 2001), Johannesburg (fight against poverty, 2002), etc. Proposals which have converged since the Battle of Seattle, in December 1999. They outline an economically efficient, environmentally sustainable, socially equitable, democratically-based, geopolitically acceptable, culturally diverse form of sustainable development. These mobilisations made it possible to preserve the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Development Programme (UNDP); they relied on some of the specialised agencies, such as the International Labour Organization (ILO) and UNICEF; they strengthened new bodies, especially through the Commission on Human Rights.

The United Nations played a decisive and unexpected role in decolonisation. And afterwards, it had to face the crisis of decolonisation that followed the independence of States. Decolonised countries then suffered the debt crisis and the rise of authoritarianism.

The United Nations and the international system

The United Nations is at the core of the debate on the international system⁶. It does not encompass it. There are other actors and other institutions, including direct agreements resulting from diplomacy between states, military alliances, specialised institutions, international political organisations, diasporas, and cross-national networks of all kinds. However, the United Nations occupies a strategic

⁶ Maurice Bertrand, *L'ONU*, coll. Repères, Ed. La Découverte, Paris, 1994

position, as the only institution having a legitimacy that refers to a common international collective interest, intended as a step towards the interest of the entire Humanity; more or less, it fulfils the function of a political community necessary to the foundation of international law. It is the only institution that is both governed by international law and a producer of international law. Indeed, the United Nations refers to the Declaration of Human Rights and the Charter of the United Nations, two founding documents of the international order, unless we consider that the latter can only be governed pragmatically based on the balance of power.

The search for alternatives to the transformation of each of the societies implies a corresponding evolution of the international system. The United Nations stands at a crossroads. It didn't really deserve this, although it hasn't been entirely convincing. It is the subject of immense expectation, that of an institution aimed at ensuring the regulation of an increasingly unfair and dangerous international system, of a possible defence of rights for all, therefore of the weak against the strong. It arouses immense disappointment, as a result of the discrepancy between the illusion of law and the reality of power, of its aim to reach equitable solutions ultimately reduced to the role of a registration chamber at the service of Western powers and powerful international corporations.

Today, what is at stake is considerable. It is the construction of an international system and political bodies that are able to respond to the globalisation of economic exchanges and the primacy of the global market. It's also about peacebuilding responses and conflict resolution in a world where war has become the rule. It's about responding to unilateralism and geopolitical inequalities. Moreover, it's a question of getting out of the one-on-one between States and companies by giving space to new players, notably the associative world and local communities.

The approach through rights and through equality of access to rights, outlines the prospect of a global social contract. The international debate on rights is in full swing. In each society, as well as at the global level, there is increasing awareness of the impasse brought by the dominant model of social transformation, that of structural adjustment. A counter-trend is making its way in the alter-globalisation movement that echoes the evolution of international law. The economy and trade can be regulated on the basis of respect for rights; civil and political rights as well as economic, social and cultural rights. In every mobilisation, this reference to rights is increasingly central. It emerges in the Social Forums which demand equal access to rights, with a guarantee provided by public bodies of such access. It takes into account the plurality of conceptions in terms of development policies. The rights-based approach renews the conception of development and questions the relationship between growth and development, growth and redistribution, development and environment, development and democracy.

The UN was created to ensure peace. It has played a role in critical situations: the cold war, decolonisation, the nuclear disarmament agreements. However, decolonisation and the end of the cold war did not bring peace.

Conflict zones are increasing and the population living in such areas is approaching one billion. Moreover, the nature of conflicts is widening. Wars linked to the control of resources and territories are still relevant; the identity aspects of conflicts are becoming more pronounced, combining spatial segregation and so-called 'ethnic' purification. Regional and intra-state conflicts tend to drag on. The intertwined dialectic of network terrorism and state terrorism is making civil and political rights regress in the name of a "clash of civilisations" that justifies the legitimisation of "lawlessness" and torture, the strategy of wars by the strong against the weak, and the surprise of discovering the ability of the weak to find the vulnerability of the strong.

The disappointment comes from the fact that while the UN is brandished as a reference at every opportunity, it proves powerless to prevent conflicts and lacks the means to enforce the rights of peoples. It has no force of its own, states do not respect their commitments and there are no sanctions. While States claim their desire to defend the interests of Humanity, they are actually above all concerned about their own. The Security Council has become discredited due to its practice of double standards in conflict resolution. Its five permanent members, each provided with the power of veto, are the main arms exporters and warmongers. When they agree, it's according to the right of the strongest; when they don't, paralysis reigns! The multiplication of international crises and the rise of unilateralism are fuelling the crisis of the United Nations system.

In favour of the radical reform of the United Nations

In order to develop new perspectives, a rethink of peacebuilding would be useful. While war perpetually finds renewed paths, the ways for making peace are still those of the 18th and 19th centuries.

Among the emerging paths for the restructuring of development thinking⁷ and related international system, we can highlight three aspects: global trade and currency, the right of peoples to choose their own development model, and the articulation between levels of economic governance.

With regard to the question of the reform of the United Nations, some think that the organisation needs defending, and that change would be difficult (Jean-Pierre Cot); others think that it is not reformable (Maurice Bertrand); others again think that radical reform is essential (Richard Falk, Monique Chemillier-Gendreau). This restructuring would involve: the formation of a new global system around global democracy; a global social contract around an alternative to liberal globalisation; a proposal to regulate societies on the basis of equal access to rights; a strategic role played by international law.

Whether the United Nations is reformable or not does not appear to us as being a decisive factor. The United Nations has shown its ability to evolve. Created in the context of the cold war, it has been able to address and contribute to the issue of decolonisation. Since the Bandung Conference in 1955 and the Tricontinental Conference in Havana in 1966, the non-aligned countries were able to establish themselves within the UN, playing a major role in the General Assembly, sometimes working around the paralysis of the Security Council. In 1986, they succeeded in having a Declaration on the Right to Development adopted, introducing a genuine progressive perspective, although this was marginalised by the Bretton Woods institutions: the World Bank, the IMF and the WTO.

The question is how to define radical reform, and how to establish it? The definition of an orientation and of the current circumstances make it quite easy to define the necessary reforms. However, these reforms won't happen without effort. There is a strategic issue. Can we assume that the alter-globalist movement will be the bearer of this change? In this case, the issue of alliances needs to be tackled. A question of method too, in order to convey an overall perspective involving struggles and mobilisations into specific reforms.

One approach is possible. The issues of the current era must be the basis, as well as the challenges facing international institutions: globalisation, wars, international law. Based on this analysis of the current circumstances, new perspectives must be explored, the orientations defined, together with the

⁷ Gustave Massiah, "La conception du développement dans la réforme des institutions financières internationales", contribution à l'UNESCO, 2002

course of action for rebuilding based on global democracy and the global social contract, as well as the strategic role played by international law. Moreover, a strategic axis needs to be formalised, that of movements and struggles for the democratisation of the international system, with a double aim: on the one hand, to place each of these democratisation proposals within the perspective of global democracy; on the other hand, to place each of the fronts for democratisation within a broader alliance for the overhaul of the international system. Finally, the proposals for radical reforms must be explicitly presented, while exploring which, among the social and political forces, could support them, as well as the potential alliances.

Proposals for a reform of the United Nations

A reform of the United Nations system by and for the people. For international democracy and the reduction of inequalities in international relations. Obviously, in a world so completely different from that of 1945, destabilised by neo-liberal globalisation, torn by major conflicts, reform of the United Nations can only take place globally and involving all levels of the system: Security Council, General Assembly, secretariat (powers and responsibilities of the various bodies), with a rethinking of the hierarchies of the United Nations system (specialised agencies, programmes, funds and other bodies), a redistribution of tasks between them, and the removal of the special status of economic and commercial bodies.

There are many proposals for reform. To initiate the discussion, we have gathered and summarised here twenty-two proposals for reform of the United Nations system that have been the subject of formal proposals⁸. The overall programme and priorities will depend on the situation at the time when the reform is decided.

Organising an international debate on the reform of the United Nations

Such a debate necessarily involves state bodies, economic players and associations. Its role will be similar to that played by the United Nations at the time of decolonisation and, within it, by the Group of 77 (Non-Aligned Countries). It will consider insights from major international conferences, their progress or failures, in different areas (development, environment, climate change, human rights, women's rights, slavery, arms control, etc.)

Strengthening the General Assembly, which will have the power to adopt universal standards

Providing the General Assembly with the power to adopt universal standards that are binding on all its members. Correcting the principle of "one State = one vote", regardless of the demographic weight of the Organisation's members, by adopting principle of double majority: the adoption of a resolution would require a majority of States representing a majority of the world's population. For the most dangerous conflicts, this double majority may even need to be 'qualified', i.e., requiring a stronger majority, such as two-thirds of member countries and the world's population.

Reform of the Security Council, removal of the right of veto

The question of the reform of the Security Council is at the core of any reform of the United Nations system. Mainly, it questions the status of permanent members for the main powers, and their right of

⁸Based on the proposals, namely by Monique Chemillier Gendreau, as well as Maurice Bertrand, Bernard Dréano, Richard Falk, Mireille Fanon Mendès France, Luigi Mosca, Dominique Rousseau, etc.

veto. The abolition of the right of veto is a key marker of the democratisation of the UN system and more broadly, of international relations.

Expanding and strengthening the Security Council and increasing representation

The expansion of the Security Council to new permanent members must take into account the profound transformations that the world has undergone since 1945. The prevailing criteria for their designation (regional powers, economic powers, strategic powers) are under discussion. Currently, it's the only body whose resolutions are binding, under the Charter of the United Nations. Thus, through a reorganisation according to major regions of the world, a renewable mandate of fifteen years, might be entrusted to thirteen major countries representing the major regions of the world, with fifteen other countries elected for three years by the General Assembly. The different regions of the world would be better represented and the small countries, which still represent the majority, could be better weighed in the international debate. The right of veto would be abandoned in favour of a double majority system, as advocated for the reform of the General Assembly: at least seven of the thirteen 'long-term' members, and fifteen members in total, would be required in order to adopt a resolution; again, for some exceptional subjects, a qualified double majority could be agreed, based on the express condition that no veto mechanisms can be reintroduced.

Creating a World Parliament

Beyond its symbolism, defending the idea of a world parliament requires addressing the question of the role of this parliament. Should it prepare proposals, or should it be tasked with control of decision-making and of the functioning of the UN system, or again, should it carry out decision-making duties? If we think of the very limited powers currently assigned to the General Assembly, the granting of just some powers to a world parliament would not be a reform but a revolution. The experience of the Social Forums which introduced the representation of peoples in international bodies can be analysed.

The World Parliament will be based on a principle of bicameralism. Such a bicameral World Parliament would consist of an Assembly representing the National Communities alongside a second Chamber representing social forces as defined. All international texts relevant in the social or ecological field would require a vote by these two assemblies, with the prior approval of an Ecological and Social Council. Half of the members of this Council would be appointed based on their expertise with the other half made up of citizens from the entire world drawn by lot.

In-depth reflection is needed on the representation of Parliaments and/or civil society. The latter has taken shape over recent decades through various experiences: social forums, major international non-governmental organisations, the movement against Euromissile... These movements now need international representation. The important thing is not to leave the representatives of the States solely in control of the decisions.

The World Parliament could become a regulatory and oversight body. This system could, partially, reduce the influence of states in the decisions of different institutions. Concurrently, this also raises the question of the role and function of the Secretary-General.

Debt relief and the redefinition of a development funding policy

The reference to international law allows a fair settlement of the debt issue, while preventing it from recurring after its cancellation. Thus, debt relief would prefigure the establishment of an economic system based on international law. A United Nations conference should be convened to discuss, in a comprehensive manner, debt, international debt law and the reform of international financial institutions.

Strengthening of international taxation

Such international taxation must be able to release the necessary resources to finance development, to counteract the negative side effects of the organisation of the international system (financial speculation, ecological limits, arms sales, brain drain, etc.). International taxation alone cannot solve all the problems, but it could form part of a fundamental shift of the international system: financing of global public goods, safeguarding and development of common goods, addressing social and tax 'dumping', and replacing a charity-based redistribution model with one founded on rights. This should include taxes on short-term financial transactions (resulting from a reorganisation of the Tobin proposals), a unitary tax on the profits of the thousand largest international companies, a tax on foreign investment merely involving purchases and not the creation of productive capacities, a tax on very large fortunes, ecotaxes (carbon emissions, plutonium and nuclear waste, air transport), taxes on arms sales and on the plundering of brains and the protection of assets. The terms of international taxation, linked to the harmonisation of national tax policies, are first and foremost of a political nature. It implies the intention to fight against tax havens and financial crime and to define the corresponding assessment and control frameworks. This is one of the key elements of the reform of the United Nations and its international institutions

Redefining international financial institutions

As institutions dependent on the United Nations, the IMF, the World Bank, and the WTO must also be redefined. International financial institutions are needed to have an impact in the long term, nonetheless, it is difficult to trust the orientations and functioning of the current institutions. The course of action based on rights requires a renewed approach to assessments, by providing a common framework for consistency. All international organisations, including financial institutions, must act according to the Universal Declaration of Human Rights and the Charter of the United Nations as their fundamental principles. This assessment should be conducted using the Universal Declaration of Human Rights as a reference. International financial institutions (IFIs), the IMF and the World Bank, the WTO, regional institutions, as well as all international institutions, cannot avoid respecting rights. No international body can hide behind its own bylaws, considering itself not bound by compliance with international agreements ratified by its members. The heads of these institutions will be appointed by the United Nations General Assembly.

Establishing control over economic power and multinational corporations

Refusing the omnipotence of financial markets. Defending respect for rights and democracy in business. Corporate social responsibility to be based on regulation defined by public policies and implemented by public regulatory bodies. There is no shortage of proposals. The anchoring of labour law in international law is based on freedom of association and to join trade unions, the fight against discrimination, the prohibition of forced labour and the prohibition of child labour. The International Labour Organization (ILO)⁹ becomes one of the references of international institutions and an alternative to the WTO, with reference to both its objectives and processes. The debate on corporate social and environmental responsibility is a new front.

Strengthening the strategic axis of democratisation and international law

The principles of global democracy and a global social contract provide an orientation and perspective for the restructuring of the international system and the United Nations. The struggles for the democratisation of the international system attach strategic importance to international law. They support the progress of international law towards global democracy. They defend the universality of

⁹ BIT "Une mondialisation juste: créer des opportunités pour tous", 2004, www.ilo.org

rights, of civil and political rights as well as economic, social and cultural rights. They fight against the exorbitant role played by business law within international law through the WTO agreements. They defend the proposals put forward by the United Nations Commission on Human Rights for the justiciable nature of economic, social and cultural rights and for enabling individuals and citizens to bring instances of rights violation before the court, both at the national and international levels. They propose the acceptance of an international complaints system. Furthermore, they propose to base international migration law on equal rights. They propose subjecting international institutions, of whatever nature, to compliance with international covenants and agreements, ensuring equal access to basic public services

Creation of the OTAM, the World Alliance Treaty Organisation

Despite several attempts in this sense, NATO cannot intervene on behalf of the UN. Then, why not replace it with OTAM, the World Alliance Treaty Organisation, gathering the armed forces of all UN members who so desire? Its use would fall under the General Assembly and the Security Council, operating under the new rules on majority. Its credibility would provide it with the effectiveness that UN interventions have too often lacked in recent years, leading to tragic outcomes.

Creation of new organisations (women, environment, education)

The creation of a Women's Development Bank or a World Taxation and Environment Organisation seem totally justified but should we not, at the same time, question the overall operating processes of the United Nations and advocate a necessary rationalisation of these bodies? Another request is the creation of a Global Fund for Education, under the responsibility of UNESCO, and the provision of means to enable it to fulfil this mission.

Funding of the United Nations

Adequate funding of the UN is a key issue, as, first and foremost, the institution needs to be freed from the pressures and blackmail represented by the non-payment, or the threat of non-payment, of financial contributions by a State. An international taxation system as a method of financing (at least partially) could fit perfectly into the logic that could be proposed.

Organising decision-making powers within the system

The democratisation of the institution requires a global reorganisation of the system and its internal relations. Each institution (World Health Organization (WHO), United Nations Educational, Scientific and Cultural Organization (UNESCO), ILO, UNDP, etc.) represents an exclusive area of authority, with operations and funding based on its General Assemblies, Executive Council, Secretariat and Director General (even if the names may differ between organisations). The general assemblies of all the institutions include the same States, or almost, that are found in each of the other general assemblies. To make the system smoother and reduce these exclusive areas of authority, a more collective mode of operation should be adopted, with guidelines drawn at the level of the United Nations, and having various bodies implementing these guidelines.

Having the heads of these institutions elected by the UN General Assembly is part of another important proposal. The same applies to the creation of an Economic and Social Security Council, which would be mandatorily consulted before any decision of the Security Council in these areas, and gathering, in a tripartite manner, labour organisations, company managers, and all other non-governmental economic and social organisations.

Strengthening international justice

Making the jurisdiction of the International Court of Justice and the International Criminal Court mandatory. Creating a World Court of Human Rights with compulsory jurisdiction for all National Communities based on the model of the European Court. Creating an International Constitutional Court able to assess the compliance of the Constitutions of National Communities, their laws and administrative practices with their commitments through the International Covenants on Human Rights.

Asserting the non-derogable nature of international law by the authorities of the various States. This international law covers the first core of human rights, and is then to be integrated by the Universal Declaration of Human Responsibilities, yet to be drafted, as well as any regulation developed by the World Parliament.

Promoting the globalisation of rights

The globalisation of rights must prevail over financial globalisation. The idea is a democratisation of the world as part of a multipolar system which, by definition, would escape the domination of a superpower. However, a multipolar world cannot be merely the continuation of the 'concert of (great) nations', as it has been the case for two centuries, with its associated wars, annexations and colonisations.

In line with this general logic of democratisation of the world and globalisation of citizenship, in addition to giving up the right of veto in the Security Council and the transformation of NATO into OTAM, the disappearance of bodies such as the G8 or the OECD would represent the most tangible indicator that a new world is being born.

Include the reform of the United Nations in a draft of a world constitution

The Charter should be re-worked based on the Universal Declaration of Human Rights which underpins the legitimacy of the United Nations and the role of the UN in helping to change the world. The discussion focuses on the nature and role of state sovereignty and the relationship between economic, political and citizen powers in the new world organisation. Especially since the increase in cross-national activities ends up strengthening states rather than heralding the era of the 'postnational'¹⁰. Richard Falk, who proposed the notion of the 'political status of Humanity', puts forward the proposal of a global constitutionalism. A new architecture could be based on regional clusters of cooperation, a system of regional representation at the global level, a financial and military Security Council designed as a credible negotiating space for major powers and regional clusters. The various agencies of the United Nations system could be reorganised through the creation of regional agencies and specialised commissions. A very bold proposal, put forward by Maurice Bertrand, suggests that admission to the UN, or some of its institutions, should be only granted to governments which accept its principles and modalities of assessment and monitoring.

Building on the progress of several international institutions

Several international institutions, members of the United Nations system, have already defined standards advancing international law:

- the Commission and the Office of the High Commissioner for Human Rights have pronounced themselves in favour of the justiciable nature of economic, social and

¹⁰ Jean-François Bayard, *Le gouvernement du monde, une critique politique de la globalisation*, Ed. Fayard, Paris, 2004

- cultural rights, of enabling individual and citizen referral to national and international judicial bodies for the purposes of remedying violations of rights, as well as encouraging States to integrate economic, social and cultural rights into their strategic orientations, to ensure their compatibility with respect for rights, to subject all international agreements to citizen debates and parliamentary scrutiny, to subject all institutions to compliance with international covenants and agreements, to ensure equal access to basic public services; to implement an international law on migration;
- UNCTAD proposed standards regarding food, water, housing, education, health and environment;
 - the International Labour Organisation, has made progress around key themes such as freedom of association and trade unions, the fight against all discrimination, the prohibition of forced labour, the prohibition of child labour, the limitation of working hours;
 - as well as the Food and Agriculture Organization of the United Nations (FAO, for food), WHO (for health), UNESCO (for education, science and culture), UNICEF (for children) etc.
 - the International Criminal Court claims the universality of jurisdiction; before the judicial bodies, the UN Commission on Human Rights could be entrusted with the powers of a monitoring council on compliance with rights, raising awareness with the public opinion and international bodies of the need to develop all the standards in force and their conditions of application.

Review of all the specialised agencies of the United Nations system

Review of the entire United Nations system and audit of the existing specialised agencies. Considering the major regional institutions already in existence (African Union, European Union, Organisation of American States, and other regional organisations) as the institutional relays of the United Nations as a universal organisation, and setting up procedures to ensure consistency between their policies and the goals of the universal organisation.

Defining national communities

The United Nations is an international institution of states. Yet, the Charter begins with 'We the Peoples'. A fundamental renewal of global society requires initiating the debate on the identification of national communities, to clarify the definitions between Peoples, Nations and States. Recognition cannot be reduced to states, called sovereign states, as the subjects of international society. Especially since such recognition currently depends on other States, namely the five permanent members, in terms of access to the United Nations. National communities, nations and peoples that have been ignored for too long will have to reclaim their place in the new configuration.

Ensuring transparent, public and adversarial assessment

The entire United Nations system needs to ensure the utmost transparency, by making public the votes and positions expressed in all forums, and by subjecting all decisions and policies to the citizen and parliamentary monitoring of the countries concerned. The policies of all these institutions will have to regularly undergo public, pluralist and adversarial evaluation. If a case appears to fall within the area of responsibility of two or more United Nations bodies, it should be dealt with by a joint body and procedure: for example, the crucial subject of pharmaceutical patents would be dealt with jointly by the WHO and the WTO. Any permanent divergence in terms of regulations would then have to be decided by the General Assembly, while conflicts in implementation would fall under the area of responsibility of the Security Council.

Identifying the social and political forces supporting radical reform

Today, international relations can be distinguished between two types: on the one hand, relations between states, and on the other, a tremendous multiplication of direct links between people, companies, professions, associations, currents of thought, and churches, whose only common feature is the fact that all of these new actors are all extra-state entities, that they think and act beyond national borders.

UN reform depends on the geopolitical relationship between coalitions of states

The social and political forces likely to bring about a radical reform of the United Nations need to be identified. Without neglecting the contributions of those who, within the system, are driven by an ethic of conviction. The battle of ideas, and the use of public opinion, is essential. The alter-globalisation movement has a strategic role to play in this mobilisation.