



**A Second Charter**

# Imagining a Renewed United Nations

2023/2024



**Global Governance Forum**

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# Executive Summary

Virtually all of the major global catastrophic risks we face today are linked to the inability of the human institutions that were created out of the chaos and destruction of World War II to adapt to the demands of a rapidly changing and increasingly complex world. This is a key driver of virtually all of the major global catastrophic risks we face today. Stakeholders from around the globe—including scholars, government officials, civil society organizations and young people—are calling for a renewed and more equitable United Nations that can address these broader threats to global security. A UN Charter Review conference to ensure that the organization remains relevant and effective in the 21st century, leading to a Second UN Charter, is now both feasible and necessary.

The UN Charter adopted in 1945 aimed to “save succeeding generations from the scourge of war.” While humanity has thus far avoided a third World War and a nuclear holocaust, there have still been more than 200 wars and conflicts leading to tens of millions of casualties. The goal of world peace remains unmet.

The Charter embedded the “promotion of the economic and social advancement of all peoples” as a responsibility of the international community, and UN agencies have played a prominent role in contributing to a sharp increase in life expectancy, a doubling of literacy rates worldwide, bringing millions out of poverty in some regions, and ensuring more opportunities for women and girls. However, the reality of our world since the UN’s founding is that the consumption of resources is pushing the earth systems beyond planetary boundaries, the world’s biodiversity is in substantial decline, extremes of wealth and poverty have widened, a combination of greed and unsustainable debt burdens threatens our integrated global economy and financial system, and human rights and social cohesion are fracturing. Both human and planetary systems are frighteningly close to tipping points of irreversible changes and accelerating breakdown.

The upcoming UN Summit of the Future in September 2024 is an opportune moment to advance UN Charter review, and to put forward serious proposals on ways to modernize the UN. Some insist that revising the UN Charter is politically impossible, but the alternative is unacceptable. The enormous suffering likely to result from the perpetuation of the status quo – deepening inequalities, accelerating climate catastrophe, and the insatiable acquisition of more and deadlier weapons of war that increasingly put our future at risk.

The original UN Charter offered a concession—Article 109—to those countries that were deeply concerned about the concentration of power vested in the five permanent members of the UN’s Security Council. Thus, Article 109 allowed member states to review and amend the charter in the future. This process can be initiated by a two-thirds vote of the members of the UN General Assembly and a vote of any nine members of the Security Council. That article can and should now be invoked to move this agenda forward.

This statement reviews some of the noteworthy gaps in the current UN Charter where new thinking is urgently needed. For example, climate change, biodiversity loss, pollution and waste have become existential global challenges. The multiplicity of multilateral environmental agreements are all essentially voluntary. The UN needs the capacity to pass binding and enforceable legislation to protect our planetary environmental system and the common goods it provides.

Although disarmament and arms control have been central to the UN's mission since its founding, there is a widening gap between the intention in the UN Charter to achieve collective security and the growing risks posed by nuclear and conventional weapons, as well as the weaponization of technologies. Reform efforts need to focus on these new threats, including robust monitoring and verification mechanisms, ensuring compliance with disarmament commitments, establishing preventive measures for new forms of warfare.

Additionally, widespread poverty, lack of access to nutrition and basic services, and widening income disparities are not only detrimental to the well-being of most of the world's population, but they are also a threat to global stability. UN reform efforts must ensure a more equitable distribution of wealth, strengthen systems of social protection, and provide financial and humanitarian assistance as necessary to countries in crisis.

Though frequently eclipsed by the Security Council as a topic for serious debate, it is reform of the General Assembly and the interlinked questions of global rule making, representation, inclusion, and democratic legitimacy that present some of the most consequential issues for consideration in any attempt to rethink the Charter. The governance mechanism of the General Assembly reflected the world and norms of 1945. The 'design intent' was a one-member-one-vote club of national governments. It moved away from unicameral and bicameral parliamentary models, direct or indirect popular representation, or weighted systems of voting. The system of voting and separation of competencies reflected the desire of larger post-war victorious countries to maintain the locus of power within the Security Council where they enjoyed the veto. UN bodies operate through single votes cast by an unelected professional diplomat representing their executive branch of government, not their national parliaments, constituent states, or people. The General Assembly lost influence relative to other organs like the Security Council and Secretariat. Since the UN's creation, voices from many corners of society have continued to urge a rethink of these entrenched norms.

The passage of time and the experience of different governmental structures, and with the deepening recognition of the need to expand opportunities at the international level, the community of nations would best be served by meaningful reform. A bicameral legislative parliamentary system, which is successful in many parts of the world, can also be considered for the UN, with one chamber representing member states and another popularly elected assembly representing the world's citizens. Potentially called a World Parliamentary Assembly, the latter could be initiated below the threshold of Charter revision as a largely consultative body composed of national parliamentarians which provides more democratic legitimacy and ensures that the voices of those most affected by decisions have a stronger voice.

The UN Security Council, essentially the executive arm of the UN, has been the subject of more reform proposals than any other UN institution. While there are rotations of non-permanent members, the five veto-wielding permanent members, the victors of WWII, have the de facto power to violate the principles and purpose of the UN Charter in their perceived “national interest.” This has weakened the moral foundation of that body and paralyzed it in the face of great power conflicts. The Council’s current composition and working methods do not adequately reflect the geopolitical realities of the 21st century. The elimination of the veto and reforms to its membership – to make it more representative, transparent, and accountable – is long overdue.

Other needed reforms include overhauling the process for the appointment of the UN Secretary-General so that he or she is less beholden to the will of a few powerful member states. The UN system’s heavy reliance on the voluntary contributions of select member states also means that funding is fragmented and unpredictable. Various proposals for more reliable sources of financing have been advanced, again, built on the experience gained over the decades since 1945. The European Union (EU), for example, is funded by fixed proportions of VAT and import duties on all EU member countries.

Many details remain to be negotiated and that will be a difficult task, not least because of the perpetual pull to find a balance between local action, national autonomy, and global wellbeing – for both present and future generations. Nonetheless, most of the world’s greatest challenges today cross borders and the upcoming Summit of the Future offers a platform for critical conversations about how to revamp global institutions to meet the pressing needs of current and future generations. The choice we now face is to boldly take collective action or continue a path towards existential crises for the planet and its inhabitants that are likely to involve great dislocation and distress.

# Introduction

**T**he Charter of the United Nations remains largely as it was drafted over 75 years ago.<sup>1,2</sup> It has to date succeeded in its primary aim of preventing another world war. However, the world of today is fundamentally different from that of 1945. With decolonization, there are many more governments, regions and peoples represented by the organization. International interdependence and interconnectedness in technology, finance, trade, health and myriad other issues (with accompanying benefits and drawbacks) have accelerated; the global population has more than tripled while the consumption of resources has multiplied even more; and income disparities have persistently widened and turned inequality into a global social and political problem. In short, while interstate warfare in the global north was the issue of the day in 1945, there is no longer just one overarching challenge facing humanity. For the first time in thousands of years, perhaps much longer, humanity is facing binding environmental constraints and planetary limits.

In this deeply unsettled age, there is widespread acknowledgement that the present-day structures of society are ill-prepared to address the needs of humanity. Much that was widely assumed to be certain and unshakeable is being questioned, and the resulting ferment is producing a longing for a unifying vision. The chorus of voices raised in support of oneness, equality, and justice shows how many share these aspirations for their societies.

Since 1945, global literacy rates have more than doubled; the percentage of people with access to financial instruments is on the rise; and though it is far from rapid enough, the status of women has improved. Significantly, younger generations have greater clarity about the problems facing humanity and a greater capacity and willingness to embrace change. People around the world see themselves as global citizens and support strengthened global governance and action on climate change; public opinion is far ahead of political leaders on these issues<sup>3</sup>. Despite archaic governing institutions, great effort is being exerted every day to improve the state of the world.

Acknowledging the multiple crises of today and building on what has succeeded in the United Nations, it is time to articulate certain principles and structures which would be better suited to the needs of international governance. The present UN Charter is at an impasse. It is time to imagine a Second UN Charter, building anew the current institutions of global governance, incorporating the underlying principles and supporting institutional innovations that would be more effective in addressing the global catastrophic risks faced by humanity.



An aerial photograph of terraced rice fields, showing the intricate patterns of the terraces and the lush green of the rice plants. A white, flowing ribbon-like graphic is overlaid on the left side of the image, starting from the bottom and curving upwards. The title "The State of the World" is written in a large, white, serif font in the upper left corner.

# The State of the World

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*"A Second UN Charter must emerge in the years ahead to bring world peace, lay the foundation for an emerging global civilization, and build a sustainable future in all its diversity."*



**T**he challenges the world faces are manifold. Global crises of climate change, biodiversity loss and pollution are now widely recognized as existential environmental threats on a par with threats of war. Governments have agreed on a path to address these concerns—in the Sustainable Development Goals and the Paris Agreement on Climate Change, among others—but they fail at the level of implementation. Despite decades of scientific warnings, international agreements, and countless admirable efforts, the world is still headed in the wrong direction, and tipping points toward irreversible change and accelerating breakdown are frighteningly close.

The existing mechanisms of global environmental governance, based on consensus and voluntary commitments, are inadequate to prevent environmental catastrophe. None of this is to deny the importance of examples of successful innovation in the area of international cooperation over the past quarter century, such as the Land Mines Treaty, the creation of the International Criminal Court and the adoption of the Treaty on the Prohibition of Nuclear Weapons, none of which would have been possible without the vital support of hundreds of civil society organizations, moved to action out of a concern with the state of the world. But none of these initiatives is sufficient to meaningfully address the multiple systemic risks we face.

Another failure is the development challenge to eliminate poverty and ensure that everyone on the planet has the resources necessary to meet their basic needs, to live in dignity, and to fulfill their potential to contribute to society. Despite reductions in extreme poverty in some regions and an economy that has generated wealth at a scale that would have been unimaginable 75 years ago, half the world's population still struggles to make ends meet, and the extreme concentration of wealth in the hands of a few has increased. The resulting social fragmentation and instability represents another fundamental threat to our future.

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The economy has evolved as well. Global finance has taken center stage with considerations of profit, share valuations, and the near-term economic outlook often dominating public policy debates at the expense of longer-term issues, such as the need to meet basic social needs, to accelerate the transition to a renewable energy economy, and to enhance equity and opportunity for hundreds of millions of people who have been left behind. The pursuit of endless GDP growth (an increasingly poor proxy for human, let alone environmental, well-being) remains the primary measure of 'success.' Corporate exploitation has become the new colonialism, and powerful lobbies distort governance.



Running parallel is an increasing accumulation of debt by states, businesses, and consumers that represents a critical threat to the stability of an integrated global economy.

The vision of the 1948 Universal Declaration of Human Rights, and the hope it generated of justice and dignity for every human being, is still far from fulfilled. Human rights are regressing in many parts of the world. Increasing inequality and marginalization, along with political repression, leave millions unprotected. Persecution on the basis of race, religion, political beliefs or sexual orientation is on the rise, not to mention the millions of refugees and displaced persons who are often treated as villains rather than victims.

The proliferation of cellphone technology and near-ubiquitous internet access have enabled global communications and interconnectedness on an unprecedented scale. Widespread social media use has many positives, including democratizing access to information, providing a platform for self-expression and a way to coordinate social and political activism, promoting small businesses and entrepreneurship, connecting individuals and cultures, and allowing opportunities to exchange ideas and solutions for shared challenges within and between nations. That said, the widespread use of social media can also damage social cohesion, erode trust in institutions, propagate misinformation and disinformation and undermine democracy. Recent advances in artificial intelligence (AI), especially generative AI systems that can generate convincing and realistic images, text, audio and code could amplify these problems and present new and more serious risks. While there is some momentum now to promote regulation of AI, coordination around this issue has been difficult, and with the private sector at the helm of innovation in emerging technologies like AI, profit and growth incentives may triumph over regulatory or legislative action.

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### **The threat of nuclear war and possible annihilation has never been closer.**

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Politically, the compromises of 1945, with the victors of World War II retaining the right of veto in the Security Council, is now revealed as a fatal flaw, with one permanent member engaged in a war of territorial conquest. The threat of nuclear war and possible annihilation has never been closer.<sup>4</sup> The largest and most powerful nations are still competing for dominance. Disarmament has been forgotten and arms expenditures and malignant technological innovations to kill more effectively are increasing, to the financial benefit of the military-industrial complex. National sovereignty remains the paradigm at the heart of the UN Charter, yet rather than ensuring national autonomy and diversity, it has become an essential threat in a globalized world where the common interest of all cannot be defended against selfish national interests.

Fortunately, public opinion today suggests that there is majority agreement on the type of future humanity desires. This future is one in which current and future generations benefit from effective mitigation of climate change's devastating effects, reduced geo-

political tensions, and elimination of the fear of nuclear holocaust.<sup>5</sup> It is a future in which economic progress is more equitably shared across all populations, social cohesion is strengthened, universal health care is assured, human rights are respected, and the degrading poverty that affects hundreds of millions of people is eradicated.

Additionally, it is a future in which trust in governance is restored, our concept of security is focused on human welfare, and public policies are formulated to improve human well-being. The United Nations' 2030 Agenda and Sustainable Development Goals offer one vision of what this future should entail.

Based on this assessment, it is clear that a renewed United Nations based on a Second UN Charter is critical to achieving such a future. Some might insist that revising the UN Charter is politically impossible in the face of the interests of the most powerful nations. But such a reading belies a more profound truth: the systems we have in place are not the final evolution of planetary governance.

Whether overcoming the global governance gap comes through an act of collective will or is the result of catastrophes and enormous suffering is the choice confronting humanity today. A Second UN Charter must emerge in the years ahead to bring world peace, lay the foundation for an emerging global civilization, and build a sustainable future in all its diversity. Existing efforts at UN reform and the coming Summit of the Future could open the door for bringing such a Second Charter into being and normalize the understanding that further revisions will be required for a constantly evolving world society.

Recognizing this fundamental truth, on the 75th anniversary of the UN in 2020, its member states charged Secretary-General Guterres with drafting a proposal for meaningful reform of the organization. The Secretary-General issued his Our Common Agenda reform proposal a year later. Partially in response to this, a multidisciplinary group of scholars, practitioners, and former government officials and international civil servants initiated a structured conversation in 2022 to examine more closely the idea and issues related to revision of the UN Charter. In parallel, the Secretary-General's High-Level Advisory Board on Effective Multilateralism recommended in 2023 that the 2024 Summit of the Future announce a Charter Review conference but focused only on Security Council reform. As a result of this confluence of events and initiatives, it was felt timely to launch A Call for UN Charter Review to be considered and taken up by civil society, eminent persons, and current and former heads of state and government on as wide a basis as possible. As a second stage, the same group has worked to develop this Statement, which puts forth elements for consideration for the eventual review of the UN Charter, for the use of both those engaged in a growing global civil society conversation on this theme and those government representatives giving the issue deeper consideration ahead of the 2024 Summit of the Future. A third stage of the group's work will focus on preparing an actual draft text of the Charter as an illustration of how this complex task might be achieved.

# The Birth of the Charter



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*"From the beginning, the veto was perceived  
by many as undermining the democratic legitimacy  
of the organization..."*



**T**he conceptual roots of the UN and its Charter date back centuries. Against the background of a limited material environment, unequal social conditions, and recurrent episodes of political instability at the local, national, regional, and global levels, there were occasional calls for exploring alternative political arrangements in a way that was conducive to some semblance of international rule of law for centuries.<sup>6</sup> Perhaps the first real experiment in global supranational governance would take its form in the League of Nations.

Throughout its nearly 30-year existence following the First World War, the League suffered from weak enforcement mechanisms governing violation of its articles and was therefore not an effective entity in restraining some of its signatories from violating its key provisions.<sup>7</sup> The League's ultimate failure also stemmed from its structural weaknesses, such as the need for unanimity in its decisions through a universal veto. The significance of the League—its failure aside—may well lie in the fact that it was the first attempt to pool national sovereignties together to deal with the problem of armed conflicts and aggression. It was a distinctive milestone, a tenuous first step in a long process intended to strengthen and improve the effectiveness of mechanisms of international cooperation. On January 1, 1942, against the backdrop of the League's impotence and impending demise, the United States, Great Britain, the Soviet Union, China, and 22 nations then involved in the war effort against the Axis powers set up an alliance in which members pledged to work for the establishment of a broad-based and effective system of international security. The name adopted for this alliance was the United Nations, suggested by then-US President Roosevelt himself.

There was initial consideration of an international entity founded on federalist principles, including a legislative body with substantial powers to enact laws that would be binding on member states. Roosevelt pointed out that two key freedoms: from want and from fear implied the establishment of arrangements that would “secure to every nation a healthy peacetime life for its inhabitants—everywhere in the world” and also meant “a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world.”

These ambitious visions for future international cooperation were confronted with a strong dose of reality in October 1943 at a conference in Moscow to discuss the vision of global order then being embedded in the draft UN Charter. The Soviets stated they would not object to a collective security mechanism, provided it was based on great power (meaning the United States, Great Britain, the Soviet Union, and China) unanimity through the exercise of a veto. In other words, as long as the United Nations was able to safeguard the sovereign prerogatives of certain privileged members, thus rendering it largely harmless, the Soviet Union would not object.

In the United States, this and other factors including the powerful isolationist strains within the US Senate resulted in a discursive shift away from what might be desirable to what might be politically feasible.<sup>8</sup>



What seemed to be a productive solution to Soviet and American fears proved to be no easy panacea: the establishment of a Security Council in which the great powers alone had veto power generated additional concerns. Among many states, there was the perception that this arrangement would create an imperialistic organization in which the permanent members of the Council would de facto run the world. From the beginning, the veto was perceived by many as undermining the democratic legitimacy of the organization; it was seen as a practice that could not be defended based on any principle of just governance. Most Member States of the United Nations agreed to be bound by the limitations of a two-thirds majority, whereas the permanent members of the Security Council accepted no such constraints. As a concession to states that were not permanent members of the security council, the final version of the Charter included Article 109 which allowed for the possibility that member states could review and amend the Charter in the future, a key issue discussed in greater detail below.

More importantly—with significant practical and political implications—some argued that a system was being created in which the organization would not be able to deal with problems and/or conflicts between the major powers or between a major power and a smaller state that they wished to protect. Since, it was to be expected, many, if not most, major security problems in the future were likely to involve directly or indirectly one of the major powers—given their strategic importance, their economic size, their large geographic footprint in the case of the Soviet Union, China, the United States and, of course, the British Commonwealth—the United Nations, as conceived, would be largely ineffective to do what was intended for it to do, viz.: “to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace.”

These security concerns were more than amply justified by the experience in the decades that followed the adoption of the UN Charter and the creation of the United Nations. In particular, the tens of millions of fatalities during more than 200 armed conflicts had predictable consequences for delayed economic and social development. The Korean war in 1950 and Iraq’s invasion of Kuwait in 1990 remain the sole examples of interventions supported by the collective security mechanisms put in place when the organization was created.<sup>9</sup>



# Parallels to Today

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***"What is needed today is an actionable sense of global solidarity."***

**T**he birth of the UN Charter represents a vital lesson for the 21st Century. It came at a moment of profound crisis but had its antecedents in lessons learned from its predecessor institution. Likewise, today, we see looming crises requiring rapid and fundamental transformation, and we have become aware of the shortcomings of the United Nations as constituted. Additionally, the challenges we are facing demonstrate the need for profound reflection on the very underlying assumptions guiding our actions.

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**...the assumption that the well-being of the world can be achieved merely through compromise, horse trading, or the manipulation of the international stage for domestic gain must be discarded.**

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One outstanding matter is a perennial challenge in considerations of global governance: the current conception of state sovereignty. In a globalized world, many elements of sovereignty have already been eroded. No nation can function today in complete autarchy, nor can it ignore the shared common good of all in the Earth system. This means redefining the preeminent role of the nation state in global affairs as one insuring national autonomy, where each nation can participate in global decision-making, meet the needs of its peoples, and respect its global responsibilities in keeping with its own values, culture and local realities. However, the assumption that the well-being of the world can be achieved merely through compromise, horse trading, or the manipulation of the international stage for domestic gain must be discarded. What is needed today is an actionable sense of global solidarity. This could be achieved through a notion of ‘enlightened state interest’, the idea that the well-being of the global community leads to the well-being of the nation (and, contrarily, when one member state is suffering, all are vulnerable). Far from a pious aspiration, this is being demonstrated time and again through COVID-19, climate change, the digital sphere, and others.

If we are to take global solidarity seriously, and develop global institutions based on this principle, basic questions arise. To what degree should Member States at the United Nations be primarily directed by their national concerns and to what degree should global well-being take precedence? To what degree should Member States be obligated to follow international laws for the common good of all by virtue of engaging as members of a community of nations (e.g., international civil aviation, telecommunication)? Within a framework of multilevel governance, good governance often means devolving decision making to the most local level possible (also known as subsidiarity), with some issues requiring action to be taken by an international body, and others left to the regional, national or local level. What can be done to improve implementation of international agreements and commitments, and how can nations be held accountable? These questions frame the need for effective global governance and possible steps to get there.



# Areas Where New Thinking Is Needed

A black and white photograph of three women standing in a cornfield. They are all smiling and looking towards the camera. The woman on the left is wearing a patterned sari. The woman in the middle is wearing a light-colored sari. The woman on the right is wearing a patterned sari and holding a large bowl. The background is filled with tall corn plants. The image has a dark purple overlay at the bottom.

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*"A renewed UN Charter must recognise Earth system management as a fourth pillar of the UN alongside peace and security, human rights, and social and economic development..."*



## Management of the Earth System

One of the most significant gaps in the UN Charter is the absence of any reference to the environment. While it was not a security issue in 1945, environmental crises including climate change, biodiversity loss, pollution and waste have become existential global challenges today. Our essential needs for food, water and shelter are in danger. For example, rising seas from climate change pose unthinkable risks to billions around the world, creating new sources of instability and conflict, with profound implications for security, international law, human rights and the very fabric of societies, with ever-fiercer competition for fresh water, land and other resources, as low-lying communities and entire countries disappear forever, with mass population exodus on a staggering scale.<sup>10</sup> All these problems are interrelated in a single Earth system. Urgent action is needed to address such loss and damage. Fortunately, solutions exist, and the means are there; it is the political will to implement what has already been agreed that is lacking, with no real accountability and liability for those most responsible. The world must rapidly adopt system-wide transformations to secure a sustainable, climate-resilient future.

A renewed UN Charter must recognise Earth system management as a fifth pillar of the UN alongside peace and security, human rights, rule of law, and social and economic development, and extend global governance to meaningfully cover these issues.<sup>11</sup> The complex planetary system that we call the biosphere—including all life and the physical conditions that make life possible—provides ecosystem services and common goods that are beyond national jurisdiction and not valued in the economy. Maintaining a climate optimal for human existence is one of them. A materialistic society where production for profit drives a culture of consumption, combined with rapid population growth, have pushed human impact far beyond many of the scientifically established planetary boundaries for continued survival, undermining the natural capital upon which we depend for our very existence, as well as our human right to a healthy, clean, sustainable environment.<sup>12</sup>

Regarding these threats, the biggest governance gap today is at the global level, where the environmental risks of catastrophe are the most threatening and the least managed, despite a multiplicity of multilateral environmental agreements, all essentially voluntary and without enforcement. The best efforts of motivated countries are neutralized by those defending vested interests or who prioritize the short term over the existential threats to the Earth system. Experience demonstrates that this area, as much as any other, requires that we give the UN the capacity to pass binding legislation to protect our planetary environmental system and the common goods it provides, with the necessary enforcement and dispute settlement mechanisms.

In a world where non-state actors including multinational corporations are major drivers of resource extraction, unsustainable production, and unlimited pollution and waste generation illustrating the tragedy of the commons, such legislation should extend to all contributors to environmental degradation. Multi-stakeholder approaches are needed involving all those willing to contribute to a more equitable and sustainable future.

Science should be the basis for policymaking in this area. It has defined the urgency to make a fundamental transformation in the many dimensions of our economy and human society, before we are overwhelmed by the climate crisis or other catastrophes. Only through empowered, conscientious global governance mechanisms based on science, in the spirit of true global solidarity, can we hope to make the necessary changes to save our planetary home. These might include a global environment agency or a Global Resilience Council.<sup>13,14</sup> There will also be a role for a dispute settlement and justice mechanism, as illustrated by the recent Vanuatu-led request to the International Court of Justice.<sup>15</sup>

Given the urgency of action to address the rapidly growing impact of climate change, a possible first step towards the acceptance of binding global legislation could be to give the UN Environment Assembly (UNEA) with its universal membership the authority to legislate to protect planetary boundaries as defined by science. It would set the planetary limits for greenhouse gas concentrations in the atmosphere, and equitably allocate responsibility to countries and other entities for emission reductions to return to and remain within those limits. The same could be done for other planetary boundaries, such as biosphere integrity, land system change, excess use of nitrate and phosphorus, and plastic and other novel entities. A scientific advisory mechanism for the Earth system as a whole would need to be created. Since the UNEA is an existing body, no Charter revision would be required.

### **Collective Security and Disarmament**

**S**table international peace necessitates substantial investment in the design of improved mechanisms for the peaceful settlement of international disputes and the maintenance of collective security. The fundamental principles and framework for these mechanisms are laid out in the UN Charter. However, the present landscape of international disputes—with accelerating arms races and intensifying regional tensions—betrays the inadequacy of existing institutions. An upgraded, modernized approach to the peaceful settlement of international disputes would reinforce this key global norm and ensure that it is the cardinal principle operative in international affairs, as the 1945 UN Charter intended. This would also contribute to building trust, which is essential for disarmament.<sup>16</sup>

In contrast to climate change, disarmament and arms control have been central to the organization's mission despite the alarming disarray we are experiencing now in the global disarmament initiative, and the growing incongruence between the intentions voiced in the UN Charter and the risks posed by an unsettled security situation as regards nuclear and conventional weapons alike. Article 26 of the Charter states the objective of: “[promoting] the establishment and maintenance of international peace and security with the least diversion for armaments of the world’s human and economic resources...” Unfortunately, Article 26 has not been implemented and global military expenditures reached a record-high \$2.2 trillion in 2022.

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## Existing global governance at the intergovernmental and UN levels has failed to effectively address the threat posed by nuclear weapons over the past 80 years...

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The UN's sole disarmament body, founded in 1979, is the 65-member Conference on Disarmament (CD). The last accomplishment of the CD was the 1996 Nuclear Test Ban Treaty. Despite continuing to meet, it has been unable to move forward since. Meanwhile the proliferation of weaponry and the weaponization of technologies continue unabated, which do not enhance global security and are likely to further undermine global peace.

Through a revised Charter, the UN must be empowered to meaningfully advance disarmament globally when convening multilateral negotiations and agreements among member states. Disarmament reforms should address implementation of the key priorities of the new disarmament agenda, entitled "Securing Our Common Future", launched by UN Secretary-General Guterres in May of 2018.

The new agenda focusses on three priorities:

- Disarmament to save humanity, with a focus on weapons of mass destruction (chemical, biological, and nuclear);
- Disarmament that saves lives (small arms and light weapons, and all conventional arms);
- Disarmament for future generation autonomous weapons and future systems enabled by AI.

The UN must be able to provide a platform for meaningful dialogue, negotiation, and consensus- and trust-building on all these priorities. On nuclear matters, it must be empowered to bring together nuclear-armed states, non-nuclear-weapon states, and other stakeholders including civil society to tackle the deteriorated state of nuclear disarmament and arms control. It must also promote transparency and accountability through robust monitoring and verification mechanisms, ensuring compliance with disarmament commitments. Additionally, the UN could mobilize resources and support for disarmament initiatives, promote disarmament education and advocacy efforts and coordinate international efforts towards achieving a world free from nuclear weapons. With enhanced authority, an empowered UN could help create a conducive environment for sustained progress on nuclear disarmament and reduction of proliferation in other weapon systems.

As the UN Charter mentions, in addition to the ultimate abolition of nuclear weapons, the UN must turn its attention to disarmament more broadly. The use of small arms

and light weapons among civilians, and traditional weaponry in both internal conflict and wars between nations inflict the greatest damage on civilian populations, who are meant to be protected from harm during armed conflict by the laws of war. Moreover, future AI-enabled weapon systems require renewed attention.

Existing global governance at the intergovernmental and UN levels has failed to effectively address the threat posed by nuclear weapons over the past 80 years, resulting in a decline in the three key components of the global nuclear order: strategic stability, the nuclear taboo that nuclear powers will not threaten the deployment of nuclear weapons, and nonproliferation. The erosion of these three components has raised concerns about the increased risks associated with nuclear weapons. The wasteful expenditure on nuclear weapons, coupled with the motivation for other states to seek nuclear capabilities has further complicated efforts towards disarmament and nonproliferation. Urgent and concerted efforts are needed at the global level to restore and strengthen these components and prevent the escalation of nuclear risks in the future.

Arms control, confidence-building measures, and strategic dialogues have been used to restrain states from using nuclear weapons, but currently only one nuclear arms control agreement, the New START Treaty, remains in place.<sup>17</sup>

Nuclear-armed states are also modernizing their arsenals, indicating a lack of commitment to the principle of strategic stability. The deterioration of relations between nuclear states, particularly between the US and Russia, as well as the US and China, has further undermined the notion that using nuclear weapons would be crossing a consequential line. Some world leaders have made provocative statements and displayed nuclear weapons, signaling a lack of normative inhibitions towards their use.

The continued reliance on nuclear weapons as cornerstones of great power military strategy has resulted in the wasteful expenditure of economic and human resources, with global spending on nuclear weapons estimated at \$82.4 billion in 2021.<sup>18</sup> More broadly, the total global economic impact of violence—defined as the expenditure and economic effect related to containing, preventing, and dealing with the consequences of violence—has increased eight times over the past 14 years.<sup>19</sup> In 2022, the impact of violence reached \$17.5 trillion globally, the equivalent of nearly 13 percent of global GDP (PPP); this figure reflected a \$1.1 trillion rise with respect to the previous year, “largely driven by a 16.8 percent increase in the economic impact of military expenditures” according to the 2023 Global Peace Index report.<sup>20</sup> These resources must instead be diverted to areas of genuine need, such as the reduction of poverty, the provision of healthcare and education, the advancement of gender equality and to address the climate crisis and protect and promote biodiversity on this small planet we all share.

The world is not focusing on meeting the needs of people and the planet. Instead, those in power continue to divert the intellectual, social, and financial resources of humanity to build more weapons and increase militarization, all the while clinging to an increasingly unsustainable and dangerous world. It is high time humanity evolved past the indiscriminate use of killing and violence to achieve any ends, and the United



Nations has a preeminent role in advancing these new norms. International norms are such that there are no longer any grounds upon which a nation is justified in raising arms against another, let alone upon its own citizens. The UN Charter's provisions to explore disarmament should be revisited to take into consideration current realities. Revision of the UN Charter must provide for building the structures, attitudes, and institutions to bridge inequities, end violence, and build a more prosperous world for all, a world equipped to tackle global catastrophic risks, instead of generating more means to create violence and inequality. In this regard, we applaud the ongoing discussions on the New Agenda for Peace and will lend our support to that effort.

### *Economic and Social Development*

**B**eyond the use of weapons and climate catastrophe, extreme poverty and inequality must also be recognized as posing catastrophic risks to humanity. Widespread poverty, lack of access to nutrition and basic services, and widening income disparities are not only detrimental to the well-being of the preponderance of the world's population, but they are also a threat to the security and stability of the world. Although the UN Charter recognized the need to "promote social progress and better standards of life," not enough was perhaps known at the time about development economics to embed in the Charter the notion of sustainable development, to encourage an approach to development that in time would prove to be more respectful of the environment.<sup>21</sup>

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**The world is not focusing on meeting the needs  
of people and the planet.**

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Development economists will often note that progress has been made in reducing the incidence of extreme poverty in recent decades: using the World Bank's poverty line of \$2.15 income per day, the number of extremely poor people has been reduced from close to 2 billion in 1990 to roughly 700 million people in 2022. However, this fact requires two important qualifications: the first is that much of this reduction is accounted for by high economic growth rates in China and, to a lesser extent, India; considerably less progress has been made in Sub-Saharan Africa, which remains the largest pocket of extreme poverty in the world.<sup>22</sup>

The second qualification is that the extreme poverty line used by the World Bank is exceptionally austere, with people in this group characterized by a very precarious existence, high incidence of malnutrition, illiteracy, lack of access to basic infrastructures, such as running water and electricity, to say nothing of other social protections, such as health care. It is not an exaggeration to characterize this level of poverty as being degrading and demoralizing for those affected. Using a poverty line of \$6.85 income

per day, which some economists suggest still leaves people struggling to make ends meet, a full 47 percent of the world's population is poor today, a sobering commentary on the shortcomings of our current economic system and its supporting practices and institutions.

Furthermore, it is now expected that a combination of the consequences of the pandemic and the disruptions caused by the war in Ukraine will put the goal of ending extreme poverty by 2030 out of reach, with the World Bank estimating that some 580 million people will continue to struggle in extreme poverty in 2030.

Moreover, the depth of inequality, both within countries and between them, has, by and large—and contrary to SDG 10—accelerated since 2015. A broad measure of inequality, the so-called global Gini coefficient, which measures inequality across the world had been on a downward trend between 2003 and 2013, but reversed course during the pandemic and remains at the sky-high level of 62.6 points in 2020, the latest year for which this metric is available.<sup>23</sup> The latest economic research shows that inequality increases political instability which in turn undermines prosperity.<sup>24</sup> Inequality also tends to disadvantage more women, children and other vulnerable populations.

Central to the debate about the priorities of social and economic development is the need to make further progress in narrowing the gender gap. As noted recently in an insightful commentary on the subject, “even today, the latest World Bank data from 190 countries on the extent of gender discrimination embedded in countries’ laws (e.g., Constitutions, Civil Codes, Labor and Tax Codes, Company and Family law) suggest how ubiquitous and deeply entrenched gender inequalities are. And they are not mainly a ‘developing country’ problem, or largely limited to a particular region of the world, they are omnipresent, insidious and deeply damaging to human prosperity and security. Indeed, according to the World Bank only 14 out of the 190 countries for which the data is collected have laws that do not discriminate against women in some way.”<sup>25, 26</sup>

There is a moral and economic case for better social protection, even if this means a fundamental rethinking of the structure of national budgets. We live in a world in which a completely accidental event—the country of one’s birth—plays a fundamental role in the prospects one faces as a human being. If one is born in a country with adequate social protections, such as Norway to take but one example, one will have enormous opportunities to develop one’s inherent capabilities. For in Norway, it is highly probable not only that one will safely reach the age of 5, be well fed and educated, and have access to modern medical and health facilities; but one will also be provided for in old age, since in Norway, economic policies have incorporated the concept of sustainability in their design, including in the management of public finances and the responsibilities of the state to future generations.

By contrast, there may be some contexts where, by virtue of one’s birthplace, one may not survive to the age of 5; and if one were to, one would be more likely to become part of the more than 800 million people in the world who suffer from malnutrition, or whose talents may be stunted not only by the lack of good nutrition during the early stages of the development of one’s brain, but by the absence of quality education. And, of course, on average, one may live to the age of 59, rather than the 79–80 years

seen in other parts of the world. This is a profoundly unfair reality; there is no ethical framework in which this situation could be characterized as consistent with elemental notions of justice. And, in this sense, one would be well justified in suggesting that such gross inequalities of opportunity demonstrate that no country can yet be considered fully developed, since a holistic notion of development implicates all countries when such injustice prevails.

Strengthening the underpinnings of our systems of social protection—whether through the gradual introduction of something like a universal basic income, universal social protection, or by other schemes which clearly demonstrate that their merits outweigh their costs—would go a long way to helping erase poverty, malnutrition, illiteracy, and gender discrimination at a time when the global economy’s productive capacity is at an all-time high, suggesting that poverty eradication and related problems reflect less the absence of means than inefficient allocation of resources and lack of global solidarity.

Emerging from COVID-19 and moving forward with the likelihood of future pandemics, strengthening the underpinnings of our systems of social protection is, in fact, the socially optimal path, affording greater protection everywhere. This may well be one of the more enduring lessons from the calamities of COVID-19. The United Nations, the ILO, and the SDGs, in varying degrees, all speak about the merits of such an approach. It is well known that these investments in social protection more than pay for themselves in the long run, and demonstrate that the matter is not simply one of rebalancing budgets.

There is far greater understanding of the nefarious effects of corruption in the world today than was the case when the UN Charter was adopted. Corruption weakens the ability of governments to collect tax revenue, depresses economic growth, undermines private sector development, discourages entrepreneurship and innovation, sabotages the credibility of governments that engage in it and contributes to other forms of crime. Corruption in recent decades has continued to flourish, even though 187 countries are party to the United Nations Convention Against Corruption (UNCAC) and each has laws criminalizing corrupt conduct. In order to fight corruption, some binding international judicial mechanism is necessary to prosecute individuals violating laws on corruption in those cases where the justice system and the state have been captured by corrupt elites which control the police, the judges and prosecutors, and provide them with impunity. A free-standing international court focusing on anti-corruption is a promising option worth considering.<sup>27</sup>

The United Nations Monetary and Financial Conference held in Bretton Woods in 1944 created the World Bank and the International Monetary Fund, two organizations that have played a prominent role in defining both the aims and the means of economic development during the post war period. It is outside the scope of this statement to examine in detail the multiple ways in which they could be more effective advocates of sustainable economic development and crisis managers in an increasingly interconnected and interdependent world. The World Bank and other regional development banks will need to find creative ways to tap private sector resources to help finance

the transition to a renewable energy economy. In the case of the IMF the agenda for reform is vast.

The size, integration, and complexity of financial markets today dwarf what we had in the 1980s and the costs of an unexpected systemic crisis today are potentially extremely high, as was shown in 2008–09. An adequately resourced and more independent IMF will remain an important component of a global financial safety net. Furthermore, there appears to be an urgent need to overhaul and simplify the system under which the Fund may issue Special Drawing Rights (SDRs) under exceptional circumstances, such as times of crisis or, more generally, to meet urgent development needs.

At present the system is unduly ponderous. As part of its efforts to improve global liquidity management, the IMF should be allowed to mobilize additional resources by tapping capital markets and issuing bonds dominated in SDRs (something that would not require amending its Articles), making emergency SDR allocations under considerably more stream-lined procedures, and allocating SDRs regularly to supplement the demand for reserves.

There are many factors, political fracturing, social distrust and military aggression, which stand between good policies and their implementation. These barriers, factors which contribute to the lack of political will, must be overcome through the creation of enabling environments. What is the most effective system to ensure that economic justice through the reduction of inter- and intra-country inequality can be realized? How can those with greater wealth, whether individuals, corporations, or nations, be encouraged to see in its redistribution the well-being of all the human family? We should naturally turn to a fundamental rethinking of our global economic system to encourage the realization of such a global economic ethic and consider what role the UN can play in the promotion of the economic and social well-being of all peoples, as called for in the Charter.



# Topics for Institutional Reform

The background of the slide features a person in a dark suit and tie, holding a black pen in their right hand and a black folder with the United Nations logo in their left. The person is wearing a silver watch on their left wrist. The image is overlaid with a semi-transparent dark blue filter. In the bottom left corner, there are three white, flowing, ribbon-like decorative lines.

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*“Strong judicial institutions are vital to effective and legitimate forms of governance at all levels but currently are uniquely inadequate at the global level.”*

## General Assembly

**T**hough frequently eclipsed by the Security Council as a topic of serious debate, it is reform of the General Assembly or the interlinked questions of global rule making, representation, inclusion, and democratic legitimacy, that present, at the level of principle, some of the most consequential issues for consideration in any attempt to rethink the Charter.

The specific governance mechanism of the General Assembly was intensely debated in the early 1940s. While the United States, the United Kingdom and the Soviet Union had no problems establishing a system of weighted voting for the Bretton Woods organizations linked to objective metrics of economic size, trade flows and the like, they were not ready to apply the same principle to the General Assembly. Very much reflecting the world and norms of 1945, the 'design intent' was a one-member-one-vote club of national governments. It moved away from unicameral and bicameral parliamentary models, from any notion of direct or indirect popular representation and from weighted systems of voting.

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**Crucially, future mechanisms must accommodate the wide variety of national circumstances and governmental systems that exist today and allow space for their future evolution.**

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The ultimate result was a system of voting and a separation of competencies that together reflected the desire of larger post-war victorious countries to maintain the locus of power within the Security Council where they enjoyed the veto. In that system India, with a population of over 1.4 billion people, has the same voting power as Nauru, with its population of 13,000. Both have a single vote cast by a single professional diplomat representing their executive branch of government, not their national parliaments, constituent states, or people, and the representatives themselves are not subject to any election. That system fed a further gradual loss of influence of the General Assembly relative to other organs like the Security Council and Secretariat. And after the UN's creation, important voices continued to urge a different direction.<sup>28</sup>

These were serious issues in the wartime 1940s, which have since grown considerably under the impact of major global historical trends such as decolonization, democratization, and globalization. A range of options exist and merit fresh and careful consideration today by national governments, parliaments and global civil society on as wide a basis as possible.

A preferred route for revision is to draw on the considerable modern-era experience of national bicameral legislative (parliamentary) systems. Binding legislative powers on matters of global concern could be vested in a bicameral body, consisting of a chamber similar to today's General Assembly, representing the member states, and

a popularly elected Parliamentary Assembly representing the citizens of the world. Within the limits provided for in a revised Charter, resolutions adopted concurrently by both chambers under qualified majority requirements could have universally binding character under international law.<sup>29</sup> The rules of this new global legislative mechanism could be subject to the judicial oversight of a strengthened International Court of Justice. A reformed Security Council or similar Executive Council could be made subordinate to it or at the very least subject to a more balanced distribution of competencies.

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**Opportunity to review these issues every 10 years, for example, allows for pragmatic progress on achievable priorities now and striking an evolving balance between desirability and feasibility.**

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There is also growing experience with the allocation of seats according to member states in a supranational setting—or in regions within a nation state—using some population metrics. For example, seat allocation among the 27 EU member states in the European Parliament is based on the principle of degressive proportionality. Under this principle, the more populous states agree to be under-represented to allow smaller states to have more seats than under a strictly proportional system. In effect, neither are marginalized. This approach has been suggested for the allocation of seats in a UN Parliamentary Assembly.<sup>30</sup>

A full review of the mechanisms available needs to be based on careful consideration of key desired principles and how they are combined such as legality, legitimacy, credibility, efficiency, effectiveness, the sovereign equality of states, democratic representation, inclusion and diversity, the rights and protection of both minorities and majorities, etc. Thought must be given not just to voting and representation but also to areas of competence like peace and security and budgeting for example. Crucially, future mechanisms must accommodate the wide variety of national circumstances and governmental systems that exist today and allow space for their future evolution.

Apart from the structure and composition of the General Assembly, its role and functions need to be reviewed to restore some balance of power between the principal organs of the UN, especially if other organs are also terminated, created, or revised. An important starting point could be the rephrasing or deletion of Article 12 which prohibits the General Assembly from even making a recommendation on a dispute or conflict unless requested by the Security Council.<sup>31</sup> Similar revisions need to strengthen the position of the President of the General Assembly, rebalance the role of the General Assembly on the selection of the Secretary-General (see more on this below), and strengthen the implementation of General Assembly resolutions.

Perhaps one key lesson from 1945 is to approach timing expectations differently by proactively removing ‘forever’ articles and ‘baking in’ institutional change and evolution. To prevent the situation we face today, in which reform of a badly outdated and outmoded system is almost impossible, the concept of regular periodic review should be built into any future mechanisms, much like the Global Stocktakes of the Paris Climate Agreement. Not all issues have to, nor can be, resolved now in an ideal way. Opportunity to review these issues every 10 years, for example, allows for pragmatic progress on achievable priorities now and striking an evolving balance between desirability and feasibility. Rather than a specific structural decision or choice of mechanism, it is the notion of an evolving global rule-making capacity that is crucial to the UN’s effectiveness, credibility and ability to become a genuine problem-solving organization in the future.

### Security Council

No single organ created by the 1945 Charter has generated more passion, disappointment, criticism, and vitriol than the Security Council. Its historic performance across several distinct periods over the past 78 years is itself hotly debated. The Security Council has consequently been the subject of more reform proposals since its creation than any other part of the UN system.

Its many shortcomings and failings notwithstanding, the Security Council’s historical ‘first purpose’ was—as clearly articulated by a generation that had suffered two world wars—to prevent the emergence of a third global conflict. It has in that limited measure been successful even as its contemporary performance in a string of specific regional conflicts has been deeply frustrating. Conceptually, it plays a role akin to that of a hospital emergency room or a fire station, a tool of last resort in a crisis that can barely be imagined in the light of day. While it cannot easily be dispensed with, its existence raises vexing questions of principle about power and justice at the international level.

Indeed, too often, discussion about the Security Council today is narrowly framed in terms of power: membership, veto, privilege, and scope of mandate. Once engaged, this conversation quickly becomes overtly nationalistic and zero-sum. Significantly, Articles 23 and 27 were actually amended in 1963 to enlarge the Council’s membership from eleven to fifteen and to adjust the votes needed for procedural matters (nine members) and all other matters (nine members including the five permanent members).

Conversely, too rarely does the discussion stay focused on contemporary global security needs. In our concerted view therefore, this topic requires more, not less, mindful deliberation, moderation, and care. Reform of the Security Council is not an end in itself, but an important first step, one that will need periodic revisiting, in concert with other institutional changes.<sup>32</sup>

As previously explained, many delegations resisted the veto during the Charter’s drafting. Some argued that granting such a power to select countries would render the organization ineffective in resolving conflicts between great powers or their close al-



lies. Others felt it inappropriate to entrust the veto to countries that were themselves parties to a dispute. Even among the great powers, there was a lack of consensus. Allowing a major power to violate every principle and purpose of the Charter while remaining a member of the organization through the lawful use of the veto was rightly seen as weakening the moral foundation of the whole organization. However, in the final San Francisco vote, the United States and the Soviet Union made it clear that the veto was non-negotiable, and it was accepted.

The consequences of the veto power continue to reverberate today: the mechanism contributes to many of the ongoing decision-making challenges within the Security Council that have, in turn, rendered the body largely ineffective, especially in the face of a range of global catastrophic risks. It is often argued that the permanent members would never willingly surrender the veto. However, there is surely a point at which the dysfunctionality of the Council begins to defeat its very purpose. After all, many countries simply walked out of an increasingly ineffective League of Nations starting in the mid-1930s.

Although the UN Charter gives the Security Council the power to pass binding resolutions vested with the force of international law, in practice the Council's resolutions are often ignored. As veto-wielding further erodes the stature and strength of the Council, it is likely that we will continue to see the UN increasingly sidelined in times of conflict, with real power and influence moving to other centers. This is not what the founders of the UN intended.

Security Council reform has a long and storied history. There have been many proposals, including to remove the veto, expand the veto, remove permanent membership, add permanent membership; expand general membership to better reflect the geopolitics and demographics of the moment, and a host of permutations of these options.

There is today growing consensus, for example, around expanding the membership again and 'giving' the veto to an additional set of players. However, pleasing this might be to the new 'club members', it is not likely to improve the problems of legitimacy and effectiveness that haunt the Council at present.

By contrast, enlarging the overall membership of the Security Council would certainly ensure that the world is better represented within the Council, without adding new permanent members. Larger numbers of 'new members' could be granted a new third status, for example, through renewable rotating longer terms of 8 or 16 years (longer than the current two-year term of elected members) and thereby contribute substantively to the maintenance of international peace and security.<sup>33</sup>

Another approach could be to replace the veto with weighted voting within an executive council. Similar to the governance structures adopted by the Bretton Woods institutions in 1944, member countries would operate under a system of weighted voting (using the same or different weights applied to membership in the General Assembly for example) in which all members have a weighted vote and a voice but no veto. This system would remove the veto but guarantee strong representation to large countries

while incentivizing cooperation and coalition-building.<sup>34</sup> Important decisions could require higher voting thresholds. As the practice of the World Bank and IMF show, such systems encourage consensual decision-making rather than the paralyzing obstructionism that characterizes the existing Security Council.

Here again, there is growing experience elsewhere in recent decades. For example, the Council of the European Union combines some of the features already discussed. All members have a veto on certain specific matters (such as a new country joining). More generally, depending on the issue, the Council takes its decisions by simple majority (14 member states in favour) or a more rigorous qualified majority (55 percent of member states, representing at least 65 percent of the EU population in favour).

Overall, there is plenty of scope for creativity, as evidenced most recently in April 2022, when the General Assembly adopted the Liechtenstein Security Council veto initiative. By its terms, whenever the veto is used in the Security Council by one of its five permanent members, the General Assembly will automatically meet within 10 days to publicly review the votes cast.

### **Secretary-General and Secretariat**

**T**he role of the Secretary-General and the Secretariat at large, have gradually evolved into an international civil service. The Secretariat should serve as a repository of lessons learned and expertise from which the community of nations may benefit. At the same time, the Secretary-General should “embody the highest standards of efficiency, competence and integrity and demonstrate a firm commitment to the purposes and principles of the United Nations.”<sup>35</sup> Moral courage and a readiness to work consultatively across the membership are important additional attributes for the Secretary-General and the Secretariat to embody.

Unfortunately, history has seen numerous instances in which the autonomy and efficacy of Secretaries-General and their offices have suffered under the heavy influence of member states, particularly the five permanent members of the Security Council, who have been able to dictate not only the activities of the Secretariat but also the approaches it espouses, and the individuals appointed to serve among its ranks. In these instances, objectivity has been sacrificed, primarily because of the organization’s electoral and financial dependence on these states. Fortunately, the problem is not beyond remedy and several potential solutions should be considered.

First, the Secretary-General appointment process requires an overhaul. The prominence of the Secretary-General’s role has increased over the last decades to include numerous new responsibilities, ranging from coordinating responses to war, famine and disease to developing new strategies on issues such as gender equality and management and appointment of staff within the UN system. While the selection of the Secretary-General has always been of vital importance, the increased visibility and responsibility held by the office requires increased vigilance and accountability for both the selection process and the attributes, professional and personal, of the individual chosen.

The practice of the Security Council proposing a single Secretary-General candidate for the General Assembly to approve pro-forma often resulted in credible candidates being vetoed by a single P-5 state. It would therefore be desirable to rebalance the roles played by the Security Council and the General Assembly in the selection process. A first important step would be for the General Assembly to be presented with a list of suitable candidates to choose from.<sup>36</sup> This would confer greater legitimacy to the selection process and allow the Secretary-General to assume the role with enhanced credibility, having received the endorsement of the majority of UN members. Encouragingly, the UN is already taking steps in this direction.

In 2016, General Assembly Resolution 69/321 improved the process of selecting the Secretary-General by calling for applications, listing specific criteria to meet, and allowing candidates to write vision statements and appear for interactive dialogues with the General Assembly.<sup>37</sup> As a result, roughly one dozen candidates, many of them women, went through a transparent selection process. A later Resolution 75/325 further improved the process by allowing civil society to nominate applicants for Secretary-General.<sup>38</sup> However, applicants remain subject to a shortlisting process by the Security Council where P-5 members retain a veto. As an interim measure, the Security Council should be required to present a list of multiple candidates for a final vote in the General Assembly. Ideally, the selection should be undertaken entirely by the General Assembly via anonymous vote, without vetting by the Security Council.

A second innovation that could enhance the legitimacy of the Secretary-General would be to introduce a single seven-year, non-renewable term for the Secretary-General, thereby freeing them from the conflict that may otherwise result between the interests of those who hold the possibility of re-appointment in their hands, and the countries which it is their mission to serve. In this way, the Secretary-General would be relieved of a degree of pressure to place personal interest above the functions of the office. This idea is not new; a 1997 General Assembly resolution (51/241) invited the Member States to consider a single longer term.<sup>39</sup> At times, the concept of a single non-renewable term has been publicly supported by as many as 145 member states. Far from limiting the tenure of an effective Secretary-General, it would ensure that the individual would be effective from day one. Moreover, a competitive election process would ensure that more candidates are given the opportunity to be considered.

Lastly, the independence of the Secretariat is undermined by the requirement that its reports be vetted by the Member States, let alone those who are the subject of such reports. This process must be called into question, as it belies a fundamental mistrust of an international system ostensibly established to protect and promote the well-being of all people without prejudice of any kind. Giving the Secretariat greater intellectual independence, curtailing the ability of states to affect the content and tone of its publications, would go some way toward enhancing the credibility of the valuable knowledge and insight which are often contained in its reports.<sup>40</sup>

### **Balancing Institutional Mandates**

**T**he UN is often criticised for operating in silos while complex issues spill across mandates. The four pillars of the UN: Peace and Security, Human Rights, The Rule of Law, and Development, are not in balance either institutionally or functionally. We have already discussed peace and security, both through collective security and disarmament, and in the Security Council, as well as economic and social development. For the rule of law, attention needs to be paid to strengthening the International Court of Justice as the principal judicial organ of the Charter, and giving it judicial purview over all the pillars. The human rights institutions consist of the human rights treaty bodies and the Human Rights Council which has a provision for a Universal Periodic Review of all nations. Human Rights need to be given a place and status equivalent to the other pillars. Our discussion above of the need to manage the Earth System and the global commons suggests that this could become a fifth pillar of UN responsibility in the Second Charter. Clear linkages and collaboration between the pillars needs to be built into the future institutional structure.

### **The International Court of Justice – Peaceful Resolution of Disputes**

**S**trong judicial institutions are vital to effective and legitimate forms of governance at all levels but currently are uniquely inadequate at the global level. The International Court of Justice (ICJ), as the principal judicial organ of the UN, can and should play a central role in the architecture of global governance. To date, the Court's role has been relegated to territorial and maritime disputes while international law has often been invoked by states in a self-serving manner. The ICJ will need to be reformed and empowered to address the myriad risks facing the international community with credibility and independence.

Some necessary changes are well within reach. These include expanding the list of the Court's official languages to increase the Court's accessibility, continuing to embrace new technologies in service of efficiency, and transitioning from operating as a plenary to a chambered system that would be less cumbersome and increase the Court's caseload capacity. More far-reaching changes could include extending access to non-state actors, thus expanding the Court's ability to engage on investor-state disputes, human rights cases, and cases involving international organizations. At its most ambitious, ICJ reform would include establishing mandatory jurisdiction for the Court in interstate disputes: while this would require a massive shift in states' attitudes and in the profile and working methods of the Court, such revolutionary change may be what is required to address longstanding international legal inadequacies.

### **Human Rights Council**

**I**n revising the UN Charter it would be useful to equalise the status of the bodies addressing the main UN pillars. The Human Rights Council (HRC), presently a subsidiary body, should be upgraded to a principal organ of the UN, giving it the same level of



importance and influence as the Security Council and ECOSOC. This would recognise and reflect the significant advancements in the human rights field since the adoption of the Universal Declaration on Human Rights three years after the UN Charter. Today, this would include the right to development, which is at the core of the Sustainable Development Goals; the right to peace; the right to a clean and healthy environment, with opportunities for other issues to come to the fore.

The absence of formal links between the HRC and other UN organs means that early warnings can go unheeded and the Security Council is activated only after preventable atrocities are committed. Rather, the Security Council, the ECOSOC and the HRC should establish formal links to prioritize prevention and the removal of threats to peace, as enshrined in Article 1 of the UN Charter.

### **Funding of the UN**

According to the 2022 *Financing the UN Development System Report* there are four main sources of revenue for the UN system, the two most important of which are assessed contributions and voluntary earmarked contributions, accounting for 84 percent of the total. Assessed contributions fund the UN Secretariat and its activities and provide the bulk of the funding for peace and security-related activities, as well as a portion of the funding for the UN's many funds and programs, while separately they also fund the core budgets of the various specialized agencies of the broader "UN system", which also rely on voluntary contributions for operational work.<sup>41</sup> Slightly more than 50 percent of assessed contributions are allocated to the Department of Peace Operations. Of the nearly \$39 billion in voluntary earmarked contributions made by donors in 2020, \$36 billion was allocated to specialized agencies and/or funds and programmes, with the rest going to the UN Secretariat. The largest recipients of voluntary earmarked contributions were the World Food Programme, the United Nations Development Program, the World Health Organization, UNICEF, and UNHCR.

Heavy reliance on voluntary contributions has made the availability of resources to the UN proper and the broader UN system quite fragmented, unpredictable and unstable. The reliance on a few countries for the bulk of all funding creates considerable asymmetry, wherein the top 10 contributors account for 70 percent of the assessed contributions, and the top 20 account for 84 percent. For the period 2022–24 the three largest contributors to the central UN's regular budget are the United States (22.0 percent), China (15.254 percent) and Japan (8.033 percent).

Total voluntary earmarked contributions in recent years have been much larger than assessed contributions, in 2020 by a factor of 3. Voluntary earmarked contributions tend to be lopsided, with five countries: the United States, Sweden, the United Kingdom, Japan and Germany accounting for about 62 percent of the total. The UN General Assembly, which discusses and approves the assessed part of the UN's budget, both regular and for peacekeeping, has little say on the way voluntary earmarked contributions are used, and this tends to reflect individual donor country's economic, political, and development priorities. Donor countries thus bypass the General Assembly and

use the United Nations infrastructure as a conduit to leverage the impact of their bilateral aid programs, where national donor priorities take precedence over the interests of the whole membership.<sup>42</sup>

It is worth noting that the UN Charter makes no provisions for voluntary funding; it assumes that all UN expenditures will be based on assessed contributions paid by member states, and that the General Assembly will have jurisdiction over the levels and associated priorities of such funding. Faced with the option of boosting contributions to the regular budget but having little say on the use of such resources within a currently 193-member General Assembly, donor countries have opted for a new avenue of funding over which they retain maximum control. So, rich country voluntary contributions were perhaps a natural response to the fact that Grenada, for example, with its 0.001 percent assessed budget contribution rate, has a say over the disposition of assessed resources equal to that of Japan, with a contribution 8,033 times larger.<sup>43</sup>

Over the longer-term, the UN and its associated system of funds, programmes and specialised agencies need a reliable source of funding to strategically plan for and mitigate global risks. Currently, member state contributions are sometimes used for coercion and blackmail.<sup>44</sup> Unlike the UN, the European Union's central institutions are funded through formulas that automatically channel to the EU budget funds including a fixed proportion of VAT and import duty collections from each member country. At a time in which it is desirable for the UN to play a more central role in mitigating global catastrophic risks, it is essential to give the organization and its various agencies a reliable revenue source.

The authors support a proposal based on a fixed proportion of Gross National Income (GNI) going automatically to the UN system, as a more equitable funding mechanism. With world GNI at about \$100 trillion in 2022, even a 0.1 percent contribution rate (used here for purely illustrative purposes) would generate funding of \$100 billion, many times larger than the current regular UN budget and about double the total UN system budget, including all voluntary earmarked contributions and peace keeping operations.<sup>45</sup> The main advantage of this mechanism is simplicity and transparency. Every country gets assessed at the same rate and the criterion for burden sharing is crystal clear. Contributions are linked to economic size—as in the current system—but without the need for carve-outs, exceptions, floors and ceilings, discounts or formulas that have proven vulnerable to political machination. It will remain the case that the lion's share of the resources spent by the UN will be to the benefit of low-income countries which, on a net basis, would continue to be the direct beneficiaries of UN funding.

This proposal does not exclude the possibility of tapping into other potential sources of revenue, which need to be explored. The need to finance the transition to a renewable energy economy, to strengthen the social safety net in many countries, to confront the legacy of extreme poverty, malnutrition and illiteracy and, more generally, to meet the needs of the developing world suggests that we must be more innovative in exploring additional sources of revenue, such as a tax on financial transactions (now called a Robin Hood tax) and a more active use of SDR issues by the IMF to supplement countries' reserve positions, as discussed earlier. A share of such resources could well be channeled through UN institutions.

# Avenues for Reform and Vision of the Future



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*“Article 109 remains the key to stimulating reform of the Charter and for putting in motion discussion of broader organizational reforms.”*

## Article 109

**H**aving discussed some of the most important crises facing the organization, both from within and from without, we now turn to explore potential avenues for reform. It is appropriate at the outset to recognize that, although the Charter has been amended a number of times in largely cosmetic ways,<sup>46</sup> the UN itself has evolved organically in some ways. A good example of this is UN Secretary-General Dag Hammarskjöld's pioneering of techniques of preventive diplomacy which, in time, led to the emergence of peace keeping operations which are not mentioned in the Charter.<sup>47</sup> Beyond such areas where the UN has changed and adapted in various ways, there are reforms which do not require Charter amendment. These include the creation of a World Parliamentary Assembly (see below) as a subsidiary organ under Article 22 or improving the process for the selection of the Secretary-General. As discussed previously, a great deal more could be done on the latter issue to tangibly enhance the effectiveness of the organization. However, "organic evolution", such as has taken place in recent decades, is insufficient to confront the myriad global challenges we face today.

As noted earlier, the UN Charter included Article 109 as a concession to those states greatly concerned with the consequences of a veto-empowered Security Council. The Article states that "A General Conference of the Members of the United Nations for the purposes of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any nine members of the Security Council." It also states that "If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held, if so decided, by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council." To date such a general conference has not been held. Article 109 remains the key to stimulating reform of the Charter and for putting in motion discussion of broader organizational reforms.<sup>48</sup>

However, as with other elements of the Charter, it remains a dead letter, a victim of the onset of the Cold War and the general sense of inertia and paralysis that has been a permanent feature of UN reform efforts, to say nothing of decision making within the Security Council, which remains largely ineffective at a time when a range of global catastrophic risks threaten humanity's future.

From its inception, the Article was intended to open the door for future considerations of the Charter's appropriateness, considering changes that might have taken place since its ratification.<sup>49</sup> It is time for the world to walk through that door. Supporters of the idea that global problems are best addressed in a multilateral setting of cross-border cooperation are anxious to avoid a scenario in which the forthcoming Summit of the Future results in laudable words on a page but limited impact in the real world. The Summit, which aims to forge a new global consensus on the future and the actions we can take today to secure it, must foster meaningful action and cooperation. The authors believe the existing UN framework is a hindrance to such action.



As such, the authors propose that we enhance our chances of securing this future by making the issue of Article 109 revisions to the UN Charter a central part of the deliberations during the Summit. One constructive outcome of the Summit would be an agreement to hold an Article 109 convocation to put forward proposals for reviewing the Charter, considering the problems we face today, 78 years after the Charter was adopted.

We endorse the recommendation by the High-Level Advisory Board's report: *A Breakthrough for People and Planet: Effective and Inclusive Global Governance for Today and the Future* that "The Summit of the Future is an opportunity to reaffirm our common commitment to the UN Charter and announce a Charter Review conference focused on Security Council reform." We would argue, however, that the focus of Charter Review needs to be broader, in recognition of the interconnected nature of various elements of the Charter and the institutions and practices that derive from them.

### **World Parliamentary Assembly**

**I**n an initial step below the threshold of Charter reform, a World Parliamentary Assembly (WPA)—or synonymously a UN Parliamentary Assembly—should be set up as a parallel advisory chamber to the UN General Assembly. This new body would ensure more popular representation in UN decision-making and its members would be called upon to speak on behalf of "we the peoples of the United Nations," the ostensible constituents whose interests the organization was established to safeguard and advance. The WPA would help bridge the democratic legitimacy gap that arises when an organization's actions can affect people's welfare in tangible ways, but when those affected by these decisions have little input as to how they are formulated, arrived at, and implemented.

The WPA would engender a fresh perspective on unresolved global problems and help build political momentum toward their resolution. In addition, such an assembly would be in a stronger position to promote higher levels of international cooperation, since its members would be called upon to see such problems through the lens of humanity's better interests rather than narrow national considerations.

There are multiple paths to the creation of an advisory WPA. Article 22 of the UN Charter permits the General Assembly to create subsidiary organizations as necessary, which could create a body such as a WPA. The assembly could also be created via an international treaty, a successful method most recently used with the 2017 Treaty on the Prohibition of Nuclear Weapons.

Those dissatisfied with the UN but supportive of its goals would view the WPA's creation as a step toward increasing the UN's transparency, legitimacy and efficacy. Several international groups and institutions have already endorsed such a vision, including the European Parliament and the Pan-African Parliament.

The WPA could champion key priority reform items. The creation of a WPA and its evolution over time would build more support for a new, improved UN, make it possible to experiment with different processes and approaches to reform, and accumulate valuable experience to eventually support the formal consultations leading to Charter review. In connection with a successful revision of the Charter, we envision that the WPA would be transformed into the parliamentary chamber of the co-legislative bicameral system outlined above.

### *Eliminating obsolete language from the Charter*

While the aim of our UN Charter Review project is to present proposals on the changes that might be contemplated to modernize the UN and bring the Charter into the 21st century, a review and revision of the Charter also presents an opportunity to remove obsolete or anachronistic language. There are a few categories of deletions which could be implemented without strong objections (see the Appendix for the proposed deletions). For instance, there are Charter provisions already completed, such as references to the first elections of Member States to various Councils. There are provisions that have become obsolete over time, such as references to “enemy states”, a category of states reflecting World War II alliances, and outdated references to the Trusteeship Council.<sup>50</sup> Language in the Charter referring to gender (he/him) would need to be updated to include she/her or use gender neutral language. Not included in the Appendix are provisions which have been superseded by developments or UN practices and which would require further consultation.

These changes and deletions do not involve the need for difficult political compromises among member states. They could be approved with a two-thirds majority by or during the Summit of the Future, adding great symbolic value to that Summit ahead of a more thorough review of the Charter in coming years.

# Conclusion: Innovations in the Second Charter



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*"Reform is crucial to ensure the organization remains relevant and effective in the 21st century."*



**I**n conclusion, the need to revisit the UN Charter is not only evident but increasingly urgent. While the Charter was a significant milestone in international relations when drafted in 1945, it was not perfect, and its framers intended it to be a living document. However, in the nearly 80 years since, Article 109 has not been utilized and no review conference has been held to address the shortcomings and evolving challenges faced by the international community. As a result, the UN's ability to effectively address the global issues of our time has been hindered. Reform is crucial to ensure the organization remains relevant and effective in the 21st century. In fact, without such a review conference resulting from a collective choice, the alternative is most likely to be change through great catastrophe. Article 109, in this sense, represents a possible preventive measure to ensure future generations do not continue to suffer from the institutional shortcomings already made clear.

As discussed, there are several areas in which a Second UN Charter could have a particularly strong impact. One such area is climate change. Reference to environmental principles or concerns marks perhaps the most notable omission from the Charter. Given that the climate and environmental challenges facing the globe require coordinated and collaborative efforts at the international level, a revised Charter should give the UN competence over the global commons to protect our shared interest in a livable planet. This would provide a clear framework for global cooperation, establishing mechanisms for mitigating climate change, promoting adaptation and resilience, and holding violators of norms and agreements accountable for the destruction of our biosphere.

Disarmament is another critical issue for which a Second Charter could have an impact. The proliferation of weapons of mass destruction and conventional arms poses perhaps the most existential threat to global peace and security. The UN needs effective mechanisms for the peaceful resolution of disputes and collective security that all nations can trust, making disarmament possible. A revised Charter could then strengthen existing disarmament mechanisms, promote the expansion of the international arms control regime, and establish new norms and regulations to prevent the spread of dangerous weapons.

Global economic disparities, poverty, and inequality remain persistent challenges that require concerted international effort. In a globalized financial system, only the UN can address a more equitable distribution of wealth across the planet to eliminate poverty. Reformed financial institutions and a capacity to raise global taxes in support of universal basic services could enable a new social contract. A Second Charter could be structured to empower the organization to hold member states accountable for meeting the Sustainable Development Goals, and coordinate aid where states are unable to achieve the goals on their own. In the 21st century, the global community has a responsibility to ensure access to basic needs such as nutrition, education, healthcare, and clean water for all humans.

Looking internally, the reform of the UN Security Council, which has been a long-standing demand from many member states, is also a critical area that a revised Charter could address. The current composition and working methods of the Security Council



do not adequately reflect the geopolitical realities of the 21st century. A Second Charter could seek to eliminate the veto, expand the membership of the Security Council, make it more representative, transparent, and accountable, and enhance its effectiveness in maintaining international peace and security.

A Second Charter could also address the long-overdue need for UN funding reform. Today, the organization relies heavily on voluntary contributions from member states, which often results in funding gaps and imbalances. A revised Charter could address this issue by exploring alternative financing mechanisms, ensuring adequate and predictable funding and promoting a fair and equitable sharing of financial burdens among member states.

Lastly, the reform of the Secretariat is another area that could be addressed in a Second Charter. The Secretariat's structure, management, and working methods need to be modernized to enhance efficiency, effectiveness, transparency, and accountability. Notably, the term length and election methods for Secretary-General must empower the General Assembly, rather than be selected by the Security Council. This would help ensure a more accountable Secretariat that can better respond to the needs and demands of member states and the global community.

It is imperative that member states come together to collectively reform the UN and ensure its continued effectiveness in addressing global issues and maintaining international peace and security. With the "Summit of the Future" on the horizon, the time is ripe for UN reform to make the organization more responsive, representative, and accountable to the needs and aspirations of the global community in the 21st century.

## Appendix: Possible deletions from the UN Charter

### Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

### Article 18

1. Each member of the General Assembly shall have one vote.
2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, ~~the election of members of the Trusteeship Council in accordance with paragraph 1 (e) of Article 86,~~ the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.
3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

### Article 23

1. The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organisation, and also to equitable geographical distribution.
2. The non-permanent members of the Security Council shall be elected for a term of two years. ~~In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.~~
3. Each member of the Security Council shall have one representative.

### Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall

be taken under regional arrangements or by regional agencies without the authorization of the Security Council. ~~with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organisation may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.~~<sup>2</sup> The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

## **Article 61**

1. The Economic and Social Council shall consist of fifty-four Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, eighteen members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. ~~At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.~~

4. Each member of the Economic and Social Council shall have one representative.

## **Articles 73–91**

According to the UN the International Trusteeship System applied to “territories held under mandates established by the League of Nations after the First World War; territories detached from “enemy States” as a result of the Second World War; and territories voluntarily placed under the System by States responsible for their administration.” With the process of decolonization effectively at an end and the rise in the number of sovereign UN member states from 51 in 1945 to 193 today it is proposed that UN Charter Articles 73–91 encompassing Chapter XI: Declaration Regarding Non-Self-Governing Territories; Chapter XII: International Trusteeship System; Chapter XIII: The Trusteeship Council be deleted in full.

## **Article 97**

The Secretariat shall comprise a Secretary-General and such staff as the Organisation may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. She/he shall be the chief administrative officer of the Organisation.

## Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to her/him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organisation.

## Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in her/his opinion may threaten the maintenance of international peace and security.

## Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.<sup>3</sup> The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

## Article 106

~~Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, 30 October 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organisation as may be necessary for the purpose of maintaining international peace and security.~~

## Article 107

~~Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.~~

## Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any nine members of the Security Council. Each Member of the United Nations shall have one vote in the conference.



2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

~~3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.~~

## **Article 110**

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the UN Secretary-General Government of the United States of America, which who shall notify all the signatory states of each deposit. as well as the Secretary-General of the Organisation when he has been appointed.~~3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland. and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.~~4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

## **Article 111**

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited at UN Headquarters. In the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

## Endnotes

1. This statement is the result of consultations which took place in late 2022 through August 2023. A team composed of Andreas Bummel, Co-founder and Executive Director of Democracy Without Borders; Arthur L. Dahl, President of the International Environment Forum; Maria Fernanda Espinosa, President of the United Nations General Assembly for the 73rd session; Denise Garcia, Professor and founding faculty of the Institute for Experiential Robotics, Northeastern University (Boston); Geeta Kingdon, President of City Montessori School (India); Margarita Konaev, Georgetown University; Georgios Kostakos, Co-founder and Executive Director of the Foundation for Global Governance and Sustainability (FOGGS); Jo Leinen, Former Member of the European Parliament; Joshua Lincoln, Senior Fellow at the Centre for International Law and Governance at Fletcher, the Graduate School of Global Affairs, Tufts University; Augusto Lopez Claros, Executive Director of the Global Governance Forum; John Miller, Fellow at Global Governance Forum; Daniel Perell, Representative of the Bahá'í International Community; Vesselin Popovski, Professor and Vice Dean of the Law School, O.P. Jindal Global University; Guy Fiti Sinclair, Associate Professor at University of Auckland Faculty of Law; Yvette Stevens, Executive in Residence, Global Fellowship Initiative, Geneva Centre for Security Policy; Olga Tokariuk, Non-resident Fellow at the Center for European Policy Analysis (CEPA); Jody Williams, Nobel Peace Laureate; Co-founder of the Nobel Women's Initiative; and Binxin Zhang, Assistant Professor of Public International Law at Xi'anmen University Law School (China), met twice in Madrid during the periods January 20–22 and June 16–18 2023 and had multiple online interactions in the intervening period. The views expressed in these pages are their own and not necessarily those of the organizations with which they are affiliated. Inevitably, in a document of this nature, covering a broad range of issues and proposals, there is no presumption that there was complete unanimity of views on every question touched upon. However, the authors shared the view that there is an urgent need to rethink the institutional underpinnings of the global order that came into being with the adoption of the UN Charter in 1945, and that the 2024 Summit of the Future provides a unique opportunity to do so. The authors are committed to continuing to contribute to this ongoing dialogue, to give a major impetus to strengthening international cooperation in the face of multiple global catastrophic risks in the years ahead.
2. Special thanks to Claudia Amendoeira; Carly Kabot; and Ashley Vincenzo (Georgetown University); and Gemma Hedayati (University of New South Wales) for competent research assistance during various stages of the project, and to Shady Nicolas, International Communications Strategist, for logistical and management support. Nan Ackerman of AmadeaEditing provided excellent copyediting and other editorial support.
3. Stimson Center, Global Governance Survey 2023, <https://ggin.stimson.org/wp-content/uploads/2023/05/Global-Governance-Survey-2023.pdf>
4. The Bulletin of the Atomic Scientists' Doomsday Clock moved to 90 seconds before midnight in January of 2023, "the closest humanity has ever been to Armageddon."
5. Various forms of violence have been around for millennia but species extinction through nuclear war is relatively new and on a radically different scale as a threat to our future.
6. For a fuller discussion of this historical background see, for instance, Lopez-Claros, Dahl and Groff, Chapter 2 (2020).
7. These violations, to name a few, included the Japanese invasion of Manchuria, Hitler's occupation of the Rhineland, and Mussolini's incursions into Ethiopia.
8. The UN Charter is an international treaty, and the US Constitution gives the Senate the final say on US participation, where a two-thirds majority is needed to ensure adoption.
9. Beyond these considerations, it was also clear during the Charter's drafting that, against the background of an ongoing military conflict of global proportions, there would be scarce resources and time to promote, on a global scale, a vision of world order that might receive the endorsement of large segments of the public, to ensure an adequate degree of democratic legitimacy for the new body being created. This reality spawned additional issues concerning the voting mechanisms and the distribution of power within the organization. Some experts had argued for a system of weighted voting, with voting power linked to some objective criteria, such as population size, trade flows, and the like, to accommodate the huge disparities in the size and economic heft of the membership. This was not accepted, and, in the end, the General Assembly was established based on the principle of one-country-one-vote.
10. UN Security Council debate 14 February 2023, UN News <https://news.un.org/en/story/2023/02/1133492>
11. High-Level Advisory Board on Effective Multilateralism (HLAB), *A Breakthrough for People and Planet: Effective and Inclusive Global Governance for Today and the Future* (New York: United Nations University, 2023). ISBN: 978-92-808-6597-4

12. Earth Commission 31 May 2023: Rockström, J., Gupta, J., Qin, D. et al. Safe and just Earth system boundaries. *Nature* (2023). <https://doi.org/10.1038/s41586-023-06083-8>
13. High-Level Advisory Board on Effective Multilateralism (HLAB), *A Breakthrough for People and Planet: Effective and Inclusive Global Governance for Today and the Future* (New York: United Nations University, 2023). ISBN: 978-92-808-6597-4 and Sylvia Karlsson-Vinkhuyzen and Arthur L Dahl (2021) "Towards a Global Environment Agency Effective Governance for Shared Ecological Risks". Paper for the Climate Governance Commission, Global Challenges Foundation, [https://iefworld.org/fl/dkarlsson\\_dahl21.pdf](https://iefworld.org/fl/dkarlsson_dahl21.pdf)
14. <https://www.foggs.org/wp-content/uploads/2022/08/FOGGS-proposal-submitted-to-UN-HLAB-on-a-Global-Resilience-Council-12-August-2022.pdf>
15. Request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change (2023). <https://www.vanuatuicj.com/resolution>.
16. "The Charter requires that all members of the United Nations be 'peace-loving' as a condition of membership (Article 4.1), should 'live together in peace with one another as good neighbours' (Preamble), should 'develop friendly relations' (Article 1.2), and must fulfill 'in good faith the obligations assumed' under the instrument (Article 2.2)," Lopez-Claros, Dahl and Groff (2020), p. 185.
17. While the Treaty remains in place officially, Russia announced its suspension of participation in the Treaty in February of 2023. In March, it further announced that it would no longer conduct any of the activities required under the Treaty.
18. See ICAN, available at: [https://www.icanw.org/squandered\\_2021\\_global\\_nuclear\\_weapons\\_spending\\_report](https://www.icanw.org/squandered_2021_global_nuclear_weapons_spending_report)
19. This metric has been developed and tracked by the Institute for Economics and Peace, an independent nonpartisan think-tank. Direct costs associated with violence include losses linked to state spending on the military, police, and judicial and healthcare systems. Indirect costs include items such as productivity losses and foregone economic output, as well as reduced economic growth.
20. Available at: <https://www.visionofhumanity.org/wp-content/uploads/2022/06/GPI-2022-web.pdf>.
21. In time, at least among practicing economists in academia and policymakers in government, "development" came to be seen as improved economic opportunity through the accumulation of capital and rising productivity. The implicit assumption was that economic growth would lead to rising living standards, increases in life expectancy, reduced mortality, a reduction in the incidence of poverty, and so on—all worthy social goals—but there was no clear awareness then of the inequality which might be a byproduct nor of environmental constraints or other earth system boundaries.
22. About 60 percent of the world's extremely poor are concentrated in Sub-Saharan Africa, with six countries—Nigeria, Democratic Republic of the Congo, Tanzania, Madagascar, Ethiopia and Mozambique, accounting for about half of the continent's total. India, however, remains the country with the largest number of people living in extreme poverty, close to 20 percent of the world's total, according to a World Bank 2022 report. The same report states that "By the end of 2022, as many as 685 million people could still be living in extreme poverty. This would make 2022 the second worst year for poverty reduction in the past two decades (after 2020)".
23. This global Gini coefficient abstracts from national boundaries and estimates inequality for the entire world's population. It is thus perhaps the broadest measure of the state of inequality in the world. The Gini coefficient measures income distribution across a population and serves as a gauge of economic inequality. The coefficient ranges from 0 to 1 (or 0 to 100), with 0 representing perfect equality and 1 (or 100) representing perfect inequality. A country in which every resident has the same income would have a Gini coefficient of 0. Conversely, a country in which one resident earned all the income, while everyone else earned nothing, would have an income Gini coefficient of 1. As per World Bank data (<https://data.worldbank.org/indicator/SI.POV.GINI>) countries that have the most equal income distributions, i.e., with the lowest Gini coefficients, are the Slovak Republic, Slovenia, Belarus, Ukraine, Moldova, Belgium, Netherlands, UAE, Iceland, etc. where the Gini is 26 or below. In 2019–20, India's Gini was 35.7, that of the US 39.7 and of China 38.2. Out of 115 countries for which the Gini coefficient was available between 2017 and 2022, in 85 countries it was less than 40, in 25 countries it was between 40 and 50, and in only five countries was it higher than 50. Thus, a world Gini coefficient of 62.6 points represents extreme inequality, much higher than the domestic inequality in the vast majority of countries.

24. As noted recently by Silwal, Saliola and Islam (2023) in a paper titled “What Do Extreme Poverty and Inequality Mean for Global Political Stability?”: “More unequal societies tend to be politically unstable (Alesina and Perotti 1996). A large group of impoverished individuals facing a small group of well-off individuals are likely to be highly dissatisfied. The large group of impoverished people are likely to demand radical change, increasing the likelihood of mass violence or illegal seizure of power. Political instability can hurt investment and thereby the economic prosperity of societies. Social unrest can disrupt productive activities. Such instability can also increase uncertainty. Both are likely to decrease investment. Political instability can also lead to policy volatility that further discourages investment (Dutt and Mitra 2008). Furthermore, countries with higher inequality may be characterized by higher ethnic tensions and social polarization. This in turn decreases the security of property and contract rights (Keefer and Knack, 2002) and unequal societies with weak institutions find it more challenging to respond to external shocks (Rodrik, 1999).”

25. See Arthur L. Dahl and Amanda Ellis, Global Governance Forum, “Thinking About the Summit of the Future: Shaping its Agenda— Part II: Global Environmental Governance and Gender Equality,” May 12, 2023.

26. According to Indermit Gill, the World Bank’s Chief Economist: “Governments can’t afford to sideline as much as half of their population. Denying equal rights to women across much of the world is not just unfair to women; it is a barrier to countries’ ability to promote green, resilient, and inclusive development.” The World Bank report highlighting the key results of the updated database further states that “Worldwide, nearly 2.4 billion women of working age still do not have the same rights as men. Closing the gender employment gap could raise long-term GDP per capita by nearly 20 percent on average across countries. Studies estimate global economic gains of \$5 to \$6 trillion if women started and scaled new businesses at the same rate as men do.”

27. For a fuller discussion of these issues see chapter 18 in Lopez-Claros, Dahl and Groff (2020).

28. For example, in 1947, in an open letter to the General Assembly Albert Einstein said: “the method of representation at the UN should be considerably modified...the moral authority of the UN would be considerably enhanced if the delegates were elected directly by the people,” See also: Clark, Grenville, and Louis B. Sohn. *World Peace Through World Law. Two Alternative Plans. Third Edition Enlarged.* Cambridge: Harvard University Press, 1966.

29. The idea of two co-legislative chambers has been discussed for a long time. See Vaclav Havel, “Address of the President of the Czech Republic at the Millennium Summit of the United Nations” (New York, September 8, 2000, <https://undocs.org/en/A/55/PV.8> On a bicameral approach see also Maja Brauer and Andreas Bummel, *A United Nations Parliamentary Assembly: A Policy Review of Democracy Without Borders* (Berlin: Democracy Without Borders, 2020), p. 113; and Jo Leinen and Andreas Bummel, *A World Parliament: Governance and Democracy in the 21st Century* (Berlin: Democracy Without Borders, 2018), p. 381.

30. The principle of degressive proportionality was established in the Lisbon Treaty (2009). Because of changing population dynamics and the multiple algorithms which can be used to come up with a precise seat allocation, in practice there have been at times long political negotiations before every parliamentary election, to come up with a particular seat distribution consistent with the principle of degressive proportionality. Following the departure of the United Kingdom, the current EU parliament has 705 deputies. The five countries with the highest number of representatives are: Germany (96), France (79), Italy (76), Spain (59) and Poland (52) and the five countries with the lowest number are Slovenia (8), Estonia (7), with Cyprus, Luxembourg and Malta each having six members. The case of Malta is interesting: its population is 0.1 percent of the total EU population. Under a system of full proportionality, it would be entitled to 0.7 members. Degressive proportionality means that it is allocated five “base seats”, with the excess over five allocated based on population.

31. This Article was challenged as early as 1950 with the General Assembly ‘Uniting for Peace’ resolution.

32. For a fuller discussion, see Chapter 1 and 2 in Popovski and Fraser (2014).

33. See detailed proposal in Chapter 12, “Re-imagining the UN Security Council” in Popovski and Malhotra (2023)

34. Giving all 193 members of the UN a voice and a vote in the Security Council need not mean, in practice, a large table with 193 chairs. Countries could be clustered in regional constituencies. Large countries like the United States, India and China might stand alone but at the IMF and the World Bank, to take an example, Argentina, Bolivia, Chile, Paraguay, Peru and Uruguay form the Southern Cone constituency and are entitled to one of 24 chairs. Their voice is the sum of their respective voting power and negotiations within the group determine who serves as the lead spokesperson, with the position rotating among the six members from time to time.

35. This is the language used by the General Assembly in a 2015 Resolution (69/321; see below).



36. Three members of the P-5—France, Russia and the United Kingdom—with veto power over the appointment of Secretary-General candidates, together account for about 3.5 percent of the world's population and 8 percent of world GDP.

37. See General Assembly Resolution 69/321 (22 September 2015) entitled Revitalization of the Work of the General Assembly, section titled "Selection and Appointment of the Secretary-General and other Executive Heads", paragraphs 32–44.

38. See General Assembly Resolution 75/325, dated September 15, 2021 also titled Revitalization of the Work of the General Assembly, paragraph 55, which states in part that "the President of the General Assembly and the President of the Security Council, in future joint letters on the selection and appointment process of the Secretary-General, encourage Member States to publicize the call for nominations, including with civil society and other stakeholders with the aim of identifying potential candidates."

39. See General Assembly Resolution 51/241, dated August 22, 1997, and titled Strengthening of the United Nations System, Section XIX, "The Secretary-General", paragraph 58, which states: "The duration of the term or terms of appointment, including the option of a single term, shall be considered before the appointment of the next Secretary-General."

40. The section titled Funding of the UN system examines in detail some of the constraints imposed on the Secretariat as a result of the particular mechanisms and practices that have emerged in recent decades for funding of the UN's operations.

41. According to the 2022 *Financing the UN Development System Report* "assessed contributions are obligatory payments made by UN Member States to finance the UN's regular budget and its peacekeeping operations. They can be thought of as the price of membership. Assessed contributions are based on pre-agreed formulas related to each country's 'capacity to pay'. The formula for the regular UN budget is based on gross national income (GNI), with debt burden adjustments for middle- and low-income countries and adjustments for low per-capita income factored in. The formula for peacekeeping operations also takes account of the fact that the five permanent members of the Security Council (the P5) pay a larger share due to their special responsibility for maintaining international peace and security. These two formulas are adjusted by the UN General Assembly and Member States, normally every three years. Assessed contributions and voluntary core contributions constitute the core funding for UN entities."

42. We do not address in this section the use of resources contributed by non-state actors, like private corporations and philanthropic foundations. These contributions may occasionally constitute a considerable part of an organisation's budget, as is the case with the Gates Foundation and WHO. While many of these contributions may be well-motivated, they pose challenges of their own, raising questions of accountability and incentives and potential conflicts of interest. They may often be a response to perceived needs within the UN system which are not being met by member states but may, as well, create incentives for countries not to contribute more. They also—as with other voluntary earmarked contributions—sidestep intergovernmental scrutiny through the UN General Assembly or the corresponding intergovernmental bodies of the specialized agencies.

43. Thus, a new balance of sorts has been found, with all countries having an equal say on the use of the regular budget assessed contributions, as happens with individuals who have the same voting rights irrespective of the amount of taxes they pay, while richer countries, like rich individuals, can make their "philanthropic donations" at whatever level they want and can afford, gaining considerable influence "in the system" as a result.

44. Article 17.1. and 17.2. of the UN Charter stipulates that the General Assembly considers and approves the UN budget, and that the expenses of the Organisation are borne by its members as apportioned by the General Assembly. Article 19 further stipulates that members in arrears in the payment of their financial contributions shall under certain circumstances lose their voting rights in the General Assembly. Venezuela, Lebanon and South Sudan lost such rights in January of 2023, joining Dominica, Equatorial Guinea and Gabon, which had lost theirs earlier on. Strangely, Gabon is currently serving a two-year term on the Security Council, where its voting rights are unaffected.

45. As the United Nations establishes a track record of fiscal prudence and efficiency in the management of financial resources, there is no reason to believe that member states might not be ready at some point to entrust it with a larger body of funding.

46. For instance, as noted earlier, enlarging the membership of the Security Council from 11 to 15 in 1963 and that of ECOSOC, twice, in 1963 and 1971 from 18 to 27 and then to 54, to accommodate the large increases in UN membership.

47. According to Sinclair (2023) “an early practice of sending unarmed observation missions to conflict hotspots evolved, in the context of collapsing European overseas empires, into the regular use of peacekeeping missions, nowhere mentioned in the Charter, as a technology of orderly decolonisation. In response to the 1956 Suez Crisis, the General Assembly invoked the Uniting for Peace resolution to create the first armed peacekeeping mission, the UN Emergency Force (UNEF). Following this experience, UN Secretary-General Dag Hammarskjöld codified key peacekeeping principles, requiring peacekeeping operations to be deployed only with the consent of the parties, in particular the host state(s); to remain neutral and impartial in the conflict; and to use a minimum of force, only in self-defence. These principles remain broadly accepted today, though they are often honoured in the breach.”

48. Georg Witschel, a renowned German diplomat, considered Article 109 to be a major factor in overcoming the resistance of many small and medium-sized states to the giving of veto power to select countries at the San Francisco conference. According to Witschel, “the prospect of a review conference in the foreseeable future, where the cards could be reshuffled, gave these members consolation and hope.” More broadly, the inclusion of Article 109 not only placated many members who were upset at being presented with a pre-determined Charter but also addressed the widespread sense that the UN Charter was an inadequate response to the devastation of World War II and its 60 million casualties. Many believed that the organization would fail to live up to the noble ideals of peace and security outlined in the Charter’s Preamble and numerous articles.

49. In his remarks to the San Francisco Conference on June 26, 1945, US President Harry Truman said: “This Charter, like our own Constitution, will be expanded and improved as time goes on. No one claims that it is now a final or a perfect instrument. It has not been poured into any fixed mold. Changing world conditions will require readjustments, but they will be the readjustments of peace and not of war.”

50. The UN Secretary-General has suggested that the UN Trusteeship Council could be repurposed “to enhance the governance of the global commons” and invited “States to consider making the Council available as a multi-stakeholder body to tackle emerging challenges and, especially, to serve as a deliberative forum to act on behalf of succeeding generations.” While this is a promising idea, it is evident that such repurposing would not change the largely obsolete nature of the current references in the Charter to the Trusteeship Council.

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