Rethinking global governance

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of europe

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Foreword

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It is a dangerous paradox: multilateralism is in retreat just when collective action is most desperately needed to tackle complex and interconnected global challenges, including the climate crisis.

The many challenges facing traditional global governance institutions, including the World Trade Organization (WTO), are certainly cause for concern. Multilateral rules and codes of conduct, agreed upon over the years, have inspired international cooperation and helped nations to live in relative peace – and become more prosperous.

Times have changed, however. Supranational bodies set up in the aftermath of the Second World War – and largely reflecting the need to keep peace between Western powers – are under pressure to become more inclusive.

US President Donald Trump's 'America First' policies, including a retreat from international initiatives such as the Paris Climate Accord, have strained global governance structures.

Emerging nations are demanding more attention and a stronger voice in the running of global affairs. Demands from China, India and Brazil for a stronger international rule-making role have therefore added to the drive for global governance reform.

Also significant is the fact that while global concerns continue to focus on security and trade, new areas demanding collective action now include hybrid threats, connectivity, information-sharing, human rights and cyber security.

However, institutional reform and change are easier said than done: this time around, governments cannot do it on their own. Stakeholders from beyond politics will need to be consulted and brought on board.

This publication is about just such voices. It includes perspectives and recommendations from 'unusual suspects' including think tankers, academics, activists, journalists and representatives of the private sector.

We asked our contributors for original ideas, creative thinking and bold recommendations. We also asked them just how, where and why the European Union and its Asian partners could play a role in reviving global governance.

Based on their various insights, Friends of Europe has drawn out several common threads to identify overarching recommendations to make a new rules-based order which works for everyone.

We hope this publication, a part of Friends of Europe's Asia Programme, provides food for thought as global leaders look for solutions to the world's many complex challenges.

Recommendations

These recommendations to global leaders draw on the viewpoints and ideas presented by the authors of the articles in this discussion paper:

1 Make global governance more inclusive

Whether in peace-building or carrying out development and infrastructure connectivity projects, multi-stakeholder involvement is vital. All should take an integrated, people-centric approach based on capacity-building and inclusion of local communities, as well as the private sector.

2 Take a hard look at the institutional structures themselves

Many global institutions are products of different times and no longer able to adequately address 21st century realities. The 1967 Outer Space Treaty, for instance, is in dire need of an overhaul to address issues such as asteroid mining, satellites, waste, tourism, exploration of other planets, etc. The WTO is also struggling to keep up with a changing world order and requires international commitment from East and West if it is to survive.

3 Improve information-sharing to secure our common future

A lack of communication can be detrimental to international cooperation and the development of international regulatory standards. To better govern the seas, states or regional organisations should be more transparent and openly share data about the state of their waters and coastal areas so that the UN can be better equipped to assess ocean maritime challenges. In the field of AI, communication barriers between experts and policymakers must be broken down to ensure greater cooperation and regulatory development.

Focus on standards and norm-making

One of the EU's greatest strengths is its regulatory and norm-making power. To minimise 5G security risks, advance climate action and govern artificial intelligence, the EU should focus on standard-setting within its own borders. Changes will then ripple outward to the rest of the world. But such global transformation will not happen overnight. The bloc should also be ready to help third countries to help themselves by creating realistic, step-based systems for cooperation.

Multilateralise connectivity

In the words of one author, it's time to "connect the connectivities". Actors should agree upon global and regional mechanisms for monitoring and regulating connectivity plans from start to finish: transparency in preparation, project monitoring, and accountability in execution. This could take the form of a plurilateral Code of Conduct laying out the rules for project engagement and could begin at the trans-regional level – for example, through EU-ASEAN relations or the Asia-Europe Meeting (ASEM) framework. Such multilateralisation should also extend to development practices on which actors should work at the international level to ensure coherence of project aims, norms and standards.

6 Fight for civil rights by dismantling structural inequalities

In fighting for minority rights, international institutions should raise awareness of structural inequalities and focus on the processes and actors that led to these people's 'minority' status. At the same time, civil society and the media should work together to ensure that governments are held accountable for upholding media freedom. They have the power to build broader coalitions to counterbalance forces of authoritarianism and defend liberal democratic values.

7 Change the narrative on nuclear warfare

Campaigns working towards nuclear disarmament should focus on making clear the true power of nuclear weapons and the long-term ramifications their use presents to humankind. Showcase the fact that security arrangements which do not rely on weapons are actually more effective. In the long term, create a new Global Contract on nuclear warfare which is rooted in the rule of law and respect for human rights.

Structural reform and transformation

Trade first: joint efforts for an open world economy

A country that prioritises its own interest over the interests of all other countries and does whatever it wants will not go far

Professor Chi Fulin, President at China Institute for Reform and Development (CIRD) and Author of *Starting Point: Thirty Years of Reform in China*

Today, the world stands witness to significant developments as well as great changes to established structures. On the one hand, the acceleration of economic globalisation and technological progress has brought developed and developing countries closer, and the common need for developmental cooperation has become more apparent. On the other hand, the international community is facing increasing instability and uncertainty as it attempts to carry out sustainable development initiatives. To complete these objectives, the current state of global economic governance is in urgent need of reform and improvement.

To cope with the challenges and contradictions in globalisation and global economic governance, it is more advisable to work together to reform the existing system than to try to reinvent the wheel and start from scratch again. China has repeatedly emphasised, on a number of international occasions, that it firmly defends the standing international system rooted in international law.

Furthermore, Beijing has put forth a series of propositions to improve the system. These recommendations include building a community of shared future and shaping a global economic governance structure devoted to equality, openness, cooperation and sharing.

Many far-sighted people are deeply concerned about the economic frictions provoked by the United States and are actively seeking to mitigate tensions. Faced with trade protectionism and unilateralism, the global community should make coordinated efforts for a transparent, inclusive and non-discriminatory multilateral trading system well-suited for fairer and more reasonable free

trade. This is the common position held by most countries and it is the key to addressing inadequate and unbalanced development of the global economy.

Be it fighting against protectionism or improving global governance, both would not be possible without the participation and support of major economies. Therefore, both China and the European Union have a role to play in upholding the international multilateral trade system and safeguarding free trade. Despite the differences on specific economic and trade issues, both parties have the same stance on upholding multilateralism. For instance, on the WTO, China and the EU advocate reform without changing the basic principles.

In addition to further strengthening economic and trade cooperation, they need to coordinate between themselves to achieve these common goals. Three years ago, the China Institute for Reform and Development (CIRD) and the Centre for European Policy Studies (CEPS) conducted research on a potential free trade agreement (FTA) between China and the EU. At that time, it was proposed that China and the EU should start the feasibility study and negotiation of a China-EU FTA as soon as possible, and that it was not advisable to wait until 2030 to reach such an agreement. If this proposal were to be undertaken and a preliminary agreement could be reached by 2020, both China and the EU would have better cards to play when faced with unilateralism, populism and trade conflicts.

Since opening up in 1978, China has made remarkable economic progress thanks to considerable reforms. This has benefited citizens worldwide. In the past two years, China's trade of services has contributed to the growth of global service trade by about 25%, a major factor in international economic growth. Should the potential of its trade be fully tapped, China's imported services could triple by 2030, becoming the world's largest importer of services and accounting for 13.4% of the global total.

The history of mankind shows that no country can develop well on its own. Trade protectionism and unilateralism inevitably meet a dead end. A country that prioritises its own interest over the interests of all other countries and does whatever it wants will not go far.

'America First' will not take the United States where it wants to go. It will only lead the nation in the opposite direction by increasing uncertainties and risking its own development, and that of the rest of the world. On the contrary, China aims to promote development by expanding its reform and further opening to the global economy. A more open China will lead to more positive interaction with, and bring more growth and prosperity to, the international community.

*Translated from Chinese to English by Wei Wenfeng

The WTO has never been more relevant – or more at risk of collapse

The WTO was created as a flexible institution that would evolve in parallel to the needs of the modern economy

Maurice Fermont, Advisor on international trade and investment at BusinessEurope

The World Trade Organization (WTO) is our global home, a place that allows us to trade freely with one another while serving as a bastion against protectionism. And much like a real home, if you do not check and repair the roof for almost 25 years, few people would be surprised to hear it is riddled with holes. They would also agree that taking a sledgehammer to the walls would in no way fix the roof and might end up leaving you homeless instead.

This analogy represents two sides of the debate on the future of the WTO: those who want to reform it and repair the roof and those who are putting it at risk of collapse without a clear alternative.

The WTO was created in 1995 to further liberalise global trade in an inclusive, reciprocal, rules-based manner. Its inclusive membership is comprised of 164 countries and counting,

developed and developing alike, some of whom receive special and differential treatment on account of their development status. It is reciprocal because all members have agreed to liberalise their economies through successive rounds of negotiation. And they have done so in a rules-based manner, drawing up common rules for all member countries while resolving their differences through dispute settlement.

But after 25 years there is an urgent need for change. While national economies and business environments have seen radical change, the rulebook governing them has remained largely the same. When the WTO was launched, for example, only 0.4% of the world, or 16mn people, were connected to the internet. Today this figure stands at 58% or 4.5bn people. The iconic Nokia 3310 mobile phone was launched in 2000 offering basic functions, while today we use our smartphones

to order products online and have them home-delivered from abroad within days. Trade in goods and services amounted to $6tn in 1995 and grew over fourfold to $25tn in 2018. The global trading environment has changed, and it is important that the WTO keeps up.

A globalised economy needs clear rules and enforcement mechanisms. Discussions on the classification transfer and storage of data is a case in point. Without rules on data, countries may arbitrarily require data to be stored locally and require access to or the transfer of source codes for companies to obtain market access for software. With the advent of 5G and Industry 4.0 and the increased digital connectivity that this represents, companies trying to protect their intellectual property could face many risks.

The absence of new rules or improved enforcement of existing rules could therefore lead to market fragmentation and new forms of protectionism. Countries could exploit the lack of rules in different areas to undermine the global level playing field and gain unfair advantages, leading to a domino effect.

But rule-making has stagnated, and people could be forgiven for forgetting that the WTO and its predecessor, the GATT, were created as permanent bodies of negotiation through successive rounds. The WTO was created as a flexible institution that would evolve in parallel to the needs of the modern economy. The current Doha round was launched 18 years ago and progress to date has been limited. Initially, the deadlock was caused by

disagreements along developing-developed country lines in the areas of agriculture, access to patented medicines and special and differential treatment. The non-market-oriented policies and practices that lie at the root of the US-China trade war, however, have induced a renewed sense of urgency for WTO reform.

Issues such as industrial subsidies, forced technology transfer, the non-market behaviour of state-owned enterprises, export credits, overcapacity and weak enforcement provisions for some existing rules have increased both the cost of stagnation and the need for a breakthrough. The growing share of global trade from 20% of the world GDP in 1995 to 30% in 2018 means the WTO is more important than ever as the guardian of multilateral trade. Yet the current paralysis on rulemaking and reform, the US-China trade war, and the coming paralysis of the Dispute Settlement Body are bringing the WTO to the brink of collapse.

If the WTO cannot deliver on its mandate and regulate trade freely and fairly, why should countries continue to support it? And what are the alternatives? The continued paralysis within the WTO and the US-China trade war have exposed a painful schism in multilateral governance that besets institutions the world over. Can we still achieve meaningful compromise and upgrade the rules governing the global economy?

The pressure of paralysis may well lead to a breakthrough at some point. Plurilateral initiatives for reform are taking shape.

But the increasingly visible power struggles may also push us further apart. While the US, the EU and other developed countries certainly need to take their responsibility, it is increasingly up to new players such as China, now the second-largest economy in the world, to decide whether they want to make a meaningful contribution to the multilateralism from which they have so heavily benefited.

One positive for the prospect of WTO reform is that talk of its replacement is limited, and no clear alternative ideas have emerged thus far. But it will not remain that way. New ideas will surface and may include a regionalisation of parts of the global economy. Hopeful observers may look forward to the end of the US-China trade war and a swift return to the days of Doha negotiations but the idea that we can go 'back to the way it was' is wishful thinking. History may resemble itself, but it does not move backwards. We would do well to prepare ideas on how multilateral trade governance, even if limited, could flourish in the future.

Regions are the future of global governance: how the EU and ASEAN can lead the way

The EU and ASEAN need to be at the forefront of strengthening regional governance and building bridges across regions

Yeo Lay Hwee, Director of the European Union Centre in Singapore

The Western-dominated global order and its system of governance is coming under growing strain. Institutions created in the post-World War II era to manage cooperation for peace and development – from the United Nations to the World Bank – are increasingly seen as ineffective in addressing our modern litany of challenges. This stems from a unique paradoxical phenomenon: while the world is seeing heightened interdependence, it is simultaneously seeing further fragmentation.

Many factors have contributed to the stresses and tensions in the current global order. These include the retreat of the West and the rise of the rest. The fraying of the West is a particularly new development, epitomised by Trump's 'America First' doctrine. The strong transatlantic ties that once underpinned the western liberal order have been undermined by Trump's unilateral approach, notably pulling the US out of several multilateral agreements.

Meanwhile, the rise of the rest – from China to India and other emerging economies – has led to a redistribution of global power. This power is further diffused as global politics is no longer confined to nation states and international institutions – non-state actors and hyper-connected individuals empowered by new technology are disrupting diplomacy and creating more uncertainties.

It is clear that new instability has emerged from a hyper-connected, but also increasingly fragmented, world of tribes, movements and networks defined by identities rather than interests. If global institutions are indeed incapable of managing this, is there a future for global governance? What kind of new 'order' should emerge to replace the current global order, and who should take the lead to provide the framework for cooperation?

Looking at the resilience of the European Union (EU) and the Association of Southeast Asian Nations (ASEAN), despite the countless challenges they have faced, perhaps one should contemplate how to strengthen these institutions. Regional and inter-regional networks can serve as the main building blocks for transnational problem-solving and burden-sharing.

The EU and ASEAN need to be at the forefront of strengthening regional governance and building bridges across regions. Instead of accepting or enabling a multipolar world based on power and spheres of influence, both should double down on multilateralism based on rules, norms and interests. Instead of relying on hegemonic leadership, the two could work towards a system of issues-based leadership.

For regional organisations like the EU and ASEAN to help transition from a world dependent on US hegemony to one that is more inclusive and innovative, a three-pronged approach is needed. First, the EU will need to become more flexible and pragmatic.

Second, ASEAN needs to become more institutionalised. And finally, third, both will need to become more cohesive and coherent but also more agile.

The above may seem paradoxical but is not. While the EU has managed to endure several crises, these challenges also revealed the need for reform. In a complex, highly contested and ambiguous world, the EU needs to become more flexible. The increasing divergences within the EU means that it is often unable to reach quick consensus or act resolutely. Hence, the EU, while continuing its efforts to strengthen its unity, must also allow for much more flexible 'coalition of the willing' constellations in its policy design. Such 'coalition of the willing' arrangements must be embedded in trust and solidarity, and within a coherent strategic outlook.

For ASEAN, the exact opposite is necessary. ASEAN's current modus operandi does not privilege collective efforts over individual actions. Its inter-governmental structure and strict interpretation of sovereign equality often result in joint political declarations but not necessarily common actions. ASEAN is sensitively attuned to the divergent interests of its member states and takes a pragmatic approach to respect individual member states' interests. This is sometimes done at the expense of collective regional interests.

To become a more effective regional organisation that can navigate the current rising tensions between China and the US, and deal with increased protectionism, ASEAN

needs to become more integrated. It must go beyond merely 'speaking with one voice' and undertake more joint actions. Much more attention thus has to be paid to reconciling intra-ASEAN differences.

Both regional organisations were founded on the desire for peace and stability. While borne of the Cold War era, they have managed to adapt to the changes in the external environment and remain relevant. After over half a century of integration and cooperation, both the EU and ASEAN need to step up their diplomatic and pragmatic engagements with other actors, and to leverage each other's strengths to shape a new emerging order that is more inclusive.

More importantly, both organisations have their reserves of experience and resources, and a strong commitment to openness. They need to build on their connectivity strategies to forge trans-regional alliances that can shift towards a more people-centred sustainable development paradigm. Through pragmatic, concerted efforts, regional organisations and inter-regional networks will become the future of global governance.

Connecting the connectivities: it's time for regional initiatives to work together

'Connectivity' has always existed as an idea, but making practical use of it to determine development strategies and influence international relations is a recent phenomenon

Anita Prakash, Director for Policy Relations at the Economic Research Institute for ASEAN and East Asia (ERIA)

Regional connectivity is on the rise worldwide. From Asia to Africa, continents are becoming increasingly interlinked through pan-regional initiatives. Asia is the trailblazer in this regard. Through projects such as the Masterplan on ASEAN Connectivity (MPAC), the Belt and Road Initiative (BRI), the Asia-Africa Growth Corridor (AAGC) and the Asia–Europe Meeting (ASEM), Asia intends to deepen its economic dynamism and extend it to trans-regional partners.

As a significant partner of Asia, the European Union has put in place building blocks towards an 'EU Strategy on Connecting Europe and Asia' with concrete policy proposals and initiatives, including through interoperable transport, energy and digital networks. The strategy seeks to ensure sustainable, comprehensive and rules-based connectivity.

The EU prioritises establishing partnerships for connectivity based on commonly agreed rules and standards. It also seeks to address sizeable investment gaps through improved mobilisation of financial resources and strengthened international partnerships.

The challenge is how to ensure greater coordination among the connectivity initiatives in the region. If well-managed, this could result in inclusive and sustainable development,

increased social well-being for citizens and deepened trust among partners. A roadmap for developing synergy among the connectivity plans and measures must therefore be at the centre of the policy agenda.

'Connectivity' has always existed as an idea, but making practical use of it to determine development strategies and influence international relations is a recent phenomenon. ASEAN is generally credited with popularising the term, having made use of it when adopting the MPAC in 2011. The ASEAN approach to connectivity relies on community building and a well-established network. It strives for a more competitive and resilient ASEAN community. The MPAC 2025 broadens this vision to achieve a seamlessly and comprehensively integrated ASEAN.

In 2017, India and Japan, supported by multiple African and Asian countries, launched the AAGC with the aim of facilitating and enhancing economic growth in Asia and Africa. Here, the priority is placed on developing institutional and human resource capacity, connecting institutions with people, facilitating trade and improving technology and infrastructure on both continents. The AAGC is also aligned with Agenda 2030, giving funding priority to green projects.

China has also launched its own initiative in the form of the BRI. Unveiled in 2013, its overarching goal is to promote connectivity among the Asian, European and African continents and their adjacent seas. This is to be pursued by establishing and strengthening partnerships among member countries and realising diversified, independent, balanced and sustainable development. Financially, the BRI is mostly backed by strong financial resources commitments from China. However, decision-making on infrastructure projects is based on bilateral agreements with other governments.

The Asia Europe Meeting (ASEM) takes a different approach to connectivity. It does not place the same emphasis on infrastructure as the BRI does, nor does it have the strong developmental and capacity-building contours of the AAGC. ASEM works as a multilateral platform of 51 countries in Asia and Europe with both formal and informal institutions. Its connectivity-related activities are the most visible, as they run across all three pillars: political, economic and socio-cultural.

In a global milieu, all of these connectivity plans are competing for space, resources, influence and results. Seeking convergence among competing connectivity plans may be a desirable policy objective but it is based on the faulty premise that all connectivity plans have similar objectives. The contours of the MPAC, AAGC and BRI are different in terms of their origins, partnerships, resources and the political and economic priorities of the promoters. Yet combining the strength of different connectivity plans behind globally agreed development goals and global governance mechanisms can create commonality of purpose and foster synergy.

The current discourse on connectivity is being driven by several trends. First off is the transformational changes in global governance and international relations. On top of that are also the aspirations of a younger demography, technological connectivity and the future of work. For this reason, the aforementioned initiatives are seeking greater emphasis on governance, standards, transparency and accountability.

The Asian Development Bank Institute (ADBI) has estimated that Asia would need to invest $26tn from 2016 to 2030, or $1.7tn per year, in infrastructure to continue its growth, eradicate poverty and ensure climate resilience. Financing of connectivity plans, transparency in project preparation and accountability in project execution are important global concerns. The example of BRI is important as it has attracted global attention. Numerous issues are at play, from planning and project design to financing and debt sustainability. It has also touched upon questions of territorial integrity and democracy. Controversies notably arose in Pakistan, Sri Lanka, Maldives, Laos and Montenegro regarding debt sustainability. These cases underline the disconnect between connectivity plans and development strategies.

Finding proper global standards for connectivity projects and activities is difficult but not impossible. Global development programmes and increased multilateralism can help create greater interlinkages between connectivity plans through governments, and regional and multilateral institutions. Just as

the Bretton Woods established monetary rules and financial relations in the post-war years, global governance should reach and monitor various aspects and actors in connectivity plans. It is already evident in MPAC, AAGC and EU-Asia connectivity that triangular and multilateral cooperation for connectivity are producing more inclusive and sustainable plans due to greater oversight of project preparation processes and plan outcomes.

Clearly, the synergy in different connectivity plans is incumbent on common rules and standards. In terms of the practical aspects of trans-regional connectivity, there needs to be a common regime for the carriage of goods and people across continents. When it comes to rail and road transport, standards and regulations are required for technical specifications, safety management frameworks, the social and economic well-being of workers, competition policy and customs cooperation. Air and sea connectivity have international rules but will require calibration around new collaborations and routes. As for digital connectivity, a coherent regulatory approach and inclusive policies are needed to bridge the digital divide and to promote a peaceful, secure and open ICT environment that includes data protection.

The challenge is to find the necessary impetus to create global standards and governance rules for connectivity plans. This can be drawn from the broad commitment to put people and their prosperity at the core of connectivity programmes. Employing good governance and accountability as drivers, the plans must work towards the goals of sustainable

development and inclusive growth. When connectivity plans converge with regional, national, and global development priorities, monitoring of plans will likely become easier.

Finally, the monitoring and regulatory mechanisms must ensure that connectivity plans are not used as a foil for regional leadership. Nor should they seek to export debt problems in the promoter country or group of countries. Policymakers are working towards global standards for contemporary issues of taxation, digital finance, Internet, data ownership and transfer, artificial intelligence, etc. Global consensus around climate change, the Sustainable Development Goals, multilateralism and global trade is also being renewed. It is only logical that global and regional mechanisms for monitoring and regulation of connectivity plans should ensure that these plans enhance economic and social well-being among citizens and create trust among partners.
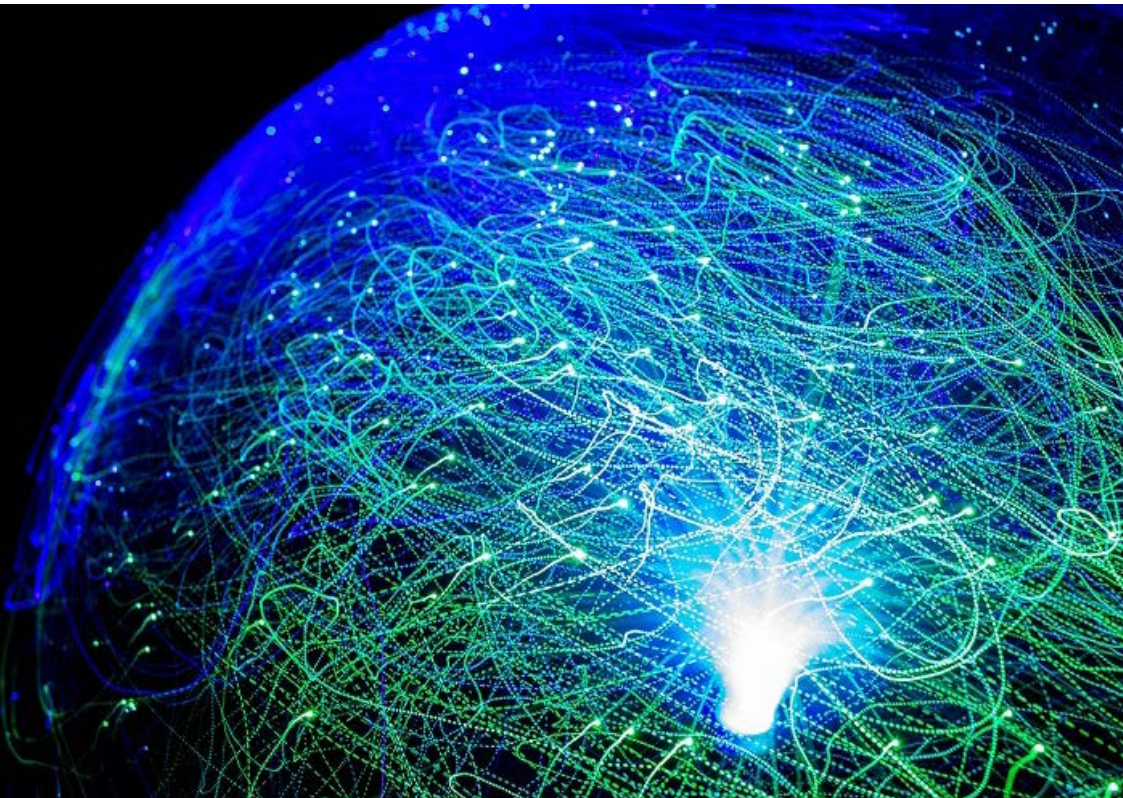
Quo vadis global ocean governance?

It seems that both everyone and no one is charged with taking care of the ocean

Arif Havas Oegroseno, President of 20th Meeting of State Parties to UNCLOS, Indonesian Ambassador to Germany, and former ambassador to Belgium, Luxembourg and the EU

Oceans cover 71% of the surface and contain 99% of the volume of all living space on our planet. Besides providing a large source of global food, fueling economic development, and protecting human health, the ocean also acts as a massive climate regulator, emitting half of Earth's oxygen and absorbing 25% of carbon emissions. The OECD estimates that coastal and oceanic economic activities contribute over €1.3tn to the global economy.

Yet the outsized importance of the ocean stands in stark contrast to the comparatively scant attention the global community pays to improving international governance over the seas. The Paris Agreement, for instance, mentions the word "ocean" just once, in a preambular paragraph "Noting the importance of ensuring the integrity of all ecosystems, including ocean …". More focus has been placed on discovering outer space than probing the bottom depths of our oceans. For many, the space race seems to be more important than understanding our own place of living.

It is not as if there were not a lot of bodies devoted to the topic. On the contrary, the global architecture on ocean governance is so incredibly diffuse that it renders enforcement of its laws and norms rather weak. It seems that both everyone and no one is charged with taking care of the ocean.

The following overview of many of the overlapping international organisations, intergovernmental bodies, conferences, and civic groups tasked with governing the use of our oceans will serve to demonstrate the startling complexity of this current institutional muddle.

London, for instance, is home to the International Maritime Organization (IMO) which oversees the safety and security of shipping and pollution from vessels. The IMO founded two universities geared towards maritime studies: one located in Malmö, Sweden – known as the World Maritime University – and another located in Malta which specialises in legal issues – the International Maritime Law Institute.

Meanwhile, Rome is host to the Food and Agricultural Organization (FAO), which has some fisheries responsibilities, including combatting 'Illegal, Unreported, Unregulated Fishing' (IUUF) – although it has no actual jurisdiction on prosecuting crimes in fishing industries. Outside of the FAO, there are 17 'regional fisheries management' organisations (RFMOs) that manage fisheries but are also ill-equipped to face the challenges of fighting heinous crimes, such as slavery at sea and gun smuggling, perpetrated by IUUF vessels. The United Nations Office of Drugs and Crimes (UNODC) in Vienna is working with Interpol and a few countries including Indonesia to fight crimes in fisheries so far with limited global support. The UNODC has a manual on maritime crimes, but not for crimes on fisheries.

Safety of navigation from the point of view of proper chart making and hydrographic survey is under the purview of the International Hydrographic Organization (IHO) in Monaco, while it is the UN Environment Programme (UNEP) branch in Nairobi that is tasked with developing new marine and coastal strategies. On top of all of that, the marine science itself is taken care of by yet another body, the International Oceanographic Commission (IOC) which is based in Paris under the aegis of the UN Educational, Scientific and Cultural Organization (UNESCO).

The UN Headquarters in New York hosts a number of ocean-related gatherings, such as the Meeting of the State Parties of the UN Convention on the Law of the Sea (UNCLOS), or the Commission on the Limit of the Continental Shelf and the Ocean Conference launched in 2017. These sessions are serviced by the UN's Division for Ocean Affairs and Law of the Sea. Among the organisations created by UNCLOS, Hamburg hosts the International Tribunal on the Law of the Sea (ITLOS), while seabed mining is the mandate of the International Seabed Authority (ISA) based in Kingston, Jamaica.

On top of the aforementioned intergovernmental organisations and treaties, there are also numerous ocean initiatives organised by individual countries, such as the Our Ocean Conference that was the brainchild of the former US Secretary of State John Kerry. Civil society has also become organised on the topic of ocean affairs, such as the Global Ocean Commission that was established as

a partnership between the Pew Charitable Trust, Sommerville College and the University of Oxford.

Under this complicated array of international organisations, a research vessel conducting a seabed mining survey is likely to have to comply with rules of ISA, IHO, IMO, and possibly even IOC. And yet for issues of basic safety and environmental sustainability these organisations have not been effective at coalescing to confront threats to our oceans. For example, these organisations have not been able to deal with the pollution caused by the staggering emission of sulphur oxides (SOX) by cruise liners around Europe, which produced ten times more SOX than the whole of 260mn cars in Europe in 2017.

In the meantime, as governments remain uncertain about how to govern the seas, criminals will likely continue to smuggle people, drugs, weapons, and rare animals, and IUU Fishing will likely continue to be rampant. The FAO will likely say that crimes are not within its mandate and the UNODC may argue that fisheries are not their responsibilities. Interpol can liaise but it is not an international organisation with a mandate to create global norms to be implemented globally.

Meanwhile the UN Security Council may create new international laws, such as sanctions, but it will remain absent on the issue of transnational crimes in fisheries. The World Trade Organization (WTO), on the other hand, does little to help as it contributes to the IUUF issue through fisheries subsidy.

This has led to 26mn tonnes of fish being lost to IUUF.

Pressures against our oceans are mounting: temperatures are increasing, ocean levels are rising, coasts are retreating, coral-reefs are dying, fish are disappearing, plastics and pollution are overwhelming, large hurricanes are appearing more frequently, mangrove forests are declining, coastal populations are migrating, and countries are disappearing. All the while, environmental threats have not eliminated – indeed they may have even exacerbated – more traditional geopolitical concerns like piracy or state conflicts at sea.

Given all of these challenges, we need a comprehensive and integrated approach on ocean governance that encompasses all oceanic and coastal matters. Unfortunately, the prospect of this happening is rather disconcerting. The UN Secretary-General in his annual ocean report elaborated that "… the ability of the international community to strengthen international cooperation and coordination and adopt comprehensive and integrated approaches regarding oceans remains a significant challenge." The report went further by concluding that "Despite the progress made by the international community to address challenges facing the oceans, the health, resilience and productivity of the oceans continues to deteriorate."

One of the most significant flaws in the global governance of the seas is the lack of available information, specifically, the transparent and open data about the state of the oceans

provided by individual countries around the world. By encouraging all countries, individually or through their own regional organisations, to publish and submit information on the state and health of their waters and coastal areas, the UN would be better equipped to assess the challenges to our oceans. Countries have already agreed to similar exercises in other areas under the Paris Agreement. Extending the self-assessment to oceans would be highly desirable, especially given the fact that the state of our oceans is deteriorating and that we, as human beings, have so far been unsuccessful in keeping our oceans healthy and secured.

Ocean governance may not have the romanticism of outer space or have a grip on public attention like calls for a space force, but it is nonetheless a crucial topic. It cannot be ignored if the international community is to address the common environmental and geopolitical challenges of our times.

PART 2

People, peace
and prosperity

More global governance on 'minority rights' – does it help?

The main shortcoming of global governance today when it comes to tackling issues impacting 'minorities' is that it does not address power structures

Sarah Chander, Advocacy Officer at the European Network Against Racism (ENAR)

"Global problems need global solutions" is a phrase so often used in policymaking circles that it has now become its own mantra. But how far are our 'global solutions' helping to address the defining issues of our times? Global inequality, racism, sexism, homophobia, ableism, as systems remain fully intact. Are supra-national institutions equipped to deal with them?

This concern comes from a place of genuine uncertainty about the capacity of global institutions to truly represent the needs of the world's most marginalised people. There is still widespread scepticism about this.

Activists and human rights defenders have advocated in these spaces for decades. But – when people still fear violence on the basis of their background, sexuality, or skin colour, when they worry about getting a job, when

they can't access services because they expect deportation – the fatigue and frustration is very real.

There has been no shortage of global initiatives – from fully fledged conventions, covenants, international fora and conferences – dedicated to safeguarding human rights. Fora exist already at the United Nations level to discuss issues related to 'the rights of minorities', such as the UN Forum on Minority Issues.

In terms of racism, the UN World Conference Against Racism in 2001 sought to explore solutions to rising racist violence, structural racism and wide socio-economic inequalities aligned to race and ethnicity in countries across the world. The Durban Declaration that followed was an impressive, comprehensive document outlining the concrete measures governments should implement to combat structural racism.

And yet, we see across the world – in Brazil, in India, in France – that 'minorities' are still not safe, nor are they treated as equal. Whether the perpetrators are extremists or the state, our institutions have not achieved their noble aim of 'ensuring human rights'.

Why is this? The main shortcoming of global governance today when it comes to tackling issues impacting 'minorities' is that it does not address power structures. Most attempts at global governance in the field of economic and social justice fail because they do not accurately address power.

This is evident in the framing of 'minority' rights at a global level – it is entirely disempowering. At national level, members of racialised communities in Europe may accurately be characterised as minorities – but globally, they are a majority. This is the case for many marginalised groups, including women and people of non-European descent.

When focusing on the 'minority' element, the focus is placed on minorities as individuals or groups, rather than the processes and actors that make them minorities. Therefore, the problem with the framing of 'minority rights' – like the human rights discourse more generally – is that it is devoid of power analysis. What forces marginalise? Which actors exclude? These questions take us closer to addressing the root of the issue.

There is a dilemma at hand between safeguarding rights and dismantling structures. While individualism is inherent in global human rights framework – which is centred on aspirational rights for individuals – it fails to acknowledge collective liberation from oppressive structures.

The ease with which individual human rights can be overlooked shows the need for a re-think. Supranational governance structures focused on human or minority rights have failed to ensure protection on the ground because as always, the safeguarding of the 'rights' – or rather the realisation of the material needs – of minorities, remains subject to political and economic pressure.

Whilst supranational bodies might provide a platform for exchange on these issues, or attempt to push human rights higher up the political agenda, they ultimately cannot guarantee that those in power will, or can, respect these rights.

They can also not guarantee that we address rights abuses in different states equally. Whilst the human rights community is quick to disavow human rights abuses in the global south, and support sanctions, there is very little scope for such impactful accountability mechanisms when the rights abuses originate from European, North American, or even those of growing economic powers such as China and India.

Minority and human rights cannot be guaranteed by global governance structures which are ultimately dominated by geopolitics. Without drastic restructuring, they cannot truly reflect the interests of the most marginalised.

What they can do is offer a critical voice. Our global institutions have a duty to raise awareness of structural inequality in our world and to call for the dismantling of oppressive structures. They must be unconstrained and unafraid of the political consequences of standing up for the world's most marginalised people.

One shining light in this regard is Professor Tendayi Achiume, recently appointed UN Special Rapporteur on Contemporary Forms of Racism, Racial, Discrimination, Xenophobia, and Related Intolerance. Achiume provides an unapologetic, principled analysis of the root causes of racial inequality in our world – and is willing to call out governments for their role in perpetrating it. Maybe there is some hope yet.

Civil society and free speech

Only when the media is free to monitor, investigate and criticise the state's policies and actions can good governance be established

Zahid Hussain, Award-winning journalist and published author

People want to live in a society where they enjoy freedom of thought and action, and can freely exercise the right to choose their government. Liberal democracies thrive on freedoms of expression and the press, complemented by the right to vote and access to justice.

Unfortunately, the past few years have seen a staggering growth in populism, virulent nationalism and authoritarian trends. The rise of authoritarian 'strongmen' has prompted the rollback of liberal democratic values in various parts of the world.

In many countries, majoritarianism – which seeks to assert racist, political and cultural

hegemony – has reared its ugly face. The strengthening of right-wing extremist nationalism threatens not only democratic institutions but also regional security.

Freedom of expression is the principal target of authoritarianism. In fact, one of the symptoms of despotism is the creeping expansion of 'deep state' power. By definition, 'deep state' refers to "organisations that are said to work secretly in order to protect particular interests and to rule a country without being elected".

These attacks are not just about media gagging but also about enforced disappearances of those who dare to speak out. Punitive actions against the press serve as a means of

suppressing pluralism in a society and impose a particular narrative. Freedom of expression has been one of the most significant triumphs of democratic movements and has helped strengthen civil society. Any move by a government or an unelected organisation to curb fundamental rights inevitably weakens the democratic process.

According to Freedom House, media freedom has been deteriorating around the world over the past decade. New forms of repression are now taking hold in open societies and authoritarian states alike. This suppression of press freedom is symptomatic of declining democratic space the world over.

Many nations that were once subject to long periods of totalitarian rule still see myriad fundamental freedoms curbed, including the right to expression. This repression is exerted either through direct censorship or other forms of pressure by security agencies. The weakening of democratic institutions gives non-governmental forces a greater opportunity to get more deeply involved in manipulating politics as they attempt to thwart basic rights.

More worrisome, however, is that even under democratically elected government there is now a move to stifle freedom of expression and plurality of views. The rise of right-wing populism has undermined basic freedoms in multiple democratic countries.

The fundamental right to seek and disseminate information through an independent press is under attack. The methods used include silencing critical media voices and strengthening plaint outlets. This is extremely toxic for a country's political and social cohesion as a free discussion and debate on critical issues tends to increase faith in the state while suppressing free debate leads to more discontent.

Unannounced censorship of the media is a part of a wider plan. Media institutions may sometimes receive unsolicited 'advice' on what should or should not be telecast or printed — all in the name of 'national interest'. In fact, the pressure can be so intense that oftentimes, even without receiving such 'advice', editors indulge in self-censorship in an attempt to remain on the right side of the powers that be.

Indeed, there is a need for the media to become more responsible and maintain a higher degree of professionalism in the age of fake news. Freedom of expression comes with a sense of responsibility. But curbing that freedom, whatever the pretext, does not help instil a more ethical culture. Instead, such punitive actions only sharpen polarisation and encourage non-professionalism, such as the move to create a parallel pliant media.

Journalism is the act of bringing information and unprejudiced opinion into the public domain. It provides a platform for discussion across a range of political, social and development issues. Only when the media is free to monitor, investigate and criticise the state's policies and actions can good governance be established.

Free, pluralistic and independent news media contributes to social, economic and political development. The job of the media is to provide credible information representing a plurality of opinions, facts and ideas. Freedom of press and freedom of expression are integral parts of a democracy. Civil society has a critical role to play in the struggle for free and independent media and in upholding liberal democratic values.

Civil society and the media should work together to make governments and states more accountable and to help bolster public support for good governance. Civil society can take initiative to build a broader coalition to counterbalance forces of authoritarianism and defend liberal democratic values.

Both civil society and the media can build a culture of tolerance and bring together communities belonging to different races and faiths. Efforts should also be made to initiate dialogue with the government on critical issues of governance. The media can and should act as a watchdog by providing accurate, balanced and timely information that is of interest to the public.

It's time for a new model of international development

The 'yesterday' rather than the 'today' of successful economies should be studied and applied to problems in aid-recipient countries

Richard Ghiasy, Associate Researcher in the China and Asia Security Programme at the Stockholm International Peace Research Institute (SIPRI) and Senior Fellow at Leiden University's Asia Centre

The leitmotif for international development should be more pragmatism, less ideology and geopolitics. Granted, international development can be a much welcome exertion. Though it is primarily rooted in improving living conditions in previously colonised countries, it moved beyond that category of countries many decades ago. The extent to which international development has become an inept, politicised mishmash is striking. Sadly, as the international order becomes more polarised, international development has become even more geopolitical. It is time for a more binding international agreement on international development practice.

Let us say you are chronically ill and suffer multiple ailments. Would you prefer medics to a) do their own thing without consulting each other or b) get together to discuss and synchronise holistically? The choice is obvious. Through the Millennium Development Goals and Sustainable Development Goals, the international community has found common ground and objectives. But by and large, international development continues to be bilateral and uncoordinated. The largest donors – mainly western European countries, the EU, the US, Japan and, increasingly, China and India – barely coordinate.

Their methodologies are often questionable, too. Take the reconstruction of Afghanistan. Bamyan, the capital of Bamyan province, had solar-powered roadside lamps lining only a part of the route to the local airport years before the city had a power grid. Such 'logic' also applies to regional development

aid, as demonstrated in the Middle East and Central Asia.

In Central Asia, the US, the EU, Russia, Japan, China and India barely coordinate their highly politicised development efforts. Rather, they push forward their own piecemeal geopolitical and geo-economic agendas resulting in push-and-pull dynamics. The region, like South Asia, remains astonishingly disconnected and mostly impoverished. Countries are not objects to experiment with at the expense of the well-being of millions of lives. Acting in bad faith, even if unintentionally, will instantly place perpetrators in the media and will linger in the recipients' national psyche for decades to come.

In no case should development efforts be made without an exhaustive understanding of the country's canvas. Before intervening, it is critical to understand what the local drivers of poverty and fragility are. A genuine two-way exchange of knowledge with local communities is a must. Each country's history is unique: institutions, society and customs were formed over decades and centuries. Therefore, the emulation of preset models of governance warrants caution. Rather, the focus needs to be on civilian and production technology sharing, and sensible economic and social policies. After all, it was above all else sound and prudent policies, including women's empowerment, that led to the high standard of living that developed economies have achieved. Not a specific 'political system'.

Remember, most economically developed parts of the world – western Europe, the US, Japan, China and the Four Asian Tigers, to name a few – virtually all developed without aid and used protectionist policies. How on earth is a local infant enterprise otherwise going to compete with established all-powerful multinationals? All the successful economies also invested heavily in education, health, research and critical infrastructure. Therefore, the 'yesterday' rather than the 'today' of successful economies should be closely studied and applied to contemporary problems in aid-recipient countries.

In the case of the most successful European states, the economic and social policies that they have had in place since the 19th century should be studied. Analyse Japan's policies since the Meiji Restoration that started in 1868. More recent case studies include the policies of the four Asian Tigers and China over the last few decades. Rarely have economies been as effective in alleviating poverty as those of China, Japan and the Asian Tigers. Many in the policy establishment who were part of this alleviation miracle are still alive – tap their knowledge!

Certainly, new international development approaches may result in a hybrid of old and new, East and West. But if aid is sincere, then pragmatism should prevail over ideology. The leitmotif of international development should become more of a 'consider what we did successfully', rather than 'do what we say'. Naturally, each canvas is different and variations in contemporary technological,

institutional and socio-political circumstances need to be taken into account. Regardless, aid should restrain itself to a temporary nudge in the right direction. It should not act as a permanent lifeline.

Admittedly, it is not going to be easy to get the large development actors on the same page in both vision and practice. Sharing high-end civilian and production technologies is not going to be popular either. But continuing the current practice comes at the expense of the underprivileged. And, ultimately, at the expense of the donors.

After all, the world economy is not a zero-sum game in which one country's gain is another's loss, but rather a positive-sum opportunity. Even more so now that the predicted global population size is moving towards an astonishing near-ten billion by mid-century. The prospect of billions being in poverty is more of a security threat than the opportunity of billions in the new middle class.

Integrating China and Europe's security approach in Africa

To secure Africa's security environment, China and the European Union need to develop a long-term strategy with the African Union and, above all, the Regional Economic Communities

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Africa is at a crossroads. Traditional rebel groups, primarily active in the 1980s and 1990s, are now being replaced by a diverse multiplicity of fractioned, but localised, militant armed groups. These new factions operate with fluidity and embed themselves amongst civilians in both urban and rural areas. They use insurgency tactics to achieve their goals and are often influenced by factors such as the global war on terror, exploitation of natural resources, transnational organised crime, globalisation and spill over from interventions in Iraq, Afghanistan, Libya and Syria.

President Trump's administration's decision to stop paying its full United Nations Peacekeeping Operations (UNPKO) bills is unfortunate. He has opted to prioritise countering Chinese influence over pursuing counterterrorism. Fortunately, this development gives China and the European Union (EU) the opportunity to fill the gap by collaboratively rethinking multilateral approaches to peacekeeping. They should seize this moment to form stronger ties to help fund and support – but not run – African peace and security efforts. To achieve this, greater cooperation between the EU, China

and their African partners – the African Union (AU) and Regional Economic Communities (RECs), in particular – is required.

Out of the five permanent members of the UN Security Council (UNSC), China is the second-largest funder (after the United States) and contributes the most troops to peacekeeping operations. It has increased its troop contributions from 52 participating military personnel in January 2000 to 2,437 in July 2019. Most of these troops have been deployed to the missions in South Sudan and Mali.

Beijing takes a pan-African approach to security on the continent. Its activities range from training Rwandese troops to supplying weapons and equipment for Africa's armies. Chinese personnel also help plan further cooperation with African countries on staff training, logistics, peacekeeping missions, healthcare and relief operations. Likewise, European countries have been heavily involved in African security for decades, helping to form a comprehensive development and security strategy across the continent. However, China and the EU are yet to develop a strategic partnership to support their African counterparts.

By far, African contributions to UN missions on the continent win them the distinction of leading troop-contributing countries (TCCs), a trend that is mirrored when comparing origins of law enforcement officers participating in these missions. They also suffer the most fatalities while serving under the UN.

European and Chinese peacekeepers do not engage in dangerous missions the same way that African peacekeepers do. The division of labour is very clear: European and Chinese troops typically stay in MINUSMA's headquarters, rarely leaving their bases, while African troops conduct most of the challenging and dangerous operations. Yet, African countries do not always play a principal strategic role in these operations.

However, to secure Africa's security environment, China and the EU need to develop a long-term strategy with the AU and, above all, the RECs. These communities often have better insights into the regional and local contexts that shape a conflict. While there is an acceptance that not all RECs function efficiently, established ones like the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC) have swiftly addressed potential political security risks in the Gambia and the Democratic Republic of the Congo (DRC) when former presidents tried to extend their presidency. Despite previous successful political and stabilisation efforts by RECs, member states are still reluctant to empower RECs to deal with regional level peace and security issues.

Given Africa's growing challenges such as adverse demographics, climate change and the growth of militant insurgencies, Africa must look inwards and examine how it conceptualises peace, security and counterterrorism undertakings. Thus, the EU and China, through the RECs, should aim at

fostering coordination and outreach during operations, as well as improving multilateral discussions to enhance dialogue between all stakeholders. These exchanges should extend to militias, armed groups and different communal identity-based group, as was done in Iraq and Afghanistan.

European and Chinese security actors must work together to create an integrated capacity-building approach with all international partners. Vital to this approach is the inclusion of communities and civil society organisations grounded in a people-focused approach. This effort should also address the funding gap by enacting better policy goals. This can only be done by forgoing short-term, donor-focused thinking lacking the directionality created by forming a longstanding exit strategy. Careful analysis of what is taking place on the ground should inform policy and funding.

Finally, creating synergy amongst international partners within peacekeeping missions and towards conflict prevention, counterterrorism and conflict mitigation is crucial. This should include early warning and early response mechanisms that include local and traditional community efforts.

Nuclear disarmament is the only way to avoid humanity's collective suicide

Efforts have been made to promote nuclear disarmament but with little enthusiasm from the nuclear-armed nations

Ilmas Futehally, Co-Founder, Executive Director and Vice-President of Strategic Foresight Group

In a recent survey published by the Bulletin of Atomic Scientists, it was disclosed that about a third of Americans would approve of a pre-emptive nuclear attack on North Korea, despite the 1 million civilian deaths that would be incurred. This survey was released at a time when security experts were speculating about a possible tactical nuclear strike by the United States against Iran.

It seems that a section of American public opinion has turned completely callous to the possibility of the extinction of parts of humanity where radioactivity would also prevent the birth of future generations. 25 years after the end of the Cold War, the nuclear threat remains a credible one.

Indeed, in the past two decades, the nuclear risk has increased substantially. More than 2,500 nuclear warheads are now on hair-trigger alert – that is to say, these weapons could be launched within a mere 10-to-15 minutes. The modernisation of nuclear arsenals has produced deeply penetrating arms, which have 20 times the explosive capacity of their actual yield. Lethal autonomous weapons and hypersonic missiles are being produced. If they are used to deliver nuclear arms, the execution time will come down to a few minutes, and in some situations, algorithms rather than human beings will take the decision of mass destruction.

Efforts have been made to promote nuclear disarmament but with little enthusiasm from the nuclear-armed nations. While the treaty for the abolition of nuclear weapons was approved in the UN General Assembly, the countries that actually possess nuclear weapons – along with their allies – refused to sign. A number of retired politicians and military officials are now campaigning for 'Nuclear Zero', but their pleas have been falling on deaf ears in the corridors of power.

Why is the move towards nuclear disarmament stalling? Because, in economically and politically significant countries, there is still significant popular support for the possession and use of nuclear weapons and killing of millions of civilians in enemy states. The supporters of nuclear war do not realise that they can be counter-attacked and annihilated. People have not taken to heart the implications of mutually assured destruction. In fact, some of the countries that have yet to acquire nuclear weapons are seeking to obtain or build them.

Thus, the current narrative must be countered by explaining that nuclear weapons are not playthings. When combined with lethal autonomous weapons and hypersonic missiles, nuclear weapons can extinguish large segments of humankind. The threat of human extinction is real. Nuclear disarmament campaigns need to do much more to highlight the risk to the continued survival of humankind posed by thermo-nuclear and deeply penetrating nuclear weapons. In 1955, Bertrand Russell and Albert Einstein issued a manifesto asking, "Shall we put an end to the human race; or shall mankind renounce war?"

In 2019, on the occasion of the 75th anniversary of the Normandy landings, six thought leaders issued the Normandy Manifesto, reviving the spirit of the Russell-Einstein Manifesto. The signatories included philosopher Anthony Grayling, four Nobel Peace Laureates – Mohamed ElBaradei, Jody Williams, Leymah Gbowee and Denis Mukwege – and conflict resolution expert Sundeep Waslekar.

The Normandy Manifesto offers a compelling way forward for sustainable peace. It calls for a 'New Global Contract' underpinned by an international security system that gives primacy to rule of law and universal human rights. It warns that without a "reliable collective security architecture that everyone can have confidence in," the proliferation of war weapons will persist. This means a "time-bound integrated action plan for the elimination of all weapons of mass destruction, including nuclear, biological, chemical and lethal autonomous weapons systems."

Some of the elements of this new contract also include removing all nuclear warheads from alert positions, banning killer robots and ending the misuse of any biological material or techniques for weaponisation. This would be strengthened by a reformed United Nations with robust conflict resolution mechanisms and alternative means of collective security for nations. All this should be buttressed by a reduction in defence expenditure, with savings reinvested in initiatives to meet the Sustainable Development Goals

The question of abolishing nuclear wars is an all-encompassing one, as it touches upon the limits to warfare, the arms race and militarisation. Conventional wisdom tells us that weapons provide security and more lethal weapons provide even greater security. Yet the Normandy Manifesto shows evidence to the contrary: nearly two dozen countries have no standing armies and they have not been attacked. Security arrangements do not require weapons. A collective security system can be created that relies on evidence rather than fear. As the Normandy Manifesto states, "Let us conceive and establish sustainable peace before someone initiates the next war. If we do not, we will be sleepwalking into collective suicide."

Governing new frontiers

Outer space, the new wild west

The 21st century, unlike the 20th, will not be a race between nations, but rather a race between private companies

Susmita Mohanty, CEO of Earth2Orbit

Outer space, humanity's shared resource, is fast turning into the next 'wild wild west'.

The 21st century, unlike the 20th, will not be a race between nations, but rather a race between private companies seeking to exploit space assets, mine space resources and ferry tourists, and, eventually, miners, terra-formers, construction workers, settlers, and others.

Let's take stock of some happenings in recent years that are symptomatic of the maladies that will need addressing through appropriate legislation and governance.

In November 2015, during President Obama's administration, the US Congress passed a legislation that unilaterally gives American companies the rights to own and sell natural resources they mine from bodies in space, including asteroids.

In July 2017, the Luxembourg parliament voted in favour of an asteroid mining law, similar to that of the US, that gives mining companies the right to keep their loot. In the absence of binding international treaties, unilateral and unfettered commercial exploitation of outer space resources is almost certain.

In 2017, commercial companies, governments and amateurs launched more than 400 satellites into orbit, over four times the yearly average for 2000–2010.

In February 2018, SpaceX billionaire Elon Musk tossed up a red roadster into space. Some consider this a nerd-baiting publicity stunt and others, an obscene act of megalomania. It sets a worrisome precedent for mindless littering of outer space with personal effects to generate press buzz.

In August 2019, Musk reiterated his idea of 'Nuking Mars' to make it habitable. Musk has repeatedly posited the idea that Mars' atmosphere could be warmed to accommodate human life by nuking its poles and artificially engineering a greenhouse effect. Whether it is Trump talking of 'nuking hurricanes' or Musk of 'nuking Martian poles', these brazen pronouncements cannot be taken lightly. The vocabulary of conquest and control ignores the environmental and human cost of testosterone-driven megalomania.

In March 2019, India's Prime Minister Modi ordered India's first anti-satellite technology (ASAT) demonstration in Low Earth Orbit (LEO) raising debris concerns for the crewed orbiting International Space Station. India joined the US, Russia and China in the ASAT club. Others are bound to follow.

In October 2019, Virgin Galactic went public on the New York Stock Exchange. Casual passenger spaceflight is about to take off. In addition to Branson, Bezos and Musk have now publicly expressed their intention to ferry people into space.

In November 2019, American constellation company Planet declared it had reached the 400 satellites milestone. They are one of many such constellation companies. If all of the proposed constellations go up, they will roughly equal the number of satellites that humanity has launched in the history of spaceflight.

Already, we have around 20,000 human-made objects in low Earth orbit, from working satellites to small shards of solar panels and rocket pieces. Such extreme satellite and debris traffic can lead to catastrophe. Another serious concern cited by astronomers with the recent launch of 122 out of a total of 42,000 Starlink satellites by SpaceX is that these super bright objects will interfere with ground-based astronomy.

In recent decades, it has become fashionable for billionaires to nonchalantly talk about 'colonising' other planets. They conveniently ignore aspects such as demographics, human and environmental catastrophes caused by colonial adventures of their ancestors here on Earth.

The behaviour, as demonstrated by examples above, by individuals, companies and governments is nothing but a classic rendition of the 'he who dares wins' or 'he who has the money can get away with murder' philosophy of the Wild West. Altruistic principles treating space as a shared resource found in the Outer Space Treaty of 1967 and the Moon Agreement of 1979 have been rendered obsolete.

The question we, as humanity, need to be asking ourselves is how did we manage to get to this situation of being completely unprepared, legally speaking, to deal with this level of irresponsible conduct, environmental apathy, and unethical business practices.

The answer lies in the inadequacies of the 1967 Outer Space Treaty that forms the basis of international space law and governance. That treaty was a product of its time. It was meant to de-escalate Cold War tensions and prevent nuclearisation of space. The highlights of the now outdated Treaty are: (a) it prohibits the placing of nuclear weapons in space, (b) it limits the use of the Moon and all other celestial bodies to peaceful purposes only, and (c) it establishes that space shall be free for exploration and use by all nations, but that no nation may claim sovereignty of outer space or any celestial body.

It is time to not just upgrade the Outer Space Treaty, but completely overhaul it. The new Treaty will have to comprehensively address human greed, short-sightedness and irrepressible rogue tendencies to mine-monetise-colonise whatever comes its way.

As we now know, anthropogenic climate emergency on earth may have already crossed multiple tipping points. The risk is an existential threat to human civilisation. We are in a state of planetary emergency. A very similar story is set to unfold in outer space, unless we do something right away to prevent it through binding international treaties and enforceable laws. 21st century space governance needs laws and wisdom.

Space is not a frontier. It doesn't need conquering. If anything, it needs safeguarding.

Europe's 5G future

As the Fourth Industrial Revolution approaches, the European economy cannot afford to take the recipient's role in the innovation supply chain

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The upgrade to 5G will steer the next wave of digital economy, making it not merely a technological issue, but a matter of strategic importance for the entire European bloc. To ensure a free and safe cyberspace, the EU must define its supply chain for 5G through a united response and a clear, rules-based certification system. And it has to do so fast, as both China and the US are trying to influence individual member states on this issue.

5G has the potential to offer up to 20-times faster download and upload speeds, along with lower latency. This will pave the way for disruptive business models and enable a wider deployment of solutions powered by artificial intelligence (AI) and 'Internet of Things' (IoT)

products. However, the greater reliance on software components that this entails will make networks more vulnerable. Moreover, the deployment of 5G-powered AI and IoT products will dramatically increase the amount of sensitive data put online.

The supply chain for 5G has only recently begun to form through interaction between manufacturers, operators and regulators. The immense hardware and software upgrades will translate into lucrative contracts with a handful of key manufacturers – Ericsson (Sweden), Huawei (China), Nokia (Finland), Samsung (South Korea) and ZTE (China). Realistically however, Europe's choice is between Ericsson, Nokia and Huawei, as Samsung's and ZTE's

5G offerings are primarily focused on Asian markets. Furthermore, while Huawei's offer is cheaper, it has already prompted several security concerns.

Because of the complexity of the system and the software-heavy nature of 5G, there is no way to ensure full safety. Indeed, even thorough screenings cannot guarantee that malicious code will not be added later during software updates.

It is therefore crucial that centres responsible for constant monitoring be established. But according to the Cooperative Cyber Defence Centre of Excellence (CCDCOE) – the NATO-accredited cybersecurity hub – only about one-third of EU countries have the necessary resources to do so, and even then full protection is not guaranteed. Consequently, operators need to trust the manufacturers and their ability to defend the privacy of the network.

In Huawei's case that very trust is being questioned. China's recent 'National Intelligence Law' forces companies to cooperate with national intelligence agencies. Huawei's alleged close relationship with the government is also said to be earning the company special credit lines. In addition to this, the company's ownership structure remains unclear. Thus, trusting Huawei may also mean trusting Beijing. The situation has been further complicated as 5G has become part of the Sino-American tech and trade war. Both sides now seek to influence European countries via warnings of limited security and

economic cooperation respectively.

Still, an unconditional ban on Chinese companies like Huawei and ZTE could decrease Europe's position within the innovation supply chain. It would significantly limit competition among 5G manufacturers and, according to an unpublished report by the Groupe Speciale Mobile Association (GSMA), the cost of radio-access network would increase by 40%. Moreover, it could slow the development of 5G in Europe, as Ericsson and Nokia would struggle to double their output to compensate for the banned Chinese manufacturers. This would delay deployment of innovative products and business models within the EU and give other actors a head start.

There are four ways the EU can prepare itself for the coming 5G revolution.

First, the EU should design a 'standard-based response'. This would minimise the security risks without ignoring the economic rationale and could be communicated to international partners outside of the 'with us or against us' dichotomy.

The EU's strategy should be based on the interests and realities of the entire EU-bloc. The EU-wide consultation plan unveiled by the European Commission in March 2019 is a step in the right direction. It will help to form the much-needed consensus. However, the deadline for developing a toolbox of 5G risk management measures – 31 December 2019 – should not be missed as the EU-wide

5G deployment will really commence in 2020.

Moreover, European member states still need to develop a unified stance on Huawei. Over time, they have taken divergent stances regarding the company. For example, Germany favours a regulatory solution that still leaves room for Chinese companies to participate in development of its 5G networks, and Poland has signed a 5G-focused security agreement with the US that indirectly targets the company. Italy and Hungary, on the other hand, stand ready to embrace Huawei. Although not decisive, those diverging stances add to the confusion among European operators, many of which have already inked contracts with Huawei.

Still, the EU-wide coordinated risk assessment report released in October 2019 (in accordance with the timeline suggested by the European Commission) seems to provide some – albeit limited – space for consensus. While the primary challenge is clearly focused on state actors, the authors do not advocate an outright ban on any specific companies giving room for the EU to develop a more nuanced response.

Secondly, the common response should take a neutral regulatory form. The EU Cybersecurity Act from June 2019 empowered the European Union Agency for Cybersecurity (ENISA) to set up and maintain the European cybersecurity certification framework. This should involve setting up standards for 5G manufacturers and operators irrespective of their country of origin. These standards and regulations should focus on minimising cyber risks and involve stipulations such as diversifying equipment providers, setting limitations on operators implementing lawful interception capabilities, and regulating and monitoring software updates.

Thirdly, new watchdog institutions monitoring cybersecurity should be established on either European or regional bases, given the insufficient resources of two-thirds of the member states. Regardless of whether the telecommunication infrastructure will be built with or without Huawei, 5G networks will be more vulnerable and the lives of European citizens and businesses will be increasingly digital. In this regard, it may be useful to analyse the operation of the UK's Huawei Cyber Security Evaluation Centre (HCSEC).

Finally, the EU needs to strive for greater strategic digital autonomy. As the Fourth Industrial Revolution approaches, the European economy cannot afford to take the recipient's role in the innovation supply chain. It is, therefore, essential to boost innovation and – importantly – business implementation of European innovations via the Digital Single Market and Horizon Europe initiatives. 5G is one of the many tech-related strategic choices that the EU has to brace itself for.

The case for a global AI framework

AI regulation is not a challenge any one country can or should attempt to tackle alone

Olivia J. Erdélyi, Lecturer at the College of Business and Law at the University of Canterbury

Novel technologies referred to under the umbrella term artificial intelligence (AI) are assuming an increasingly important role in human society. AI technologies are highly transformative and will affect virtually all aspects of our existence, promising previously unimaginable benefits but also posing daunting challenges. As society grows ever more anxious by the disruptive powers of this technology, pressure on policymakers to regulate AI increases.

The stakes are high. History has shown that technological innovation can be both a blessing and a curse, and much depends on the quality of the regulatory environment we create to shape it. Importantly, this includes the governance framework (the institutional architecture structuring the collaboration of all parties involved in policymaking), which determines the quality of regulation.

Well-designed regulation can correct market failures by incentivising socially optimal behaviour, thereby ensuring all members of society benefit from the innovation. Misguided or inappropriately implemented policy interventions, however, can have a deleterious social impact. First, they tend to make some segments of society worse off, aggravating inequalities and creating tensions between the winners and losers of innovation.

A second danger of bad policies is that they may irrevocably damage public trust in the new technologies, which may inhibit their adoption and as a result deprive society of potentially significant economic benefits that

may accrue thereof. Time is of the essence when it comes to trust: during transitional periods of regulation, high levels of uncertainty on behalf of businesses about liability exposure and the ability to generate revenues, along with safety concerns on behalf of consumers, may devastate emerging markets.

Insufficient expertise and resources on the part of regulators are among the key practical obstacles to realising the true potential of new technologies. These problems are not specific to the regulation of emerging technologies, but apply to most modern regulatory domains due to their immense complexity. Accordingly, the paradigm today is to move away from state monopoly over regulation in favour of a decentred, collaborative co-creation of policies by diverse stakeholders encompassing government, public sector agencies, as well as industry, academic, and civil society bodies.

This approach not only efficiently harnesses the expertise of all relevant stakeholders, but also ensures that among these divergent groups the policy design appropriately reflects their often-conflicting interests. With respect to issue areas like AI that have transnational impact, international relations literature stresses the necessity of international coordination. Fragmented and uncoordinated domestic measures lead to inefficiencies and may even create international tensions. Also, the authority and legitimacy of emerging national and transnational norms is determined by a complex interplay of domestic and transnational power dynamics.

When it comes to international AI governance, expertise and resource constraints pose a substantial challenge, given the rapid pace by which the technology continues to develop and the interdisciplinary skillset required to understand and solve the regulatory problems that arise as a consequence. The uncertainties of AI, the power wielded by the big tech companies, and the intensifying AI race between countries and regional units to secure a competitive advantage only add layers of complexity to the issue.

So how do we seize the opportunity to establish an AI regulatory framework that fosters trust, balances innovation with safety, all while achieving a socially optimal outcome? How do we ensure that the rules are accepted by all stakeholders?

AI regulation is not a challenge any one country can or should attempt to tackle alone. On the contrary, the international community should strive to create a robust, consistent and widely accepted AI regulatory framework. Ideally, each country should establish a framework that accounts for national interests and domestic stakeholders.

While national solutions will be partially constrained by cultural and other path dependencies, states should seek to employ diverse regulatory strategies that ensure multi-stakeholder involvement and include both state-driven and self-regulatory elements. These domestic frameworks should form the basis of and be complemented with an international AI regulatory framework,

organised within the remit of a new or an existing intergovernmental organisation.

Given AI's novelty and potential for significant disruption, the substantial uncertainties surrounding it, and the urgency to develop sustainable AI policies, soft legal instruments and informal organisational structures facilitating international collaboration and consensus building are preferable – at least initially – to hard law and formal institutional arrangements. International policy initiatives—like the European Commission's Guidelines for Trustworthy AI, the OECD Principles on AI and the soon-to-be-launched OECD AI Observatory, the G20 AI Principles, and the French-Canadian endeavour to establish an International Panel on Artificial Intelligence (IPAI) —are a promising start. Yet more needs to be done at the intergovernmental level if we want to effectively coordinate domestic AI policies and come up with globally acceptable solutions in a timely manner.

Devising a global AI regulatory framework is admittedly an ambitious goal. Key practical considerations the international community should keep in mind are: first, communication barriers between various disciplines and stakeholders, especially among AI experts and policymakers, must be broken down. Collaboration on paper is not enough, we need to get better at actually listening to each other.

Second, we will need to give serious thought to whether the notion of sovereignty in its current form hinders or facilitates international governance. Is it still appropriate or tenable to invoke sovereignty to justify unilateral national decisions that have a transnational or global impact?

Third, rules are not of much value if they are ignored. Lacking respect for rules and policies and the will for sincere international coordination, even the best regulatory arrangements will be useless. For people to trust the system, the interests of all and not just a few privileged actors or countries must be accounted for.

Finally, while it is easy to blame the regulatory challenges of AI on the technologies themselves, maybe it would be helpful to recognise that many of our problems really stem from human nature.

Global multilateral climate order: a point of no return?

The lack of ambition from the largest emitters for the foreseeable future does not mean that emission reduction and global environmental governance is a doomed project

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With COP 25 in Madrid failing to ramp up international climate ambition, the European Union faces a pivotal moment both in its internal policy and in its aspirations for global leadership. At its most ambitious, the European Green Deal – which establishes a target of net-zero emissions by 2050 – is not just a call for bold climate solutions within the EU, it seeks to spur action worldwide. It is an opportunity the EU cannot squander.

With the Green Deal, the EU has to bring all stakeholders together and at a fast pace. As activists and scientists call for the declaration of a planetary emergency, this coming decade will define the planet's future for centuries to come.

Strengthened EU leadership will be necessary as the Paris Agreement officially enters into force in 2020. The road to COP 26 in Glasgow will be critical, as the window of opportunity for action continues to narrow and our global carbon budget – or the total amount of allowable future carbon emissions that scientists believe will limit the temperature increase to 1.5°C – continues to shrink at an alarming rate.

Recent studies found that nine out of fifteen climate tipping points are pushing the Earth past the point of no return. Vital systems that regulate the state of our planet, including permafrost, ocean currents and jet streams

are changing, creating self-reinforcing cycles that drastically reduce the chances of limiting warming to 1.5°C by the end of the century.

Risks associated with climate change have been underestimated and concerns are rising about security due to climate change's role as a threat multiplier. As human production and consumption continue to damage the planet's health, climate change threatens to exacerbate natural disasters, increase poverty and provoke widespread instability.

Global multilateral governance around climate change is also being eroded. Countries continue to emit at an unsustainable rate, with promises and pledges that fail to align with the urgency of the situation, despite the fact that the cost of inaction will inevitably be much higher than the cost of transformation, both politically and financially.

According to the latest estimates, there are only eight years left – at current pace – to prevent the worst effects of climate change. Time is running out and we need to bend the curve of emissions now. And yet, despite awareness of these hard truths, the outcome of COP25 was deeply disappointing, signalling difficult challenges to come.

A wider pattern

Five years have passed since COP 21 (2015) in Paris. It set a non-binding agreement between 197 countries to limit warming to well below 2°C by the end of the century. At first, the international community was hopeful about the agreement, as it established a robust framework of action, tying signatories to ramp up climate ambition by 2020, with a first global stocktake in 2023.

However, five years later, the parties continue to battle it out over the rulebook. The sense of urgency and cooperation that defined Paris has slowly degenerated into political deadlock and resistance from vested interests who benefit from the status quo. Even worse, emissions from fossil fuels have hit an all-time high, increasing 4% since countries signed the agreement.

COP 25 in Madrid was part of a wider trend of trade and geopolitical tensions, including a global economic slowdown associated with tariff wars and a rise in protectionism from the US and China, the two biggest emitters. Two key moments have epitomised this slowdown in ambition: President Trump pulling out the US from the Paris Accord in November 2019, and China's refusal to back the publishing of carbon emissions as part of the Paris rulebook at COP 25.

Expectations and promises to increase climate targets, obtained at previous international summits such as the G20s and COPs, have not been realised. The outcome of Madrid confirmed that the high hopes of Paris in 2015 have given way to paralysis and inaction. What used to be common ground between signatories of the Paris Agreement is turning into a sore point of contention.

Nevertheless, with the announcement of its European Green Deal and its vision for climate neutrality by 2050, the EU is positioning itself as one of the frontrunners on climate policy. Brussels has aligned itself with a large number of developing and vulnerable countries expressing their frustration with the lack of progress. If taken seriously, the Green Deal has the potential to boost growth, tackle climate change and combat rising inequality, both within the EU and beyond.

Stepping into the breach

The lack of ambition from the largest emitters for the foreseeable future does not mean that emission reduction and global environmental governance is a doomed project.

The space is not being left vacant. On the contrary, other non-traditional climate leaders are filling the vacuum. This includes civil society, cities and regions, businesses, small islands, developing states and a group of forward-looking countries with a history of high emissions that recognise the urgency and science of climate change. These movements are creating coalitions of action that give weight to climate negotiations, which may signal a radical shift in power in climate governance.

In December 2019, the president of COP25 Carolina Schmidt, announced that 73 small and developing countries had signalled their intention to enhance efforts to combat climate change and 72 countries were working to achieve net-zero emissions by 2050, joining a coalition of highly ambitious countries

launched in New York at the UN Climate Action Summit. This provides momentum for action and a sense of leadership in a time of climate uncertainty and decision-making volatility.

Meanwhile, traditional big players such as China, India, Brazil and Saudi Arabia have made no indications of their willingness to take more aggressive action on climate, and Australia and the US have likewise said they will not boost their goals despite the wildfires and mounting social pressure. This culminated with these countries opposing any obligation on countries to submit enhanced pledges in Glasgow, arguing "it should be each country's own decision". The final draft of COP25 ended up being a general statement of intent rather than a revised expectation.

When comparing non-traditional and decentralised climate leaders with the biggest emitters, it is clear that the EU is positioning itself on the right side of history, with its Green Deal and ambition to become the first climate-neutral continent by 2050, although Poland has so far opted out of the EU's targets.

The EU has key tools that it can call upon to add some weight to its declarations of intention. As the world's largest trading bloc, the EU has the capability to demand climate standards and forestry protections from its trading partners. By embedding these principles into future trade arrangements, providing finance for green infrastructure and supporting technology transfers to developing economies, the EU can provide teeth to environmental governance. Overall, a shift of mindset among European

citizens themselves must accompany this transformation.

One can say the heart of the Paris Agreement is still beating, but just barely. COP 26 will show whether the UN system is credible in tackling the climate emergency by asking countries to ratchet up their ambitions, a goal that in 2019 proved unsuccessful.

Europe should use this year to demonstrate true leadership in maintaining and reforming the existing global climate order, starting with the EU-China Summit next September. By employing the Green Deal not just as a domestic but also as a foreign policy tool, combined with its power as a norm leader, the EU can help revive global climate governance.

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