Author/s:
Feller AO, E;Langmore AM, J

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Implications of the UN Common Agenda for Australia: Renewing Multilateralism

Erika Feller AO and John Langmore AM

University of Melbourne, Melbourne, Australia

In flagrant violation of international law, Russia has invaded Ukraine. It invokes a right to intervene on humanitarian and security grounds despite the necessary pre-conditions, including UN Security Council endorsement, being absent. In Myanmar, the February 2021 military coup has ushered in a new era of serious repression of citizens, violent conflict and human rights violations. ASEAN's 2021 five-point consensus to end the violence and promote conciliation has been largely ignored. These are but two of a number of current global threats which defy unilateral resolution and demand multilateral responses. Others are the looming disasters provoked by climate change; the ongoing Covid pandemic; conflict and the threat of conflict from Syria and Yemen to the South China Sea; the return of repressive Taliban rule in Afghanistan; ferocious civil war in Ethiopia; historically high refugee displacement; and mass migratory movements.

At a time when 'the only certainty is more uncertainty', countries must unite to forge a new, more hopeful and equal path, UN Secretary-General António Guterres (SG) told the General Assembly on 21 January 2022. In laying out his priorities for 2022, he observed, "We face a five-alarm global fire that requires the full mobilisation of all countries", – the raging COVID-19 pandemic, a morally bankrupt global financial system, the climate crisis, lawlessness in cyberspace, and diminished peace and security. He stressed that countries must go into emergency mode.

Leadership to guide such adaptation to these complex challenges is found in an uncharacteristically hard-hitting report, *Our Common Agenda*, released in September 2021 by the SG and adopted by consensus in the UN General Assembly, on 16 November 2021. It rests on a belief in the absolute criticality, now, of improving the way countries cooperate to manage the world's common resources (oceans, land masses and space) and public goods like global health and peaceful security to safeguard the planet and its resources for future generations. *Our Common Agenda* aims to spur a renewed multilateral system built on a 'UN 2.0' able to offer 'system-wide solutions to 21st century challenges'.

The *Agenda* contains recommendations which address a multiplicity of issues, from the high-profile like climate change and loss of biodiversity, peace and disarmament, to the more micro-issues like coordination to reduce international tax evasion. New pathways to reaching the sustainable development goals adopted by the UN are a

CONTACT John Langmore AM langmore@unimelb.edu.au University of Melbourne, Melbourne, Australia

cross-cutting focus, as are initiatives to reinforce respect for human rights, refugee rights and their global safeguarding organisations. Strengthening arrangements which would lead to greater accountability for States for grave violations is examined. The *Agenda* more generally promotes measures countries could take to reduce violence world-wide in all its forms, including violence from criminal groups and interpersonal violence in the home. Gender parity initiatives and those designed to strengthen the voice of youth in international discourse are likely to attract wide support. There are others perhaps less so, like a new dialogue on outer space, or having former Heads of State come together to lay out global governance options for the world's resources. Finally, recommendations go to the heart of how the UN functions are made, with the aim of designing a more inclusive, responsive, and consultative organisation.

Follow-up on actualising the *Agenda* in the General Assembly is now in train. In March 2022, the SG established a High-Level Advisory Board on Effective Multilateralism, comprising 12 eminent global leaders, officials and experts and co-chaired by former Liberian President Ellen Johnson Sirleaf and former Prime Minister of Sweden Stefan Loefven. The UNGA President has just completed a series of consultations on proposals in the *Agenda*, held with States over February/March 2022. Other national uptake will follow.

How will Australia engage?

Assuming that foreign policy should be regarded as transactional, but also transformative, the answer is, hopefully, that Australia will engage both actively and constructively. This, though, is not a given. In welcoming the *Agenda* Australia's Ambassador to the UN stated: 'Australia remains steadfast in our support for a UN system that is fit for purpose, effective, open, transparent, and accountable to all Member States'.[1] Australia's contributions to the consultations to date suggest careful interest in following developments, albeit unevenly focussed on a rather select set of issues. These include gender equity initiatives within the UN Secretariat and across the UN system more generally and bolstering youth participation and engagement in UN deliberations (Payne, 2019).

Australian delegates have 'broadly welcomed' the Secretary-General's proposal for a new agenda for peace, including his appeal to update the vision and step up the ambition for disarmament. Taking a holistic approach to addressing all forms of violence has also been welcomed. There is recognition that the UN has a role to play on cyber security issues and interest expressed in the Secretary-General's proposal for a further dialogue on outer space. Australia would support efforts by the UN system to strengthen human rights mechanisms and remains open to further examination of how existing international human rights law and frameworks can be upheld and applied to these emerging issues (Gyngell, 2017, 220–221). The Global Digital Compact proposal has the potential to be a positive approach, with the Secretary-General encouraged to provide further information.[2]

What seems to come out from such responses is cool caution rather than active embrace, and a clear inclination to turn the focus onto what the UN can do for States, rather than the reverse. The *Agenda* is proposing collective renewal. Australia's response at present is short-sighted, should it continue to be the case. The May 21 election process is underway and the issues it will be fought on are increasingly clear. Even while the

narrative about Ukraine and defence spending is ramping up, it seems the election will turn primarily on local issues, with little attention focused on matters that reach beyond our borders, despite our new realisations, made clear by the Covid pandemic, that there is little that does not inter-relate to global influences beyond borders.

Assuming the new Australian government will remain committed to the *Agenda* and the goal of a revitalised multilateral system, it must seriously review how past policies and programs are placed to contribute to this global strategy (DFAT, nd). It is well within the national interest to do so. In her 2017 Lowy Institute address, then-Shadow Foreign Minister Senator Penny Wong suggested the national interest should be understood to comprise both the physical and economic security of the nation and its people, a stable and cooperative strategic system in their region, and what she termed 'constructive internationalism' which supports a rules-based order globally (Wong 2017). At its most basic this means an international system in good working order with strong and adaptable institutions, the UN at their centre, able to deal with emerging global problems.[3]

Former Foreign Minister Gareth Evans would seem to agree. In his view, a dimension of foreign policy has gone missing over recent times in Australia (Evans 2022). For Evans, 'good international citizenship' must be regarded as a fundamental dimension of the core business of foreign policy, which is to protect and advance the national interest. Moreover, that is as much a part of foreign policy as pursuing physical security and material prosperity, to both of which it is integrally linked. Being – and being seen to be – a good international citizen, means being a country others respect, trust and emulate; one which is not just inward looking but which genuinely cares about human rights atrocities, poverty, environmental catastrophe, weapons proliferation, regardless of direct impacts on one's own security or prosperity. It flows from a State's obligation 'to do least harm and most good', and is as much a national interest imperative as a moral responsibility.

The path the *Common Agenda* would have states walk together is in step with the path Evans has mapped out for good international citizenship: being a generous aid donor; doing all possible to advance and protect universally recognised human rights; doing all a country reasonably can to achieve international peace and security, prevent war and atrocity crimes and alleviate their consequences, not least refugees; being active in efforts to address three existential risks of global warming, health pandemics, and nuclear war. For Australia to take this most important path forward, it must traverse some challenges ahead.

Being an effective aid donor

For the last decade, Australia has been eroding its capacity to positively influence regional conditions by reducing the proportion of its expenditure on aid. The severe cuts have reduced total aid spending to 0.2% of Gross National Income. Australia is now ranked 21st of the 22 traditional aid donors (Howes 2021). This greatly reduces Australian action to relieve poverty, malnutrition, and disease elsewhere or contribute to enabling other countries to reduce their greenhouse gas emissions. Australia has become a confirmed aid laggard.

To comply with the UN, *Agenda* aid must be substantially and steadily increased. It is striking that, before their recent victory at the election, then-Leader of the Opposition

Anthony Albanese and then-shadow Foreign Minister Senator Wong supported the Platform which said that Labor would increase aid funding by reintroducing 'a target for the international development programme of at least 0.5 per cent of Gross National Income and … increase aid as a percentage of Gross National Income every year that we are in office starting with our first budget' (Australian Labor Party 2021).

The Sustainable Development Goals (SDG) adopted by the General Assembly in September 2015 are a valuable guide to donors as well as developing countries. The *Agenda* contributes valuable thinking on effective ways to reach the stated goals, with a particular focus on the many areas and issues desperately needing global attention such as: the increasing inequality in the distribution of income within most countries; the perpetuation of severe inequality in the gender distribution of income and many services; the neglect of high youth unemployment, the increasing cost of tertiary and post-secondary education, and the recent explosive growth in house prices in many countries. Chapter 3 of the *Agenda*, 'Succeeding generations: shaping the future', is a strong and effective section reflecting on ways of strengthening the inclusion and empowerment of youth, so that they are enabled to have more effective engagement in policy development and implementation of policies such as the diversity of human services.

Australian governments have endorsed the SDGs and reported on progress as required, but their degree of commitment so far has been questionable. It is essential for the new government to rigorously review implementation and to prepare a plan for the most effective use of rapidly rising development assistance.

Advancing and protecting human rights

The *Common Agenda* builds on the UN's efforts over a number of years to promote more resolute commitment by States to the global rules-based order. An area of concern has been the prevailing climate of impunity for serious violations of International Humanitarian Law (IHL), in particular the rules designed to protect civilians and humanitarian aid programmes. Recent developments in Ukraine are a stark reminder how important this concern remains, with Russian forces seemingly acting in total disregard of the responsibilities of parties to a conflict to refrain from attacks against civilians and to take all measures to spare them from harm.

Accountability had not been a serious objective for states and pursuit of it has been under-whelming through the political institutions of the UN. The *Agenda* calls on member states to reinforce their efforts to address the impunity gaps and better protect civilians by developing national policy frameworks and supporting international accountability processes. There are many options here, from IHL training and advocacy programs, though political dialogue or formal demarches, to enacting restrictive measures like sanctions, as well as legally enabling national courts, including under universal jurisdiction clauses in human rights treaties, to prosecute war criminals.

Australia is involved in international conflicts, Syria being one, where the erosion of respect for IHL and lack of action on accountability on the part of warring parties, is a pronounced feature. Australia has played an important role in securing international endorsement for doctrines like the Responsibility to Protect (R2P). It has been active on issues linked to protection of civilians in UN Peacekeeping operations and has contributed to peacebuilding activities through deployment of personnel to the UN's Civilian

Police contingents, for example in East Timor. Australia has played an important role in addressing issues of Women, Peace and Security, including through the Security Council. Australia is one of the 76 states that have accepted to work with the International Humanitarian Fact Finding Commission (IHFFC). In all of this, it is well placed to play a more active role on accountability issues.

The Report observes that international law, in particular international human rights law, underpins approximately 90 per cent of the SDGs. Human Rights are presented as 'problem solving tools'. The report advocates updating the Universal Periodic Review of individual states performance, enabling it to look at less classical concerns as well, like social marginalisation. 2023 is the 75th anniversary of the Universal Declaration of Human Rights. This could be the occasion to review coverage of the human rights framework more broadly, to bring in frontier issues like the right to a healthy environment, or those in the digital and technology space such as universal access to the internet, to connect the remaining 3.8 billion people still offline and most regularly left behind, particularly women and Indigenous communities (Bachelet, 2021).

Working for security through peace

The central purpose for which the UN was established was 'To maintain international peace and security' (UN Charter, Article 1). That goal has been repeatedly reiterated. In the *Agenda* the SG is quite direct about steps to achieving sustainable peace. First, he plans 'to work with Member States to update our vision for disarmament to guarantee human, national, and collective security … ' (60). This includes broadening support for the Treaty Prohibiting Nuclear Weapons (TPNW), effective control of conventional weapons and regulation of new technological weapons. Steps towards these goals could include strengthening commitments to no first use of nuclear weapons and banning cyber-attacks on civilian infrastructure. So far, the Australian Government has maintained its opposition to the TPNW; it remains to be seen if the new government takes a different stance.

During most of the last quarter century, Australian governments' preferences have been to strengthen the military and intelligence arms of foreign policy and to weaken the diplomatic and economic assistance arms (Miletic and Langmore, 2020). The negligible growth of diplomatic spending severely constrains overseas representation. Starving diplomatic and aid allocations as the 2022–23 budget continued to do, reduces capacity to address and assist with transforming conflict. The *Agenda* emphasises that:

> The new agenda for peace could involve a set of commitments to provide the necessary resources for prevention including at the national level; reduce excessive military budgets and ensure adequate social spending; tailor development assistance to address the root causes of conflict and uphold human rights; and link disarmament to development opportunities. There has also been too little progress on adequate, predictable and sustained financing for peacebuilding … (60)

The most notable impact of one country increasing its military spending is to motivate other competing countries to increase theirs. Australia has been dramatically increasing military spending. DFAT, the department of government with the greatest responsibility for conflict prevention and peacebuilding has been deprived of the financial and

personnel basis for effective peacebuilding. A survey of diplomats in 2017–18 found that they were overworked and under such pressure that they were not able to strengthen the capacity for analysis and attempting to play useful harmonising roles (Langmore, Miletic, et al., 2020). As Guterres declares: 'Investments in prevention and preparedness pay for themselves many times over in the human and financial costs that are spared … ' (60). Australian funding for both government and non-government peacebuilding must be substantially and steadily increased. This would also contribute to facilitate placing women in the centre of security policy (Langmore, 2017).

Dealing decently and properly with refugees

The *Agenda* strongly argues the position that the UN Charter and international law 'remain timeless, universal and an indispensable foundation for a more peaceful, prosperous and just world'. This has oft been acknowledged by senior Australian bureaucrats and decision-makers[4], an acknowledgement somewhat at odds with the policies which have framed Australia's approach to asylum seekers arriving on its shores over recent years. Feller has pointed out that, somewhat counter-intuitively, Australia has been developing its domestic asylum policies in a manner more calculated to undermine than shore up an order based on rules and cooperation.

The growing problem of mixed movements of asylum seekers and migrants and the expansion in transnational crime and people smuggling has seriously eroded Australia's commitment to maintain a generous asylum policy in full respect for international law commitments. This is particularly the case with asylum seekers, including those with valid claims, who arrive by boat. The policy response is built around deterrence rather than rights protection. This has also found some reflection in Australia's dealings on refugee challenges in the region. There has been a nod towards regional cooperation arrangements, but the driver has been countering terrorism and transnational crime in the Asia-Pacific region. There are recent positive signs that the worst effects of Australia's policy responses to boat arrivals are being wound back, with long term detention for many asylum seekers being brought to an end, durable settlement options for a number in the process of being realised, and offshore centres in PNG and Nauru either closed or emptying. But the policies themselves are extant. In their reliance on indefinite detention, defective asylum review processes and divorce from the 1951 Refugee Convention framework, they are incompatible with good international citizenship and the directions in the *Agenda*.

They are also at odds with the *Global Compact on Refugees*, endorsed in 2018 by virtually all the UN General Assembly members including Australia. The Compact was an effort by States to improve the global framework of responsibility-sharing for refugees. It was built on the realistic understanding that management of large-scale displacement situations requires sustained multilateral cooperation with the burdens of hosting refugees and finding solutions for them shared among states, not corralled locally where the refugees first arrive. A policy of local containment cannot work, particularly in underdeveloped border areas where most refugees first arrive. These are usually ecologically fragile, often politically unstable environments, ill-resourced and minimally policed, where there is already competition with local communities for scarce resources like land or water and where infrastructure in the

form of schools, health centres, even roads or airfields, is lacking. The current situation in Ukraine, which has seen over three million people flee the country, is an immediate opportunity for Australia to demonstrate through action its commitment to genuine burden sharing.

Being active to address existential risks

The *Agenda* opens with the assertion that the world is at 'an inflection point in history' and that 'humanity faces a stark and urgent choice: a breakdown or a breakthrough' (3). This is equivalent to some philosophical analysis which suggests that the current generation is living in a hinge of history era which has far greater capacity to influence conditions for future generations than any previous generation (Shultz and Timbie, 2020). Critical choices are available now which would ensure or avert existential crises. Other choices could be made that could lead to the destruction of humankind through nuclear obliteration, unendurable temperatures, chaotic climate instability or catastrophic species extinctions (Leigh, 2022). Alternatively, the realisation of the visions and strategies outlined in the Agenda are choices available to avert these outcomes, such as climate action, the eventual elimination of nuclear weapons and systems for conflict prevention.

Australia's strategic situation changed in September 2021 when the three heads of Government in Australia, UK and the US announced the formation of 'an enhanced trilateral security partnership', AUKUS, the purpose of which is 'to deepen diplomatic, security and defence cooperation in the Indo-Pacific region' by enabling Australia to acquire nuclear-powered submarines. Many articles welcoming or opposing AUKUS have been written, but the effect of this introduction of an aggressive nuclear technology on the Non-Proliferation Treaty (NPT) has received too little attention. Would it contribute to strengthening military competitiveness? Would it cause increasing nuclear ambitions in other countries? Might it contribute to the spread of nuclear capacity and therefore reduce obstructions to nuclear weapon proliferation? If AUKUS is implemented, it would be likely to intensify the regional arms race. Other countries might well respond by increasing their stocks of weapons and strengthening their lethality. This would directly undermine Australia's security. There is a strong case for rethinking this proposal.

The *Common Agenda* Report makes clear the dire threat which climate change poses; this has not gone without recognition at senior levels in Australia's bureaucracy.

> The issues do not get any bigger in terms of a collective problem. They engage a complex web of concerns around the growing impact of climate change, the economic structure and competitiveness of nations and concepts of equity and fairness. Left unchecked it will magnify existing problems and increase pressure on resources including land, water, energy, food and fish stocks. It has the potential to erode development gains, undermine economic growth and compound human security challenges (Woolcott 2015).

Nevertheless, the Australian Government has been worryingly dragging its feet when it comes to committing to playing its part in response. The Morrison government in particular was seen as a recalcitrant in its refusal to commit to earlier rather than later phasing out fossil fuels or to carbon emissions targets increasingly gaining global endorsement, while putting a cloud over its cooperation with the objectives of COP26.

Complementary biodiversity frameworks are also of vital importance for sustaining healthy, productive food systems as well as ecological and species survival. Australia is currently ranked third in the world for species extinction and number one when it comes to the greatest number of mammals gone extinct. Ecosystems like the Murray Darling Basis and the Great Barrier Reef are seriously threatened. While biodiversity is impacted by a changing climate, the major cause for biodiversity loss remains human activity, like for example forest clearance where Australia's record of inaction on logging in old growth forests and similar environments is currently far from satisfactory. Funding in the Federal budget for the protection of nature has suffered severe cuts

Australia, as a rich country with one of the highest *per capita* greenhouse gas emissions in the world, has a particular responsibility to take major steps to reduce them rapidly and substantially. A particularly high priority which has been illuminated by the COVID-19 pandemic is the starvation of funding for global public health at both national and international levels. Australia has had a mixed record in handling the pandemic, having supported PNG very little, for example, nor COVAX.

Engaging with the *Agenda*

Given the outcome of the recent Federal election, it can be but hoped that the new government will take the time to familiarise themselves with *Our Common Agenda* and commit to fully engage in the renewal of multilateralism. In a reversal from recent past practice, the orientation should be as much towards what the international system can expect from Australia as on what Australians can require from it (Feller, 2022). A productive way forward would be for Senator Wong to appoint a committee of public servants and experts to prepare a White Paper on Australia's relations with the UN system.

Domestically we should be looking to a number of deliverables: 1 re-calibrating our peace and security focus through a rethink of the preference for increased military spending over investment in conflict prevention and a forward-looking peace agenda; 2 dropping our reluctance to commit to serious goals and programs to halt climate deterioration; 3 reviewing our domestic refugee policies, crafting better alternatives to a system which locks up boat asylum seekers for indefinite periods without viable solutions at a heavy human and financial cost; and 4 committing to good international citizenship by working to ensure the multilateral system safeguards a rules-based order with protection of rights and accountability for their violation at its core and that the UN and the international system is enabled and resourced to effectively respond to the SG's 'global fire of threats'.

Further to one of the *Agenda's* key proposals, a world Summit of the Future is foreseen for September 2023. One outcome would be a Declaration on Future Generations. The challenges are great. Will the agreed priorities of the SDGs be implemented? Will local, national, and global health services such as WHO be adequately funded? Will Australia seek peaceful means of reducing conflict rather than continuing the old habits of squandering funds on weapons for catastrophes? Will nature be treasured, and carbon emissions and other pollutants minimised? Will the right to seek and enjoy asylum be reinstated as a fundamental human right accessible to all who need it? Will we seek to express the values of peace, justice, human dignity, equity, tolerance and solidarity

which are found in every culture and religion? Will we ensure accountability for those who disrespect them so that impunity ceases to be? These require decisions that may chart changes in each family, human group, community, province, country and globally. The *Agenda* suggests a global process of preparing for the Summit. The path to it needs to be charted through a genuinely consultative whole-of-society approach, so that all interests are properly canvassed and represented. What happens now is critical. How will Australia now prepare and act?

Notes

1. Statement by H.E. The Hon Mitch Fifield, Ambassador and Permanent Representative of Australia to the United Nations, 25 October 2021.
2. See, for example, the AU Statement re IPM (25 October 2021). (https://unny.mission.gov.au/unny/211025_UN_General_Assembly_Informal_Plenary_Our_Common_Agenda.html); AU Statement re C1 (10 February 2022) (https://unny.mission.gov.au/unny/220210_Our_Common_Agenda_Thematic_Consultation.html), AU Statement re C3 (21 February 2022) (https://unny.mission.gov.au/unny/220221_Our_Common_Agenda_Frameworks_for_a_Peaceful_World.html).
3. For an interesting analysis of her points and the concept of constructive internationalism (see Behm 2022, 227–228, 233–237).
4. Former DFAT Secretary Adamson (2019) put it most succinctly when she observed, 'Australia cannot bully or buy its way in the world. An international rules-based order is therefore in our best interests, and an effective multilateral system is the surest way to get there.'

ORCID

John Langmore AM http://orcid.org/0000-0001-6844-3965

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