

Global Agenda Council on the Rule of Law 2012-2014



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OF THE WORLD



Understanding/Context

In 2012, the rule of law made its appearance on the global agenda as not only a human rights issue but also a business and global governance issue – it is a truly multistakeholder concern. For the first time, 193 state leaders declared during the UN General Assembly opening debate in 2012 that the rule of law is important, and adopted a Declaration on the Rule of Law at national and international levels. In addition, the International Bar Association's annual meeting programme reached beyond the typical orders of business and billable hours; business lawyers talked about war crimes, ethics, human rights, torture, anti-corruption, legal education, corporate social responsibility and world organizations.

Today, it is beyond doubt that all stakeholder groups are necessary actors in the dialogue on the rule of law. More and more instances of transnational governance are arising in which coalitions of actors work to regulate, set standards and resolve disputes in an area of broad concern because one state or group of states lacks the capacity or does not have the political will to do so. The emergence of such new forms of governance can be seen in examples such as the Kimberly Process in the diamond trade, the Financial Stability Board in the financial crisis, and the Global Compact on business and human rights.

These coordinated efforts are innovative alternatives meant to solve problems in the absence of full international governance characterized by robust rule of law. Developing binding international treaties based on the state model on issues such as global warming, mineral extraction and global health promotion are simply not sufficient to create real and lasting change.

Shaping the Agenda

The Global Agenda Council on the Rule of Law refers to such initiatives as "coordinated governance". At the start of this

term, the Council developed a framework for analysing forms of coordinated governance that was featured in a panel session at the World Bank's Law, Justice and Development annual gathering in Washington DC. In the process of developing this framework, the Council started to identify areas of success or failure in coordinated governance and the function of the rule of law in contributing to more positive outcomes.

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Over the coming period, the Council aims to publish a set of case studies to help decision-makers and reformers develop creative solutions to global issues through coordinated governance informed by a rule of law awareness and ethic. In addition, the Council is exploring what knowledge products would help businesses engage more actively and effectively in advancing the rule of law. A series of roundtable discussions with corporate leaders is being planned, with the assistance of the Forum, as a first step in this initiative.

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