

#### 4. CODES OF CONDUCTS I: THEORETICAL CONTEXT

**Tatsuro Kunugi** (International Christian University, Japan) addressed the code of conduct approach to global governance. He said that the proliferation of what could be called "framework documents," such as codes of conduct, is quite recent. He proposed that partnership is one of the most appropriate responses to the diminishing capacity of states and international organisations to influence events in the face of globalisation. Cooperation among diverse actors (including: governments, inter-governmental organisations, NGOs, businesses, mass media, research institutions, local communities, and individuals) is essential for global governance and can be promoted through a codes of conduct approach.

There are at least three features of globalisation pointing to the need for partnership which can be facilitated by the use of voluntary codes:

1. Partnership underscored by codes of conduct could alleviate problems stemming from the fact that NGOs often work on interrelated issues in isolation. Voluntary codes could also address the sometimes strained or uneven relations between Northern and Southern NGOs.
2. The failure of the UN to address some global issues has led to the holding of a series of major global conferences. These conferences point to an emergence of multi-sectoral, multi-actor, multi-cultural and multi-lingual constituencies which are becoming increasingly virtual. This dynamic is becoming a factor in global governance. Evidence includes the success of the Ottawa process and the campaign for the establishment of the International Criminal Court as well as the failures of the Multilateral Agreement on Investment and the WTO Ministerial meeting in Seattle.
3. In order to overcome the absence of central authority, the cooperation of all stakeholders is necessary. This need has given rise to a wide interest in various kinds of codes aimed at guiding these new types of cooperation.

Criteria for a codes of conduct taxonomy include:

1. *purpose*: self-regulation, standard setting for actors concerned, promoting well-being of humanity, emphasizing visions and ethics
2. *addresses*: single category (i.e., NGOs or For Profit Organisations), two categories (i.e., NGO and FPO), multiple categories (i.e., NGOs, FPOs, International Organisations, Government Organisations, etc.)
3. *activities*: arms transfer, disaster relief, action plan/program.

The following are characteristics that make codes particularly suitable for global governance:

1. soft law aspect (flexible regulatory approach)
2. multi-centric and multi-layered aspects
3. voluntary and participatory basis
4. susceptibility for infusion of ethos
5. recognition of role and responsibility of specific actors