Making Responsibility the Ethical Core of the Twenty-first Century and the Foundation of a Third Pillar for the International Community: What Strategy Should We Implement after the Failure of Rio+20?

1. New ethics and new international law to assume our interdependences: putting the issue in perspective

Between the first international Conference on the Human Environment in Stockholm in 1972 and the Earth Summit in Rio in 1992, awareness had been slowly growing about the fact that societies are all interdependent, and that humankind and the biosphere are interdependent too. Each society's impact on the others was to be taken into account, and the overall impact of societies on the planet assumed. This implied that every actor, every society, every nation was accountable for its impact on others and on the biosphere. What was at stake was the very survival of humankind. This was the idea underlying the "Earth Charter." When the 1992 Earth Summit was in preparation, many different Earth Charter projects were developed, both by states and by civil society. They were to lead to a new international convention, a third pillar for the international community alongside the Charter of the United Nations and the Universal Declaration of Human Rights, because neither of the two founding texts adopted in the aftermath of World War II addressed the interdependences among societies and between humanity and the biosphere. The states attending the Rio Summit were not, however, able to agree on a common commitment to a text that could serve as the basis for future international law. All they did was adopt Agenda 21, which, while opening new avenues, did not make them binding avenues.

Reference to the peoples' common responsibility toward their "common future" was limited in the Agenda to adopting the principle of "common but differentiated responsibilities." The principle recognizes that the impact of societies on their environment varies depending on their level of material development, past and present. This would later justify that the Kyoto Protocol should require efforts in the reduction of their greenhouse gas emissions only from previously developed countries and not from developing countries. Furthermore, the idea of "common but differentiated responsibilities" has become, paradoxically, a reason for no one to take any action: developed countries consider that their efforts would be useless if the more populated developing countries did not take on their share of the effort, while developing countries have conditioned any commitment to their receiving financial and technological assistance from the rich countries.

In the twenty years following the Earth Summit, while interdependences among societies grew deeper and the cumulative impact of human activities on the biosphere continued to rise, the world's states, instead of partnering more closely to work toward common survival, continued to reaffirm their sovereignty. In practice, this was tantamount to refusing to take into account their impact on others and on the biosphere. Any progress in international cooperation was stopped by the requirement, in the name of sovereignty, of reaching consensus among all the states of the planet, something that was obviously impossible to achieve. International cooperation for our common future became nothing more than inconsequential rhetoric. Against this background, the so-called Rio+20 International Conference, organized for the twentieth anniversary of the Earth Summit, was left to the game of diplomacy, a survival of the times when the state of the world could justify that

international relations remain limited to negotiations among sovereign states. The failure of Rio+20, where the states adopted a 50-page text droning on about commitments already made a long time ago and not kept, is a sign of the bankruptcy of diplomacy and of the inability of this form of relations among societies to safeguard the future. States, unable to conduct an urgent mutation, have shut the door and turned in the keys to the global estate. The idea of national interests existing in essence and opposed to one another, the idea that no state—i.e. none of the societies represented by these states—is accountable to any other for its impact on the commons, the fact that no organization is globally in charge of stating the general interest, that there is no international law to force a society to account for its actions and assume its consequences beyond national borders, these are the foundations of the rhetoric of sovereign states that triumphed in Rio. This might have been the last fire of political thought inherited from past centuries, now moribund, but its consequences are immeasurable. Since the Rio+20 failure, the gap has never been so deep and wide between global governance and what is needed to save humankind. Our global governance and our international law have become for humankind the most serious of all risks because of their inability to grasp the issue of interdependences. Facing the admission of powerlessness of the states and of the law, civil society, the expression of a slowly emerging global community, must take the initiative. It needs to concentrate on making efforts converge, including by inviting some of the more lucid states and governments to take the initiative back in the direction of the United Nations, because despite its weaknesses, the UN is still the only forum where conventions, standards, and international law can be developed. This is the task to which the Forum of Ethics & Responsibilities intends to dedicate itself.

The Forum is heir to a long history, built in the 1990s within an international dynamics: the Alliance for a Responsible and United World. Its point of departure was the Platform for a Responsible and United World of 1993. It started from two findings that have remained very current: we will not be able to manage our unique and single planet jointly without agreeing on common values; and we will have to lead an overall transition that will affect our ways of thinking, our governance, and our way of life all at the same time.

The search for shared values adapted to the challenges of the twenty-first century began in 1995 within an interreligious work group of the Alliance. Why? Because the Declaration of so-called "Universal" Human Rights was adopted in the aftermath of World War II in a context of international domination of the West and its values. This domination is a thing of the past. Only dialog among the different religions, philosophical traditions, and cultures can lead to the adoption of values that will be recognized by all and are rooted in different traditions. This dialog work has revealed that responsibility is at the core of twenty-first century ethics: because it is found in every culture; because it responds to our new state of interdependences; because it is the hidden face of rights; because it is the corollary of freedom. This effort gave birth in 2001 to the Charter of Human Responsibilities, adopted at the outcome of the World Citizens Assembly organized by the Alliance. This text is not the basis for future international law. Its intention is to arouse acceptance by the heart and to invite each of us to take action.

The idea that responsibility has changed in nature with the global proportions of interdependences and that it can serve as the basis for future international law supplementing the Universal Declaration of Human Rights is not a new one. On the contrary, it is expressed far and wide, and this is what underpins the hope that it will succeed someday. The philosopher Hans Jonas showed a long time ago that the change in scale of interdependences has changed the nature of responsibility. Already in 1997, the Interaction Council, initiated by former German Chancellor Helmut Schmidt and including former heads of state, promoted the idea of a Universal Declaration of Human Responsibilities. The Forum, far from claiming to do original work, wishes to foster these

convergences so that a new ethics of responsibility takes root all over the world, in every sphere, and in every subject, in a movement powerful enough to impose itself gradually on every conscience, to become an incontrovertible reference, and to make it possible to establish an international law that is complementary to human rights.

The idea of responsibility is found, with variations, in every society. Accountability for the impact of one's actions on others and recognition of the symmetry of obligations among its members are the foundation of any community. Rights and responsibilities are the two inseparable faces of citizenship. Responsibility applies at different scales, from the local to the global. It is expressed at three levels: that of individual consciousness; that of collective references; and that of the law. An international law of responsibility would have no impact if consciousness of responsibility were not embodied at other levels but is nevertheless indispensable, as is the adoption by the United Nations General Assembly of a declaration that would establish such a law. The efforts of civil society must therefore be deployed at the three levels—individual consciousness, collective references, and the law—at every level, in every sphere.

After the adoption in 2001 of the Charter of Human Responsibilities, the efforts born from the Alliance for a Responsible and United World focused on the first two levels: by disseminating the Charter and putting it up for discussion in different countries of the world to make certain that it struck a responsive chord in different societies and that it informed individual or collective choices; and by setting up socioprofessional networks—such as of city inhabitants, the military, journalists, youth, researchers, company managers—whose members organized to set the conditions for exercising their own responsibility and to influence the legal framework when it was an obstacle. Moving on to the third level, that of international law, assumed that some states would be willing to bring this perspective to the level of the international community and find the opportunity to do so. The repeated failure of similar attempts—that of the Interaction Council or that of the Earth Charter for instance—certainly spoke of the difficulty of the undertaking. Historic opportunities for this are scarce. This is what led the Forum of Ethics & Responsibilities, which pulls together the various initiatives of the Alliance, to seize the opportunity of the preparation of the Rio+20 International Conference, despite the fact that there was clearly a risk that it would be a failure, to make a first attempt to put this question on the international agenda.

This required the previous existence of a new text that had the potential of becoming a basis for international law. A first version of what has been tentatively called the Charter of Universal Responsibilities was developed with jurists in October 2010. We then sought a state that, in the framework of the preparatory work for the Conference, could champion the Charter. This was all the more arduous that the question of responsibility was not on the official negotiations agenda. We reached the conclusion that only Brazil could play this role, for it was less likely than Europe or the United States to be suspected of wanting to impose Western values on the rest of the world, it was a great emerging country, and to top it off, it was hosting the conference. It was virtually the only country in a position to propose that the initial agenda be widened. Meetings with various members of the Brazilian Government in September 2011 showed us that they shared our analysis regarding the risk of failure of the Rio+20 Conference, and a few expressed great interest in the initiative we were submitting. At the same time, convinced that in the event that the Brazil would take this initiative it would need allies, the Forum was able, thanks to the international networks of mutual trust built through the Alliance for a Responsible and United World, to meet in Asia—India, Malaysia, Indonesia, Philippines, and Bangladesh—with influential government advisers. These contacts had two positive effects: they showed us that an international network offering credible, substantiated proposals, could garner interest at the highest state levels, and our analysis of the

impasses of the current international community was carefully listened to; moreover, they showed us that in Muslim- or Hindu-dominated societies, the principle of responsibility met great response.

In the end, the Brazilian government found that it was either not possible or not appropriate to use its influence to change the Conference agenda to include the principle of responsibility. Our efforts did therefore not deliver our ultimate goal: to put a draft of a Universal Declaration of Human Responsibilities on the international negotiating table. They nevertheless made it possible to give these considerations and proposals visibility and arouse unexpected interest, giving the Forum of Ethics & Responsibilities confidence in the ability to materialize its purpose sometime in the future, all the more so that the failure of the Rio Conference was so flagrant and so bitter that it opened an avenue for strong initiatives in the coming years.

The preparations for the Rio+20 Conference were also an opportunity to popularize the idea of responsibility among civil society organizations and social movements. The task was no easier than with state officials. Traditionally, human rights, their respect and their extension to economic, social, and cultural life, or the environment have acted as bonding themes among civil society. When civil society speaks of responsibility, it is referring to that of large companies and states, not to that of all of us. Stating the fundamental complementarity between rights and responsibilities in the construction of citizenship and human dignity, recognizing the joint responsibility of all the different actors in the construction of the common good involves a deep change in outlook. Although this battle is far from being won, we can observe real progress thanks to the stubborn work of the Forum. This progress also gives us confidence in the future.

2. Promoting the ethics of responsibility at every level after Rio+20

Time is not linear in collective adventures. Preparations for the Rio+20 Conference were an accelerator for the Ethics & Responsibilities movement. The conference schedule imposed its timing on us; we were forced to join our own efforts to develop communication tools, write new texts, and make contacts at the highest level. This also involved the ever present risk of racing through the stages and losing in terms of force what we might have won in terms of velocity. Post-Rio requires that we consolidate our foundations and prepare again for a long march, but also to continue to seize every new opportunity. Consolidating our foundations for a long march requires a comprehensive strategy, the main features of which are:

- *The movement must involve the four categories of actors of change: innovators*, those who here and now undertaking specific actions through which they are assuming their responsibility in a new and different way; *theoreticians*, those who are developing the body of ideas and texts, ranging from philosophy to cross-cultural relations and the law, providing a solid foundation for the new world view implied by our interdependence; *generalizers*, who by developing national or international networks spread new models of action and regulation; *regulators*, governments, jurists, and courts, who can define the legal framework for the exercise of responsibilities, or establish and implement new international law. These actors are not all necessarily part of the Ethics & Responsibilities movement at a given time, but they must be associated in some form or another with the dynamics.

- The ethics of responsibility must be promoted at three levels: that of *individual consciousness*; that of *collective references*; and that of *standards* and *the law*.

- The ethics of responsibility must progress in terms of three dimensions: the diversity of the *geographical areas* where there is progress; the diversity of socioprofessional *spheres* where collective references are developed for the practice of responsibility; the diversity of the *fields* of life in society—education, the economy, society, governance, management of the biosphere—for which responsible practices need to be defined.

- Co-responsibility among the different actors must be deployed at four scales: local, national, regional, and global.

We need not be frightened by this encyclopedic panorama. We cannot move forward all the time on all these fronts at once, but we must always have them present in our minds in evaluating our progress, and in seeking synergies and opportunities. On this basis, we can define a four-pronged strategy: *1)* structure the governance of the Forum of Ethics & Responsibilities; *2)* expand the movement's voice to other socioprofessional spheres and other parts of the world; *3)* enhance the credibility and visibility of the Forum's proposals; and *4)* develop and consolidate the documentary base of our strategy.

1. Structuring the governance of the Forum of Ethics & Responsibilities

From 2003 to 2010, the FPH supported the process of geographical dissemination of the Charter of Human Responsibilities on the one hand, and different socioprofessional alliances who had the question of responsibility on their agenda on the other. Pursuing both of these paths at the same time and separately was a deliberate plan, as each of these dynamics needed to be built and become autonomous before they were federated. It was not until 2009 that intellectual confrontation was proposed. Each network was invited to describe its conception of responsibility based on its own experiences. Then in 2011, the Forum of Ethics & Responsibilities was set up, on an informal basis, to make it possible for everyone to act in the same direction when preparing for the Rio+20 Conference.

The movement now needs its own identity. This is the condition for its development. What principles of governance should it adopt? The proposed model is that of "citizen alliances," invented to meet the needs of collective dynamics involving autonomy of initiative among those involved and varying intensity of connections among them. The conventional organization model based on a members/non-members dichotomy and where the General Assembly of members is supposed to steer the work of the permanent core is not well-adapted to the multifaceted dynamics we would like to promote, and it constitutes a "movement" more than an institution.

A citizen alliance makes it possible to distinguish several circles: the circle of *sympathizers*, interested in the issue and in maintaining regular contacts with the dynamics as a whole; that of *allies*, each of which acts at his or her own scale and independently, but sees his or herself as a stakeholder of the whole; that of the *Advisory Board* made up of very committed persons devoting time to providing impetus, making the strategy evolve, and evaluating the collective action; that of the *permanent core*, which is not under the direct supervisory authority of the assembly of allies but under its moral authority. With regard to all the others, the permanent core draws its legitimacy from its ability to invigorate all the allies in a timely manner and implement jointly defined strategies.

In a citizen alliance, the reporting relationship between the allies' assembly and the permanent core loses importance or disappears. The fundamental connection is everyone's commitment to the Constituent Charter of the Alliance, which defines jointly pursued long-term *objectives* and the *ethics* of the relations among allies and with the outside world. Objectives and ethics constitute the most enduring element. They are supplemented by *working procedures*, i.e. all the means agreed upon to work jointly. Respecting common work disciplines is stronger cement than subordination relations. Strategy, regularly reviewed, is part of the working procedures. It guides the allies' action, defines the work program of the permanent core, and stimulates synergies.

Here is a proposal for a Constituent Charter:

1. *Objectives.* Put the ethics of responsibility at the heart of the transition toward sustainable societies. Promote it at the three levels of individual consciousness, collective professional references, and the law. Equip actors who so wish with tools, educational ones in particular, to disseminate and generalize responsible attitudes. Promote collective references to responsible practices corresponding to different professional spheres. Promote at the international level the adoption of a universal declaration of human responsibilities as the counterpart of the Declaration of Human Rights and as the basis of future international law.

2. *Ethics.* Everyone's *responsibility* within the Alliance is in proportion to his or her knowledge and power. The Alliance is *pluralistic*. Just as the ethics of responsibility itself is the art of managing ethical dilemmas, of trying to find the best way to reconcile conflicting imperatives and not merely apply standards, allies assume their own contradictions and dilemmas and give the other allies the credit for trying to resolve their own in the same spirit of responsibility.

3. *Working Procedures*

3.1 Bodies and bylaws

- A *founders committee.* This committee has no operational responsibilities, but it constitutes a panel of the wise, generally involved in having started the process, responsible for making sure that the Constitutional Charter is implemented. It is in charge of settling disputes between member allies and speaks publicly in the event of serious abuse with respect to the Charter. This is the "Constitutional Council" of the alliance.

- A *task group*, distributed geographically, made up of persons who spend all or part of their time facilitating the collective dynamics and implement the strategy to the best of the local contexts in which they operate.

- An *Allies' Assembly.* All are signatories of the Constituent Charter. They show their willingness to act where they are to promote the principle of responsibility and are committed to sharing with everyone the experiences they have acquired. Given the specificities of the Forum of Ethics & Responsibilities, the Assembly could have two categories: *institutions* and collective movements such as the existing socioprofessional alliances; allies in their *individual* capacity;

- A circle of *sympathizers* and partners, with visualization of the desired synergies.

3.2 Tools

⚔ *Data bases* (a directory, in particular) and a *Web site*, the movement's public showcase.

⚔ *Allies' Assembly* periods—either through the Internet when financial means are insufficient, or face-to-face—during which allies make certain they are available to one another in order to define, complete, or reorient the strategy.

⚔ A *dashboard* where progress of the movement can be seen in terms of the different elements of the analytical grid: categories of actors involved, levels, dimensions, scales.

As part of its biennial budgets, the FPH can commit to making an overall donation to the process, but all the allies are invited to seek additional funding to lead their own action and strengthen general coordination. It might be possible, as was done in other cases, to set up a foundation to receive donations from individuals and institutions, and this subject may lend itself more to this than others. Many economic actors—companies, banks, and large retailers, for instance—wave the banner of responsibility to prevent states from imposing rules on them or as a form of marketing to meet the expectations of a segment of their customers (with so-called fair-trade products, the ethical funds of banks, organic food, etc.). The fact remains that the rise in these attitudes also increasingly reflects the personal convictions of company leaders and their staff. Some may be interested in supporting this broader effort to promote responsibility within our societies.

2. Enlarging the base of the movement

2.1 Socioprofessional enlargement

In the 1990s, the Alliance for a Responsible and United World generated more than twenty "socioprofessional" work groups, i.e. groups of persons of the same community or same profession wishing to reflect on their responsibility. Only a small number of them became citizen alliances, strictly speaking. Most of these alliances became associated with the Forum of Ethics & Responsibilities: journalists, researchers, company managers, youth, the military, migrants, inhabitants, solidarity economy.

Other networks participate in the forum—retirees, business ethics, or environmental education, for instance—but are not strictly speaking international networks of professionals reflecting together on the ethical dilemmas that they face and on the necessary changes in the legal and regulatory framework for the application of responsible behavior.

This statement reveals large gaps, whether in the economic field—corporations, the financial sector, the distribution sector, consumers, shareholders—in that of governance actors—states, civil servants, local authorities—or in important sectors of society, particularly the service sector. Enlarging the movement is indispensable. It would be presumptuous and illusory to hope that the Forum of Ethics & Responsibility will attract and integrate sectors of the economy and of society representing authorities, technical and financial means, networks, and an impact force that have no connection to our own. Since 2001 and the adoption of the Charter of Human Responsibilities, however, the world has changed deeply and reference to responsibility, often in the form of a qualifier—responsible governance, responsible trade, responsible investment, etc.—has become a constant, for better and for worse, in the economic field.

The ISO 26000 standard, adopted in 2011, is a new step. It calls on players—companies and, potentially, local communities—not only to take into account their "social and environmental

impact," but more broadly to assume their *social responsibility* by referring explicitly to control of overall production chains. We are not far from an effort to "cross" territorial approaches and approaches of overall production chains. These will be the two major levels of coherence of the twenty-first century, those upon which the transition toward sustainable and responsible societies will rely.

Our forum should be able to define its links and partnerships with these very large networks. To do so, it must show its potential in added value, illustrate its approach to ethical dilemmas and the three levels of responsibility that it promotes, and convince of the importance of a founding text for international law.

Although the odds seem disproportionately high, the Forum must exercise the same boldness that it demonstrated in 2011 and go out looking for governments. This requires a rigorous analysis of the strengths and weaknesses of the different current dynamics. To take a few examples, we can note that all the current economy-related dynamics, whether they are promoted by the United Nations with its "Global Compact" and UNEP's "Financial Innovation" initiative, by the OECD with its guidelines for responsible investment, or by the WDCSD (Word Business Council for Sustainable Development), are all designed on the basis of "voluntary commitments." All, of course, point to the "reputational risk" companies would be taking should they not honor their publicly made commitments, but actual sanctions for irresponsible behavior are very weak. In the case of OECD responsible-investment guidelines, the "National Contact Points" mechanism set up to support the implementation of the guidelines has been of limited scope. There is no real discussion of the issue of ethical dilemmas. Rules for the protection of whistleblowers within a company are not materializing, for instance. Although it is important to demonstrate to investors wondering about the socially and environmentally responsible behavior of the companies in which they have invested that they can protect themselves against long-term risks, this is not enough to demonstrate, as proclaimed by this type of initiative, that it will be a win-win situation. Moreover, the implementation of these principles is explicitly subordinated to investors' "fiduciary duty," i.e. to the interests of their shareholders and customers. In addition, these principles, introduced in the early 2000s, did not prevent the world of finance from behaving in the abusive manner that led to the 2008 financial meltdown. Lastly, the recurring themes of these guiding principles for responsible economic behavior are respect for human rights, working conditions, attention to the environment, and the fight against corruption. These themes are important but do not completely answer, far from it, the question of the impact of our current development models on the relationship between societies and the biosphere. For these and many other questions, in these and many other work areas is where we need to make of the Forum a place for documentation, for reflection, for questioning.

We can also consider, along the lines of the citizens' juries or Labor Court model, proposing the introduction of forms of "voluntary court" where companies or local authorities that have made commitments, would submit their commitment to a verdict, beyond the more or less complacent consideration of their peers.

The world of large retailers is of particular interest. We can see, for instance in Europe, forefront positions being taken by certain groups, due both to the personal beliefs of the group's staff, notably those of its management, but also because retailing stands at the interface between production companies, local authorities, and the population at large. The active role being played by large retailers to resist against penetration throughout the agri-food system of genetically modified animals and plants is fairly indicative of their pivotal position between ways of life on the one hand, and the impact of global production chains on the other.

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This search to broaden the consistency of the Forum of Ethics & Responsibilities through dialog with large sectors of the economy and society does not rule out the construction of new citizen alliances. We can consider for example developing an alliance with the global network of environmental educators or grassroots community networks, like in India, who have taken innovative positions to assume their responsibility to society and the biosphere.

Local authorities have also evolved in a most remarkable way: the implementation of "Local Agenda 21" programs has gradually changed local public policies, albeit to varying degrees, from simple "greening" of what already exists—more an image-marketing plan than a change in behavior—to multi-stakeholder projects where local populations mobilize overall to reduce the impact of their lifestyle on the biosphere. The member cities of the ICLEI (Local Governments for Sustainability) may have been precursors in the 1990s, dealing today with energy, ecological-footprint and biodiversity issues, but a more recent movement like that of the Covenant of Mayors in Europe, has also rapidly brought together thousands of members who are committed to go further than the European Union itself in reducing their energy impact.

With local authorities, variations at different scales of the principle of co-responsibility have led to a fertile opportunity: that of Local Charters of Co-responsibility. There are already elements of application in the outcomes from the Charter of Responsibilities of Children and Youth, "Let's Take Care of the Planet," which has led to partnerships of a new nature between young people themselves, the education system, and local authorities. Similarly, what all successful strategies for moving toward sustainable cities have in common is that public assets are jointly produced by all the different actors. Adoption by all of a Charter of Co-responsibilities would be a natural extension of this. The proposals made by the International Alliance of Inhabitants are evolving in the same direction.

2.2 Enlargement to other regions of the world

The other enlargement of the Forum has to do with the regions of the world in which we are committed. The real impact of the network has depended on both the general context of the penetration of ideas and on regional facilitators' own capacity to build networks, get officials on board, form new alliances, and make sure that the issue of responsibility is in the public debate at every level. Sudha Reddy's approach in India is exemplary here. Nonetheless, our point is not to establish a ranking of best seller of the Charter but rather to learn from the successes and failures of others—everyone has done their best—in order to develop the most effective and most compelling actions in different regions of the world.

The initiatives taken during the preparations for Rio+20 also showed us the importance of "intermediate countries," those of the ASEAN in Asia or those of the Andean Community of Nations (CAN) in Latin America for example, to promote new international regulations. Unlike the big traditional or emerging powers—the United States, Europe, China, Brazil, or South Africa—which are engaged in fierce competition for control over strategic raw materials, intermediate countries, and also Africa when it begins to organize better, are in fact the playing fields of this competition and therefore in a particularly good position to show the impacts on societies and on the biosphere.

During the preparations for Rio+20, we also became aware of the importance of countries that are particularly threatened by climate change, starting with Bangladesh and the small islands of the

Pacific. In the current state of international law, they don't have a leg to stand on and there is no court where they could sue for the immense damages they are suffering and will continue to suffer.

But we must also open new fronts. For instance, in the dialog between Chinese society and European society initiated by the China-Europa Forum, the question of responsibility is very present and we can imagine in the coming years, when these reflections are pooled, putting to the floor the question of how to move toward a more responsible humankind.

Similarly, it is probably not impossible, in a country like the United States, so far reputed to be allergic to addressing the issue of responsibility beyond individual responsibilities, to seek new alliances, geopolitical ones as well as with religious groups, in order to pose the problem in new terms. Otherwise, the United States will be an insurmountable obstacle to the adoption of an international convention.

Finally, in Europe, perspectives might open up if German Chancellor Angela Merkel's proposal for a new European convention for reviewing the treaties materializes: this would be the opportunity to give the idea of responsibility quasi-constitutional value in Europe. What is interesting in this idea, which we shall discuss again below, is that Europe already has a European Court particularly active in the realm of human rights and its jurisprudence could be extended to a European Declaration of Human Responsibilities.

3. Strengthening the credibility and visibility of the Forum proposals

"What good would an additional international convention be?" is an often heard question. It is a legitimate question. There are international covenants galore. African countries are those that have signed the largest number of them, knowing that anyway, they will not have the financial, administrative, and human resources to honor their signature: they may have the will, but not the way. This is to say that we need to make new efforts to give our proposals credibility by showing "what difference this would make." These efforts must be deployed along two strategic lines.

3.1 Reinforcing *legal credibility*. International law is the fruit of long and complex development. In contrast to declarations of intent and other guidelines for responsible behavior as promoted by the economic spheres, the law needs to be enforceable by national courts and give birth to international jurisprudence, like for human rights, for which there is recourse to the jurisprudence of the European Court and the Inter-American Court of Human Rights. This law must be invoked before the courts and pave the way for credible sanctions. Recent confirmation, in France, of the conviction of the oil group Total for the sinking, which was dramatic for the marine and coastal environment, of the Erika tanker, which belonged to a shipping company linked to Total by a mere commercial contract, or the pioneering work conducted by the jurists' Association Sherpa demonstrating that the existing legal corpora can be used immediately to make parent companies liable for their subsidiaries or subcontractors are among the many illustrations of the major impact of legal arrangements on behavior, and even on consciences. Conversely, the fact that the irresponsible and predatory behavior of the leaders of the international financial system has not led to criminal or even civil convictions is an illustration, as striking as that of the inability of Bangladesh to turn against anyone despite the threats of climate genocide, that irresponsibility is guaranteed by the current legal system.

To strengthen the legal consistency of the proposals made by the Forum of Ethics & Responsibilities, we need to develop the network of international jurists who are "friends and sympathizers of the initiative." This network got off to a good start during the preparations for

Rio+20 and the drafting of our first Charter of Universal Responsibilities. It now needs to be enlarged and consolidated.

Another way to strengthen the credibility of our proposals is to *simulate the impact*. Just like in the United States today, jurisprudence very broadly admits the legitimacy of "class actions" led by patients put at risk by a poorly tested drug, victims of passive smoking, asbestos workers who developed cancer, etc., we can similarly simulate a class action based on the principles of a Universal Declaration of Human Responsibilities. We could also simulate what the extension of powers of the European and Inter-American Courts of Human Rights would be like in the implementation of a new international law of responsibility.

3.2 Reinforcing institutional credibility. We need to strengthen our links with the peripheral structures of the United Nations like the IUCN (International Union for Conservation of Nature), UNESCO, the United Nations Environment Programme in connection with its action in the field of responsible investment, and the ILO thanks to the growing interest among trade unions in our reflections on responsibility. Outside of the UN periphery, we can also consider strengthening our ties with the OECD around the evaluation of their guidelines for corporate social responsibility.

Aside from official bodies, partnerships with international networks such as Globethics, already actively involved in the Forum of Ethics & Responsibilities, or with the World Forum Lille on corporate responsibility should contribute to the visibility we need.

We must also, however, not falter in our effort to search for one or more countries that will "*champion*" an international initiative. We have explained our reasons for targeting only Brazil in 2011. We can now take a more gradual approach, with the above-mentioned ASEAN and CAN (Andean Community of Nations) and in this new configuration it is no longer a problem to seek to engage, for example through the European Parliament and European civil-society networks, the EU itself, possibly supplemented by the Council of Europe, in a collective initiative of a number of states daring to say that the absolute sovereignty of nations is inevitably leading us to disaster. Although it is probably impossible to invite the United States and China to join an initiative, it is not totally impossible to secure, given the crises they are themselves going through, at least their neutrality.

4. Building and consolidating the documentary base to support our strategy

It is essential that all members of the network have a powerful argumentation, enriched by our successive experiences. Here too, the preparations for Rio+20 led us to very valuable intellectual and documentary production, at the top of which is Edith Sizoo's background paper which placed our initiative in the context of all those that in the nearly past forty years have been inspired by the same concerns, not to claim that our initiative is the best, but on the contrary to understand, by comparison, what the characteristics should be of an initiative taken "all the way" by capturing the three levels of ethics simultaneously.

We also built, during our contacts with government representatives or during the many debates in which we participated in Rio, "propaganda material" in the best sense of the word, with examples of letters, arguments, and proposals. This corpus should be available to all in different languages. It must be also constantly enriched and updated (all references to the planned Rio+20 Conference having become useless).

Other material has become urgent: *case studies* featuring the ethical dilemmas faced by the different socioprofessional spheres and the possible ways to solutions proposed. This would be the hallmark of the Forum of Ethics & Responsibilities, showing its determination to take on the "real world" and its dilemmas, as opposed to the often too pacifistic statements of those who explain that the adoption of responsible behavior can make it possible to win on all counts. It has become indispensable for the different networks to pool their documentary resources on the Forum of Ethics & Responsibilities Web site, which then becomes a *portal for case studies of the different networks.* This will enhance the credibility of the Forum and the synergy among the networks it comprises, but will also address an increasingly strong latent demand from the educational system, in particular the continued-training system, within trade unions, professional associations, companies, staff training centers, etc.

We must also gather and compare the *legislative and regulatory reform proposals* resulting from their work. For example, the proposal for a law on whistleblowers prepared by the Fondation Sciences Citoyennes, the reform of European expertise as part of the controversy over genetically modified organisms, the proposals for supervision of the profession of journalists, and the reform of military training.

Finally, beyond targeted documents but separate from one another, we need to shape a new *"general public" book* that tells the story of this reflection on the ethics of the twentieth century, shows the prospects and the strategy, highlights the most emblematic stories of the different alliances, builds a discourse on ethical dilemmas from the most remarkable case studies, and shows, finally, the proposals for legislative and regulatory evolution arising from these reflections.