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International law and global governance in the face of twenty-first century transnational challenges: A critical review of normative mechanisms, the transformation of state sovereignty, and new dynamics of international cooperation

Derecho Internacional y gobernanza global frente a los desafíos transnacionales del siglo XXI: una revisión crítica de los mecanismos normativos, la transformación de la soberanía estatal y las nuevas dinámicas de cooperación internacional

Direito Internacional e governança global diante dos desafios transnacionais do século XXI: uma revisão crítica dos mecanismos normativos, da transformação da soberania estatal e das novas dinâmicas de cooperação internacional



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International law and global governance in the face of twenty-first century transnational challenges: A critical review of normative mechanisms, the transformation of state sovereignty, and new dynamics of international cooperation

Abstract

The intricate relationship between Public International Law, global governance, and state sovereignty has acquired unprecedented centrality in the face of the accumulating transnational challenges that define the twenty-first century: pandemics, climate change, organized crime, arms proliferation, irregular migration, and cyber threats form an agenda that exceeds the regulatory capacities of states acting in isolation. This critical bibliographic review examines the principal normative mechanisms of contemporary International Law, the processes of reconfiguration of state sovereignty in response to the demands of multilateralism, and the tensions arising between state autonomy and the obligations derived from institutionalized international cooperation. The methodology combines systematic documentary analysis of primary and secondary sources with a critical literature review approach, prioritizing indexed contributions from Scopus, Web of Science, Redalyc, and SciELO published between 2018 and 2024. Findings reveal that Westphalian sovereignty undergoes a profound transformation without extinction, articulating with supranational normative structures that condition but do not replace it; that multilateral mechanisms exhibit differentiated effectiveness depending on the thematic area; and that significant normative gaps persist in emerging domains such as cyberspace and climate governance. Conclusions point to the need for institutional reforms that balance legitimacy, effectiveness, and democratic representation within the architecture of the contemporary international order.

Keywords: global governance, contemporary international law, state sovereignty, international cooperation, multilateralism, transnational challenges.

Derecho Internacional y gobernanza global frente a los desafíos transnacionales del siglo XXI: una revisión crítica de los mecanismos normativos, la transformación de la soberanía estatal y las nuevas dinámicas de cooperación internacional

Resumen

La compleja articulación entre el Derecho Internacional Público, la gobernanza global y la soberanía estatal ha adquirido una centralidad sin precedentes ante la acumulación de desafíos transnacionales que caracterizan al siglo XXI: pandemias, cambio climático, crimen organizado, proliferación de armas, flujos migratorios irregulares y amenazas cibernéticas configuran una agenda que desborda las capacidades regulatorias de los Estados actuando de manera aislada. Esta revisión crítica de alcance bibliográfico examina los principales mecanismos normativos del Derecho Internacional contemporáneo, los procesos de reconfiguración de la soberanía estatal frente a las exigencias del multilateralismo, y las tensiones que emergen entre la autonomía estatal y las obligaciones derivadas de la cooperación internacional institucionalizada. La metodología combina el análisis documental sistemático de fuentes primarias y secundarias con el enfoque de revisión crítica de la literatura especializada, privilegiando contribuciones indexadas en Scopus, Web of Science, Redalyc y SciELO publicadas entre 2018 y 2024. Los hallazgos revelan que la soberanía westfaliana experimenta una transformación profunda sin extinción, articulándose con estructuras normativas supranacionales que la condicionan sin sustituirla; que los mecanismos multilaterales exhiben una eficacia diferenciada según el área temática; y que persisten vacíos normativos significativos en dominios emergentes como el ciberespacio y la gobernanza climática. Las conclusiones apuntan a la necesidad de reformas institucionales que equilibren legitimidad, eficacia y representación democrática en la arquitectura del orden internacional contemporáneo.

Palabras clave: gobernanza global, Derecho Internacional contemporáneo, soberanía estatal, cooperación internacional, multilateralismo, desafíos transnacionales.

Direito Internacional e governança global diante dos desafios transnacionais do século XXI: uma revisão crítica dos mecanismos normativos, da transformação da soberania estatal e das novas dinâmicas de cooperação internacional

Resumo

A complexa articulação entre o Direito Internacional Público, a governança global e a soberania estatal adquiriu uma centralidade sem

precedentes diante da acumulação de desafios transnacionais que caracterizam o século XXI: pandemias, mudanças climáticas, crime organizado, proliferação de armas, fluxos migratórios irregulares e ameaças cibernéticas configuram uma agenda que ultrapassa as capacidades regulatórias dos Estados atuando de forma isolada. Esta revisão crítica de alcance bibliográfico examina os principais mecanismos normativos do Direito Internacional contemporâneo, os processos de reconfiguração da soberania estatal diante das exigências do multilateralismo e as tensões que emergem entre a autonomia estatal e as obrigações decorrentes da cooperação internacional institucionalizada. A metodologia combina a análise documental sistemática de fontes primárias e secundárias com a abordagem de revisão crítica da literatura especializada, privilegiando contribuições indexadas na Scopus, Web of Science, Redalyc e SciELO publicadas entre 2018 e 2024. Os

resultados revelam que a soberania westfaliana experimenta uma transformação profunda sem extinção, articulando-se com estruturas normativas supranacionais que a condicionam sem substituí-la; que os mecanismos multilaterais apresentam eficácia diferenciada conforme a área temática; e que persistem lacunas normativas significativas em domínios emergentes como o ciberespaço e a governança climática. As conclusões apontam para a necessidade de reformas institucionais que equilibrem legitimidade, eficácia e representação democrática na arquitetura da ordem internacional contemporânea.

Palavras-chave: governança global, Direito Internacional contemporâneo, soberania estatal, cooperação internacional, multilateralismo, desafios transnacionais.

Introduction

Few tensions have marked the history of the modern world order with such persistence as the one established between the sovereignty of states and the need for regulations that transcend their borders. Since the Peace of Westphalia in 1648, the international system rested on the premise that each state constitutes a sovereign entity, endowed with exclusive authority over its territory and population, without juridical subordination to any external power. Nevertheless, the proliferation of threats that by their very nature disregard national borders has called into question the sufficiency of that paradigm and compelled a rethinking of the foundations, instruments, and normative architecture of contemporary International Law.

The twenty-first century opened with a succession of events that exposed, with analytical brutality, the depth of that transformation: the September 11 attacks and the multilateral response they provoked; the global financial crisis of 2008 and its implications for international economic governance; the COVID-19 pandemic that began in 2020, which simultaneously revealed global health interdependence and the structural limitations of existing cooperation mechanisms; and the accelerating effects of climate change, which perhaps poses the most complex normative challenge ever confronted by International Law. Each of these episodes confirmed that state sovereignty, understood in absolute terms, proves insufficient to address problems whose scale and nature are inherently transnational (Moreira, 2020; Jiménez Torres, 2024).

Specialized literature has responded to this reality with a growing and heterogeneous body of scholarship that, drawing from distinct theoretical traditions, examines global governance, international regimes, the Responsibility to Protect, multilateralism, and transnational law. Authors such as Gill (2020), from a critical perspective, have questioned the interests served by existing global governance arrangements and highlighted their distributive biases. Others, drawing on the theoretical framework developed by Zürn and widely referenced in Latin American scholarship, have proposed analytical frameworks that understand global governance as a differentiated system, endowed with its own normative principles, prescriptive institutions, and forms of interaction between state and non-state actors that go well beyond the mere sum of sectoral international regimes. Between these poles, a broad community of researchers has devoted itself to mapping the concrete mechanisms, their actual scope,

and their operational limitations (Peñas Bernardo de Quirós and Manero Salvador, 2023; Covarrubias Velasco, 2019; Juárez Castro and Pardo Contreras, 2020).

Despite this abundant academic production, significant analytical gaps remain. Reviews on global governance tend to privilege generalist theoretical frameworks over comparative sectoral analyses that would allow for the evaluation of the differentiated effectiveness of normative mechanisms according to the thematic area and the type of actors involved. Moreover, the tension between sovereignty and international cooperation is frequently addressed as a conceptual dichotomy, without examining with sufficient care the gradual reconfiguration processes through which states negotiate, adapt, and sometimes resist the erosion of their sovereign prerogatives. These gaps justify a critical review that articulates both the theoretical and empirical dimensions, situating the analysis within the context of the most urgent transnational challenges of the present century.

The academic relevance of this review is further grounded in a particularly turbulent international conjuncture, characterized by the crisis of liberal multilateralism, the rise of sovereigntist positions in influential powers, the emergence of non-state actors with normative capacity, and the acceleration of phenomena such as digitalization, mass migration, and environmental degradation, which simultaneously pressure national and international legal systems. García Ruiz's (2023) review of humanitarian intervention and the Responsibility to Protect illustrates, in a specific domain, the complexity of these tensions; while the contributions of Jiménez Torres (2024) and Álvarez (2021) provide perspectives that situate the debate within historical and regional coordinates relevant to Latin America.

Against this backdrop, the present critical review pursues three specific objectives: first, to systematize and analyze the principal normative mechanisms of International Law developed to respond to the transnational challenges of the twenty-first century; second, to examine the transformation processes of state sovereignty under the pressure of international obligations and global dynamics; and third, to evaluate the conditions under which international cooperation proves more or less effective, identifying the main factors that bear on its effectiveness and the normative gaps that persist in areas of particular urgency for the contemporary world order.

The distinction between classical and contemporary International Law is not merely chronological; it reflects a qualitative transformation in the nature, sources, subjects, and objects of international legal regulation. The former rested on the sovereign will of states as the sole legitimate source of international obligations, confining International Law to the regulation of relations between state entities equal in sovereignty, though profoundly unequal in power. The latter incorporates concern for the rights of individuals, the protection of global common goods, and the regulation of non-state actors capable of influencing the international order, from international organizations to transnational corporations and armed groups (Torres Villanueva, 2022; Jiménez Torres, 2024).

The concept of global governance has occupied a central place in this debate since the final decades of the twentieth century. In its most widely accepted sense, global governance designates the set of formal and informal mechanisms through which international actors, state and non-state alike, coordinate their behaviors to address problems whose effective solution requires transboundary collective action. The UN Commission on Global Governance defined it, in its influential 1995 report, as the sum of the many ways in which individuals and institutions, public and private, manage their common affairs. This deliberately broad formulation has been subjected to multiple refinements and challenges. From Gill's (2020) critical perspective, global governance is not a neutral or technically oriented entity, but a political project that has historically served to consolidate and reproduce the power structures of transnational capitalism and hegemonic Western powers, excluding or marginalizing actors from the Global South and the most vulnerable populations.

Against this critical reading, more institutionalist and functionalist approaches, without ignoring power asymmetries, privilege the analysis of international regimes as functional responses to coordination problems. From this perspective, multilateral treaties, international organizations, and monitoring and compliance mechanisms constitute the normative architecture that reduces uncertainty in interstate interactions and that, however imperfect, represents concrete advances in the collective management of global common goods. The Paris Agreement on climate change, adopted in 2015 and examined in detail by Flores (2024) and Correa and Sarate (2018), exemplifies both the possibilities and limitations of this approach: it represents the broadest multilateral consensus on a global environmental threat, yet

its architecture of nationally determined contributions, voluntary and initially non-binding in design, reveals the difficulties of reconciling the principle of state sovereignty with the urgency of ambitious and verifiable collective commitments.

The transformation of the concept of sovereignty constitutes perhaps the most complex theoretical knot in this entire discussion. The Westphalian model, which enshrines the sovereign equality of states and the principle of non-intervention in internal affairs, has been subjected to mounting pressures from multiple directions. The Responsibility to Protect doctrine (R2P), adopted by consensus at the 2005 UN World Summit and critically analyzed by García Ruiz (2023) and Ruiz Chiriboga (2019), reformulates sovereignty not as an absolute right but as a responsibility: a state that fails to protect its population from mass atrocity crimes loses the shield of sovereignty and activates the international community's responsibility to intervene, initially through diplomatic means and ultimately through coercive measures authorized by the Security Council. This conceptually powerful reformulation has generated persistent controversies regarding its selective application and its potential use as an instrument for legitimizing interventions motivated by geopolitical interests rather than genuine humanitarian considerations.

Jiménez Torres (2024) examines how globalization has produced profound transformations in the concept of sovereignty, generating a constitutive tension between the promise of greater protection of human rights at the international level and the risk of eroding the nation-state's capacities to manage its own economic and social policies. This tension is not resolved simply by opting for one of the poles, but requires forms of institutional articulation that preserve the democratic legitimacy of collective decisions while guaranteeing the effectiveness of transnational responses. Along similar lines, Álvarez (2021), drawing on historical analysis of the Latin American international system, reconstructs the trajectory of the concept of sovereignty from its consolidation in the nineteenth century to its reconfiguration within the framework of globalization, highlighting the regional particularities that condition Latin American reception of the global governance debate.

The normative dimension of global governance is articulated, in International Law, through heterogeneous sources: multilateral treaties of varying nature and binding force, resolutions of UN organs, decisions of international tribunals, jus cogens norms, international customary law, and, increasingly, soft law instruments that, while not

formally binding, substantially condition state behaviors. The work of Peñas Bernardo de Quirós and Manero Salvador (2023) on multilateralism and governance from the margins illustrates how normative effectiveness does not depend solely on the formal obligatoriness of instruments, but on political, structural, and legitimacy factors that determine the actual degree of compliance by states. This observation connects with the debate on the crisis of liberal multilateralism, whose most visible expression in the second and third decades of the twenty-first century has been the rise of sovereigntist tendencies in powers such as the United States, the United Kingdom, and Brazil, which questioned consolidated multilateral commitments, with destabilizing effects on the global normative architecture (Juárez Castro and Pardo Contreras, 2020).

In the specific domain of transnational law and the regulation of phenomena that escape the exclusive jurisdiction of states, the contributions of Torres Villanueva (2022) offer a useful conceptual framework for understanding the emergence of a Transnational Law that transcends the classical categories of International Law, by regulating legal relations involving private subjects, non-state actors, and transnational networks, in domains ranging from trade and finance to cybersecurity and data flows. The application of International Law in cyberspace, analyzed by Fernández Bermejo (2020), poses problems of attribution, jurisdiction, and sanction of unprecedented novelty and complexity, which conventional normative instruments are not in a position to address satisfactorily without significant adaptations.

The global health governance architecture, subjected to extreme stress by the COVID-19 pandemic, simultaneously revealed the capacity of international cooperation to accelerate vaccine development and distribution, and the persistence of sovereigntist logics that determined a profoundly inequitable distribution of those resources between rich and poor countries. Moreira (2020) analyzes, with conceptual rigor, how the pandemic acted as a revealer of the internal contradictions of the international system: on one hand, it accelerated demands for more effective cooperation mechanisms in health matters; on the other, it strengthened sovereigntist tendencies manifested in vaccine hoarding by the most developed countries and resistance to ceding regulatory sovereignty in the management of public health emergencies of international concern.

This paradox is not exclusive to the health domain, but represents a structural dynamic of the contemporary international order: global crises simultaneously generate

demands for greater cooperation and sovereigntist resistances that obstruct precisely the cooperation that is needed.

Methodology

This study adopts a qualitative critical literature review approach, aimed at systematizing, analyzing, and interpreting the state of academic knowledge on International Law, global governance, and the transformation of state sovereignty in the face of twenty-first century transnational challenges. The type of study is bibliographic-analytical, with a descriptive-explanatory scope, insofar as it does not limit itself to inventorying existing scholarship but subjects it to a critical examination that identifies convergences, divergences, theoretical tensions, and conceptual gaps relevant to the specialized debate.

The source search and selection process was carried out between January and May 2025, using the following databases: Scopus, Web of Science, SciELO, Redalyc, Dialnet, and Google Scholar. Search equations combined terms in Spanish, English, and Portuguese, including descriptors such as "global governance," "state sovereignty," "contemporary international law," "multilateralism," "international cooperation," "transnational challenges," "responsibility to protect," and "digital governance," used both independently and in combinations with Boolean operators (AND, OR). Temporal filters were applied that prioritized publications from the last seven years (2018-2025), although seminal earlier references were incorporated where their theoretical relevance so justified. Inclusion criteria considered: direct thematic relevance, assessable methodological quality, indexation in recognized databases, and availability of full text or sufficiently detailed abstract.

The final corpus analyzed comprises 20 references, distributed among articles in indexed scientific journals, academic book chapters, and policy analysis documents produced by recognized academic institutions. Source analysis followed the logic of thematic synthesis, grouping texts around the three conceptual axes of the review: normative mechanisms of contemporary International Law, transformation of state sovereignty, and international cooperation dynamics. Within each axis, the positions of authors, their epistemological assumptions, their main conclusions, and the points of convergence or discrepancy with other corpus works were identified. Ethical considerations included scrupulous respect for the intellectual authorship of reviewed

texts, rigorous citation in APA 7 format, and a clear distinction between the statements of reviewed authors and the interpretive assessments inherent in the review process. The most significant methodological limitations are the linguistic bias introduced by prioritizing Spanish-language sources, along with the impossibility of guaranteeing exhaustiveness in a field of such broad and dynamic academic production.

Results

Systematic analysis of the bibliographic corpus allowed for the identification of three thematic nuclei that structure recent academic production on International Law and global governance in the face of transnational challenges: normative mechanisms and their differentiated effectiveness, the conceptual and practical transformation of state sovereignty, and the conditions of effectiveness of international cooperation. Findings in each of these nuclei are presented below, supported by two tables that synthesize the most relevant information for understanding the phenomenon under study.

The review of normative mechanisms reveals an international legal architecture of great complexity and heterogeneity. Hard law instruments, that is, formally binding international treaties, coexist with a growing set of soft law mechanisms: declarations, guiding principles, non-binding resolutions, and political commitments that, while lacking direct legal efficacy, substantially influence state behaviors and the formation of international customary law. Table 1 systematizes the principal normative mechanisms identified in the reviewed literature, classifying them by thematic area and type of instrument.

Table 1

Principal Normative Mechanisms of International Law Addressing Selected Transnational Challenges

Thematic Area	Main Instrument	Norm Type	Effectiveness Assessed in Literature
Climate change	Paris Agreement (2015); UNFCCC (1994)	Hard law with voluntary NDCs	Medium-high in adherence; medium-low in ambitious compliance
Human rights / humanitarian intervention	UN Charter; UNSC resolutions; R2P doctrine	Hard law + political doctrine	Variable; selective; conditioned by veto power
Transnational organized crime	Palermo Convention (2000) and protocols	Multilateral hard law	High ratification; uneven implementation
Trade governance	WTO agreements; Doha Round	Multilateral hard law	Institutional crisis; progress through minilateralism
Cybersecurity / cyberspace	UN OEWG; Tallinn Manual; EU declarations	Soft law; emerging law	Low; normative framework still incomplete and disputed

Global health	IHR-WHO (2005); Pandemic Treaty proposal	Hard law with weak mechanisms	Low-medium; COVID-19 pandemic revealed serious deficiencies
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Note. *Own elaboration based on the bibliographic review. R2P: Responsibility to Protect; UNSC: United Nations Security Council; NDC: Nationally Determined Contribution; WTO: World Trade Organization; IHR: International Health Regulations; UNFCCC: United Nations Framework Convention on Climate Change; OEWG: Open-Ended Working Group.*

Table 1 reveals a pattern consistent across the reviewed literature: hard law instruments endowed with relatively robust monitoring and compliance mechanisms, such as the Palermo Convention on transnational organized crime, tend to achieve high ratification rates; yet effective implementation in national legal systems is uneven and depends on structural factors including institutional state capacity, political will, and the pressure of international actors. By contrast, emerging domains such as cyberspace present a normative landscape characterized by soft law and non-binding declarations, reflecting the difficulty of reaching binding agreements among powers with radically different visions of digital governance: while liberal states defend an open Internet regulated by multistakeholder actors, powers such as China and Russia advocate a model of "digital sovereignty" that transfers control to national governments, making the construction of a universally applicable normative framework extremely difficult (Fernández Bermejo, 2020).

Regarding the transformation of state sovereignty, the bibliometric analysis of reviewed sources identifies three main theoretical positions, which are not mutually exclusive but rather reflect different emphases on the same phenomenon. The first position, represented in the work of Moreira (2020) and Jiménez Torres (2024), holds that sovereignty undergoes a functional reconfiguration: states continue to be the central actors of the international system, but their decisional autonomy is conditioned by voluntarily contracted international obligations, by market pressures that constrain their economic policy options, and by the coordination demands imposed by transnational problems. The second position, closer to Gill's (2020) critical perspective, interprets this reconfiguration as an erosion of popular sovereignty, insofar as decisions that determine the living conditions of millions of people are adopted in institutional spaces remote from national democratic processes. The third, represented in Álvarez's (2021) analysis of Latin America, underscores the geopolitical

differentiation of the phenomenon: the sovereignty of peripheral states has historically been far more constrained than that of core powers, so that speaking of "loss of sovereignty" without contextualizing that claim within the asymmetric distribution of international power is analytically insufficient.

Table 2 synthesizes the predominant theoretical approaches in the reviewed literature on the transformation of state sovereignty, the representative authors, and the normative implications that each position suggests.

Table 2

Theoretical Approaches to the Transformation of State Sovereignty in the Reviewed Literature

Theoretical Approach	Representative Authors Reviewed	Reading of Sovereignty	Main Normative Implication
Institutionalism / functionalism	Covarrubias Velasco (2019); Juárez Castro & Pardo Contreras (2020)	Adaptive functional reconfiguration	Strengthen multilateral institutions with compliance mechanisms
Critical / Gramscian perspective	Gill (2020); Torres Villanueva (2022)	Erosion of popular sovereignty; hegemonic interest dominance	Democratize global governance; empower the Global South
Historical-regional perspective	Álvarez (2021); Ruiz Chiriboga (2019)	Geopolitical differentiation of the phenomenon	Recognize asymmetries; common but differentiated responsibilities
International constitutionalism	García Ruiz (2023); Moreira (2020)	Sovereignty as conditioned responsibility	Consolidate R2P; reinforce international tribunals
Renewed sovereigntism	Jiménez Torres (2024); Fernández Bermejo (2020)	Sovereign resistance to ceding autonomy	Limit scope of international obligations; reinforce state autonomy

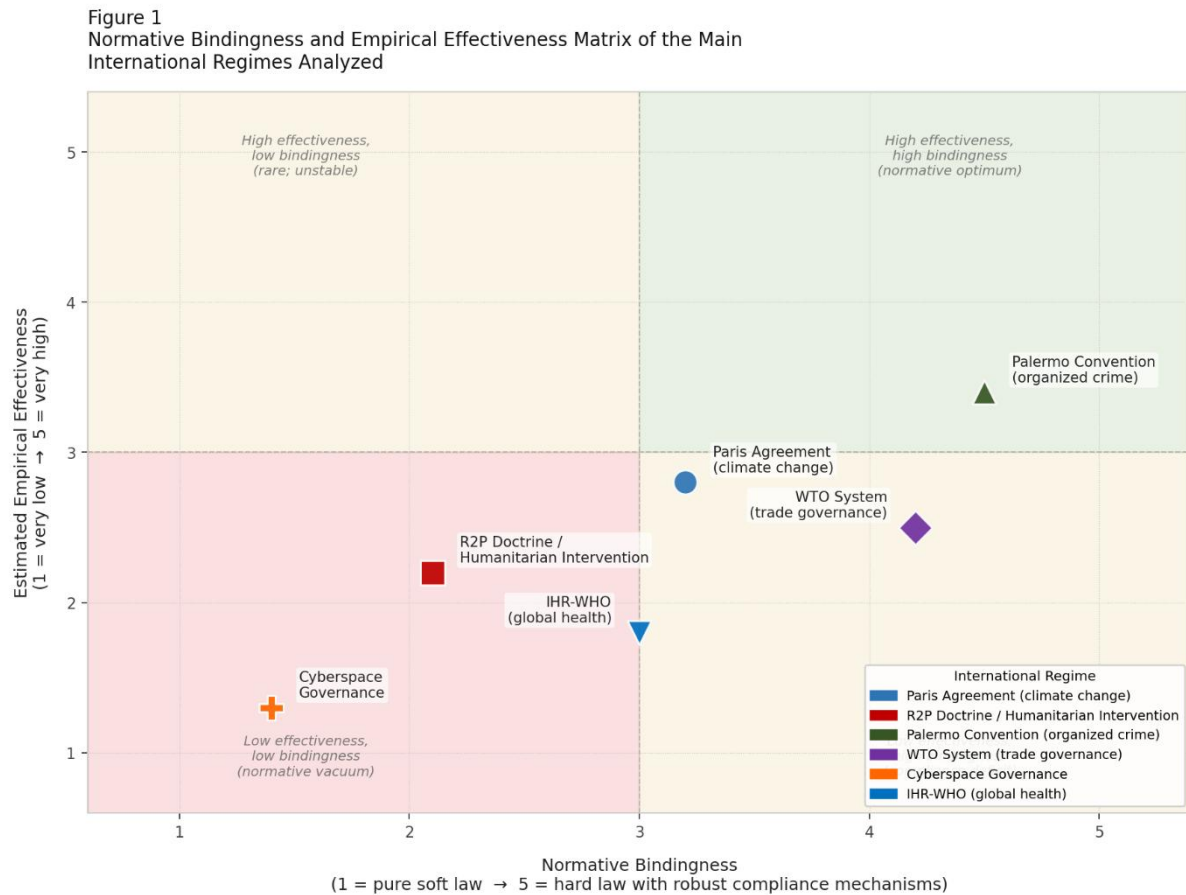
Note. *Own elaboration based on the critical analysis of reviewed sources. R2P: Responsibility to Protect.*

Table 2 shows that none of the identified theoretical positions represents a monolithic stance, but rather each reflects different epistemological and normative commitments in response to fundamental questions about the desirable international order. What the bibliographic review most revealingly demonstrates is the absence of solid theoretical consensus on the precise meaning and normative consequences of the "transformation of sovereignty": while institutionalists tend to view it as a positive functional adaptation that expands the scope of cooperation, critical scholars interpret it as a redistribution of power that favors the strongest actors in the international system. This divergence is not merely academic; it has direct implications for the type of reforms that each position suggests for the global normative architecture and for the

priorities that should guide the international cooperation agenda in the coming decades.

Figure 1

Normative Bindingness and Empirical Effectiveness Matrix of the Main International Regimes Analyzed



Note. Own elaboration based on the critical analysis of the reviewed literature and data systematized in Table 1. The X-axis represents the degree of normative bindingness of the international instrument (1 = pure soft law; 5 = hard law with robust compliance mechanisms). The Y-axis represents the estimated empirical effectiveness of the regime as assessed in the reviewed literature (1 = very low; 5 = very high). Dashed lines divide the space into four analytical quadrants. R2P: Responsibility to Protect; IHR-WHO: International Health Regulations of the World Health Organization; WTO: World Trade Organization.

Figure 1 translates the central argument of this review into visual terms: there is no simple linear correlation between the normative strength of an international instrument and its actual empirical effectiveness. The Palermo Convention is

positioned in the upper right quadrant, reflecting both its character as multilateral hard law with binding protocols and the relatively high national implementation that the literature documents, albeit with structural inequalities according to the institutional capacity of states parties. By contrast, cyberspace governance occupies the lower left quadrant, evidencing the double deficit identified in specialized literature: scarce bindingness of existing instruments and negligible regulatory effectiveness in the face of rapidly evolving threats. The Paris Agreement and the Responsibility to Protect are located in intermediate zones reflecting their hybrid nature: both instruments have achieved significant political adherence, but their empirical effectiveness is conditioned by the political will of the most influential actors in the international system and by the intrinsic limitations of their verification and enforcement mechanisms. The International Health Regulations and the WTO system share the compliance deficit quadrant: they are relatively consolidated hard law instruments whose practical effectiveness has been compromised by the institutional crisis of multilateralism and by the prevalence of sovereigntist logics at moments of high global tension (Moreira, 2020; Juárez Castro and Pardo Contreras, 2020).

Discussion

The findings of this review confirm and extend what specialized literature has been building cumulatively: twenty-first century global governance is characterized by a structural tension, unresolved and perhaps irresolvable in the short term, between the functional need for transboundary cooperation to address problems that no state can resolve unilaterally, and the political resistance of state actors to compromising their decisional autonomy in favor of collective frameworks whose benefits are diffuse and long-term, while the costs of adherence are immediate and politically visible. This dynamic, described by Moreira (2020) in the context of the COVID-19 pandemic, is equally observable in climate governance, in the regulation of cyberspace, and in the fight against transnational organized crime.

Comparison of these findings with those of prior studies reveals, however, important nuances that more pessimistic readings tend to underestimate. Multilateralism, though subjected to unprecedented pressures in the second and third decades of the twenty-first century, has demonstrated notable resilience. Near-universal adherence to the Paris Agreement, despite the United States' withdrawal and subsequent

reaccession, and the sustained functioning of the International Criminal Court, despite the tensions it generates with the principle of sovereignty, illustrate that the international normative framework, though imperfect, has not collapsed. What does emerge with greater clarity in recent literature, as Juárez Castro and Pardo Contreras (2020) underscore in their analysis of the consequences of the America First foreign policy, is a shift from universal multilateralism toward forms of selective unilateralism, in which smaller groups of states with shared interests negotiate more ambitious commitments outside universal multilateral frameworks.

This trend toward unilateralism raises normative dilemmas of the first order. On one hand, it may prove more effective at reaching ambitious commitments in areas where universal consensus is unattainable; on the other, it fragments the global normative architecture and raises serious problems of democratic legitimacy and inclusion of the most vulnerable actors, who rarely form part of the most influential unilateral groups. Gill (2020) is particularly incisive in noting that existing global governance has historically been configured by and for the interests of Western powers and transnational economic elites, such that any genuinely democratizing reform will have to confront structural resistances that go far beyond the willingness of individual political leaderships.

In the specific domain of state sovereignty, the results of this review converge with those of García Ruiz (2023) and Álvarez (2021) in signaling that the conceptual dichotomy between absolute sovereignty and full supranationality is both theoretically unproductive and empirically inaccurate. What is actually observed in state practice is a permanent negotiation of the margins of autonomy, in which the most powerful actors manage to preserve or even expand their sovereign prerogatives, while weaker states are frequently constrained by obligations whose content they had little capacity to influence. This structural asymmetry, documented with particular detail by Álvarez (2021) for the Latin American case, constitutes one of the deepest sources of the legitimacy deficit of the current international system and a powerful argument for advancing toward reforms that increase the representativeness of decision-making processes in key multilateral bodies.

From the standpoint of practical implications, the findings of this review suggest at least three areas in which normative reform is urgent. The first concerns the

International Health Regulations of the World Health Organization, whose insufficiency was exposed during the COVID-19 pandemic; the second affects the governance of cyberspace, where the absence of a universally accepted normative framework creates a void that state and non-state actors exploit with growing sophistication; and the third relates to climate finance mechanisms and technology transfer, without which the ambition of national contributions under the Paris Agreement will continue to be conditioned by the material capacities of states, reproducing structural inequalities that render a genuinely global response to the climate emergency unviable (Flores, 2024; Correa and Sarate, 2018).

Conclusion

This critical literature review demonstrated that contemporary International Law and global governance found themselves at a moment of productive structural tension, in which the accumulation of twenty-first century transnational challenges pressed toward the deepening of cooperation mechanisms, while sovereigntist resistances and power asymmetries impeded the construction of fully effective normative responses. Existing normative mechanisms revealed highly differentiated effectiveness according to thematic area and type of instrument, with hard law multilateral frameworks showing greater stability in consolidated domains, and soft law characterizing emerging normative spaces where international consensus had not yet achieved sufficient density to sustain binding obligations.

State sovereignty proved not to be on the path to extinction, but to profound transformation: states continued to be the central actors of the international system, but their autonomy was exercised within frameworks increasingly conditioned by international obligations, market pressures, and normative expectations that could not be ignored without significant reputational and material costs. This reconfiguration had asymmetric effects according to each state's position in the hierarchy of international power, with weaker actors experiencing greater constraints on their autonomy without having been able to influence proportionally the normative frameworks that conditioned them.

The theoretical contributions of this review resided in the comparative systematization of the principal approaches to the transformation of sovereignty and in the identification of patterns of differentiated effectiveness of normative mechanisms,

offering a useful conceptual map for future research seeking to deepen the analysis of specific international regimes or the empirical evaluation of compliance with concrete international obligations. As a projection, it is necessary to deepen the analysis of post-Paris climate governance mechanisms and the construction of normative frameworks for cyberspace that succeed in balancing regulatory effectiveness with democratic legitimacy and the inclusion of Global South actors, within an international order whose institutional architecture required urgent reform to meet the demands of the present century.

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Conflicto de intereses

Los autores declaran no tener conflictos de intereses.