

Options for Strengthening Accountability Mechanisms in Global Environmental Governance

By Sylvia Karlsson-Vinkhuyzen and Arthur Lyon Dahl



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About the Authors

Dr. Sylvia Karlsson-Vinkhuyzen is Associate Professor with the Public Administration and Policy Group of Wageningen University, the Netherlands. She has published widely in the domains of global energy, climate change, biodiversity and sustainable development governance, is a member of the Task Force on Scenarios and Models for the Intergovernmental Platform on Biodiversity and Ecosystem Services and serves on the board of the One World Trust and the International Environment Forum.

Dr. Arthur Lyon Dahl is President of the International Environment Forum, a retired senior official of UNEP, advisor to the Global Governance Forum, and on the steering committee of the Climate Governance Commission, developing proposals for global environmental governance.

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By Sylvia Karlsson-Vinkhuyzen and Arthur Lyon Dahl

While states have adopted major international conventions on climate change, biodiversity, desertification and hundreds of other Multilateral Environmental Agreements (MEAs), degradation of the environment continues to accelerate. Current approaches to implementation are insufficient, lacking accountability mechanisms that could improve performance. When present, existing follow-up mechanisms are explicitly facilitative and exclude sanctions. We suggest three principal options for strengthening accountability mechanisms, and thereby the implementation of MEAs: 1) increase the effectiveness of current facilitative mechanisms in the short-term; 2) increase the use of ‘coercive’ informal and formal accountability mechanisms outside the individual MEA; and 3) persuade states to agree to stronger sanctions-based mechanisms in the long-term.

Given the strong current resistance of many states to the latter two options, we focus on the first option and propose three pathways for increasing the effectiveness of facilitative accountability mechanisms: nurturing mindsets of ‘shared’ accountability based on ethical concerns; enabling ‘broad’ accountability through assessments of progress covering a broad range of implementation efforts, processes and outcomes; and empowering a ‘dynamic’ form of accountability which fosters learning. These pathways can most rapidly be accomplished by changing existing institutions and their mandates, rather than fundamentally restructuring global institutions and, if necessary, establishing shadow structures outside UN institutions. One concrete option is to establish an independent global scientific advisory council that could suggest how to allocate responsibility for collective goals, such as dividing the available carbon budget based on transparent ethical criteria to encourage more shared accountability, complementing the Paris Agreement’s narrow focus on procedural obligations. Other alternatives suggested in this brief include strengthening learning outcomes of accountability mechanisms by drawing on existing good practice, such as creating opportunities for meaningful peer-to-peer learning –particularly among states in the same region– and building support over the long term for gradual acceptance of supranational authority in decision-making over issues essential to humanity’s collective security.

Introduction

The UN Secretary-General’s 2021 *Our Common Agenda* report was launched with the overarching insight that we need a “new deal at the global level” for improving the protection of the global commons and global public goods. This “new deal” needs strategies for achieving multilaterally agreed objectives and addressing major risks “more robustly” through “enhanced multilateral governance”.¹ One of the central policy tools of multilateral cooperation is the development of international laws aimed to steer the behavior of subscribing states, not the least in the field of environment and related commons and public goods. The body of Multilateral Environmental Agreements (MEAs) has grown rapidly over the last decades, and MEAs now number over five hundred.² Many MEAs target specific regions, sub-(eco)systems, or drivers of environmental degradation (such as wetlands, illegal trade in species, and specific toxic chemicals). Addressing such issues is challenging enough in a multilateral context because of the considerable diversity in, e.g., ecosystems, socio-economic context, and regulatory capacity. But the three Rio Conventions on desertification, biodiversity and climate change stand out in scope and complexity due to the comprehensive ways that the drivers of these issues link with the core elements of our societies.³ Each of the agreements contains legally binding obligations, primarily requiring defined governmental efforts and processes, such as developing plans and reporting on implementation. At the same time, a large number of obligations are considered non-legally binding—sometimes referred to as ‘moral obligations’—because they are phrased too vaguely or are circumscribed by conditions.

The current system of multilateralism has clearly developed the capacity to identify a broad range of environmental challenges and devotes considerable resources to negotiating and adopting legal agreements to address them. However, there is a “long-standing criticism that international negotiations lack teeth and allow for open-ended commitments without accountability”.⁴ Despite the proliferation of MEAs, environmental degradation continues and science indicates that we have now crossed six of the nine planetary boundaries that together maintain a stable and resilient Earth system.⁵ In this policy brief, we discuss reasons why this impressive body of MEAs has not yet been able to protect humanity from the severe degradation of the planet we inhabit and rely upon for life and livelihood. We review the implementation gap in MEAs and the role that diverse types of accountability mechanisms could have in reducing that gap. We then provide a range of recommendations for strengthening diverse types of accountability mechanisms and conclude with some reflections on a strategy towards realizing these. Throughout the brief we take the Paris Agreement on Climate Change as the main example to illustrate our arguments. While the United States, under the Trump administration, moved to withdraw—for the second time—from the Paris Agreement, it is even more important that the vast majority of states, which remain party, further improve the existing mechanisms to maximize implementation.

Current trends and challenges

The precarious state of the global environment, as evidenced by various expert based assessments, shows that despite the ambitious scope of numerous MEAs and their objectives, there must be something amiss in their design and/or implementation.⁶ Below, we analyze in four steps the reasons for the failure of MEAs to achieve their objectives and the link to accountability mechanisms.

1. Poor treaty design

One reason for MEAs' failure to address environmental challenges can be poor design; -for example, not addressing the right issues, such as the direct pressures exerted on the environment or the indirect drivers that are behind them. Even full implementation and compliance by all participating states would then not suffice to halt degradation. For example, the Convention on Biological Diversity is silent on deforestation, while the United Nations Framework Convention on Climate Change (UNFCCC) and the subsequent Kyoto Protocol and Paris Agreement are silent on fossil fuels. A small step forward came in 2021 when the Glasgow Climate Pact included language on the phasedown of unabated coal power and phaseout of inefficient fossil fuel subsidies.⁷ This was followed by the outcome text of the Paris Agreement's first global stocktake in 2023, which recommended 'transitioning away from fossil fuels in energy systems'.⁸ Not addressing drivers has varied reasons. Firstly, it mirrors how issues are compartmentalized in national administrations, where the drivers of environmental degradation are often the responsibility of other sectors/ministries rather than the environmental one. Secondly, it links to states' resistance towards having international agreements constrain *how* they address specific environmental challenges. This is especially sensitive when the drivers are tied to major sources of national incomes and impinge on many aspects of society. While there are good reasons to let solutions emerge 'from the ground' to enable both innovations and context-specific approaches, in line with the principle of subsidiarity, when drivers reside in globalized institutions and structures, they need to be addressed at the global level.⁹

2. Insufficient compliance and implementation of MEA obligations

While *compliance* with legally binding requirements, such as submitting plans and reports, can be relatively high -at least for countries with sufficient capacity- the treaty may still be ineffective in terms of influencing state behavior and, thus, environmental outcomes.¹⁰ This can often be attributed to the poor *implementation* of the non-legally binding obligations, such as the level of ambition and quality of actions -for example, in terms of mitigation and financing in the Paris Agreement. The Paris Agreement's first global stocktake concluded that "significantly greater emission reductions are required to align with global greenhouse gas emission trajectories in line with the Paris Agreement temperature goal" and that there is a widening gap between the provision of financial resources and the needs of developing countries.¹¹ The inadequate provision of financial resources by wealthier countries, in turn, severely constrains the level of ambition and implementation by developing countries.¹² For the Convention on Biological Diversity, none of the twenty targets set for 2020 were fully achieved, and fewer than a quarter (23 percent) of national targets were well aligned with the global ones, since pressures destroying biodiversity continued to outpace progress in conservation.¹³

3. Effective accountability mechanisms strengthen action

In a domestic context, there are often various accountability mechanisms in place for private and public actors (individual and collective) who violate the law or who fail to deliver on their stated objectives. There can be formal mechanisms anchored in the state, such as through parliaments, audit agencies, courts, and elections. Additionally, there can be informal or formal mechanisms led by non-state actors that seek to hold governments accountable for their lack of action or inappropriate actions. This includes, for example, naming, shaming, and praising by the media and civil society, as well as the provision of evidence for various account holders by the scientific community.¹⁴ These national accountability mechanisms can be associated with some form of consequences should action be insufficient, inappropriate, or illegal. We expect these mechanisms to assist in ensuring that public actors follow the law and act on their commitments in the public interest. More broadly, accountability has become a core element of ‘good’ governance¹⁵, bringing expectations of delivering better performance and control, as well as democracy and justice.¹⁶ Therefore, accountability is also broadly called for in the international context, including for states in relation to international law. For example, there is a specific target under SDG 16 to “[d]evelop effective, accountable and transparent institutions at all levels”.¹⁷ The UN Secretary-General has furthermore highlighted ‘accountability for commitments’ as a core parameter of effective multilateralism in *Our Common Agenda*, which stresses that: “Ultimately what matters is results. We need multilateralism that is more effective in delivering on its promises and, consequently is more trusted. This means the multilateral system [...] delivers results; and can hold all actors, State and non-State, accountable for commitments made.”¹⁸

4. Few, if any, MEAs have effective accountability mechanisms

States seldom create accountability mechanisms that can lead to negative consequences for those that fail to contribute sufficiently to achieving collective goals. Many states are sensitive to what they may label as sovereignty-related infringements that could arise from robust accountability mechanisms.¹⁹ More simply phrased, most current MEAs provide little to no enforceability of their legal or moral obligations. However, enforceability is considered by many as an intrinsic element of accountability,²⁰ even though there are other ways that may facilitate accountability and lead to greater action (see below).

The absence of effective enforceability and broader accountability does not mean that there are no attempts at formal accountability mechanisms under or in MEAs; rather, a variety of mechanisms could be considered as serving accountability purposes, even if the explicit concepts of enforcement or accountability are absent. These mechanisms can be either individual or collective. Individual mechanisms focus on the implementation and compliance of specific states—for example, the Implementation and Compliance Committee of the Paris Agreement or the Implementation Committee of the Montreal Protocol. These mechanisms are commonly based on obligatory reporting by states on their actions under the agreement. These reports may be verified by technical experts (e.g., in the Kyoto Protocol and the Paris Agreement), or include communications from non-state actors or even citizens (e.g., in the Aarhus Convention).²¹ Collective accountability mechanisms involve processes that hold all Parties accountable for the (lack of) overall goal achievement under the given agreement. The most recent examples are the global stocktake of the Paris Agreement and the global review of collective progress under the Convention on Biological Diversity.

Both types of mechanisms, individual and collective, are mandated to be exclusively ‘facilitative,’ aimed to enable and support implementation and compliance without imposing any sanctions. The Kunming-Montreal Global Biodiversity Framework stresses that the various mechanisms for ensuring “responsibility and transparency” will “be undertaken in a facilitative, non-intrusive, non-punitive manner, respecting national sovereignty, and avoiding placing undue burden on Parties.”²² The Paris Agreement’s Committee on Implementation and Compliance is similarly “expert-based and facilitative in nature and functions in a manner that is transparent, non-adversarial and non-punitive”.²³

Making accountability mechanisms work

The facilitative nature of the accountability mechanisms for MEAs illustrates states’ general unwillingness to stigmatize violations of obligations—let alone impose sanctions.²⁴ Here, however, we take the facilitative design as the reality for the time being, and pose the question: Under what conditions can facilitative accountability mechanisms be effective? An equally relevant question is: under what conditions do accountability mechanisms need to have enforceable sanctions to be effective? We can start answering these questions if we understand the diverse factors that drive the behavior of states vis-à-vis the international community of states and, in particular, in relation to international law.

The forces and motivations driving states’ behavior are naturally complex, composed of a variety of factors whose importance varies over time and across issue areas.²⁵ Below, we describe a few broad categories of contexts that influence state behavior in relation to MEAs and accountability mechanisms. These help to analyze when facilitative accountability mechanisms can work and when other mechanisms are needed.

- ▶ **When states are power-driven**, they care primarily about (expanding) their own power and will either not sign MEAs, or if they do sign, have no serious interest in achieving the MEA goals unless doing so supports their power agenda. They may use participation for overtly or covertly obstructing the process. Under such conditions, it is highly unlikely that accountability mechanisms under MEAs on their own would be able to influence states to act more in alignment with an agreement. Moreover, any efforts to develop such mechanisms are likely to be blocked by these states.
- ▶ **When states are interest-driven**, they join and adhere to international laws and rules when it serves their short- or long-term interests. Their motivation for implementation and compliance increases if accountability mechanisms were able to change their cost-benefit calculations—whether through material incentives (e.g., economic) or non-material sanctions or rewards (e.g., reputation, finance, capacity building).
- ▶ **When states care about their interests but also about their identity**, their interests are not fixed but can change based on new insights from learning. They value legitimacy and doing the right thing.²⁶ Engagement in the MEA process, including accountability mechanisms, may provide new insights and learning, and reinforce their motivation to comply over time. Moreover, such States may then consider as legitimate the role that accountability mechanisms can play in strengthening the international rule of law.
- ▶ **When states are willing but not able**. Motivation to comply and implement MEAs obligations is not enough. States also need the capacity to do so. Such capacity may be lacking across all categories of states for at least two reasons. First, the issues addressed by the MEAs can be so complex that devising

and implementing effective policies becomes incredibly challenging. For example, mitigating climate change requires far-reaching changes in infrastructure (often locked-in), altering energy sourcing and consumption, impacting employment and livelihoods, as well as implementing integrated land-use planning for carbon sinks that also benefit biodiversity, etc.²⁷ Such changes may face considerable technical, societal, and political resistance. Furthermore, the outcomes of alternative regulatory packages can be hard to predict, increasing uncertainty in achieving goals. Second, even if evidence-based approaches exist to fulfil MEA obligations, states may lack the necessary human, financial, technological, or political resources to implement these. In both cases, facilitative accountability mechanisms can only have an impact if they provide direct or indirect support to address these challenges.

- **Change by doing.** Finally, when States ‘just’ start doing things a bit differently, then the very process of engaging in the facilitative accountability mechanisms can influence the state behavior. The drivers described above come from states’ motivations and abilities, which push them towards particular courses of action. However, there can also be drivers that pull them into action, for example by socialization into joint practices.²⁸ Over time, actors become accustomed to new ways of operating that they may not have chosen at first.

Table 1 summarizes what our analysis of state behavior reveals about the conditions that enable facilitative accountability mechanisms. These mechanisms are effective for interest-driven states if the capacity building and support provided is considered as a reward, and they could work for identity- and learning-driven states if they indeed provide learning and are seen as legitimate. When states lack capacity for implementation, they will work if the mechanisms are tied to tangible strengthening of capacity.

Table 1. Conditions for accountability mechanisms to potentially strengthen implementation.				
Driver\Mechanism	Coercive		Facilitative	
	Supranational/ outside MEAs	Incentive based	Enabling learning	Providing capacity
Power	x			
Interest	x	x		(x)
Interests & identity	x	(x)	x	
Willing but unable			x	x
Change by doing	(x)	(x)	(x)	(x)

NOTE: The table summarizes conditions under which diverse types of accountability mechanisms can influence state behavior. The “x” indicates that it is possible for the type of accountability mechanism to positively influence implementation. An “(x)” indicates a much more limited possibility for the type of accountability mechanism to positively influence implementation only under certain circumstances. In reality, several conditions will coexist for a particular state at a particular time in relation to a specific MEA.

If we compare the conditions laid out in Table 1 with the current situation around MEAs, we can deduce the following. There is currently no supranational enforceable accountability mechanism that could make power-driven states to either be part of a MEAs or act on its obligations. The theoretical possibility of enticing implementation by connecting MEAs to, for example, the trade regime has not been realized.²⁹ The processes of monitoring, reporting, and reviewing to follow-up on compliance and implementation in MEAs generally have no material sanctions or rewards associated with them. These mechanisms, if circumstances

are favorable, can at most elicit reputational sanctions or rewards for states from their peers (other states), from public institutions (international or national) or from civil society (domestic or transnational).³⁰ The only conditions under which facilitative mechanisms could work are either when states are willing to learn and the mechanism leads to learning, or when the mechanism leads to strengthened capacity in states who are willing but unable to act in line with their obligations. The potential role of engaging in the process, and thus practice, of follow-up mechanisms is more uncertain but worth exploring. However, the frequent divide between diplomats engaged in the international process and those responsible for domestic policy development can constrain influence on domestic action.³¹

The accountability mechanisms under the Paris Agreement and the Convention on Biological Diversity are still in their early stages of operationalization, having only recently begun their first implementation cycle. It is thus premature to determine their real impact on action.³² However, the urgency of reaching these global goals leaves no time to spare. Rather than waiting five or ten years to evaluate these mechanisms, we should take preemptive action and find ways to ensure that facilitative accountability mechanisms lead to meaningful implementation.

Research on institutional design and accountability for complex policy problems suggests three alternative approaches to accountability that are useful to addressing such challenges. We propose that these approaches could support facilitative accountability mechanisms for the global policy goals adopted for climate change, biodiversity, and sustainable development, given the extraordinary complexity of these problems:

- ▶ *Shared accountability* (beyond formal) based on ethical concern;
- ▶ *Broad accountability* focusing on inputs (efforts), processes and outcomes;
- ▶ *Dynamic accountability* with learning as a major outcome.

Shared accountability is an essential companion to shared responsibility. It shifts the focus away from pinpointing which state is most culpable or capable in addressing an issue and instead emphasizes the ethical allocation of responsibility, driven by concern for people and the planet.³³ This approach requires actors to feel morally responsible and thus answerable beyond their formal roles, and to acquire a deeper understanding of the broader impact of their activities.³⁴

Closely related is the concept of **broad accountability**, which relates to the question of *what* actors are held to account *for* and stresses collaborative settings that include inputs, processes, and outcomes.³⁵ According to this approach, accountability mechanisms and the information flows to them should not be narrowly focused on (measurable) targets, as is often the tendency of global review processes, nor should they only consider process obligations such as reporting, which is common in MEAs.

Dynamic accountability implies that learning becomes an outcome of engaging in accountability mechanisms. It includes evaluating the right actions beyond simple, technical compliance with rules and regulations.³⁶ The accountability process can then function as a mirror to the organization, compelling power holders to reflect on their behavior and stimulating their learning capacities.³⁷ Ideally, public organizations should do this alongside their relevant stakeholders. We propose that a core aspect of dynamic accountability is the capacity for ‘reflection.’ This can include ‘ecological reflexivity’, which actors can exercise through three key capabilities: recognizing the impact of their actions on the interconnected environmental and social systems and their dependence on those systems; rethinking their core values and practices in light of such recognition; and responding by adapting those values and practices in appropriate ways.³⁸

The big, and yet difficult, question to answer is what it takes, for example, in terms of institutional design and capabilities in the participating states- to enable shared, broad, and dynamic accountability in facilitative accountability mechanisms. Below, we suggest possible directions:

Recommendations

The following recommendations to strengthen accountability mechanisms under or related to MEAs address the diversity of conditions for making them effective, as summarized in Table 1. Several of these recommendations are mutually reinforcing or overlapping. They also vary in the level of institutional change required. Changes that involve modifying how existing institutions operate, or expanding their mandate, should be slightly easier to agree on compared to changes in fundamental principles that shape decision-making and power distribution.³⁹ However, any formal changes to existing institutions are constrained by the consensus rule in MEAs, which effectively grants every country a veto. Softening this rule -for instance, by allowing majority voting (such as 75, 90, or 95 percent) would likely facilitate the implementation of many of the recommendations below.

1. Mechanisms outside MEA regimes or with supranational characteristics

a.) **Use more unilateral trade sanctions** (carbon border adjustments etc.) by as many major trading nations as possible to reduce the risk of carbon leakage. At the same time, ensure these measures do not have unintended negative effects on vulnerable populations in low- and middle-income countries, or serve as disguised protectionism.

b.) **Build support, over the long term, for the gradual acceptance of supranational authority** in decision-making on issues essential to humanity's collective security. This could include the use of more mechanisms with tangible material or non-material sanctions within MEAs that have institutionalized majority voting. Alternatively, this could be achieved by enabling an upgraded UN Environment Programme (UNEP) and its Assembly to create legislation with enforcement mechanisms to protect the global commons from harm by state and non-state actors.⁴⁰

2. Incentive-based mechanisms

a.) **Strengthen existing quasi-accountability mechanisms in MEAs by expanding the mandate to include more tangible sanctions** (material or non-material). This could involve broadening the scope of follow-up procedures to cover non-legal obligations such as the level of ambition, consideration of equity, and quality of implementation, even if it only leads to reputational sanctions (see also 2c below). Potential material sanctions could be, for example, withholding benefits from associated market mechanisms, as was done in the Kyoto Protocol.⁴¹

b.) Give the mandate to existing MEA mechanisms to award very tangible material rewards for high performance/high willingness to perform. Such proposals may face less resistance, except from donor states, which will expect to be asked to provide the additional resources. Looking beyond traditional government funds may therefore be needed to make this attractive. This could involve creating international finance mechanisms that provide a secure flow of finance, such as an international tax on currency exchange or on fossil fuel extraction.

c.) Strengthen the soft pressure for implementation and compliance through stronger reputational sanctions and/or rewards from peer states, the UN, civil society, and domestic institutions. This pressure could be driven by analyses of government actions within the formal global follow-up mechanisms (see 2a above), or analyses made by UN agencies, think tanks, scientists, or civil society. The strongest potential here lies in the pressure created by domestic actors towards their own government, including from parliaments, audit agencies, media, civil society, business actors, etc.⁴² Nonetheless, there is potential for actions at the international level. The convening power and moral authority of the UN Secretary-General could be further strengthened in how such actors praise and reward states that take on higher ambitions under the Paris Agreement (and indirectly shame others). This could be done for example, through the Climate Summits organized alongside Heads of State during the opening weeks of the UN General Assembly. The UN Secretary-General could also explore the development of an environmental version of the UN human rights rapporteur system for each of the UN regions. These rapporteurs could be mandated to monitor states' climate and other environmental policies vis-à-vis their international obligations essential for addressing the planetary crisis. Priority could be given to states that are suspected of underperforming. This could be established with links to a strengthened UNEP or United Nations Environment Assembly, or directly under the UN Secretary-General based on a resolution in the UN Economic and Social Council or the UN General Assembly.

d.) Support states' process to self-allocate their fair share of responsibility for the collective goals set out in MEAs. This could be done by establishing an independent global scientific advisory council composed of scientists and other knowledge holders from all relevant disciplines, including natural sciences, social sciences, and the humanities, as well as Indigenous and local knowledge experts serving in an independent capacity. The council's mandate would be similar to that of national councils established to support climate laws. For climate change, the council would work based on the formally adopted goals in the UNFCCC and Paris Agreement, utilizing the information provided by the Intergovernmental Panel on Climate Change (IPCC), the best available climate science, and the outcomes of the global stocktake. It would provide advice on the allocation of mitigation responsibilities among states, dividing the available carbon budget based on diverse and transparent criteria. Similarly, it would advise on financial obligations. If this council gains sufficient legitimacy based on its integrity and quality of work, it will provide advocacy tools to hold individual governments accountable when their mitigation and financial ambitions are insufficient. The High Level Advisory Board and the Climate Governance Commission have recommended establishing a Science-Policy-Action Network (SPAN) to support a strengthened UNEP and UN Environment Assembly.⁴³ The suggested advisory council could become part of this network, be set up as an independent institution, or operate under the umbrella of the International Science Council in partnership with other knowledge organizations, such as consortia of Indigenous Peoples and Local Communities.

e.) **Support the institutional infrastructure and resources for monitoring states' implementation of international obligations.** Such infrastructure could include a consortium of scientific institutions, think tanks, civil society organizations, and UN agencies (including the proposed environmental rapporteurs, see 2c above) to produce shadow reports on the implementation of the Paris Agreement and other MEAs by individual countries. Over time, they could be brought in as part of the official submissions under the MEA's reporting, thus for the Paris Agreement under the Enhanced Transparency Framework, similar to the structure under the Human Rights Council.⁴⁴

3. Enable learning

a.) **Strengthen shared accountability by supporting analysis of and discourses for States and other actors that frame the implementation of MEAs as their moral responsibility.** This implies recognizing not only the legal obligations of MEAs but also their moral (non-legal) obligations, such as taking on the highest possible ambition in mitigation and finance under the Paris Agreement. The proposed activities of the global science advisory council (see 2d above) could play a significant role here.

b.) **Strengthen broad accountability by encouraging formal and informal accountholders to monitor inputs, process, and outcomes.** The evaluation of inputs, such as ambition level and quality of planned policies in the Nationally Determined Contributions (NDCs) under the Paris Agreement, should be complemented by monitoring the process of developing NDCs; how inclusive to civil society and other stakeholders it is, if and how it draws on both science and a broad knowledge base etc. Finally, the outcomes of the climate actions must be monitored and evaluated beyond climate impacts to also consider equity and justice.

c.) **Strengthen learning outcomes of accountability mechanisms.** This could draw on existing good practice, such as creating opportunities for meaningful peer-to-peer learning, particularly among states in the same region. The Organisation for Economic Cooperation and Development (OECD) has experience on how to do this,⁴⁵ and a recent voluntary initiative under the Convention on Biological Diversity for peer-review could be significantly promoted and strengthened.⁴⁶ It is worth exploring how to add value to global reporting obligations through regional preparation and follow-up among public officials, with emphasis on improving policy design. Overall, greater attention is needed to monitor and evaluate the effectiveness of policies - linking them to the processes through which they are developed- as the basis for learning and refining what works and what does not in diverse contexts.

d.) **Providing relevant capacity.** On the one hand, capacity can be freed up if reporting and administrative burdens are reduced by simplifying and integrating reporting among closely related treaties. On the other hand, capacity can be strengthened if accountability mechanisms for financial and other means of Implementation obligations in MEAs are ramped up to ensure more resources are available for countries where this is needed (see 2b above). Finally, existing facilitative accountability mechanisms, such as the Paris Agreement Implementation and Compliance Committee, should channel the required tailor-made support to individual states for their implementation challenges. This in turn requires a strong secretariat that can support, and as required, carry out its decisions.

Ways forward

The widespread failure to implement agreements is widely acknowledged to be partly due to lack of accountability. However, enabling the strengthening of accountability still faces strong state resistance. Developing successful criteria for prioritizing the proposals developed in this brief requires balancing importance with feasibility. Rapid change within institutions may only be possible where political acceptability is easier to obtain, while the deeper changes may take considerable time to gain acceptance. Rapid change can also be propelled by engaging in the change processes themselves, where new meaningful practices become a habit.

Importantly, if no efforts address the deeper changes, such as enabling majority voting, we will be soon in an even more dire position. Furthermore, fleshing out the deeper institutional changes in more detail can serve a useful purpose should sudden disasters open a policy window for fast and deep change.⁴⁷ Proposals for such institutional changes are being developed by the Climate Governance Commission and other processes.⁴⁸ Against this backdrop, we propose that an effective strategy should pursue several avenues, ideally selecting at least one recommendation in each of the categories of accountability mechanisms outlined above, engaging with experts to further develop the recommendations in more detail, and reaching out through smart advocacy coalitions such as Mobilizing Earth Governance Alliance (MEGA) to find like-minded states.

An early step that could advance several of these recommendations is to explore the possibility of modifying the interpretation of what consensus means. Within the UNFCCC, there are examples where ‘consensus minus one’ has been accepted, but the objecting (and thus ignored) country has then not been a powerful one. What does it take to develop a norm for consensus minus one irrespective of which state ‘one’ is, or whether consensus minus two etc. is also acceptable? Pursuing such a strategy is, however, risky in the short term as it may push countries out of agreements.

The deficit in trust for both governments and the UN due to past failures in implementing commitments can, in part, be addressed by creating transparent accountability mechanisms. The Pact for the Future,⁴⁹ adopted at the UN Summit of the Future in September 2024, features a number of calls for accountability mechanisms. It aims to promote effective rule of law and good governance at all levels and build transparent, effective, and accountable institutions (7a)⁵⁰. It suggests Security Council reform to make its functioning more inclusive, transparent, efficient, effective, democratic, and accountable (39f). It also calls for strengthened accountability and compliance mechanisms in the multilateral system and the UN to ensure commitments are met and to rebuild trust in global institutions (38a). One dimension of that would be to increase the use of science and scientific evidence in policymaking and ensure that complex global challenges are addressed through multidisciplinary collaboration (28b). Furthermore, the Pact highlights the need for the private sector to be more accountable in the implementation of the agreed frameworks of the United Nations (55c). Another proposal with potential to measure accountability would be in the development of relevant universally applicable indicators that go beyond GDP (53a).

Accountability has long been the missing ingredient in global governance because of the barrier raised by national sovereignty. The various proposals outlined here could help erode that resistance and highlight the tangible benefits of enhanced accountability in addressing today’s critical challenges. A large majority of the citizens of the world are waiting to see more collaboration among states and more action on climate change as evidenced by the Peoples’ Climate Vote 2024.⁵¹ This, if anything, should spur leaders to act.

Endnotes

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- ³ Full formal titles of the three Rio Conventions: United Nations Framework Convention on Climate Change (UNFCCC); Convention on Biological Diversity (CBD); United Nations Convention to Combat Desertification (UNCCD).
- ⁴ High-Level Advisory Board on Effective Multilateralism. 2023. *A Breakthrough for People and Planet: Effective and Inclusive Global Governance for Today and the Future*. New York, NY; United Nations University.
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- ¹¹ UNFCCC. 2023. *Report of the Conference of the Parties Serving as the Meeting of the Parties to the Paris Agreement on Its Fifth Session, Held in the United Arab Emirates from 30 November to 13 December 2023. Outcome of the First Global Stocktake*. FCCC/PA/CMA/2023/16/Add.1. Para 21 and 66-100.
- ¹² UNFCCC. 2023. *Report of the Conference of the Parties Serving as the Meeting of the Parties to the Paris Agreement on Its Fifth Session, Held in the United Arab Emirates from 30 November to 13 December 2023. Outcome of the First Global Stocktake*. FCCC/PA/CMA/2023/16/Add.1.
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- ¹⁴ Karlsson-Vinkhuyzen, S., Groff M., Tamás, P. A., Dahl, A., Harder, L. M., and Hassall, G. 2018. "Entry into Force and Then? The Paris Agreement and State Accountability", *Climate Policy* 18(5): 593-599; and Bovens, M., R., Goodin E. and Schillemans, T. (eds.). 2014. *The Oxford Handbook of Public Accountability*. Oxford; Oxford University Press.
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- ¹⁹ Groff, M., and Karlsson-Vinkhuyzen, S. 2018. "The Rule of Law as a Global Public Good: Exploring Trajectories for Democratizing Global Governance through Increased Accountability" in Cogolati, S. and Wouters, J. (eds.) *The Commons and a New Global Governance?*. Cheltenham; Edward Elgar: 130-159; Gupta, A., Karlsson-Vinkhuyzen, S. Kamil, N. Ching, A. and Bernaz, N. 2021 "Performing Accountability: Face-to-Face Account-Giving in Multilateral Climate Transparency Processes", *Climate Policy* 21(5): 616-634. Exceptions exist particularly for trade agreements under the World Trade Organization. Clearly here the benefits of high compliance in this area of law have been considered more important than sovereignty concerns.
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- ²¹ For the text of the Aarhus Convention see: United Nations. 1998. *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters*. In the Aarhus Convention citizens can trigger compliance procedures against a Party and this has happened frequently: Duyck, S. 2015. "Promoting the Principles of the Aarhus Convention in International Forums: The Case of the UN Climate Change Regime", *Review of European, Comparative & International Environmental Law* 24: 123-138.
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- ⁴⁰ For more detailed justification and proposals see Karlsson-Vinkhuyzen, S. and Dahl, A. L. 2021. *Towards a Global Environment Agency: Effective Governance for Shared Ecological Risks – a GCF Report*. Climate Governance Commission. 2023. *Governing Our Planetary Emergency*. https://ggin.stimson.org/wp-content/uploads/2023/11/Governing-Our-Planetary-Emergency-Report_WEB_11.27.23.pdf.
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