
Re-invigorating the UN Climate Regime in the wider landscape of climate action

C2ES Discussion Paper¹

Lavanya Rajamani, Sebastian Oberthür, Harro van Asselt and Kaveh Guilanpour²

A.	Overview	1
B.	Is the logic of the UN climate regime beginning to work?	3
C.	Strengthening the UN climate regime’s norm-setting function.....	8
	<u>Recommendations</u>	8
	Ambition and Fairness.....	10
	Implementation and Accountability.....	12
	Cooperative Action on Adaptation, Loss and Damage	14
	Coverage	15
	Streamlining and Fine-tuning Process.....	15
D.	Strengthening the UN climate regime’s catalytic role in the wider landscape of climate action	17
	<u>Recommendations</u>	17
E.	Conclusion.....	25

A. Overview

1. This year will culminate with the completion of the first global stocktake (**GST**) under the Paris Agreement, presenting an important opportunity to reflect more widely on the UN climate regime (the **regime**)³, including whether there is room for improvement to ensure that it is fit for an emerging purpose and responsive to a dynamic and challenging

¹ This discussion paper is offered as a contribution to the ongoing discussion under the GST and represents work in progress which we will refine and finalize by the conclusion of the GST.

² This paper has benefitted tremendously from inputs and insights from Juliana Arciniégas, Ralph Bodle, Andrew Higham, Jennifer Huang, Leila Pourarkin, and the participants in a series of agenda-setting workshops and follow-up bilateral conversations held over the course of 2022 and early 2023.

³ We use the term ‘UN climate regime’ to mean the 1992 UN Framework Convention on Climate Change, the 1997 Kyoto Protocol, the 2015 Paris Agreement and the decisions of Parties under these instruments.



geopolitical context. The world is a very different place from when the Paris Agreement was negotiated.

2. **Section B of this paper examines whether the logic of the regime, and the Paris Agreement in particular, is beginning to work.** The Paris Agreement is having a positive impact: the projected global temperature rise (if nationally determined contributions (*NDCs*) are fully implemented) is around 1°C less than it would have been had it not been adopted. Yet action is not being taken at the pace required to achieve the goals of the Paris Agreement and the world is on track to overshooting 1.5°C, and even staying within 2°C is far from certain. It is clear that incremental change is not enough.
3. **Section C examines how the regime’s ‘norm-setting’ function can be strengthened to make it fit for emerging purpose, remain functionally relevant and deliver on the goals of the Paris Agreement.** More specifically, recommendations are made in the following areas:
 - Enhancing ambition & fairness, building peer pressure to encourage and inspire ambition in light of different national circumstances and fair shares.
 - Accelerating implementation & strengthening accountability, across sectors and within nations with improved systems and processes to understand and follow up on the progress made.
 - Strengthening cooperative action on adaptation and loss & damage (L&D) in the context of urgent needs and overshoot pathways.
 - Expanding coverage, to prepare for the future demands that will require agreement on a range of issues that are currently not addressed well by the regime or at all.
 - Streamlining and fine-tuning process, to enhance responsiveness to emerging purpose.
4. **Section D reviews the regime’s catalytic role in the wider landscape of climate action.** The wider landscape – which includes relevant international organisations and agreements, international cooperative initiatives (*ICIs*) and voluntary commitments by non-Party stakeholders (*NPS*) – possesses a sizeable potential to narrow remaining ambition and implementation gaps in relation to mitigation, adaptation, and means of implementation, and can complement and reinforce the UNFCCC process by fulfilling several governance functions.
5. At the same time, there remain core challenges related to transparency and accountability as well the thematic and geographical balance of the wider landscape. The paper highlights a number of key findings and recommendations to ensure the effective contribution of the wider landscape and strengthen the catalytic role of the regime including:



- Establishing a dedicated mechanism or process under the regime to recognise, consider and promote alignment of goals and action by other international organisations and treaties with the objectives of the Paris Agreement.
 - Establishing a mechanism under the regime for regular exchange of information and political discussion with international financial institutions (IFIs), including to strengthen alignment of IFIs' activities with the goals of the Paris Agreement.
 - Strengthening transparency and accountability as well as the thematic and geographical balance of ICIs.
6. These recommendations could be advanced and implemented by the UNFCCC Secretariat, the High-Level Climate Champions (**HLCs**)/Marrakech Partnership, the UN Secretary-General (**UNSG**) and the COP Presidencies, as well as through the GST process.

B. Is the logic of the UN climate regime beginning to work?

7. The regime has reached a crucial juncture in its evolution. The rule-making phase of the multilateral negotiations has largely concluded, with the adoption of the Paris Agreement in 2015 and the completion of the guidance to operationalize it (the 'rulebook') in Glasgow in 2021. The climate rules that have emerged from this phase place an emphasis on procedural rather than substantive obligations, and obligations of conduct rather than of result – including in relation to NDCs.
8. This regulatory approach is premised on the logic that the processes designed and operationalized under the Paris Agreement will inspire and encourage (rather than impose) actions aligned with the goals of the Paris Agreement.⁴ As Parties implement their targets, the logic goes, opportunities to enhance ambition, including through partnerships, will emerge and trigger collaboration and a race to the top and so deliver a stable climate. Is this theory of change beginning to work? Even if it is, will it deliver in the narrow window of opportunity available to stabilize the climate? And, if it is not working as designed, what tweaks and retrofits – within, beside and beyond the regime - are needed to make the regime fit for emerging purpose?
9. We use the term 'emerging purpose' to signal the need for dynamism in the face of a rapidly shifting international context, namely: 'unequivocal' evidence of human influence on a changing climate; galloping climate change, and increasingly severe impacts and L&D; as well as advancing science and technology, growing opportunities, and political and

⁴ Paris Agreement, Article 2.



popular will. The geopolitics of energy and prominence of energy and food security in the aftermath of the Russian invasion of Ukraine are also key contextual factors.

10. Arguably, the logic of the regime is beginning to work but falteringly, and only in part. In the recent past the regime has doubled down on goals and targets. The 2021 Glasgow Climate Pact shifted the emphasis in the 2015 Paris Agreement's temperature goal – from 'well below 2°C to 1.5°C – and moved forward the target for achieving net zero to mid-century.⁵ It also created additional processes and mid-cycle check-in points for enhancing NDCs.⁶ These shifts in emphasis were confirmed in the 2022 Sharm el-Sheikh Implementation Plan.⁷ These have resulted in some cases, at least on paper, in more ambitious and better designed NDCs and a proliferation of mid-century net zero targets. Announced pledges are estimated to lead to 1.7°C temperature rise by 2100.⁸ These are premised, however, on full implementation of these pledges, many of which are conditional and have not attracted the support necessary for their fulfilment. There are thus several ways in which the logic of the Paris Agreement is yet to play itself out as intended.
11. First, **there is manifest lack of sufficient ambition to address climate change** with the urgency and in the all-of-society way science demands.⁹ To be consistent with the goals of the Paris Agreement emissions need to halve in what the UNSG has dubbed the 'critical decade'. Yet they are continuing to rise – even as announced climate targets become more ambitious. Prevailing policies (the most accurate reflection of the level of ambition) place us on a trajectory to a 2.5°C temperature rise by the end of the century.¹⁰ It is estimated that without the Paris Agreement this would have been around 3.5°C. So arguably the Paris Agreement is working – but not fast enough. We are still far from where we need to be and are on a pathway to overshoot 1.5°C, and even staying below 2°C cannot be assumed.¹¹

⁵ UNFCCC, Decision 1/CMA.3, 'Glasgow Climate Pact', Glasgow, November 2021, paras 21 and 22: https://unfccc.int/sites/default/files/resource/cma2021_L16_adv.pdf .

⁶ See *ibid*, Glasgow Climate Pact, para 29.

⁷ UNFCCC, Decision 1/CMA.4, 'Sharm el-Sheikh Implementation Plan', Sharm el-Sheik, November 2022, paras 8, 15, 23: https://unfccc.int/sites/default/files/resource/cma4_auv_2_cover_decision.pdf?download .

⁸ International Energy Agency, World Energy Outlook, 2022: <https://www.iea.org/reports/world-energy-outlook-2022/key-findings>.

⁹ Intergovernmental Panel on Climate Change, 'Climate Change 2022: Mitigation of Climate Change, Working Group III Contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change', Summary for Policy Makers:

https://www.ipcc.ch/report/ar6/wg3/downloads/report/IPCC_AR6_WGIII_SPM.pdf ; and UNFCCC, '2022 NDCs Synthesis Report', 26 October 2022: <https://unfccc.int/ndc-synthesis-report-2022>, among others.

¹⁰ International Energy Agency, World Energy Outlook, 2022: <https://www.iea.org/reports/world-energy-outlook-2022/key-findings> .

¹¹ *Ibid*.



12. Second, **the Paris Agreement, borne of compromise, was deliberately negotiated without mechanisms to review the adequacy of individual national contributions, evaluate the fairness of contributions in light of the latest science, or to hold Parties individually accountable for the implementation of their NDCs.** Instead, it establishes a dynamic ‘ambition cycle’ comprising: regular updates of national contributions; and enhanced transparency framework (*ETF*); a five-yearly Global Stocktake (*GST*) to review collective progress towards long-term goals; and a mechanism to facilitate implementation and compliance. This ambition cycle is intended to generate and enhance fairness, accountability and ambition as well as track and enable implementation to occur in a timely and effective manner. The architecture is designed to require states to *give account* of their actions, but not to *hold Parties to account* for these actions, in that there is no review or evaluation of the adequacy of an individual Party’s action and imposition of consequences should the state fail the review.
13. The first set of updates to NDCs have come in, the first GST will conclude at the end of this year, and the ETF will be fully operational in 2024. However, the elements of the ambition cycle that have been operationalized, premised as they are on self-selection, and assessment of collective rather than individual progress, are yet to have a decisive influence on individual accountability and ambition aligned with the goals of the Paris Agreement and equity and fairness (or ‘fair shares’). The collective nature of the GST mandate poses significant challenges as to how that process can generate outputs that are relevant to, and actionable in, specific country contexts. And the Paris Agreement and its implementing guidance say little to nothing about the period between the GST ending and the submission of NDCs, nor do they provide for a clear political endpoint to each five-year ambition cycle.
14. Third, **the wider landscape of climate governance and action beyond the regime is fundamental to achieving the long-term goals of the Paris Agreement.** This wider landscape comprises relevant international organisations¹², treaty regimes¹³, Multilateral Development Banks (*MDBs*) and other IFIs¹⁴, and many, mostly sector-focused ICIs driven by governments and/or NPS¹⁵ in various constellations.¹⁶ The rapidly growing number of

¹² For instance, the International Maritime Organization, the International Civil Aviation Organization, and the UN Environment Programme.

¹³ For instance, the 1987 Montreal Protocol, the 1992 Convention on Biological Diversity, and the 1982 UN Convention on the Law of the Sea.

¹⁴ For instance, the World Bank, the Asian Development Bank, and the New Development Bank.

¹⁵ The term non-Party stakeholders refers to all actors that are not state Parties to the Paris Agreement. The UNFCCC’s ‘Global Climate Action Portal’ lists climate action commitments of the following non-Party stakeholders: companies, investors, organisations, cities, and regions. See <http://climateaction.unfccc.int>.

¹⁶ International cooperative initiatives include essentially intergovernmental arrangements and commitments (e.g., Global Methane Pledge), hybrid initiatives including both public and private actors (e.g., Powering Past



initiatives possess a sizeable potential to narrow remaining gaps in mitigation, adaptation, and finance,¹⁷ and initiatives can complement the governance functions carried out by the regime.

15. At the same time, there is considerable potential for: greater integration of this wider landscape in the regime; enhanced action; improved coordination; and more effective implementation through strengthening accountability across initiatives and actors. The systemic transformations needed to transition to a climate-safe pathway require a step change at the sectoral level,¹⁸ all-of-society ownership and buy-in and incentives for progressive and cooperative action at multiple levels and across actors and sectors. Such systemic transformations also require the broader financial system to mainstream climate change as part of its portfolio and transactions, internalize the price of carbon, and more broadly align financial flows with the Paris Agreement's goals.
16. The regime has in many ways recognized and fostered broader systemic change through a wide range of actors, in particular through the global climate action agenda, including the improved Marrakech Partnership¹⁹ and the work of the HLCs. But in what ways and to what extent actions in the wider landscape can and should intersect with the processes underway under the regime and the commitments of Parties, in particular their NDCs, is yet to be fully considered. The alignment of the voluntary commitments of actors and initiatives in the wider landscape with the Paris Agreement's goals, and the delivery of these commitments also merit greater attention, as do their thematic and geographical spread and balance.
17. Fourth, since it is becoming increasingly evident that staying within the 1.5°C limit will require urgent and robust action until the end of the century, and that temperatures may exceed 1.5°C and perhaps even 2°C before then, **the regime will likely have to contend with 'serious, pervasive and irreversible' impacts.** As mitigation trajectories become established, the current emphasis on target-setting for mitigation will need to be urgently

Coal Alliance), and arrangements among private actors (e.g., Oil and Gas Climate Initiative) and among subnational authorities (e.g., C40 Cities). In addition to these initiatives, many NPS have made voluntary commitments of their own, with the Global Climate Action Portal listing more than 30,000 commitments.

¹⁷ Takeshi Kuramochi, Mark Roelfsema, Angel Hsu, Swithin Lui, Amy Weinfurter, Sander Chan, Thomas Hale, Andrew Clapper, Andres Chang, and Niklas Höhne, "[Beyond National Climate Action: The impact of Region, City, and Business Commitments on Global Greenhouse Gas Emissions](#)" *Climate Policy* 20:3 (2020), 275–291; Climate Action Tracker, Glasgow sectoral initiatives currently close the 2030 emissions gap by 9%, November 2021, https://climateactiontracker.org/documents/1002/CAT_2021-11-11_Briefing_GlasgowSectorInitiatives.pdf, visited February 16, 2023.

¹⁸ The IPCC's AR6 Working Group III Report identified options to halve emissions across multiple sectors by 2030 to put us on track to limiting temperature rise to 1.5°C.

¹⁹ See Marrakech Partnership, Note from the Champions, 11 November 2021:

<https://unfccc.int/sites/default/files/resource/Improved%20Marrakech%20Partnership%202021-2025.pdf>



complemented by the management of impacts, and increased cooperation and support. The establishment of funding arrangements including the L&D fund at COP27²⁰ is but a first step, and a sign that such cooperation and support will become increasingly crucial going forward.

18. More broadly, the regime, focused as it is on regulating GHG emissions in and removals from the atmosphere rather than on directly regulating specific sources and sinks of GHGs may not be sufficiently equipped for the task of comprehensive global climate governance. Management of the climate system going forward will require addressing questions relating to stranded assets, phasing down and out of fossil fuels, and ensuring a just transition away from them. It will also need to govern the use of carbon dioxide removal that is critical to most pathways to bringing GHG concentrations back to a level commensurate with 1.5°C. The regime, as currently structured, only addresses these crucial issues at the margins or not at all, as the discussions on phasing out/down of coal-fired power and fossil fuels at COP26 and COP27 respectively demonstrate.
19. Finally, the ways in which the **UN climate negotiations and the COP process have evolved and are set up are not best suited to deliver implementation, nor to be dynamic and responsive** to the demands of this critical decade and beyond. The formal process is dominated by career diplomats and negotiators rather than officials responsible for developing and implementing domestic policy across sectors. Although the Party-centric UN negotiating process might not be receptive to the inclusion of policy implementers, the regime, including the GST, needs to send clear signals to these actors, among others, to effectively catalyse climate ambition in the domestic context. While the regime is beginning to send such signals (e.g., the Glasgow Climate Pact on phasing down coal and eliminating fossil fuel subsidies and COP27's signal to MDBs), these signals need to be strengthened and targeted, so they reach those that drive and implement relevant policies at the domestic level.
20. The annual COPs have also expanded dramatically over the years from less than 5000 in Berlin at COP1, to nearly 40,000 in Glasgow at COP26 and a similar number in Sharm-el-Sheikh at COP27.²¹ The majority of those attending COPs are NPS, and the action agenda has grown significantly over the years, yet the architecture of the COP is still unhelpfully geared towards the drama of the final plenary where negotiators argue over subtleties of language while the rest of the world looks on with bemusement.

²⁰ Draft decision x/CMA.4, 'Funding arrangements for responding to loss and damage. associated with the adverse effects of climate change, including a focus on addressing loss and damage', November 2022: https://unfccc.int/sites/default/files/resource/cma4_auv_8f.pdf?download .

²¹ See <https://www.carbonbrief.org/analysis-which-countries-have-sent-the-most-delegates-to-cop27/>



21. As COPs grow in size and complexity, it is increasingly important to focus on the core functions that the regime is uniquely placed to perform, and to simplify the process so as to make those functions more effective in catalysing climate action. Moreover, those that attend the COP – Parties and NPS – need to be there not just to be seen, but to be counted, and to be held to account. This is vital to the credibility and future relevance of the regime.
22. Thus, while there is evidence that the logic underpinning the design of the Paris Agreement is beginning to work, it is doing so falteringly and out of step with the speed and momentum necessary to make it through the narrow window of opportunity available to limit temperature rise to 1.5°C and avert the most devastating climate impacts. It is also becoming clear that if the regime is to function as a comprehensive node for global climate governance, then there are blind spots in its current coverage and approach, including underexploited potential to mobilise and promote action in the wider landscape beyond the intergovernmental regime itself.
23. How then might the regime, and the Paris Agreement, in particular, be bolstered and fine-tuned so it functions more efficiently and at speed to deliver on the logic underpinning it, and the goal of climate stabilization? And how is this to be done through an accelerated evolution of the current regime, rather than a revolution which would risk losing years in challenging negotiations.

C. Strengthening the UN climate regime’s norm-setting function

Recommendations

In order to remain functionally relevant, responsive to emerging purpose and to deliver on the goals of the Paris Agreement, the regime should:

- significantly strengthen norms, and generate supportive practices in relation to ambition, fairness, implementation and accountability including by: enhancing the quality and transparency of NDCs; developing a standard of ‘due diligence’ for Parties; cultivating an understanding of fair shares; and agreeing an operational rights-based template for just transition across sectors, within and between Parties;
- shift from its current focus on target-setting (alone) to one that recognizes that rigorous implementation of NDCs, and provision of appropriate support drives ambition, including by: focusing on Parties’ domestic mitigation measures; assisting Parties in enhancing the quality of their NDC; identifying barriers to implementation (including



non-cost barriers), and opportunities for action and cooperation across sectors and Parties; and, providing support for high quality NDCs;

- transition from asking Parties *to account for* their actions to *holding Parties and NPS accountable* for their actions and announcements inside and beside the formal COP process, including by: enhancing the functionality of the steps of the ETF; and expanding the role of the UNFCCC secretariat in initiating follow-up processes;
- scale up attention, action and support for adapting to climate change impacts, enhancing resilience and minimizing and addressing climate-related L&D;
- shift from the current COP-focus on media-directed, big-bang negotiated outcomes to a focus on elevating norm-strengthening exchanges among states and NPS to enable the peer pressure to build towards greater implementation, higher ambition, greater sense of ownership, and fairer outcomes.

The GST could pave the way for these recommendations by:

- seeding and strengthening the norms of the regime in co-facilitators' reflection notes and the key findings of the GST Technical Dialogue, and the outputs of the GST;
- identifying in the findings of the Technical Dialogue on-the-ground (cost and non-cost) barriers to implementation, including in relation to the feasibility of NDCs;
- identifying in the findings of the Technical Dialogue epistemic gaps in relation to assessing collective progress, as for instance in assessing progress in adaptation in the absence of rigorous benchmarks or lack of reporting and transparency in relation to assessing progress on reducing emissions;
- translating lessons from the Technical Dialogue of the GST into operational templates for action across sectors using repositories of high-impact and leverageable solutions across sectors, and identifying opportunities for cooperation, both across Parties and NPSs, thereby speaking to key stakeholders and creating the space for more leadership and ambition;
- calling on the UN system, MDBs and IFIs to align in supporting countries to produce and implement high quality NDCs capable of attracting investment;
- initiating follow-up processes once the GST concludes to ensure recommendations are implemented, including by: providing support to those Parties that need it to integrate the findings of the GST into their NDCs; and ensuring that the epistemic gaps identified in the first GST are systematically plugged in the lead up to the next and subsequent GSTs;
- inviting the UNSG to convene world leaders in 2025 to receive their new and more ambitious NDCs.



24. This section offers illustrative options to strengthen the regime. It proceeds on the assumption that the Paris Agreement, as a treaty premised on national determination, and comprised primarily of procedural obligations and obligations of conduct rather than result, is best suited to performing a facilitative, norm-setting function, with the responsibility for the full implementation of these norms shared across multiple regimes, actors and levels of governance.
25. The ability of the regime to deliver on its full potential as a norm-setter depends in part on streamlining, fine-tuning and managing the unwieldy, seemingly arcane negotiating process. To remain functionally relevant and deliver on the goals of the Paris Agreement it needs to significantly strengthen norms, and generate supportive practices in relation to ambition, fairness, implementation, accountability, and cooperation (across all thematic areas). The GST needs to create space for leaders (whether of Parties or NPS) to act, and to do that it needs to speak to their constituencies and stakeholders as much as to them.
26. A crosscutting theme in our proposals is that robust implementation of NDCs, and provision of appropriate support to do so, generate increasing levels of ambition. Implementation generates practical knowledge of the challenges, barriers and opportunities inherent in climate action, builds confidence and, where it is matched by appropriate support, a sense of fairness.
27. A more muscular role for the UNFCCC Secretariat in assisting states in strengthening norms, and generating accountability, as well as a coordinated shift away from generating big-bang negotiated outcomes at every COP, will also be important.

Ambition and Fairness

28. The theory of change in the Paris Agreement is that enhanced transparency will build peer pressure which in turn will drive increasingly enhanced action and implementation as part of the dynamic ambition cycle. As discussed above, this is working falteringly at best.
29. While acknowledging that the Paris Agreement's ETF will only become operational in 2024, in order to build peer pressure to encourage and inspire ambition we propose, inter alia, the following:
- strengthening norms on the quality and transparency of NDCs, in particular to require more fine-grained explanations of how an NDC is fair and reflects a state's highest possible ambition;



- developing a standard of ‘due diligence’ in relation to the obligations Parties have both in relation to undertaking domestic mitigation measures and with regard to implementation;²²
- developing an understanding of fair shares, and an operational template for just transition, with a view to catalysing the necessary just transitions across and within Parties and sectors;
- agreeing on or endorsing recognised sectoral benchmarks of ambition; and
- promoting alignment of goals, policies, frameworks across a broad range of relevant international organisations and regimes.

30. These norms can be generated and strengthened in the following fora, and in the following ways, among others:

- the co-facilitators' reflection notes and key findings of the Technical Dialogue and the outputs of the GST, including in particular by: initiating follow-up processes after the GST concludes to ensure recommendations are being implemented; providing support to those Parties that need it to integrate the findings of the GST into their NDCs; and ensuring that the epistemic gaps identified in the first GST in relation to assessing collective progress are systematically plugged in the lead up to the next and subsequent GSTs;
- the ETF, including in particular by enhancing the profile and functionality of the multilateral consideration of progress and technical expert review, which can be designed to include a discussion on assessments around equity and highest possible ambition, and the criteria Parties have chosen to justify the fairness and ambition of their NDCs;
- anticipated reviews of guidance relating to the transparency, clarity and understanding of NDCs, as well as their features;²³
- special events hosted by the UNFCCC Secretariat highlighting path-breaking developments in national and sectoral policies; and
- informal exchanges among heads of delegation held in parallel to the formal negotiations.

31. More broadly, we would suggest that the annual COP dilute the focus on media-directed, big-bang negotiated outcomes and instead elevate norm-strengthening exchanges among Parties and NPS along the lines indicated above to enable the peer pressure to build

²² See for further details, Lavanya Rajamani, ‘Due Diligence in International Climate Change Law’, in Heike Krieger, Anne Peters and Leonhard Kreuzer, *Due Diligence in the International Legal Order* (Oxford University Press, 2020)

²³ See paras 18 and 20 of 4/CMA.1:

https://unfccc.int/sites/default/files/resource/cma2018_3_add1_advance.pdf#page=6



towards greater implementation, higher ambition, greater sense of ownership, and fair outcomes.

Implementation and Accountability

32. Even as current ambition is radically insufficient to meet the goals of the Paris Agreement, the implementation of many of the current NDCs, given the lack of adequate support and appropriate capacity, is patchy. Moreover, the regime has not been effective thus far in setting up conversations or building momentum on implementation and collaboration among Parties in the formal negotiating process. There is also limited real-time accountability holding Parties and NPSs to what they have committed to do, including in their NDCs and in staged announcements at COPs.

33. In order to enable implementation, and enhance accountability we propose, inter alia, the following:

- increasing focus on the domestic mitigation measures Parties have (or not) put in place with the aim of achieving their NDCs (a legally binding requirement under Article 4.2 of the Paris Agreement) rather than focussing only on target setting;
- assisting Parties in enhancing the quality of their NDCs – in terms of process, ambition, robustness, and feasibility – and their ability to attract investments, in other words positioning NDCs as investment opportunities.²⁴ In that context the UN system, MDBs and IFIs could usefully align to ensure they are pulling in the same direction;
- identifying barriers to implementation – including non-cost barriers - and opportunities for action and collaboration across sectors and within and between Parties, as well as enhancing recognition for action taken;
- supporting high-quality NDCs, with an understanding that while most Parties have significantly improved the quality of their NDCs from the first to the second round,²⁵ these have not attracted finance at scale, detrimentally affecting implementation and confidence in the process; and
- bolstering accountability of Parties for NDCs and commitments made in COP decisions, as well as for initiatives launched and announcements made beside/outside the formal COP negotiations by both Parties and NPS.

²⁴ See for instance the quality assurance checklist developed by UNDP: <https://www.ndcs.undp.org/content/dam/LECB/docs/pubs-reports/undp-ndcsp-ga-checklist-ndc-revision-ENG.pdf?download>.

²⁵ See UNDP, State of Climate Ambition, available at: <https://climatepromise.undp.org/state-of-climate-ambition>



34. These norms can be generated and strengthened in the following fora, and in the following ways, among others:

- identifying – based on the findings of the Technical Dialogue of the GST - on-the-ground (cost and non-cost) barriers to implementation, including in relation to the feasibility of NDCs;
- translating lessons from the Technical Dialogue of the GST into operational templates for action across sectors using repositories of high-impact and leverageable solutions across sectors, and identifying opportunities for cooperation, both across Parties and NPSs;
- using the annual Mitigation Work Programme to identify high-impact opportunities for action and cooperation – including sectoral transformation – as well as additional voluntary commitments that can subsequently be harvested through the Paris Agreement’s ambition cycle;
- identifying key opportunities arising from the work programme on the Global Goal on Adaptation on how to enhance resilience, adaptive capacity and reduce vulnerabilities, particularly in those countries most affected by the impacts of climate change;
- harnessing the Sharm El-Sheikh dialogue on Article 2.1(c) of the Paris Agreement to develop results-oriented guidance on aligning finance flows. This could include, for instance, taxonomies of sustainable flows. The role of NPSs, in particular MDBs and IFIs, and initiatives led by them, will be critical;
- using in-country visits as part of the ETF as a way to build capacity, celebrate progress, and encourage further and accelerated action, including knowledge sharing and exploring opportunities for action. Such visits at the technical level should be combined with senior official and political-level engagement between the international community and the in-country team;
- high profiling the work of the Paris Agreement’s implementation and compliance committee, including by tracking significant and persistent inconsistencies of information provided by Parties, and supporting them in generating and submitting robust information;
- empowering the UNFCCC secretariat to hold Parties and NPSs to account for initiatives and announcements made in the annual COP decisions and beside/outside the formal COP negotiations. FCCC Article 7.2 (b) provides the Secretariat with the mandate to ‘promote and facilitate the exchange of information on measures adopted by the Parties to address climate change and its effects.’. This provision applies to the FCCC and 'related instruments' and thus covers measures taken pursuant to the Paris Agreement as well. It does not expressly limit the remit of the Secretariat to measures



embedded in the regime, and thus arguably covers measures announced outside the official COP process as well;

- the UNFCCC secretariat could, among other things:
 - set up a follow-up process to track actions taken to implement the commitments made in COP cover decisions. Are states taking steps since Glasgow, for instance, to phase down coal as indicated in Decision 1/CP.26? This could take the form of an informal public review session at the COP based on a prior assessment by the secretariat and/or input from non-state actors that are tracking national action. The results could be presented on the UNFCCC website;
 - track to what extent the initiatives launched and announcements made by Parties on the sidelines of the COP are being implemented. To what extent, for instance, are Parties implementing the seemingly game-changing Glasgow Leaders Declaration on Forests and Land Use?²⁶
 - use the existing mandate it has to produce periodic synthesis reports to track whether Parties are integrating the announcements made on the sidelines of COPs, and the ICIs they enter into, into their NDCs; and
 - use the UNFCCC website to track and make visible progress.
- the forthcoming review of guidance relating to the features of NDCs could be used to provide guidance as to what constitutes a ‘quality’ NDC, capable of attracting investment.²⁷

35. In proposing a more muscular role for the UNFCCC Secretariat we take our cue from the UNFCCC Executive Secretary Simon Stiell’s professed intent to act as the regime’s ‘Accountability Chief’²⁸ and the UNSG’s bold stance on addressing climate change with the urgency and seriousness it merits - “[w]e are on a highway to climate hell with our foot still on the accelerator,” he has warned.²⁹

Cooperative Action on Adaptation, Loss and Damage³⁰

36. It is self-evident that projected global temperature rise will determine the nature and extent of adaptation needs, L&D and associated global costs. The current regime provides

²⁶ See <https://ukcop26.org/glasgow-leaders-declaration-on-forests-and-land-use/>.

²⁷ See paras 18 and 20 of 4/CMA.1:

https://unfccc.int/sites/default/files/resource/cma2018_3_add1_advance.pdf#page=6

²⁸ Simon Stiell, Remarks at COP-27, Sharm-el- Sheikh: <https://news.un.org/en/story/2022/11/1130242>.

²⁹ See <https://www.theguardian.com/environment/2022/nov/07/cop27-climate-summit-un-secretary-general-antonio-guterres>.

³⁰ This section is yet to be fully developed.



limited support and solidarity for adaptation, climate-resilient development, and L&D, in particular in the context of the overshoot trajectory we are currently on.

37. While funding is a critical part of the response, it is not the only part. An important part of the framing is to locate adaptation firmly in the transitions and transformations the world needs to make. Thus, adaptation should not be directed at returning communities and Parties to the *status quo ante*, but to a new, improved position in line with just transitions, climate resilience, and the Sustainable Development Goals. We propose, in this context:

- scaling up attention, action and support for adapting to climate change impacts, enhancing resilience and minimizing and addressing climate-related L&D;
- improving tools and information to assess effectiveness of action and support;
- strengthening existing and, if necessary, developing new processes, instruments and mechanisms relating to adaptation, climate resilience, and L&D, enhancing adaptive capacity and resilience through developing and sharing templates for action, developing disaster response networks, and developing regional migration routes and safe passage;
- enhancing and strengthening international cooperative action on adaptation and L&D, including through regional cooperation, and South-South solidarity; and
- expanding funding streams and sources for addressing L&D.

Coverage

38. It is clear that, as indicated above, that the regime has blind spots. Preparing for the future demands of climate governance will require agreement on a range of issues that will be critical to reaching the goals of the Paris Agreement, such as direction of travel in relation to fossil fuel production and use, as well as governance of carbon removal and other technologies. The regime will need to consider and engage with these issues.

Streamlining and Fine-tuning Process

39. The multilateral climate negotiations plagued as they are with unwieldy sprawling multiple agendas, time-consuming, seemingly never-ending processes, and consensus-based decision-making, move at a glacial pace relative, in particular, to the speed and dynamism of required action to avert dangerous climate change. Given that the big-ticket negotiations are largely over, and with the appointments of a new Executive Secretary, there is an opportunity for reform. We propose, in this context:



- infusing a clear sense of *purpose* to the negotiations (to quote one of our interviewees, “currently the process is ‘rudderless’ – the focus is the process itself rather than journey and purpose. It is a dangerous thing in rough waters if you don’t know where you are sailing and why.”). This sense of purpose, in our view, as identified above, is to strengthen and deliver on the norm-setting function of the regime towards achieving the goals of and delivering on the environmental effectiveness of the Paris Agreement. This norm-setting function is best performed by a legitimate universal process, such as the UN climate negotiations;
- moving away from the current model of producing media-directed negotiated outcomes at every COP. These consensus-based outcomes absorb vast quantities of negotiating capital and time, and with limited follow-up mechanisms, deliver little concrete ground-level change at the pace required;
- moving away from the current model of COP Presidencies focused on delivering momentous headline-grabbing outcomes to one that demands a less interventionist role and is directed instead at strengthening the regime by ensuring continuity, follow-up and implementation. Parties could also consider appointing a team of Presidencies rather than one Presidency passing the baton to another, thus enhancing joint ownership, consistency and follow-through;
- strengthening the role of the UNFCCC secretariat so that it can provide the continuity, and follow up needed, support implementation and enhance accountability. The Secretariat is less driven by the need to produce headline-grabbing outcomes, and has greater institutional expertise and memory;
- streamlining the agenda and demands on negotiating time by allowing some defunct agenda items to wither on the vine with strategic benign neglect, including by addressing some agenda items biennially rather than annually;
- structure agendas by grouping items logically and using headings and subheadings, under the initiative of the secretariat;
- determining what needs to be done through consensus-based processes and what can be done without. The UNFCCC secretariat with the support of the Presidency can initiate and run several follow-up processes, as discussed above. These do not need to pass through a consensus-based decision-making process. Parties could also use the mechanism of ministerial declarations with a sub-set of Parties (as for instance on finance or ambition) to forge ahead of the pack, and encourage others to follow suit;
- encourage Presiding Officers, as is customary in other UN processes, to take on a more robust role in developing and proposing textual suggestions for Parties to consider;
- integrating more fully the political and technical components at the negotiations by standardizing the approach that Presidencies follow so that politicians are tasked more directly and predictably with devising compromise solutions that they can work with and own. This should be accompanied by a streamlining of the ministerial speech-



making role both to further integrate the technical and political components as well as to signal a shift away from announcements to implementation;

- better strategic coordination of the three key elements of the COP, namely: participation of world leaders, the action agenda and the negotiations;
- considering a high-profile end to each COP that is decoupled from the final gavel of the negotiations (which are an increasingly small part of the COP and yet attract disproportionate and often unhelpful/distracting media attention);
- drafting of COP decision in plain language so they are easily accessible and understandable to those that need to take action; and
- inviting the UNSG to convene world leaders in 2025 to receive their new and more ambitious NDCs thereby creating a political endpoint to the first ambition cycle under the Paris Agreement.

D. Strengthening the UN climate regime’s catalytic role in the wider landscape of climate action

Recommendations

To advance alignment of the goals and actions of the wider landscape with the Paris Agreement’s goals:

- Parties should pursue more substantive debate with other international organisations and agreements under suitable existing UNFCCC agenda items, such as the ones on cooperation with relevant international organisations and the mitigation work programme. For IFIs, Parties should seek to strengthen alignment through agenda item on cooperation with relevant international organisations, the Sharm el-Sheikh dialogue on Article 2.1(c) and deliberations on the NCQG.
- The UNFCCC secretariat, the UNSG and the COP Presidencies should establish a targeted review process of goals and actions of relevant organisations and agreements, including IFIs, based on independent international assessments and information provided by these organisations and agreements.
- The Marrakech Partnership and the HLCs, with the UNFCCC secretariat, the UNSG and the COP Presidencies as appropriate, should:
 - upgrade the GCA Portal to make it the central and main registry for all types of ICIs, including the multitude of initiatives announced at COPs;
 - make listing on the GCA Portal a gold standard by requiring listed initiatives to commit to and comply with reporting and review requirements;



- establish review arrangements for ICIs, including review by an independent panel of experts and a public review of (groups of) ICIs at COPs;
- make the opportunity to present initiatives at COPs dependent on registration in the GCA Portal and the commitment to and compliance with the accompanying reporting and review requirements;
- reinforce and intensify efforts to address gaps in the geographical and sectoral/thematic balance of ICIs and mobilize new initiatives, including through the establishment of a dedicated capacity-building facility.

The GST could, through the Technical Dialogue and the eventual outputs, pave the way for these recommendations, including by:

- highlighting the important catalytic role of the UNFCCC and the Paris Agreement in enhancing action in the wider climate governance landscape;
- identifying and recognizing the need to align the activities of other international organisations and agreements as well as MDBs and IFIs with the goals of the Paris Agreement;
- identifying and recognizing the need for enhanced transparency and accountability as well as an improved geographical and thematic balance of ICIs (including announcements at previous COPs), both regarding the commitments themselves and their implementation;
- inviting the UNFCCC Secretariat, the Marrakech Partnership and the HLCs, and the COP Presidencies to advance related action and welcome their related initiatives (including at COP28).

40. The regime relates in various ways to the different components of the wider landscape of global climate governance, including: (i) international organizations and agreements; (ii) MDBs and other IFIs; and (iii) ICIs. As the focal point for international action on climate change, the regime can act as a “catalytic institution” in this wider landscape. By providing for flexibility and an iterative process (through NDCs and the GST), it has the potential to incentivize other institutions and actors to scale up action.³¹ However, the existing links with the wider governance landscape leave significant room for further enhancing the regime’s wider catalytic role.

International organizations and agreements

41. Relevant (sectoral) international organizations and agreements, such as the International Maritime Organization (*IMO*), the International Civil Aviation Organization (*ICAO*), the

³¹ See Thomas N. Hale, “[Catalytic Cooperation](#)”, *Global Environmental Politics* 20:4 (2020), 73–98.



Montreal Protocol, the Convention on Biological Diversity (**CBD**), and others, have had their home in the Subsidiary Body for Scientific and Technological Advice (**SBSTA**) under the standard agenda item “Cooperation with other/relevant international organizations”. In practice, relevant international organizations have mainly reported on their activities under this agenda item. In addition, the UNFCCC secretariat has been involved in important coordination efforts and information exchange across relevant organizations. These activities include participation in coordination bodies such as the Joint Liaison Group of the Rio Conventions, as well as coordination with other treaty bodies and international organizations (e.g., related to ICAO’s Carbon Offsetting and Reduction Scheme for International Aviation).³² However, few substantive debates have occurred among Parties pursuant to these agenda items, which have in turn rarely led to substantive outputs such as guidance to the COP, Paris Agreement or their subsidiary bodies (e.g., in the form of decisions or conclusions).

42. There is hence considerable potential to establish targeted mechanisms or processes under the UNFCCC and the Paris Agreement to recognise, review, or consider the implications of actions by other international organisations and treaties. This could serve to strengthen the alignment of the ambition and implementation of actions of relevant international organisations with the goals of the Paris Agreement. In this respect, policies of ICAO and IMO to address GHG emissions from international transport have been found especially lacking in ambition and effective implementation, while progress in addressing emissions of fluorinated GHGs under the Montreal Protocol has been considered more adequate.³³ To this end, the following options could be pursued:

- **Leverage UNFCCC agenda items:** Parties could encourage alignment of action under other agreements and organizations with the goals of the Paris Agreement through long-standing agenda items on cooperation with relevant international organizations and on bunker fuels, or new agenda items or spaces such as the mitigation work programme. In doing so, more active engagement and interaction with these organizations and treaties could be sought, and joint meetings or joint work programmes could be considered, e.g., between the UNFCCC and CBD. However, as Parties have been reluctant to provide direct guidance to other treaties and organisations, informal options under these agenda items, such as organising dedicated workshops, may be a way forward.

³² For the latest report on relevant activities, see document FCCC/SBSTA/2022/INF.1, [Summary of cooperative activities with United Nations entities and other international organizations that contribute to the work under the Convention](#), Note by the Secretariat, May 27, 2022.

³³ On international aviation and shipping emissions, see e.g. UNEP, [Emissions Gap Report 2020](#), Chapter 5; on the contribution of the Montreal Protocol, see e.g. Guus J.M. Velders et al., “[Preserving Montreal Protocol Climate Benefits by Limiting HFCs](#)”, *Science* 335:6071 (2012), 922–923.



- **Establish a process under the auspices of the UNFCCC Secretariat, the COP Presidencies, and the UNSG:** Such a process could include a regular review, for instance by the UN Environment Programme (e.g., as part of its Emissions Gap Reports) on an annual or biennial basis. Through this process, other treaties and international organizations, such as ICAO and IMO, could be encouraged and inspired to set ambitious goals, requested to provide specific information (including on how their goals and actions align with the Paris Agreement’s goals), and/or encouraged to offer detailed information on progress made, including in response to related questions.
- **Include information in NDCs:** Parties could report on an individual basis information on actions taken pursuant to other treaties and international organisations. For instance, Parties could include international aviation and shipping emissions in their NDCs, and subsequently report on progress made through their Biennial Transparency Reports under Article 13 of the Paris Agreement.

Multilateral Development Banks and international financial institutions

43. The important potential for intensifying crucial discussions on and with MDBs and IFIs on the alignment of their activities with the goal under Article 2.1(c) of the Paris Agreement needs to be more fully exploited. Existing links have not provided for a structured exchange, reporting and review. Few IFIs have a formal relationship with the UNFCCC, i.e., the GCF, the GEF, and the Adaptation Fund. With regard to the much wider range of MDBs and other IFIs, their broader role and importance in realizing the objectives and goals of the UNFCCC and the Paris Agreement have hardly been on the formal multilateral climate agenda.
44. However, COP27 broke new ground by explicitly calling for reforms of MDB policies and practice, and for them and IFIs to align and scale up funding.³⁴ Moreover, following a mandate originally issued at COP24, the Standing Committee on Finance (**SCF**) has begun to collect relevant information related to the long-term climate finance goal enshrined in Article 2.1(c).³⁵ This was followed by the launch at COP27 of the Sharm el-Sheikh dialogue on Article 2.1(c) between Parties, relevant organizations and stakeholders.³⁶ Both these latter work streams may also address IFIs.

³⁴ Decision -/CMA.4, Sharm el-Sheikh Implementation Plan, paras. 61-62

³⁵ Decision 4/CP.24, para 10; see also Decision 4/CP.26, [Long-term Climate Finance](#), para. 13.

³⁶ Sharm el-Sheikh Implementation Plan, para. 68.



45. To advance alignment of the activities of **IFIs** with the Paris Agreement, the following options could be pursued:

- **Leverage existing agenda items and processes:** Parties could encourage alignment of action by IFIs with the goals of the Paris Agreement, especially Article 2.1(c), through existing agenda items and processes, including the agenda item on cooperation with relevant international organisations, the Sharm el-Sheikh dialogue on Article 2.1(c) (and any follow-up) and deliberations on the NCQG. This could also serve to develop practicable methods and metrics for reporting information on Paris alignment of financial flows.
- **Establish a process under the auspices of the UNFCCC Secretariat, the COP Presidencies, and the UNSG:** Such a process could be based on information provided by IFIs and a review and assessment of such information. Through this process, IFIs could be encouraged and invited to provide specific information on how their actions align with the Paris Agreement’s goals and to offer detailed information on progress made, including in response to related questions by Parties and NPSs. This could build on the decision of COP27 on funding arrangements for L&D that invited the UNSG and IFIs to consider funding for responding to L&D.³⁷

International cooperative initiatives and NPSs

46. ICIs and action by NPSs more generally have increasingly been recognized in, and linked to, the official UNFCCC process - both in the run-up to, and following, the adoption of the Paris Agreement. Under the Paris Agreement, the related “Global Climate Action” (**GCA**) agenda has especially been further developed under the auspices of the HLCs established in 2015 and the Marrakech Partnership for Global Climate Action launched in 2016. While not featuring on the official negotiating agendas of the regime, the GCA and the work of the HLCs have frequently been referred to in official texts, such as decisions. Important elements structuring the evolving GCA ecosystem include:

- the GCA Portal (also known as NAZCA, or the Non-state Actor Zone on Climate Action), through which NPSs and ICIs can register their commitments, and which also contains some information about progress made;³⁸
- the Race to Zero and Race to Resilience campaigns, aimed at catalysing new commitments from non-Party stakeholders that meet certain minimum criteria;

³⁷ Joint decision -/CMA.4 and -/CP.27 Funding arrangements for responding to loss and damage, paras. 11 and 12.

³⁸ UNFCCC, “[Global Climate Action](#)”.



- the Climate Action Pathways, which set out sectoral visions for a 1.5° C resilient world in 2050 and offer a roadmap for achieving that vision,³⁹ and the related 2030 Breakthroughs, which specify sectoral “tipping points” that can help realise the Climate Action Pathways;⁴⁰
- the government-led Breakthrough Agenda, which aims to scale up clean technologies in particular sectors (thus far focused on power, road transport, steel, hydrogen and agriculture);⁴¹
- other activities, including the Global Climate Action Awards, the Global Climate Action Yearbook, and Regional Climate Weeks.

47. The Marrakech Partnership and the HLCs emerged from an emphasis on spurring engagement and commitments by a broad range of actors in advancing global climate action. There has been less focus on fostering accountability for commitments and implementation or on building capacity for delivery. This contrasts with the situation regarding NDCs in relation to which Parties have received guidance on: (i) information that should be included in NDCs to facilitate a better understanding and assessment of the contribution made;⁴² and (ii) information that should be reported on the implementation and achievement of their NDCs.⁴³ The ETF also establishes processes for the review and appraisal of information reported by Parties.

48. Similar procedures do not exist for ICIs and NPSs. Having said that, several efforts have been initiated to enhance accountability, particularly for activities by NPSs, including:

- recommendations on credible net-zero pledges by the UN High-Level Expert Group on Net-Zero Emissions Commitments of Non-state Entities (*HLEG*);⁴⁴
- ongoing and planned activities and developments in the context of the Marrakech Partnership, including screening the robustness and credibility of NPS actions and commitments, tracking progress through the Global Climate Action Portal (including for the Race to Zero), and publishing the Yearbook on Global Climate Action;⁴⁵

³⁹ UNFCCC, “[Climate Action Pathways](#)”.

⁴⁰ UNFCCC, “[Upgrading Our Systems Together: A Global Challenge to Accelerate Sector Breakthroughs for COP26 – and Beyond](#)”.

⁴¹ UNFCCC, “[The Breakthrough Agenda](#)”.

⁴² Article 4.8 Paris Agreement; and Decision 4/CMA.1, [Further Guidance in Relation to the Mitigation Section of Decision 1/CP.21](#).

⁴³ Article 13.7 and Decision 18/CMA.1, [Modalities, Procedures and Guidelines for the Transparency Framework for Action and Support Referred to in Article 13 of the Paris Agreement](#).

⁴⁴ United Nations’ High-Level Expert Group on the Net Zero Emissions Commitments of Non-State Entities, “[Integrity Matters: Net Zero Commitments by Businesses, Financial Institutions, Cities and Regions](#)”. Further work on strengthening accountability of net-zero pledges may be pursued under a Task Force on Net Zero Regulation proposed by the High-Level Expert Group.

⁴⁵ High-Level Climate Champions, “[Improved Marrakesh Partnership for Global Climate Action for Enhancing Ambition 2021–2025](#)”; see also <https://unfccc.int/climate-action/introduction-climate-action>, visited February 16, 2023.



- the Breakthrough Agenda progress reports;⁴⁶ and
- work by research organisations and think tanks.⁴⁷

49. ICIs can complement the UNFCCC process by fulfilling several governance functions, including: providing guidance and signals (e.g. the G20's commitment to phasing out inefficient fossil fuel subsidies); setting standards (e.g. net-zero standards for corporations); strengthening transparency and accountability (e.g. through the accounting and reporting tools developed by the GHG Protocol, or the IMO's data collection system for fuel oil consumption); offering financial support and other means of implementation (e.g. through the Coalition of Finance Ministers for Climate Action); and allowing for knowledge-sharing and learning (e.g. about specific policy instruments through the Carbon Pricing Leadership Coalition).⁴⁸

50. Parties recognised the need to further strengthen accountability of GCA initiatives in the Sharm el-Sheikh Implementation Plan.⁴⁹ However, the links between the GCA initiatives and the regime remain underexploited. While the Marrakech Partnership's activities have appeared on the official programme of UNFCCC meetings, these activities have primarily served to share information on GCA activities rather than created moments of enhanced accountability or to create a coherent and parallel programme to the official negotiations. To the extent that NPSs and the GCA have been addressed in COP/CMA decisions, such decisions have rarely gone beyond a general acknowledgment and a soft encouragement for Parties to engage with them, including through the Marrakech Partnership.⁵⁰ Substantive engagement with the GCA has generally been lacking.

⁴⁶ The first of which was published in 2022. See International Energy Agency, "[Breakthrough Agenda Report 2022 Accelerating Sector Transitions through Stronger International Collaboration](#)".

⁴⁷ See, e.g., Swithin Lui et al., "Correcting Course: The Emission Reduction Potential of International Cooperative Initiatives", *Climate Policy* 21:2 (2021), 232–250; NewClimate Institute et al., "Global Climate Action 2022".

⁴⁸ On sectoral governance approaches and related governance functions, see Sebastian Oberthür, Lukas Hermwille, and Tim Rayner (eds.), [Toward a Sectoral Perspective on Global Climate Governance](#), *Earth System Governance* 8, Special Issue (2021); David G. Victor, Frank W. Geels, and Simon Sharpe, *Accelerating the Low Carbon Transition: the Case for Stronger, More Targeted and Coordinated International Action* (London, Manchester, San Diego: Brookings, 2019), <https://www.energy-transitions.org/publications/accelerating-the-low-carbon-transition/>; "Global Climate Action Ecosystem", *Future of Climate Cooperation*, <https://kumu.io/FCC/global-climate-action-ecosystem#stakeholder-map>, accessed February 15, 2023.

⁴⁹ Sharm el-Sheikh Implementation Plan, para. 93 ("Invites the secretariat to ensure greater accountability of voluntary initiatives through the Non-State Actor Zone for Climate Action platform").

⁵⁰ An example is the Sharm el-Sheikh Implementation Plan, paras. 82 and 90.



51. To strengthen the transparency and accountability of ICIs, the Marrakech Partnership and the HLCs, the UNFCCC secretariat, the UNSG or the COP Presidencies, could pursue the following options:

- **Open up and promote the GCA Portal as the central and main registry for all types of ICIs**, including the multitude of initiatives announced at COPs. As of early 2023, the GCA Portal listed 150 ICIs, whereas other data sets have identified more than 600.⁵¹ Many intergovernmental initiatives and many of the initiatives announced at COPs, especially since 2014, have not been included. A central registry and overview of ICIs would crucially support understanding and assessment. This could also entail a more general and much needed upgrade of the GCA Portal to improve its utility.
- **Establish and enforce minimum information requirements**, including for the quality of commitments made and for annual progress reporting, as well as related review arrangements. Commitment to and compliance with related requirements would be a condition for being included in the GCA portal. These requirements would help improve the understanding of the quality of the commitments made through ICIs, including their underlying assumptions and their alignment with the Paris Agreement goals. They would also serve to address concerns about a lack of stability and impact of ICIs. Requirements could be differentiated for different types of initiatives (e.g., mitigation and adaptation) and different types of actors within them. They could draw on existing criteria developed for the Races to Zero and Resilience. Listing in the GCA Portal would hence become a “gold standard” and a quality label for ICIs – and thereby an important incentive for joining the portal and committing to and complying with its requirements.
- **Establish three-pronged review arrangements** to enhance accountability:
 - Independent review by a panel of experts of the ambition and implementation of ICIs, on the basis of related guidance and guidelines. Independent reviews and assessments by qualified research organisations and think tanks (similar to the Climate Action Tracker for countries) could also be encouraged.
 - Arrangements for a public review of (groups of) ICIs at COPs. To this end, initiatives might usefully be grouped (e.g., per sector or theme). Such a review could be organized by the Marrakech Partnership and the HLCs in collaboration with the UNFCCC secretariat and the UNSG as well as the COP Presidencies. It should be a prominent part of the COP itself (e.g., convened by the secretariat and the COP Presidency) and should also involve the results of the independent review referred to above.

⁵¹ NewClimate Institute et al., “Global Climate Action 2022”, at 4.



- The opportunity to present initiatives and their progress at COPs could be made dependent on registration in the GCA Portal and the commitment to and compliance with the accompanying reporting and review requirements.
 - **Reinforce and intensify efforts to address gaps in the geographical and sectoral/thematic balance of ICIs and the GCA at large and mobilize new initiatives.** To support this, the establishment of a dedicated capacity-building facility under the Marrakech Partnership could be considered, including to ensure that existing imbalances do not get accentuated through the introduction of new reporting and review requirements, as suggested above.
 - **Strengthen the relationship between ICIs and NDCs** by encouraging:
 - ICIs to explain how they will contribute to NDC ambition, if at all; and
 - Parties to reflect significant ICIs in their NDCs.
52. The suggestions above have significant resource implications, in particular the establishment of arrangements for regular review of ICIs (expert panel, independent assessments) and the establishment of a dedicated capacity-building facility. Philanthropy could perhaps play an important role in this regard.
53. The GST and its outputs could principally support and pave the way for the suggestions above, including by:
- clearly identifying and recognizing the demand for enhanced transparency and accountability of ICIs (including announcements at previous COPs), both regarding the commitments themselves and their implementation;
 - highlighting the potential and importance of the catalytic role of the UNFCCC and the Paris Agreement in triggering, promoting and orchestrating action in the wider landscape of global climate governance; and
 - inviting the UNFCCC secretariat, the Marrakech Partnership, the HLCs, and the COP Presidencies to advance related action.

E. Conclusion

54. The Paris Agreement is having a positive impact - it is working. At the same time, the science is telling us that it is not working fast enough to stay within the temperature limits of the Paris Agreement. Even as the NDCs and other climate promises of Parties, as well as the commitments of NPSs, become more ambitious on paper, emissions continue to rise.



55. Moreover, as global temperatures increase, so does the frequency and severity of climate impacts. And yet the most climate vulnerable people around the world are not receiving the help they require to recover from climate disasters or to transition to climate resilience and climate safety.
56. The first GST under the Paris Agreement provides an important opportunity to not only review collective progress, but importantly also to inform Parties and NPS on the most effective ways to raise ambition in line with the goals of the Paris Agreement. Furthermore, the GST could serve as a moment to make the overall UN climate regime more effective.
57. This paper suggests a number of ways – through radical evolution rather than revolution – that both the regime itself and the way that it catalyses climate action in the wider landscape could be made more effective. It is important that this GST does this – while it is the first under the Paris Agreement, it is also likely to be its most consequential.