



Sustainable
Development
Knowledge
Partnership



The Frederick S. Pardee Center
for the Study of the Longer-Range Future

SUSTAINABLE DEVELOPMENT INSIGHTS

Rio+20: Accountability and Implementation as Key Goals

Adil Najam and Miquel Muñoz

For more than two decades the Global Environmental Governance (GEG) system has been a story of growth, and there is much progress to celebrate: scores of new international institutions; a proliferation of legal instruments, declarations, and financial mechanisms; growing public interest; multiple layers of national structures; an impressive knowledge economy serviced by multitudes of experts in governments, academia and in civil society. Most importantly, perhaps, the idea of sustainable development is now firmly ensconced as the very central goal of all environmental governance. Arguably, environmental governance can now only be understood within the context of the sustainable development imperative.

Despite the fact that there is much to be justifiably proud of in this growth in the infrastructure of governance, the global challenges have in fact multiplied in both number and intensity. This is partly because our understanding of the extent and nature of many of the challenges has itself grown, and many of the problems have proven to be far more complex and difficult to deal with than we had once assumed. But it is also evident that while much of the

global effort has focused on negotiating agreements, there has been little focus on implementing the agreements or holding international actors accountable for their global commitments. One does not wish to be harsh in this assessment, since we are still in the relatively early days of this global enterprise. However, as we prepare for the forthcoming 2012 United Nations Conference on Sustainable Development (known as “Rio+20”), an accountability and implementation deficit now stares us squarely in the face. And Rio+20 would be a very good moment to start seriously addressing this deficit.

Stakeholders at all levels are aware of the urgency for the GEG system to deliver on its promise of implementation. However, there are obstacles to achieving this goal, none more important than a widely prevalent ‘culture of unaccountability.’ For years, talk of accountability was feared by many who considered it a threat and resisted by others who saw it as a



ABOUT THE AUTHORS

Prof. Adil Najam was recently appointed Vice Chancellor of the Lahore University of Management Sciences (LUMS) in Pakistan and was until recently the Director of the Frederick S. Pardee Center for the Study of the Longer-Range Future. He works on issues of international diplomacy, sustainable development, and human well-being, with a focus on developing countries.



Dr. Miquel Muñoz, a Post-Doctoral Fellow at the Frederick S. Pardee Center for the Study of the Longer-Range Future, specializes in renewable energy, sustainable development and climate change. He has participated in numerous international environmental negotiations.

Sustainable Development Insights is a series of short policy essays supporting the Sustainable Development Knowledge Partnership (SDKP) and edited by Boston University’s Frederick S. Pardee Center for the Study of the Longer-Range Future. The series seeks to promote a broad interdisciplinary dialogue on how to accelerate sustainable development at all levels.

distraction from ‘real issues.’ We believe that this is no longer the case. There is a growing realization of the costs of unaccountability, an evolution of norms in related governance areas, and a recognition that accountability is a key lever for implementation. Importantly, Rio+20 and its focus on the institutional challenges to sustainable development provide an opportunity to bring the issues of accountability and implementation to the forefront.

This paper seeks to develop a practical agenda for institutional reform to improve implementation by identifying a set of incremental and plausible steps in two areas: (a) strengthening the mechanics that cultivate accountability, and (b) putting into place the institutional arrangements that nurture these mechanics. A first and important step, however, is to recognize the aforementioned ‘culture of unaccountability.’

The Culture of Unaccountability

A ‘culture of unaccountability’ is perhaps the most significant enabler of unaccountability and, thus, lack of implementation in GEG. It is important to understand why the culture of unaccountability has become such a pervasive feature of the GEG system. Our previous work (Najam and Halle 2010) identified several reasons.

Global environmental governance is declaratory in nature, relying on values-based and knowledge-based persuasion, in contrast to other ‘rules-based’ areas of international governance. The dominant culture is one of moral persuasion – GEG efforts are generally based on the

premise that if all countries do the ‘right thing,’ this is good not only for them, but for everyone else. This approach, however, leads to the classic free-rider problem. Rules-based GEG exists – e.g. ozone and CITES – but, as best exemplified by the Kyoto Protocol, rules-based GEG has severe accountability and compliance deficits.

The GEG system has evolved within a negotiation paradigm, rather than an implementation mindset. The accelerated growth in the number and intensity of GEG negotiations during the last two decades has resulted in an over-heated, never-ending negotiation system that can sometimes see negotiation as its primary function and goal. Environmental institutions have morphed into – and see themselves as – negotiation support services. As a result, GEG efforts are measured by negotiation metrics rather than by actual environmental improvements. Often, implementation stakeholders have little ownership of the treaties that they inherit from the negotiators. Developing countries’ few resources are siphoned off to servicing the appetites of international negotiation, at the expense of domestic implementation.

Global realities are being shaped by forces beyond the nation-state, yet key actors remain unrepresented in the GEG system. Despite well-meaning yet token participation, most non-state actors – whether civil society groups, business interests, or local communities – have no real tools to hold the international system accountable for its actions (or inaction); nor does the international system have any real tools with which to engage with civil society.

Beyond shaming, there is no disincentive for failing to implement. Shaming itself becomes less effective as repeated failure leads to an increased culture of unaccountability, where the norm seems to be that implementation of commitments is optional, rather than mandatory. In addition, there is a short institutional memory of who committed or failed to implement what, which leads to further impunity for failing to implement, even for the soft standards of naming and shaming.

Towards More Accountability: A Pragmatic Agenda

It is impossible to undo the culture of unaccountability with the stroke of a pen. As any large organization knows, institutional cultures cannot be changed overnight, and changes require long-term dedicated top-level commitment. What is needed is a set of ‘radically incremental’ steps to begin creating an alternative culture of accountability that refines, reinforces and rewards the habits of accountability within the international system, while discouraging unaccountability. This can be done by identifying those elements within the GEG system that are doable today and will begin developing a culture of accountability, steering the system in the right direction. These steps include enabling accountability mechanics and enabling institutional arrangements, both of which are discussed in greater detail below.

ENABLING ACCOUNTABILITY MECHANICS

We define accountability mechanics as those measures that cultivate and facilitate accountability. These include metrics and reporting,



transparency, compliance, and capacity building.

1. Improved Metrics and Reporting Mechanics

Effective mandated reporting requirements must be defined to gauge progress against obligations and commitments, using agreed upon sets of performance indicators.

Improved metrics are required, especially metrics that measure actual progress in environmental matters, rather than effort. In physics, moving a single brick represents more work than pushing a wall for days. In a fitting analogy, for the GEG system we want to know how many environmental bricks have been moved, not how many years governments spent pushing against walls. Particularly relevant are metrics reflecting bottom-up and local approaches. After all, action and implementation are ultimately local affairs.

It is important to emphasize that good indicators and reporting cost money, both for monitoring and data collection, and for the actual preparation and submission of reports. For instance, the cost of preparing a single national

improved metrics and reporting requirements cannot be slapped into an agreement as an afterthought, but need to be conceived and endowed with appropriate resources. Importantly, there are synergies and economies to be had if reporting



report on implementation for the UN Convention to Combat Desertification has been estimated at approximately US\$56,000. Even such modest estimations, if spread across the spectrum of multi-lateral environmental agreements (MEAs) and the GEG system, quickly escalate to significant amounts. Thus,

metrics for different MEAs are coordinated and cross-learning is encouraged.

In addition to being appropriately funded, reporting needs to be more effective in conveying meaningful information. Volume after volume after volume of reports may keep

Accountability in the GEG System

There are at least three different types of accountability in the GEG system that need to be addressed separately:

Accountability to mandate. Is an international organization accomplishing what it was created to accomplish? Businesses are most clear on this type of accountability, which is measured by their bottom lines. International organizations are surprisingly silent on this. For example, a treaty secretariat or national representative is more likely to tell you how many meetings were held and how many decisions were made than to say whether, how, and to what extent the purpose of the treaty was advanced because of these meetings and decisions.

Institutional accountability. Is an organization well- managed? Managerial processes, such as hiring, staff performance and reward, budgetary controls, etc., have occasionally become the subject of public discussion, but usually only when they become ‘scandals,’ raised by those who wish to discredit the GEG system. Supporters of the GEG system often choose to wink, nod, and ignore blatant managerial abuse in international organizations, thus being complicit in a conspiracy of silence, just because they do not wish to strengthen the hands of those out to ‘cut the system down to size.’

Accountability to constituency. Whom are international organizations accountable to? This gets straight to the power politics of institutions, including inter-state, intra-state and non-state actor politics. It can be argued that global citizenry is the constituency of global environmental institutions, with Member States acting as custodians. While global citizenry interacts with global institutions through the state apparatus, in doing so it does not cede its right to hold these institutions and their actions accountable.

Adapted from: Adil Najam and Mark Halle, “Global Environmental Governance: The Challenge of Accountability.” *Sustainable Development Insights*, No.5, May 2010

their authors busy, but mostly go unread and join their predecessors in the ever-growing pile feeding the global data overload. We need better reporting, not more reports. Effective reporting places asymmetrical requirements on different countries. Developing countries will require assistance for capacity-building and other enabling measures, while developed countries need to take the lead with clear and accurate reporting, including on fulfillment of existing commitments. Reporting, particularly self-reporting, also has asymmetrical consequences, where weaker parties can be penalized (for example by donors) for reporting failure, while more powerful countries face no repercussions. This needs to be recognized and addressed if effective reporting is to be achieved.

2. Improved Transparency Mechanics

Transparency is a key element of accountability, especially with regard to review and monitoring programs.

There are different review models, each with their advantages and drawbacks. The essential element is that the monitoring of GEG performance becomes independently verifiable and allows the involvement of third parties. Existing review mechanisms include those based on self-reviews, third-party reviews, and peer-reviews. An example of third-party review is the OECD's Environmental Performance Review (EPR) Programme, while a review based on voluntary national presentations is exemplified by the MDG Annual Ministerial Review. Peer-reviews are a growing area of interest, with examples found in OECD DAC peer reviews, NEPAD's African Peer Review Mechanism

(APRM), or nationally-initiated peer-reviews, such as France's peer-review of National Sustainable Development Strategies. Other review approaches are being explored, including UNEP's work on MEA review methodology, or bottom-up approaches based on

“The internet and information technologies open a new range of possibilities for monitoring and transparency.”

local review mechanisms. Review mechanisms have to be conceived and understood as collaborative efforts in the context of eradication of the culture of unaccountability, rather than as an impingement on sovereignty or stepping into some other agency's mandate. Environmental leaders need to set this culture in motion by voluntarily initiating such performance reviews to establish themselves as the purveyors of best practice. Once enough of them take the lead in this, it will become more and more difficult for other actors not to follow suit.

Monitoring is a task where NGOs and whistle blowers have traditionally been active, either in a collaborative way, such as the civil society-led wildlife trade monitoring network, TRAFFIC, or through a more aggressive approach, such as the Environmental Intelligence Agency.

The internet and information technologies open a new range of possibilities for monitoring and transparency. From a top-down or centralized perspective, the possibility of transmitting and revealing large quantities of information at the click of a mouse allows for centralized transparency or 'raw' accountability. Wikileaks has already had an impact on climate change and other MEA negotiations. While the jury is out

on whether such data dumps are good or bad for the overall health of the system, the number of similar episodes is likely to grow. Given the predictable recurrence, it would be wise to conceptualize ways in which the impact of such 'leaks'

can be positively channeled towards accountability and implementation.

3. Improved Compliance Mechanics

An effective set of compliance incentives entails a delicate balance of 'sticks' and 'carrots.' The problem of accountability is not only that the system does not punish bad behavior, but also that it does not reward good behavior. A system of incentives for better performance with rewards for good behavior and early action is needed to complement monitoring and penalty-based approaches.

Rewards for countries who live up to their commitments, for example, could include trade preferences, or preferential access to international credit or to global support funds such as the Global Environmental Facility (GEF). There is ample precedent of needs-based preferential treatment, so perhaps it is also time for performance-based preferential treatment. It must be stressed that a country's performance should not only be compared to that of similar countries, but, most importantly, against itself. Is a country doing better over time?

The transparency mechanisms discussed above should be linked directly to compliance. The key element is for the information to clearly show whether agreements are

being complied with or not. Such information, when available across countries, will itself become a source of real pressure on countries to improve their image — i.e., be seen to be compliant to, rather than deviant from, their global responsibilities.

4. Capacity Building

The need for more and better capacity building in developing countries is a permanent demand in the GEG system. The lack of capacity in developing countries is a real and urgent problem that, among its many consequences, perpetuates the lack of accountability (for both developed and developing countries) and makes implementation more difficult, and sometimes impossible. The role of capacity building in improving accountability and implementation cannot be underestimated. However, the key question — as in so many capacity building issues — is capacity for whom and capacity for what?

To begin with, capacity enhancement for improved reporting, transparency, and compliance is needed. Moreover, it is needed at the national (and sometimes local) levels. In essence, we are talking about the capacity to implement and the capacity to be able to account for implementation. The creation of structural and permanent capacity in developing countries to monitor, report, and analyze information related to implementation is an urgent need. Importantly, such capacity is needed in governmental as well as non-governmental institutions so that effective networks for accountability can be created and sustained.

ENABLING INSTITUTIONAL ARRANGEMENTS

Institutional arrangements are needed to nurture accountability mechanics and foster a culture



HIGH-LEVEL BRAINSTORMING SESSION: “Accountability and Implementation: The Keys to Sustainable Development”

The Frederick S. Pardee Center for the Study of the Longer-Range Future at Boston University co-hosted a side event on “Accountability and Implementation: The Keys to Sustainable Development” at the Second Preparatory Committee for the United Nations Conference on Sustainable Development (Rio+20) on March 8, 2011.

The event, supported by the Nordic UN Missions of Denmark, Finland, Iceland, Norway, and Sweden to the United Nations in New York, was attended by senior diplomats, nongovernmental experts, and scholars, and served as a high-level brainstorming session to identify key steps towards accountability and implementation in the global environmental governance system. The session was chaired by Amb. Carsten Staur (Denmark), facilitated by Prof. Adil Najam (BU Pardee Center), and included presentations by Sen. Elizabeth Thompson (Barbados), Dr. André Aranha Corrêa do Lago (Brazil), Dr. Asad Khan (Pakistan), Amb. Irene Freudenschuss-Reichl (Austria), and Dr. Bradnee Chambers (UNEP).

The brainstorming session with senior practitioners provided valuable input into the ideas presented in this paper. The session highlighted the fact that accountability is now clearly seen as a key challenge for all global governance, including for governance in pursuit of sustainable development, and especially in the context of Rio+20 discussions. While there is wide support in both North and South for addressing accountability concerns, the preferred approaches of various actors range from largely voluntary initiatives to more mandatory measures. The urgency for a meaningful response, however, seems shared by all.

of accountability, including by strengthening the habits of accountability and reinforcing these habits in a positive fashion. Institutions are important, but they

will only succeed to the extent that they manage to change the culture of unaccountability, thus ensuring accountability and implementation in the longer-term.

1. Compendium of Best Practices

One component of encouraging a cultural shift away from unaccountability is to establish a compendium of best practices in accountability. Despite the prevailing culture of unaccountability in GEG, throughout the system there are cases and examples of good practice. These cases need to be documented and understood, both to avoid reinventing the wheel and to increase the levels of expectation. Recognizing and rewarding (even if just by acknowledging) good practice will likely foster replication and nudge the system towards a culture of accountability.

The compendium should not be conceived as one more publication. After all, as mentioned above, what is needed is better information, not more reports. The compendium of best practices, then, should be conceived as a dynamic learning process, where best practices are not only compiled, but also dissected and analyzed, providing the added value of highlighting what worked where, when, and why. Within this framework, a publication providing a yearly snapshot could be presented at the annual meeting of the Commission on Sustainable Development (CSD) with the main goal of celebrating

“There is an urgent need for a centralized registry of commitments that keeps track of which country or institution has agreed to do what, and the extent to which that commitment has been fulfilled.”

and acknowledging good practice, thus reinforcing a system of positive rewards. Different from other reports, such a compendium could ‘live’ on the internet — in a manner that allows it to be dynamically

accessed as well as updated.

Any such compendium would be greatly strengthened if it also included information on ‘bad practice,’ if only as exemplars of what is to be avoided. Knowing best practice helps us to avoid reinventing the wheel; knowing bad practice prevents us from stumbling twice against the same stone. The idea should not be to shame, but to outline a clear sense of what is not desirable and why.

2. Registry of Commitments

With very few exceptions, every conference of the parties (CoP), subsidiary body, and any other GEG meeting results in decisions, conclusions, declarations, plans of action/implementation and a myriad of other agreements that ultimately boil down to commitments. How many commitments, by whom, and on what? Which ones have been fulfilled? No one really knows, as many commitments are already forgotten by the time the next meeting is held and most remain unimplemented.

There is an urgent need for a centralized registry of commitments that keeps track of which country or institution has agreed to do what, and the extent to which that

commitment has been fulfilled. Having an open, transparent, and easily accessible record of all commitments will have a healthy effect on the system and keep negotiators from re-inventing the

wheel over and over again. With the register of commitments, negotiators will have a handy reference to existing agreements and an incentive to make only those commitments that countries have the intention or capacity to fulfill. Most importantly, such a register will move the focus away from the need to be seen to reaching agreement on ‘new’ commitments (even when they are not new at all) and towards a discussion of how well we are doing — or not — in fulfilling ‘old’ commitments.

The proposed registry could quickly evolve from a mere compilation of commitments to a system of commitment tracking and reporting. Similar mechanisms are being developed in an ad hoc basis for specific issue-areas, such as climate finance, but no GEG-wide registry system is in place. Examples include OECD’s tracking of development financing, or the proposal for GEG finance tracking (Najam and Muñoz 2008). Institutionally, UNEP would perhaps be best placed to host this register since it has the institution-wide mandate for information gathering and knowledge creation. Indeed, placing such a system within UNEP would also serve to strengthen UNEP in other significant ways. For example, it would provide a renewed reason for better inter-institution coordination, especially between MEA secretariats and UN agencies and programmes.

3. (Re)New(ed) Focus for CSD

Recent events at the Commission on Sustainable Development (CSD) have again highlighted the fact that it is an institution with a forever uncertain future. Constrained by the straight jacket of a rather inflexible 14 year Programme of Work, its negotiation



role severely weakened by an inability to deliver, the CSD clearly needs to rediscover itself again. Born from the Rio Earth Summit 20 years ago, CSD has the perfect opportunity at Rio+20 to reach back to its roots and renew itself as the agency it was originally designed to be.

two decades. Accountability of GEG (as well as the other dimensions of Global Governance for Sustainable Development) would become the key function of the CSD.

We envision a reporting process where secretariats would be tasked (and given the necessary tools

enhance greater accountability in environmental governance.

The Economic Commission for Europe's Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters is a working model that

“... we propose that the CSD returns to its original purpose, and becomes a reporting and assessment hub, the place where the world meets once a year to assess and to report on progress towards sustainable development, including on environmental issues.”

Revisiting the original mandate of CSD provides useful inspiration, particularly in terms of how important the accountability and implementation role was in the original design of this platform. For example, the original architects of the CSD had envisaged its role as including:

“monitor progress in [...] activities related to the integration of environmental and developmental goals throughout the United Nations system through analysis and evaluation of reports from all relevant organs, organizations, programmes and institutions of the United Nations system dealing with various issues of environment and development;” and “consider [...] information regarding the progress made in the implementation of environmental conventions.”

Thus, we propose that the CSD returns to its original purpose, and becomes a reporting and assessment hub, the place where the world meets once a year to assess and to report on progress towards sustainable development, including on environmental issues. It would thus cease to act as a negotiating forum and embrace its original design more wholeheartedly than it has in its first

and mandate) to assess progress towards the respective goals of their organizations, and to develop their reports based but not dependent on national reporting. The focus would be measuring actual progress, rather than effort, as illustrated earlier with the ‘pushing the wall’ analogy. Importantly, the idea is not that agencies report ‘to’ the CSD, but that they report ‘at’ the CSD. This is a key distinction. The idea here is for the CSD to return to its conception as a forum that brings together the key actors in GEG to take stock of where we are in our global commitment to sustainable development, what have we achieved, and what still remains to be done. The idea is not to give the CSD a punitive or regulatory role, but rather to turn it into a venue for an ongoing assessment of the global progress towards sustainable development.

4. Towards a Global Instrument (‘A Global Aarhus’)

Ultimately we are ready to move towards the next step of creating a global legal instrument to

has been widely cited as a success. The Aarhus convention, however, is regionally limited in scope. It may be time for a global instrument, a global version of the Aarhus Convention, to improve the GEG system and move it towards a new culture of accountability. As we begin preparations for the 2012 Rio+20 conference, negotiation of such a global instrument might be a goal that Rio+20 sets for itself. If the great achievement of the Rio conference in 1992 was that it triggered a surge of global environmental negotiations and environmental instruments, it would be a fitting goal for Rio+20 to put together a robust system of accountability around these negotiations and instruments. Such an instrument clearly would be Aarhus-plus. Not only because it would be global, but more importantly because it could incorporate the type of steps and recommendations outlined in this paper: an umbrella agreement which brings together a system of better accountability for better implementation in GEG. ●



Further Reading

Biermann, Frank et al. 2010. "Earth System Governance: a Research Framework." *International Environmental Agreements* 10:277-298.

Muñoz, Miquel and Adil Najam. 2009. "Rio + 20: Another World Summit?" *Sustainable Development Insights*, No. 2. Boston: The Frederick S. Pardee Center for the Study of the Longer-Range Future, Boston University.

Najam, Adil. 2011. "Climate Change Funds and Development: How to Ensure Transparency and Access to Information on Funding Streams for Adaptation" in: Transparency International, *Global Corruption Report*. London: Earthscan.

Najam, Adil and Mark Halle. 2010. "Global Environmental Governance: the Challenge of Accountability." *Sustainable Development Insights*, No.5. Boston: The Frederick S. Pardee Center for the Study of the Longer-Range Future, Boston University.

Najam, Adil and Miquel Muñoz. 2008. *Tracking Global Environmental Finance: A Proposal*. Winnipeg, Canada: International Institute for Sustainable Development (IISD).

Najam, Adil, Mihaela Papa and Nadaa Taiyab. 2006. *Global Environmental Governance: A Reform Agenda*. Winnipeg, Canada: International Institute for Sustainable Development (IISD).

Selin, Henrik and Adil Najam (eds.). 2011. *Beyond Rio + 20: Governance for a Green Economy*. A Pardee Center Task Force Report. Boston: The Frederick S. Pardee Center for the Study of the Longer-Range Future, Boston University.

Hannah Stoddart (ed.). 2011. *A Pocket Guide to Sustainable Development Governance*. London: Stakeholder Forum.



Acknowledgment

This initiative was conceived and generously supported by the Nordic UN Missions of Denmark, Finland, Iceland, Norway and Sweden to the United Nations in New York. The views expressed in this paper are solely those of the authors and do not necessarily represent the views of the Nordic Missions, or of Boston University, of the Frederick S. Pardee Center for the Study of the Longer-Range Future, or of the United Nations.

Sustainable Development Knowledge Partnership (SDKP)

brings together governments, individuals, institutions, and networks engaged in the production and dissemination of knowledge on sustainable development, including research institutions and sustainable development expert networks. Its aim is to organize knowledge on sustainable development and make it available to policy makers and practitioners. The Partnership is supported by the Division for Sustainable Development of the United Nations. *Sustainable Development Insights* is a contribution of The Frederick S. Pardee Center for the Study of the Longer-Range Future at Boston University to the SDKP.

The Frederick S. Pardee Center for the Study of the Longer-Range Future at Boston University

convenes and conducts interdisciplinary, policy-relevant, and future-oriented research that can contribute to long-term improvements in the human condition. Through its programs of research, publications and events, the Center seeks to identify, anticipate, and enhance the long-term potential for human progress, in all its various dimensions.

Sustainable Development Insights
Series Editor: Prof. Adil Najam

Boston University
Pardee House
67 Bay State Road
Boston, MA 02215 USA

pardee@bu.edu
+1 617-358-4000 (tel.)
+1 617-358-4001 (fax)
www.bu.edu/pardee

The views expressed in Sustainable Development Insights are strictly those of the author(s) and should not be assumed to represent the position of their own institutions, of Boston University, of the Frederick S. Pardee Center for the Study of the Longer-Range Future, or the United Nations.