



ACCOUNTABILITY IN GLOBAL ENVIRONMENTAL GOVERNANCE - WORKSHOP REPORT

UNIVERSITY OF SYDNEY, 18-19 DECEMBER 2015

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Acknowledgements

This most recent AGEG workshop is the third edition that has been held as part of an international collaboration of leading scholars in the sub-field of global environmental politics, led by Teresa Kramarz from the University of Toronto, and Susan Park from the University of Sydney. This meeting builds on two previous workshops, in Toronto in 2014 and New Orleans in early 2015.

The network was established to promote collaborative research on the concept of accountability in global environmental governance, and thus build a path-breaking picture of how GEG operates including mapping accountability gaps. The AGEG network continues to bring together scholars with intimate knowledge of key environmental regimes (e.g. air, water, forests, energy, and climate), along with scholars of global institutions (e.g. the United Nations Environmental Program, the World Bank, and International Conventions' Secretariats), and local initiatives.

This workshop was made possible with the support of the School of Social and Political Sciences and the Department of Government and International Studies at the University of Sydney, as well as the Sydney Environment Institute and the Australian Political Studies Association. AGEG is an associated Task Force of the Earth System Governance Network.

Workshop Participants

Aarti Gupta	Wageningen University
Bunlong Leng	University of Melbourne
David Schlosberg	University of Sydney
Jessie Connell	University of Sydney
John Dryzek	University of Canberra
Jonathan Kuyper	Stockholm University
Judith van Leeuwen	Wageningen University
Karin Bäckstrand	Stockholm University
Michelle Scobie	University of the West Indies
Nick Enfield	University of Sydney
Oscar Widerberg	VU University (Amsterdam)
Pichamon (May) Yeophantong	University of New South Wales
Robert MacNeil	University of Sydney
Ruben Zondervan	Earth Systems Governance
Sokphea Young	University of Melbourne
Susan Park	University of Sydney
Teresa Kramarz	University of Toronto

Workshop Structure

The two-day workshop was divided into three sessions during the first day, and two sessions on the second, followed by an extended plenary discussion to make preparations for future research and publications. The sessions were grouped into the below themes, and comprised two 20 minute presentations from invited scholars, which was followed by a discussion on each paper that was moderated by an expert researcher for that sub-field.

Invited participants were asked to engage with the workshop framing paper entitled, *“Accountability in Global Environmental Governance: A Meaningful Tool for Action?”*, in which co-conveners Susan Park and Teresa Kramarz address the paradox of a growth of accountability mechanisms in environmental governance that is not translating into enhanced responsiveness to stakeholders or more effective environmental action. The argument put forward is that accountability is always a means to an end, rather than an end in itself, and in light of this, participants were asked to bear in mind the following questions while preparing their papers:

1. Are the accountability mechanisms you examine a means to a particular end or an end in itself? Discuss the distinction in your empirical case
2. If accountability is a means to an end, what are the different goals of the diverse stakeholders involved in the accountability mechanism you examine in your research?
3. How do different priorities of what to account for and to whom compete in your work? Are there trade-offs between environmental, political, legal, market, and social agendas? What are these agendas and how do they interact to shape accountability processes?

After receiving the paper abstracts, the workshop sessions were structured around the following themes:

DAY ONE

Session One: Designing Accountability in Global Environmental Governance

Session Two: Accountability of Stakeholder Representatives in Global Environmental Governance

Session Three: Accountability in the Global Environment within the State

DAY ONE

Session One: Accountability of the Multilateral Development Banks

Session Two: Transnational Accountability

Plenary Discussion: Future research and publications

Day One – First Session

This session kicked off the conversation on AGE design by scrutinizing the accountability gap in current top-down and bottom-up climate governance. In the paper by Widerberg and Pattberg, discussion focused on cooperative initiatives such as transnational multi-stakeholder initiatives for climate action. Such initiatives are emerging to address the widening emissions gap between the greenhouse gas (GHG) reduction pledges made by countries party to the United Nations Framework Convention on Climate Change (UNFCCC) and the emissions pathway necessary to limit climate change within the range of 2 degrees Celsius above pre-industrial levels. An examination of these alternative governance approaches highlighted several of their accountability deficits, such as evaluating mitigation effectiveness, and made suggestions for concrete ways to improve accountability. For example, through implementing a comprehensive framework including a uniform registry with minimum requirements, and encouraging cooperative initiatives to communicate their goals and commitments in a way that enables comparison, monitoring, and reporting.

Discussion then progressed to how accountability is being conceptualized and operationalized in negotiations over a new post-2020 climate agreement. It was shown that the shift from the top-down, multilaterally negotiated Kyoto-Protocol approach, to global climate mitigation to the current, post-Copenhagen, bottom-up “pledge and review” approach, has moved issues of *transparency and accountability of action and support* to center-stage in the multilateral discussions. One participant spoke of the debates and disputes that this move has sparked that have unsettled long-standing and contested aspects of collective action on climate mitigation; they questioned whether newly designed (disputed) transparency and accountability mechanisms are operationalizing and/or reinterpreting climate



justice, and whether they help to further environmental integrity of the regime.

Day One – Second Session

Discussion in this next session turned to an evaluation of accountability for non-state actors in the UNFCCC, in particular, how non-state actors are held to account by their internal members and by other non-state actors within the UNFCCC. In comparing and contrasting strategies employed by for-profit actors and non-profit civil society actors to generate accountability for theirs and other non-state organizations; it was demonstrated that such demands were crucial on-going political battles waged amongst non-state actors to influence state behavior and preferences. Additionally, constituencies of non-state actors engaged in advocacy with the aim to speak with a single voice have been compelled to develop more elaborate accountability mechanisms and internal consensus building processes.



In the second paper of this session, Kramarz and Park outlined the framework for thinking through accountability in global environmental governance. As mentioned above, global environmental governance is awash with accountability mechanisms and yet it is clear that the environment continues to deteriorate. To make sense of this 'accountability paradox' Kramarz and Park provide a framework for thinking through accountability in environmental governance. They establish three forms of institutional governance: public, private, and voluntary, within which the various governing arrangements can be placed.

In these governing arrangements, there are different responses to the typical accountability questions: who is held accountable, for what, by whom, and what procedures, standards, and sanctions are established for non-compliance. The authors then examine whether these questions are being used to interrogate global environmental governors (those in authority for governing the various environmental regimes) at the first tier in which the governance arrangements are designed, or the second tier, at the stage when governance arrangements are implemented. The authors argue that to make accountability a meaningful tool for environmental action, accountability must be applied to both the first and second tiers of global environmental governance.

Day One – Third Session

In the context of the global trend towards judicializing environmental policy, notably in democracies in transition, this discussion questioned the impact of judicialization on democratic accountability. Participants looked at the ways in which judicialization generates accountability losses through the Supreme Court taking on managerial functions beyond the nature of its adjudicative role, as well as the challenges that arise in terms of guaranteeing effective remedies when the Court becomes involved in policy formulation – despite the appearance of short term accountability gains.

The discussion then turned back to the role played by protest movements of marginalized grassroots communities and NGOs. One participant showed that in countries like Cambodia, accountability in issues of environmental degradation are strengthened due to the ability of these movements to compel both corporations to self-regulate – by adopting codes of conduct, and corporate social and environmental responsibility – as well as the government to re-form and re-adjust its regulatory policies. This concrete example shows the ways in which the demands of communities and NGOs serve to hold Governments and foreign corporations accountable in global environmental issues.



Day Two – First Session

One participant opened the day’s discussion by focusing on accountability issues within donor aid projects, highlighting some of the institutional challenges of maximizing and mainstreaming environmental safeguards and climate resilience. Young used the example of two different donor-funded road projects in Cambodia to highlight the critical role a donor’s legacy played in both raising awareness of the issues and initiating accountability in environmentally sensitive sectors.

Stemming from this, one participant pointed to her analysis of localized resistance in Cambodia and Myanmar in a broader discussion on China, corporate responsibility, and the accountability politics of hydropower development. In the context of a developing, embryonic transnational advocacy network within the region's evolving public sphere, Chinese dam developers have been compelled into responding to mounting external pressure and adopting policies that reflect a shift towards greater compliance with 'responsible' investment norms. Therefore, campaigns spearheaded by local and international NGOs can prove crucial to both raising public awareness, and sensitizing the Chinese government and its state-owned enterprises to the requirements of social accountability.

Scrutiny on Development Banks' accountability mechanisms then focused on the work of another participant Connell, who presented research on the complex community dynamics of an involuntary resettlement scheme carried out for the ADB-financed Cambodian Railway Project. The group considered what can be learned from affected communities for the design of "community-based" accountability mechanisms.

Day Two – Second Session

Opening the final session of the workshop, one participant gave a comprehensive review of the dispersion of authority between public and private actors, including multinational companies. Specifically, they questioned the extent to which companies have authority in global environmental policy making and implementation, and how they are held accountable for the authority they exercise. The review aims to put forward a research agenda to guide future research into private authority and accountability of corporate actors in global environmental governance.

Discussion then turned towards Accountability Mechanisms in Environmental Governance in the little-addressed "cruise tourism" in the Caribbean. After locating relationships of accountability along the axes of internal and external accountability, the group then heard whether power and context influenced the nature of the accountability relationships and mechanisms between the different actor groups. The particular case study showed how environmental governance in some cases may depend less on direct and endogenous relationships of accountability and more on external factors outside of those relationships.

Plenary Session

This session talked about the next steps for AGEG task force: what of a future research agenda and what sort of outputs is the group interested in producing?

In terms of Accountability in GEG as a research program, the group spoke of ongoing challenges in defining accountability, i.e. the need for a working definition that isn't just focused on the international, but that links local area/regional studies and debates to the global. Even if accountability is "much messier" at local levels. The group thought it might be good to see how operationalizing accountability works across different contexts; how contestation provides opportunity for transformation; and question if it could reinforce or transcend existing inequalities? An alternative way of looking at accountability is through the lens of responsibility and answerability in the context of environment and primary stakeholders.

However, it was noted that given the level of complexity in multidimensional relationships of accountability, occurring in so many different types of contexts, perhaps we should be hesitant about having a singular definition of accountability. Several participants raised the point that perhaps we were ascribing too much hope — cautioning against seeing accountability as a "silver bullet," in terms of solving environmental problems.

Several participants also raised concerns over the conceptual stretching of accountability, which lead the group to interrogate just why this might be taking place – i.e. is accountability a means or an end? And if an end, then we need to clarify what that end is – democratic accountability or something else? One participant pointed out however, that compared to other concepts, accountability still remains fairly clear when considered in relation to other things. For example, as a key part of deliberative systems, on its own accountability wouldn't necessarily result in effective and legitimate Earth Systems Governance (ESG), hence the importance to link it to questions of institutional design, architecture, and legitimacy.

One participant spoke of the two strong pulls that accountability has: (1) that of a conceptually resilient project in the context of having no global democracy, and (2) as the potential for transformation, not just reflecting the politics of power and political contestation, but on a much deeper level, as an opportunity to contest and transform, by voting with one's feet.

WRITTEN OUTPUTS:

The convenors suggested a handbook on accountability with MIT press, with the aim of producing a first draft at ESG conference in Nairobi in December 2016. Ruben Zondervan from ESG additionally pointed out that papers could also be published as ESG working papers. These would require a peer review after the workshop discussions and reviews; these might take two weeks or two months to be reviewed by ESG and they might include development country case studies.

Finally, the possibility of a two-day Summer School (masterclass for PhD students) was also suggested.

