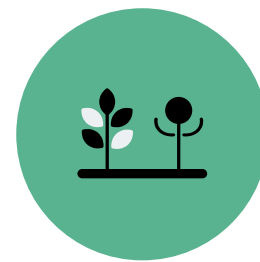


# Shift Two | Planet and People

Regain Balance with Nature  
and Provide Clean Energy for All



*“All of us will benefit collectively if we treat a healthy planet as a global public good ...”*



**The triple planetary crisis is accelerating and intensifying. Due to human activity, our climate is warming towards levels well above the crucial 1.5-degree threshold; our biodiversity is being destroyed at the fastest rate in human history; and we are polluting our land, air, and water at unsustainable levels. The triple planetary crisis has created an inequitable burden for women in particular, exacerbating existing disparities in a world already beset by inequalities.**

Since the world’s first climate treaty in 1992, more than three decades of inaction have turned our planetary challenge into an existential crisis. Meanwhile, the gap between needs and action widens as fossil fuel production and unsustainable industrial production continue to soar. We now face irreversible tipping points in our global ecosystem, including the melting of the Antarctic ice sheets, tropical coral reef collapse, and the large-scale loss of rainforests.<sup>30</sup> The impacts are clear and horrifying: biodiversity loss is undermining the well-being of billions of people, pollution costs nine million lives per year, and entire countries risk being swallowed by rising sea levels in only a few years.<sup>31</sup> Without a radical change in our relationship with the planet, our collective future is at risk.

Our starting point for an equitable, green transition is the recognition that countries and communities who have benefited most from decades of planetary exploitation have a special responsibility. The Paris Agreement is clear that governance of our environment should be taken forward on the basis of “common but differentiated responsibilities”.<sup>32</sup>

Women and Indigenous peoples are pivotal agents of global environmental change, playing a significant role in securing food supplies, mitigating the effects of climate change, and safeguarding biodiversity. Their essential role should result in specific opportunities to engage in decision-making, policymaking, and access to finance for a just and sustainable transition to a circular economy.

This is not a zero-sum game. All of us will benefit collectively if we treat a healthy planet as a global public good, building a networked and inclusive governance system to protect it, ensuring equitable access to resources, and living within its boundaries sustainably.<sup>33</sup> To flourish as a species, we must regain balance with nature and with one another, treating ecosystems as a primary asset for securing our collective well-being. Indeed, the recent breakthrough in agreeing to the Biodiversity Beyond National Jurisdiction (Oceans) Treaty is evidence that principles of equity and collective responsibility for the planet can be the basis for our international legal obligations.<sup>34</sup>

A circular economy that delivers for all is our only pathway to achieving the SDGs, global security, and prosperity. This is the basis of the General Assembly resolution recognizing the human right to a clean, healthy, and sustainable environment, which signals the interconnectedness of the well-being of people and a healthy planet.<sup>35</sup> Our responsibilities to current and future generations can only be met if we act in trusteeship for the planet.

## ● Recommendation 1. Conclude a pact for people and planet.

We call on Member States to conclude **a pact for people and planet, pledging to hold us collectively accountable for implementing ambitious, measurable commitments to address the triple planetary crisis.<sup>36</sup> Such a declaration should be articulated at the upcoming 2023 Climate Ambition Summit and taken forward as an integral part of the Summit of the Future.** The pact should be led by a majority of the world's top State and non-State polluters, demonstrating a commitment to address the global environmental challenges facing us today.<sup>37</sup> It should recognize successful treaty and impact hub models, encouraging more democratic and effective approaches to environmental governance.<sup>38</sup> Reaffirming existing treaty obligations,<sup>39</sup> the pact should incorporate time-bound commitments to accelerate the Paris Agreement, the Kunming-Montreal Global Biodiversity Framework, and other environmental agreements, with specific commitments to:

- Net-zero carbon emissions;
- A phase out of fossil fuels;
- Provision of energy to the 800 million people without access to electricity, prioritizing investment in clean energy at scale;<sup>40</sup>
- Zero loss of forest cover, zero deforestation, and a global incentive mechanism to protect standing forests;
- Biodiversity targets that respect the rights of Indigenous peoples and local communities;
- Nature regeneration; and
- A pollution-free planet.

Taken together, these commitments would enable a global transformation towards a circular economy, helping to regain balance with the planet and ensure sustainable development for all. A more detailed version of this package with specific options is provided in Annex 1.

Ultimately, however, such commitments will only be meaningful if they are part of **a system of accountability that holds all actors responsible and generates behavioural change at the global level.** The pact should commit to including and holding accountable major industries and the private sector within multilateral agreements.<sup>41</sup> For example, it could lead to protocols to obligate private sector actors within existing treaties;<sup>42</sup> agree on globally enforceable science-based targets for industry;<sup>43</sup> empower a global network of bodies to ensure that the private sector discloses and meets its nature-based targets;<sup>44</sup> and/or generate city-specific targets that offer clear benchmarks for sub-national entities.<sup>45</sup> An important first step would be agreement on a roadmap for implementing the recommendations of the High-Level Expert Group on the Net-Zero Emissions Commitments of Non-State Entities.<sup>46</sup>

The following recommendations offer a pathway to meet these global environmental commitments.

## ● Recommendation 2. Equitably distribute clean energy.

If we are to transform our economy to meet the goals of the Paris Agreement and Glasgow Pact and deliver energy to the 800 million people lacking electricity, a massive public and private investment that prioritizes a rapid transition to clean energy is required. This is proposed in Shift Three (below), which envisages public and private investment in clean energy and sustainable development. Specific to climate action, **the Summit of the Future should adopt the recommendations of the 2022 Independent High-Level Expert Group on Climate Finance**, which offer a clear sense of the scale of investments needed along with practical steps that should be taken by Member States and multilateral banks.<sup>47</sup>

In addition to the enormous resources required, delivering a just, green transition requires shifts to improve access to technology, transfer knowledge, and lower the costs of renewables, including through the socially and environmentally

responsible production of key minerals. At the global governance level, a rules-based architecture should be developed to manage technological risks in line with the precautionary principle, prevent supply disruptions, and ensure equitable access to the benefits of clean energy. While the World Trade Organization (WTO) has some enforcement mechanisms in place, the current multilateral frameworks will not guarantee the supplies of clean energy needed for a worldwide energy transition. Building on current governance structures, **a global system for the fuels of the future** should be created, ensuring that countries can decarbonize their industries and economies while also promoting equity and cooperation. Specifically, this will require meaningful steps to lower the barriers around trade and intellectual property (IP) rights that currently enable monopolies and prevent equitable access to clean technology, including:

- ▶ **Reform of the global trade and intellectual property system.** Today's trade and intellectual property system allows for private monopoly of the crucial knowledge and technology that could accelerate an equitable shift to clean energy globally. There should be a global review of major bodies like the WTO's Agreement on Trade-Related Intellectual Property Rights (TRIPS) and the World Intellectual Property Organization (WIPO), driven by an understanding that the technology for a green transition is a global public good. Ultimately, our governance of trade and IP should be reformed to regulate technology patents more effectively, increase limitations on patentability criteria to avoid privatization and/or enable distribution to those in need, and create incentives and disincentives to generate greater transparency and knowledge-sharing.
- ▶ **A global distributed renewable energy platform.** Distributed renewable energy (DRE) is an effective and well-established solution for energy access, offering lower costs and greater accessibility in many underserved parts of the world.<sup>48</sup> DRE supports local jobs, increases the resilience of electricity systems, and addresses the recurring costs of government subsidies to existing electricity grids. Creation of a DRE platform would dramatically lower the initial costs of investment and allow for

a massive scale-up and distribution of high-powered renewable energy that would increase interoperability, contribute to a fair-trade ecosystem, address IP issues equitably, create robust supply chains, pool funds, enable a global inventory of technology, and track emissions. This model is well articulated in, for example, the LDC Renewable Energy and Energy Efficiency Initiative for Sustainable Development (LDC REEEI)<sup>49</sup> and could also take inspiration from the UN Environment Programme's (UNEP) recent initiative in sub-Saharan Africa, which is already showing positive results.<sup>50</sup>

- ▶ **A green technology licensing facility** to expedite and reduce the barriers to a green transition. Creation of such a facility as a joint public/private initiative would help to address one of the greatest impediments to a just transition to clean energy in developing countries: licensing and IP restrictions in the technology sector.<sup>51</sup> The facility should prioritize licenses for technologies that have been co-developed and offer an opportunity for countries to agree on bilateral municipal, state, or national licensing arrangements.<sup>52</sup> It could be accompanied by a global green technology fellows programme to incentivize exchange and co-development of green technology.

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### ● Recommendation 3. Price and regulate carbon to accelerate a just, green transition.

The scale of action needed to achieve a just, green transition should not be underestimated. Even by the most conservative estimates, tens of trillions of dollars must be generated to meet the most basic mitigation needs of developing countries and implement our obligations under the Paris Agreement.<sup>53</sup> A critical first step is full implementation of the breakthrough agreement on "loss and damage" funding for vulnerable countries.<sup>54</sup> But this will not be enough. Specific actions must be taken to put a meaningful price on carbon, end the widespread practice of subsidizing fossil fuel production, enhance transparency around carbon generation and capture, and offer incentives to accelerate the shift to clean energy.

Drawing on the principles of effective multilateralism offered in this report, and aligned with the concept of countries doing their “fair share”,<sup>55</sup> **the Summit of the Future could advance agreement on a global decarbonizing package, including:**

- › A global system of carbon pricing to meet the Paris Agreement goals;
- › A global carbon incentive;
- › Shifting of subsidies from non-renewable to clean energy;
- › A global emissions liability management system;
- › Improved carbon-offset programming;
- › A transparent framework to define and ensure standards for the integrity of carbon credits; and
- › A phase-out plan for fossil fuels.

More details and some options for building such a package are outlined in Annex 2.

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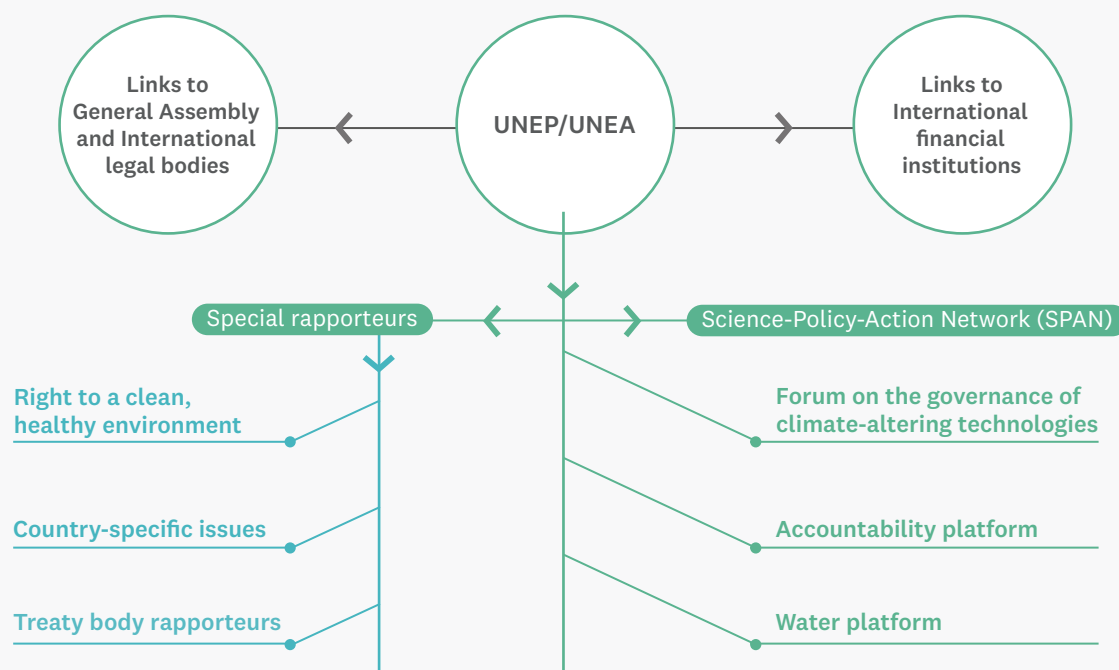
#### ● Recommendation 4. **Elevate the environment within the multilateral system.**

The central importance of the environment to all aspects of our lives and collective well-being must be accompanied by an elevation of the environment within our global governance system. This requires strengthening UNEP and the United Nations Environment Assembly (UNEA) with mandates and resources comparable to the United Nations’ development, peace and security, and human rights institutions. Specifically, **UNEP should be empowered to act as a more effective global environment agency**, able to track our interrelated impacts on the environment, consolidate and measure our commitments, condition our global financial investments, and drive a transformative agenda for people and planet across multilateralism.<sup>56</sup>

In line with the above principles of effective multilateralism, and to build a global environmental governance system that can deliver a just, green transition, **UNEP and UNEA could be elevated and strengthened along the following lines:**

- › **A bolstered monitoring/accountability role.** To uphold the newly recognized right to a healthy, clean, sustainable environment, UNEP and UNEA should be provided with a special rapporteur group possessing mandates to investigate and report publicly on environmental violations. These bodies should be mandated to issue more regular public reporting on the gaps between international commitments and current trends, including those related to carbon emissions, pollution, and encroachments on protected sea and land areas.<sup>57</sup>
- › **Integration with the international financial system.** One of the major shortcomings of today’s environmental governance system is its lack of integration. Whereas organizations like WIPO, ILO, and the World Health Organization (WHO) have the mandates and ability to integrate across all relevant sectors, UNEP and UNEA are only loosely linked with a range of unrelated environmental instruments scattered across different legal and administrative bodies. Providing UNEP and UNEA with an advisory role for the World Bank and International Monetary Fund (IMF) would help to integrate their work with the global financial system. This link could be achieved by agreeing on the set of environmental conditions that international finance would follow when providing resources.<sup>58</sup>
- › **A Science-Policy-Action Network for the planet.** UNEP should be resourced with a Science-Policy-Action Network (SPAN) to consolidate information regarding the triple planetary crisis into a coherent, constantly updated, actionable assessment of risks to the planet.<sup>59</sup> Such a body could act as a policy clearing house<sup>60</sup> to draw from existing bodies and generate recommended actions for governments and non-State actors in real time.<sup>61</sup> The SPAN would issue reports on horizon scanning and strategic foresight; trace environmental impacts, including on climate-driven security risks; use behavioural science to generate global shifts in our policies and practices; and offer clear, actionable

## Global Environmental Governance System



recommendations for policymakers.<sup>62</sup> Its mandate could include country-specific reports based on national commitments, a facility to feed into policy decision-making, and resources to build adaptation and green technological capacities in developing countries. Drawing on models like the Climate Trace initiative, the SPAN could track a broader range of environmentally harmful activities, including pollution of air, water, soil, and the seas; deforestation; desertification; destruction of protected habitats; safe production of critical minerals for renewable technologies; and violations of international environmental commitments.<sup>63</sup>

- **A public accountability platform for our planetary commitments.** Across the major environmental conventions, signatories should be held publicly accountable for their commitments and supported in their efforts to reach the core goals of net-zero carbon emissions, biodiversity protection and restoration, and a pollution-free planet.<sup>64</sup> This could be achieved by establishment of a UNEP-supported platform containing publicly available information, capacity-building for developing countries, information-sharing around best practices, and an annual reporting requirement to the General Assembly for all conventions.

- **A platform for water diplomacy.** Water is at the heart of the people/planet relationship and is a key aspect of many peace efforts around the world. Improving the global governance of water is crucial to addressing the triple planetary crisis and achieving the SDGs. Unfortunately, today's governance regime is outdated, fragmented, and unable to keep pace with the fast-moving trends affecting water worldwide. Building on the Global Commission on the Economics of Water,<sup>65</sup> an inclusive platform for water diplomacy should be established, offering a safe, neutral space to exchange on a wide range of water-related issues, including infrastructure (hydropower), water-sharing, combating water pollution, and safeguarding the human right to safe drinking water and sanitation.<sup>66</sup> Such a platform should avoid reinforcing existing fragmentation of water governance, instead drawing on existing initiatives and resources, and could be included within a strengthened UNEP structure to ensure global coherence.<sup>67</sup>

- **A forum on the governance of climate-altering technologies.** Recent reports by the Intergovernmental Panel on Climate Change (IPCC) have made clear that, absent far more radical changes to our economies, we are headed well beyond the 1.5-degree threshold. This has led some to consider a range of climate-altering technologies, including large-scale ongoing efforts at Carbon Dioxide Removal (CDR). More speculative and potentially dangerous technologies like Solar Radiation Modification (SRM) are also being considered by some actors, though there is widespread scientific consensus that the risks of SRM are far too great to proceed without significant further research based on the precautionary principle.<sup>68</sup> A strengthened UNEP could better support dialogue on the governance of climate-altering technologies, drawing on a global network of scientific experts, and with a commitment from Member States to shape policies based on their findings.<sup>69</sup>
- **A global hub for the conservation, preservation, and dissemination of Indigenous knowledge, and its inclusion in policymaking processes.** Establishment of such a hub supported by UNEP would expand from UNESCO's Local and Indigenous Knowledge Systems programme, and the Local Communities and Indigenous Peoples Platform under the umbrella of the UN Framework Convention on Climate Change (UNFCCC), which helps to amplify Indigenous voices and facilitate their participation in climate negotiation processes.<sup>70</sup>
- **Advancing environmental rights within the multilateral system.** The 2022 General Assembly resolution on the human right to a clean, healthy, and sustainable environment was a watershed moment demonstrating broad recognition of the central importance of the planet to the multilateral agenda. In the event of conflict between this right and profit-motivated exploitation of natural resources, the human right to a clean, healthy, sustainable environment should prevail. To this end, international investment law should be realigned to avoid undermining the climate and environment goals in the Paris Agreement. The right to a clean, healthy, sustainable environment, however, carries no legal weight

unless it is attached to judicial bodies at the international and national levels. Our proposal for an elevation of the environment within the multilateral system could be accompanied by specific steps to consolidate environmental rights within our current and future systems, some of which could include: (i) modernizing the International Court of Justice to better address global environmental issues;<sup>71</sup> (ii) codifying the human right to a clean, healthy, sustainable environment in a new international treaty, or in a protocol to an existing treaty body;<sup>72</sup> (iii) inclusion of ecocide in the statute of the International Criminal Court; or (iv) a call for all Member States to codify the right to a clean, healthy, sustainable environment in their national laws. Some of these efforts could be led by the newly created Envoy for Future Generations, linking environmental rights to normative and legal obligations to future generations.