



## **Global Policy Dialogue on Earth System Governance: Ensuring Human Flourishing in the Anthropocene**

### **Breakout Group 3: *Enhancing Earth System Scientific Monitoring/Reporting Capacity and Moving Toward Next-Generation Earth System Governance by Upgrading UNEP/Establishing a Global Environment Agency & International Environment Court***

**Co-Convenors:** Climate Governance Commission, Global Green Growth Institute, Stimson Center

## **Overview**

### **Format/Guiding Note:**

- This break-out workshop group is designed to be a moderated conversation between Earth system science and governance specialists and non-specialist policymakers focusing on critical risks to the Earth system and relevant governance proposals which could address some of the challenges with managing these risks. The discussion is designed to be positively focused on the pathways and opportunities for implementing relevant proposals, aiming to spark innovative thinking and an open progress-focused environment for taking the next steps in addressing Earth system risks.

### **The Challenge - Earth System Risks and the Need for Enhanced and Defragmented International Response to these Risks**

As identified in the morning's presentation, Earth system scientists have warned us that we have already crossed [seven of nine of the Planetary Boundaries](#), and currently run the risk of triggering critical [Earth system tipping points](#) (and started to map economic consequences of our current trajectory, see e.g., [this study](#)). These warnings underscore the need for an array of governance innovations/responses suitable, among others, to ensure full recognition of the urgency and scale of the planetary emergency that we are experiencing (see e.g. the [CGC's policy brief](#)).

### **The Solution - Enhancing Earth System Scientific Monitoring/Reporting Capacity and Moving Toward Next-Generation Earth System Governance by Upgrading UNEP/Establishing a Global Environment Agency & International Environment Court**

A number of proposals have been put forward to develop enhanced international Earth System monitoring capacity (see e.g. the CGC's [policy brief](#) on the subject). The UN High-Level Advisory Board on Effective Multilateralism (HLAB) has recommended that the UN Environment Programme (UNEP) and its governing body, the United Nations Environment Assembly (UNEA), be resourced to support a [Science-Policy-Action Network \(SPAN\)](#) to consolidate information regarding the triple planetary crisis into a coherent, constantly updated, actionable assessment of risks, and offer clear actionable recommendations for policymakers. A SPAN could track climate issues and progress "in real time," trace environmental impacts, including on climate-driven security risks; use behavioural science to generate global shifts in policy and practice, and issue country-specific reports designed to improve policy decision-making, connecting to other scientific bodies assessing the condition of Planetary Boundaries.

SPAN could use this data to suggest science-driven policies on how best to ensure that these boundaries are restored, maintained and not further compromised. It could work with a proposed rapporteur group and/or a proposed [Climate Council](#), with mandates to investigate compliance with obligations under multilateral environmental agreements, support a global hub to preserve and transfer Indigenous knowledge, act as a facility to feed into policy decision-making, and resources to build adaptation and green technological capacities in developing countries. SPAN could also oversee strengthened global collection of the necessary environmental, social and economic data to fill gaps in coverage in poorer countries and to build the scientific capacity for participation everywhere.

These proposals could form part of a broader effort to upgrade UNEP into/establish a Global Environment Agency (GEA). A GEA could act as a robust centralised entity to coordinate fragmented agreements, policies and institutions, with key functionalities (see diagram, below). It could serve as a forum through which both state and non-state actors could develop science-led policies and support their implementation to protect the global commons and maintain a safe operating space for humanity. A GEA could serve as an upgraded body to UNEP/UNEA, be developed in connection with the near term [Emergency Platform](#) or [Climate Council](#) proposal put forward by the UN Secretary-General and COP30 team of Brazil, respectively.

An International Environmental Court could act as a “next-generation” legal institution to further interpret and support the enforcement of these obligations and the global multilateral environmental agreement (MEA) regimes. The final composition of the Court would be developed with the support of international legal experts, climate-vulnerable regions and minorities currently underrepresented before international legal institutions. It could be composed of a secretariat, tribunal of judges, an international scientific advisory council, and other technical expert advisory panels as needed. It would strive to clarify legal obligations, harmonize obligations under the existing MEAs, complement existing regimes (e.g. efforts to develop international human rights obligations with regard to protecting the environment and addressing climate change). The Court would support legal certainty and predictability by providing a centralized forum through which both state and non-state actors could refer to climate and ecological issues, acting as both a mediator and facilitator for conflicts taking place amidst the wider expansion of international environmental law principles into a host of complex Earth system issues.

### **Relevant Background Information Links**

Climate Governance Commission, [Governing Our Planetary Emergency](#)

Prof Sylvia Karlsson-Vinkhuysen and Arthur Dahl, [Towards a Global Environment Agency](#)

Brazilian COP 30 Team, [Proposal to Establish a “Climate Council”](#)

International Court for the Environment Coalition, [Proposal to Establish an International Court for the Environment](#)