Role of NGOs in ex-post accountability:

The Paris Agreement

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Abstract:

The aim of this research project is to examine the actions and opportunities for NGOs to hold actors accountable for the Paris Agreement. This is an important agreement accomplished in the Conference of the Parties 21 (COP21) of the United Nations Framework Convention on Climate Change (UNFCCC). This will be explored by using a theory of ex-post accountability. From the theory of ex-post accountability topics like the role, strategies, standards, barriers and effects were derived and have been analyzed. The empirical research consisted of using document analyses, interviews, and virtual observation. The end result is an overview of the formal and informal roles that NGOs can play or envision to play in holding actors accountable for the Paris agreement with the corresponding strategies, barriers, and envisioned effectiveness. The literature highlights the importance of NGOs enagaging in ex-post accountability, because global governance often lacks public accountability and NGOs can strengthen this via their roles and strategies. An important insight is that formal roles within the Paris agreement are currently limited for NGOs, but opportunities exist around some modalities and procedures that still need to be developed. NGOs stressed to be both interested in formal and informal roles, since they believed they can both be effective. However, the barriers that are discussed restrict individual NGOs to focus on different roles and strategies. This highlights the importance of cooperation among NGOs to strenghten the impact on the Paris Agreement. This is both necessary on global and domestic level. The envisioned effect of NGOs is to strengthen public accountability of the Paris agreement, when a variety of formal and informal roles are well established. The results hold relevance for policy makers, NGOs and scholars, because it identifies opportunities for NGOs to strengthen compliance of the Paris agreement and the barriers that are faced by this. In addition, it enables to understand a gap in the literature, which are the opportunities for NGOs to strengthen ex-post accountability in the Paris agreement.

Keywords

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''Accountability is the glue that ties commitments to results ''

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Preface and acknowledgment

This research could not have been completed without the contributions of the NGOs I have interviewed. They have given me substantially important information that added much value to the research. In addition, I like to express my gratitude to my supervisor Sylvia Karlsson-Vinkhuyzen for her confidence and advice in writing the report.

During my studies I gained increasing interest in sustainability. It directed me to enroll to Public Administration & Policy as I was searching for disciplines that have a lot of influence and impact. In 2015 several global goals were set in the Sustainable Development Goals (SDG's) and UNFCCC. I was concerned with these negotiations and glad that agreements were accomplished. However, the first thing everyone wonders after such agreements is: How are they going to make sure every country holds up their part of the deal? Even though, people question this not much attention is paid in the media on these advancements made on the agreements. This is why I became interested in understanding how accountability operates in such global governance arrangements. Various types of non-governmental organizations (NGO) are very much involved in the process towards the negotiations seeking to influence the content, but what activities do they undertake to hold relevant actors within global governance arrangements to account after the agreements? What role do scholars, the public, global governance regimes, and NGOs themselves foresee for NGOs in holding global governance arrangements to account?   There is much to learn about what role NGOs can play and what strategies NGOs promote as accountholders after agreements have been reached in the field of climate change and sustainable development. This gap is where my study will start.

Nomenclature

APA	Ad hoc Working Group on Paris Agreement
COP	Conference of the Parties
CMA	Conference of the Parties severing as the meeting of the Parties of the Agreement
CMP	Conference of the Parties serving as the meeting of the Parties of the Kyoto Protocol
CSO	Civil Society Organization
CTCN	Climate Technology Centre and Network
HR	Human Rights
IMF	International Monetary Fund
KP	Kyoto Protocol
MEF	Major Economies Forum on Energy and Climate Change
MDG	Millennium Development Goals
MRV	Monitoring, Reviewing and Verification Mechanism
NHRCM	National Human Rights Commission of Mongolia
LDC	Less Developed Country
NDC	National Determined Contribution
NGO	Non-governmental organization
PRSP	Poverty Reduction Strategic Papers
RSPO	Roundtables for Sustainable Palm Oil
SBI	Subsidiary Body for Implementation
SBSTA	Subsidiary Body for Scientific and Technological Advice
SDG	Sustainable Development Goals
TEM	Technical Expert Meeting
UNCCD	United Nations Convention to Combat Desertification
UNFCCC	United Nations Framework Convention on Climate Change

List of tables and figures

Figures

Tables

Table of content

Executive Summary

This research explored the research question what different roles do trans-national NGOs see themselves playing in holding actors of the Paris Agreement to account, how and why? Thus, the research elaborated on the roles NGOs play and opportunities and trade-offs for envisioned roles. Moreover, it explained what strategies come with these roles and why certain roles are played or envisioned to be played. The research started with a literature review of the expected role in the normative and political literature and the observed role in global governance and the Paris agreement. It found that the expected role of NGOs in the literature is to safeguard public accountability, which is increasingly important as we find more multi-level governance in global governance regimes with little accountability to the global public. The assumption is that public accountability is provided via the democracy within nation-states, but given the fact that not only states participate in global governance regimes, this assumption is violated. Instead, NGOs function in these global regimes as transmission belt, which means that they both forward the concerns of the public to the regime and communicate decision made within the regime to the public. This way in a multi-level governance settings, NGOs ensure public accountability. The observed role elaborated on various roles and strategies, but in general also found that most were informal and the formal role for NGOs in compliance and MRV bodies is limited in global governance and not currently present in the Paris agreement. The empirical research was based on the conceptualization of ex-post accountability and on the main research question. Ex-post accountability refers to parties being held accountable for the progress of certain decisions made and is broken down into six inquiries, which are *who, to whom, by what standards, for what, by what processes, with what effect*. These research questions have been investigated through interviews, document analyses, and virtual observation. The following results were derived from these: Regarding the Paris agreement actors are being held accountable for so-called institutional standards and normative standards. The institutional standards relate to actors such as governments that signed the Paris Agreement and bodies of the UNFCCC concerned with implementation of the Paris Agreement, which are held accountable for specific goals. The normative standard corresponds to energy and transport industries, finance sector and consumers, who are held accountable for their responsibility after the Paris agreement to do their fair share in combatting climate change. The *to whom* inquiry illustrated that they are held accountable to the NGOs, the members of NGOs, LDCs and the wider public. The inquiry by what processes, related to the questions of what roles they played and how they executed these roles. It found that NGOs play a role as watchdog, advisor, and pioneer and these

come with strategies such as litigation, media outreach, observation, activism, lobbying, research, leadership, and non-adversarial advocacy in relation to the Paris Agreement. However, these are informal roles and strategies. This research also explored meaningful formal roles. Given that article 15, paragraph 2 on modalities and procedures concerning the compliance committee in the Paris agreement is still in development, opportunities for NGOs exist to advocate for a meaningful formal role in these procedures. This research explored, if NGOs would prefer such a role and if they envision it to be more effective than the informal roles currently played in ex-post accountability. It found that most NGOs would be open for a more meaningful formal role, but that it is not necessarily envisioned to be more effective than informal roles. Moreover, some elements have to be considered, like is the formal role genuine, how many resources does it take up, does it not affect the credibility, is there no conflict of interest? These also relate to barriers found during the research for both informal and formal roles. These are institutional barriers, resource barriers, conflict of interest barriers and effectiveness barriers. In the end this research provided an overview of the roles, strategies, barriers, envisioned effects for both formal and informal roles to enhance ex-post accountability and strengthen public accountability. I made several recommendations. First of all, given the opportunities and barriers for NGOs around the Paris agreement cooperation among them is key. Therefore, NGOs should focus on putting more time and effort in coalitions like CAN. Second, I recommended for NGOs to take up the window of opportunity that now exists with APA developing the procedures and modalities for the compliance committee for a more formal role in the Paris agreement. Third, I recommended to put forward ideas like the   the Tobacco treaty which has an article that overcomes the conflict of interest by excluding parties that do not contribute to public interest from participating in policy development in agreements. When conflict of interest is reduced in the Paris agreement it will strengthen the ex-post accountability opportunities of NGOs.

1.Introduction

Imagine you have worked for twenty years to grow proper wheat on your lands that can be sold on the international market, but every year it becomes harder to grow your crops. After a while it is just all perished. You move to the city, but given the food reduction in your country and the high migration pressure in the city riots break out. Where it started with small riots, it shifted to the public starting to complain about the government doing nothing. They organize in political or religious groups fighting a civil war with their government. You are no longer safe in the country that you grew up in, where you know all your friends and family. You have to move to another continent, where they build hedges to keep you out.

Or imagine to be working for an organization that works on societal goals already for decades. So much you have accomplished in all those years, but slowly everything seems to turn worse. Everything you build up seems to tremble down. Countries where you encouraged development now experience huge migration streams, since their country is not livable anymore.

The stories are seen from different perspectives, but these actors experience the same problem. Climate change, a complex problem that has numerous causes and infinite consequences (Gleick, 2014). Since 1992 countries have acknowledged its existence, when they addressed the problem in the Rio Earth Summit of the United Nations and adopted the United Nations Framework Convention on Climate Change (UNFCCC). However, given the fact that the consequences were not felt as they are today, climate change got pushed away by trade development and economic growth (Klein, 2015). More than two decades went by and the consequences became worse every year. It was time for an agreement to address climate change, it was time for the Paris agreement.

In the year 2015 the world celebrated important agreements concluded in global sustainability and environmental governance arrangements. The Conference of the Parties (COP21) and the Sustainable Development Goals (SDGs) revealed that when pressure begins to rise actors can reach consensus about steps forward (NRDC, 2016). The role of Non-governmental Organization (NGOs) in both negotiations was very observable (van Asselt, 2016). They acted as advocates to ensure that state officials were responsive to the expectations and concerns of the NGO members and the wider public (van Asselt, 2016). However, the past has revealed that reaching an agreement in global regimes does not necessarily mean that actors acted accordingly (1, UNFCCC, 2016). There tends to be reluctance in implementing and overseeing the various international norms (Keohane & Grant, 2005). Various scholars have pointed out that NGO's role in holding actors within global

governance arrangements accountable strengthens the democratic accountability and legitimacy of these arrangements (Held 2004, Scholte 2004, Grant and Keohane 2005, Steffek 2010). However, less is understood of what role NGOs play or could play in the climate regime, including what strategies and activities NGOs actually undertake to hold actors in global governance arrangements like the Paris agreement accountable and which role could be most effective?

1.1 Cases

COP21 – Paris Agreement

The Conference of the Parties 21 (COP21) took place from November 30th, 2016 till December 12th, 2016. The COPs are part of the United Nations Framework Convention on Climate Change (UNFCCC), which take place each year and constitute out of all member states within the UN. Climate mitigation and adaptation is the red thread of these conferences. The COP21 resulted in an agreement among 193 nations to take action against climate change and keep global temperature under the two degrees Celsius. The fact that almost all nations agreed to the agreement is regarded as historic (2, UNFCCC, 2016). In the time this research was written 193 countries signed the agreement and 118 ratified it (2, UNFCCC, 2016). The agreement went into force on November the 5th, 2016 since the threshold of at least 55 countries representing at least 55% of carbon emissions signing the agreement has been accomplished (Paris Agreement, article 21, paragraph 1). The agreement in general has a focus on mitigation, as countries for example have to submit National Determined Contribution (NDC), which are voluntary actions to tackle climate change (Paris Agreement, decision 2, paragraph 13) . The NDCs are not legally binding, which was one of the major trade-offs to come to the agreement. However, it is obligatory to develop NDCs and regularly communicate and review these for the parties (Paris Agreement, article 4, paragraph 2). In addition, what is new is the global stocktake. This is an analyses of the progress on all the NDCs and global temperature rise in 2023 to see if the NDCs have to be adjusted (Paris Agreement, Article 14, paragraph 3). After 2023, it will be examined every 5 year period (Paris Agreement, Article 14, paragraph 2). Important to note is that NDCs have to be scaled up, when they are not in line with the long term goal of the agreement (Paris Agreement, article 14, paragraph 3). This way indirectly there is a legal mechanism of holding parties to the agreement accountable for continuously increasing ambitions. Critics argued that the agreement still faces some flaws, especially when parties do not step up their game (Climate analytics, 2016). One area of concern is that the total contribution of NDCs leaves us with a three degree global temperature rise, which is higher than the two degrees set boundary limit (Climate analytics, 10 November 2016; Friends of the Earth, 7 November 2016). The other area of concern is that NGOs feel that adaptation and climate justice

had to give space way for mitigation (Friends of the earth, 7 November 2016). At last, and most related to the research, is that compliance and accountability only got minimum attention.   The Paris Agreement also developed bodies   like Ad Hoc Working Group on the Paris Agreement (APA) (Paris agreement, decision I/CP21. paragraph 7) and Conference of the Parties severing as the meeting of the Parties of the Agreement (CMA) (Paris Agreement, article 16). APA is a working group, which consists of officials from states that ratified the agreement and its mandate is to develop the rulebook (Decision I/CP21. paragraph 9). APA for example has the task to work out decisions, such as ''developing the modalities and procedures for the effective operation of the committee referred to in Article 15, paragraph 2, of the Agreement'' (Paris Agreement, paragraph 104). Article 15, paragraph 2 is concerened with the compliance committee, which means that APA is concerned with developing the rulebook around the compliance committee as well. The CMA consists out of the states that ratified the agreement and will regularly meet at COPs to discuss progress and new ambitions.

COP 22 - Marrakesh

The 22nd session of the Conference of Parties to the United Nations Framework Convention on Climate Change (COP22) was held in Marrakech, from 7 to 18 November, 2016. It served both as the Conference of the Parties severing as the meeting of the Parties of the Agreement (CMA1) and Conference of the Parties serving as the meeting of the Parties of the Kyoto Protocol (CMP15).   It focused on action items in order to achieve the priorities of the Paris Agreement, like transperancy, mitigation, technology transfer, and capacity building. However, as will be discussed in the results finance for adaptation and loss & damage received little attention, which NGOs perceived as problematic given the fact that some LDCs are already exposed by the impact of climate change. The elections in the US formed a big dark cloud behind the negotiations, since the new president pro-claims himself to be a climate skeptic. Nevertheless, countries continued stoically and said that the Paris agreement is not one country (Joint High level Segment Meeting, 17 November 2016). Most notably, a lot of initiatives were announced outside the formal COP, like the Marrakech Action Proclamation, 2050 pathways platform, and climate vulnerable forum. However, these are not relevant to the research, thus therefore further elaboration will not be provided.   In the end, much of the work planned for the COP22 has been shifted to either in the continuing negotiations in May/ June or to the COP23 in 2017 and the facilitative dialogue in 2018 (Carbon Brief, 2016). The facilitative dialogue in 2018 has also been agreed upon in the Paris agreement and is a moment where the parties to the agreement meet to take stock of the collective effort in relation to progress towards the long-term goal of keeping the global temperature below two degrees Celsius (Paris Agreement, Decision II, paragraph 20).

1.2 Problem description

The broader problem addressed in this research is climate change, but one cannot solve this problem overnight. Ending 2015 we had a global celebration for developing an agreement within the COP21. Therefore, the problem is not reaching an agreement, but making sure that parties also live by it. Thus, how to ensure that actors are accountable of climate action and inaction? That is why accountability is important in these global governance agreements, since accountability is the glue that ties commitments to results. Without some sort of accountability mechanism any deal or agreement can be meaningless. Although, one could wonder why would parties not voluntarily comply with the agreement? One explanation is that of the prisoners dilemma (Snyder, 1971). This means that we find a classical prisoners dilemma in which countries can reap the highest benefits, when not complying with the agreement, while others comply (when some countries reduce their carbon emissions, other countries can emit even more or have to put less effort and resources in mitigation and adaptation) (Gardiner, 2006; Snyder, 1971). This stimulates everyone not to comply, which in the end results in overall non-compliance with the agreement. Accountability is a tool to stimulate compliance, but the way to get there can be with soft sactions such as shaming or the hard way such as using the law (Karlsson-vinkhuzyen & Vihma, 2009). This is one of the most commonly used explanation, but there are probably more answers to non-compliance in voluntary agreements. There are many ways to ensure accountability and a lot of scholars point to NGOs as a proper actor to fulfill this function (Held 2004, Scholte 2004, Grant and Keohane 2005, Steffek 2010). The problem of ensuring accountability has limited elaboration in Article 15 of the Paris agreement. In article 15, paragraph 1 it states that ''a mechanism to facilitate implementation of and promote compliance with the provisions of this Agreement is hereby established'' (Paris Agreement, article 15, paragraph 1). The second paragraph explains that this mechanism will be compliance mechanism, which will be expert-based and facilitative (Paris Agreement, Article 15, paragraph 2). Moreover, ''it will function in a manner that is transperant, non-adversarial and non-punitive'' (Paris Agreement, Article 15, paragraph 2). At last, paragraph 3 elaborates that the committee will operate under the modalities and procedures adopted by the CMA and that it will annualy report to the CMA (Paris Agreement, Article 15, paragraph 3). One claims that accountability was not specified and established by formal mechanisms to ensure that United States also signed the agreement and goals would be more voluntary (NRDC, 2016). Therefore, since accountability is limited in a legal and institutional form within the agreement (non-punitive and non-adversarial), scholars   such as van Asselt (2016)   believe that NGOs can fill this gap. However, research on what roles NGOs can play to hold actor of the Paris agreement accountable, how to execute these roles and why NGOs should take up a certain role is limited.

1.3 Research objective

The aim is to understand what role NGOs can play and envision to play in holding various actors in the Paris agreement to account and how and why do they play certain roles. The underlying reason for the aim is to explore ways to strengthen compliance of climate agreements and by this making steps forward in the process of climate mitigation and adaptation. This will be done by looking at ex-post accountability in the process after the agreement leading up to the COP22, as well as during the COP22. The concept of ex-post accountability is explained in chapter 2.3. In short, it means the focus of accountability on the progress of certain decisions made.   This is simply illustrated in figure 1.1.
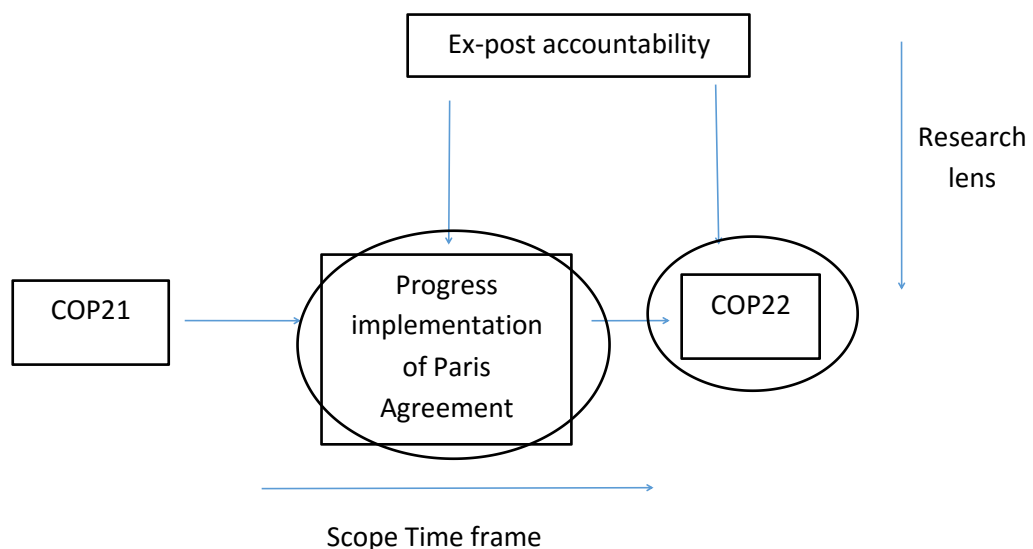
Figure 1.1 – ex-post accountability scope. The arrows on the horizontal axes represent the scope of the time frame. The arrows on the vertical axes represent the research lens. Finally, the circles highlight the overall scope of the research.

The decision which is made is the Paris Agreement in the COP21. The progress concerns both the implementation steps by governments in domestic contexts and bodies like APA and CMA in international context. Governments and APA work on implementation directly after the COP21, but also during the COP22. Therefore, as illustrated in figure 1.1 both the process after the COP21 and the COP22 will be of concern in understanding how these actors are held accountable. Even though, figure 1.1 illustrates the scope on which phase accountability is focused it is still not complete. The research lens of ex-post accountability does not incorporate elements of accountability to focus on.

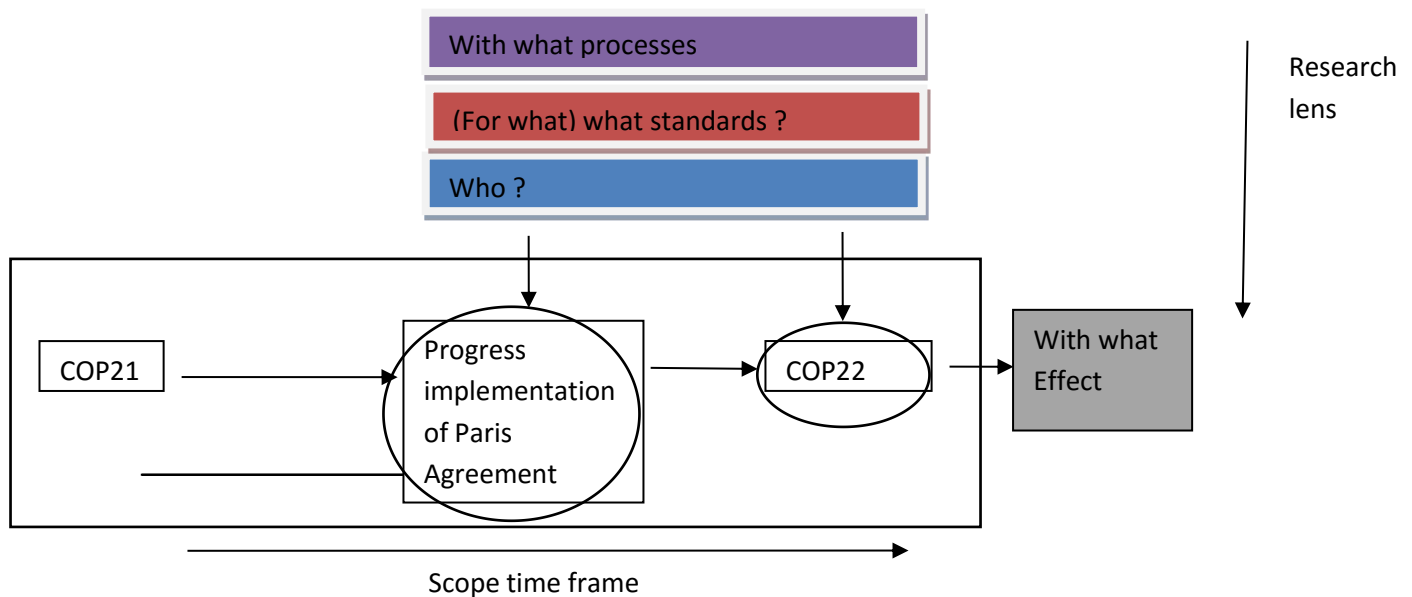*Figure 1.2 Ex-post accountability including inquiries.* The vertical axes represents the research lens of ex-post accountability, which is divided into several inquiries. The horizontal axes represents the scope of the time frame. The box is the system of which the circles represent the moments in time, which are to be measured by inquiries from *Mashaw's framework.* The above inquiries are the inputs and the effect on the global governance regime the output, which are all derived from the ex-post accountability lens.

Therefore, this research used a framework of Mashaw (2007) in which he identifies six inquiries, which provide a useful way to analyze accountability. The inquiries are the following; *who, to whom, for what, by what standards, with what processes, with what effect*. When, some of these are integrated in the figure 1.1 the following figure 1.2 evolves. Figure 1.2 illustrates both the phase and the elements of accountability. Therefore, the end objective is to be able to give a decent answer to figure 1.2. The *who* question in figure 1.2, questions who is held accountable for the implementation of the Paris agreement. The assumption is that mainly the parties to the agreement (governments that ratified the agreement) are held accountable after the Paris agreement. If this is the case, then these actors are the same as in the COP22. However, there is the possibility that other actors can also play a role in implementation of the Paris agreement during the process after the agreement. Then, we want to understand what roles, strategies, and standards are used to hold the identified actors accountable. As explained for figure 1.1 this is both to be understood for the process after the Paris agreement and during the COP22. It is important to note here that the box is made to make a more systematic research approach. This means that it provides boundaries to the research. Nonetheless, some of the results, such as the strategies are enacted in long-term. Therefore, these strech beyond the time-frame of the box. However, to reduce the scope and improve the feasibility, the research will focus on the scope of the time frame within the system boundaries.   At last, the final inquiry *with what effect* can support in understanding how these ex-post accountability inquiries impact on governance in relation to the Paris Agreement. However, which specific questions come with these inquiries? The questions are based on the inquiries and the following figure 2 below illustrates how they have evolved. I started with a different main research question, which is phrased as 'Old RQ' in the figure. I read into accountability to understand the concept

thoroughly. From Mashaw's (2007) conceptualization of accountability the six inquiries *who, to whom, what, by what standards, with what processes, and with what effect* were derived. These inquiries are questions one should address in order to fully understand accountability in a meaningful manner according to Mashaw (2007). Therefore, based on the six inquiries various research questions were developed. Each inquiry contains at least one research question. From the inquiries the main research question was refined to improve the applicability to the research. As illustrated in figure 2, the end objective is to provide a meaningful answer to ex-post accountability, which will be done when all the questions from *Mashaw's framework* are addressed. Moreover, the research questions will support in answering figure 1.2. In the continuation of the research, I will refer to the inquiries and not the research questions that compass these.

Old RQ: What role can NGO's play in holding actors of the Paris Agreemtn accountable?

New RQ: What different roles do trans-national NGOs see themselves playing in holding actors of the Paris Agreement to account, how and why?

Mashaw's framework ex-post accountability

Who

To whom **What**

By what standards

With what processes

With what effect

Who are held accountable for implementation of the Paris agreement?

To whom are these actors held accountable?

1. What type of standards do NGOs use to hold various actors to account in relation to implementation of the Paris Agreement (ex-post accountability)?

1. What type of standards do NGOs use to hold various actors to account in relation to implementation of the Paris Agreement (ex-post accountability)?

1. What role do NGOs envision to play as accountholder to various actors in the Paris Agreement?

2. How do NGOs engage in their roles of in ex-post accountability respective to the Paris agreement?

1. What is the view of NGOs on the value of having a role in the formal accountability system vs. an informal one outside?

2. Do NGOs envision the formalization of the NGOs roles to encourage public accountability?
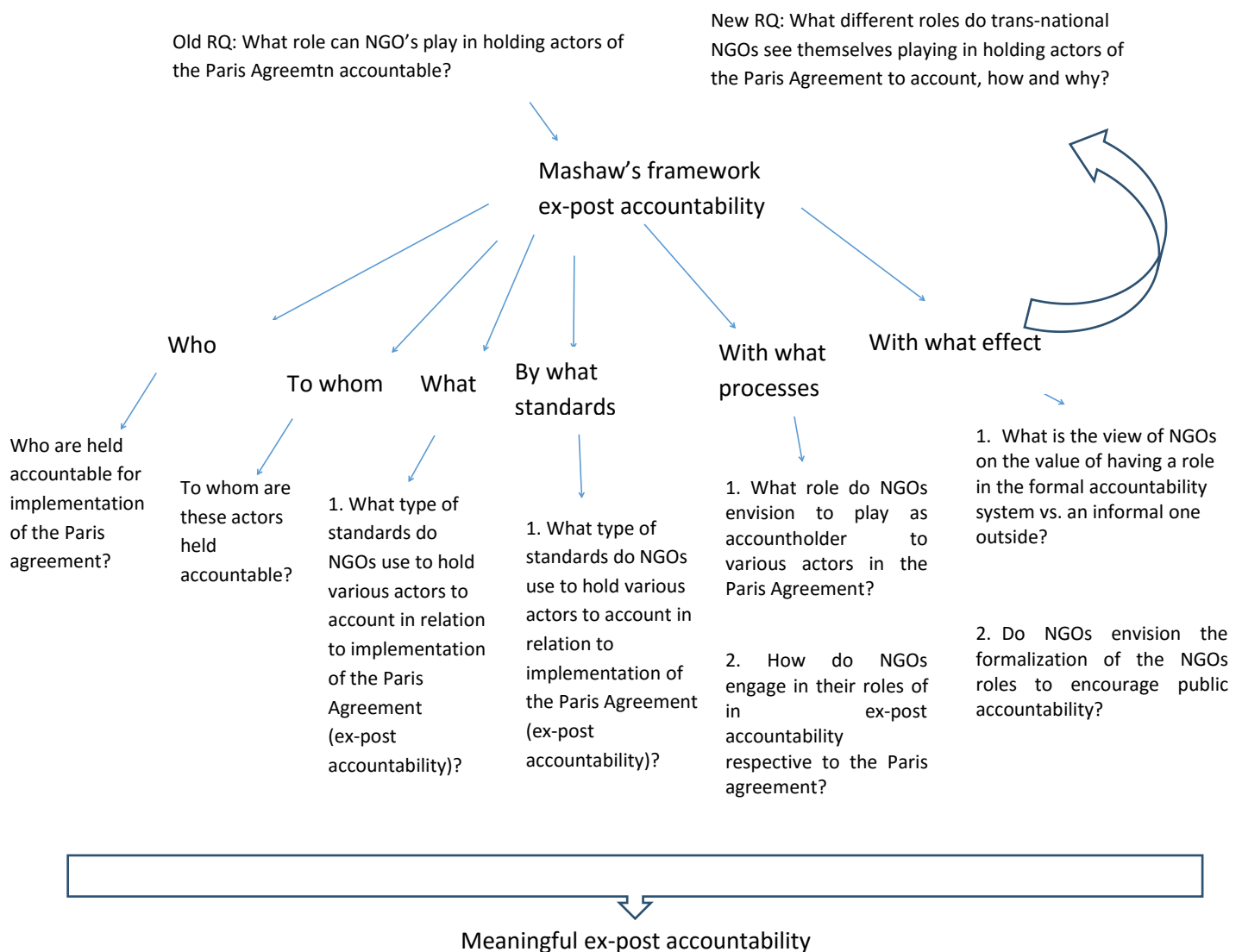
Meaningful ex-post accountability

Figure 2 - Process of developing the research questions. The old research question directed to *Mashaw's framework*. From his framework the research questions and new main research question were derived. By providing an answer to all inquiries Mashaw (2007) argues we can give a meaningful answer to accountability.

What different roles do trans-national NGOs see themselves playing in holding actors of the Paris Agreement to account, how and why?

- Who are held accountable for the implementation of the Paris agreement?
- To whom are these actors held accountable?
- What type of standards do NGOs use to hold various actors to account in relation to implementation of the Paris Agreement.
- What role do NGOs envision to play as accountholder to various actors in the Paris Agreement?
- How do NGOs engage in their roles of in ex-post accountability   respective to the Paris agreement?
- How do strategies for ex- post accountability differ between the different types of NGOs?
- What are the main barriers that NGOs face in holding the actors from the Paris agreement to account in the found roles and strategies?
- What is the view of NGOs on the value of having a role in the formal accountability system vs. an informal one outside? (why value one more over the other?)
- Do NGOs envision the formalization of the NGOs roles to encourage public accountability?

1.4 Academic, policy & social relevance

What is the scientific, policy and practical relevance of the topic? Scientifically it contributes a step foward in understanding the existing gap in the literature on the strategies, the roles and reasons for either undertaking or not engaging with certain actions to hold various actors within the Paris Agreement to account. From the policy perspective it will illustrate the tools that NGOs use to try and shape the policies and accountability in the Paris agreement. It will identify the opportunities and challenges that NGOs face in holding actors in the Paris Agreement accountable, which can constitute as important information for policy makers within the Paris Agreement (e.g. APA) as well as in other global governance regimes. The social relevance is for NGOs to understand what role they can play and to compare strategies among them. Moreover, they gain insight in arguments in favor and against certain roles and strategies.

1.5 Research structure

The research will elaborate on the topic of NGOs holding various types of actors from the Paris Agreement accountable for their international commitments. The literature review will be provided in chapter 2 and aims to illustrate the research gap, theories and concepts, and the relevance of the research. The concepts and theories that will be discussed are ex-post accountability, public accountability, global democratic governance, global climate governance, and the theories on the roles of NGOs in other domains. In the discussion a reflection on the literature will shortly be provided to compare the empirical results and literature. Chapter 3 will discuss the methodologies document analyses, interviews, and virtual observations that are used and how they are executed in the research. Hereafter in chapter 4, the theory from the literature will support the document analyses in a focus on analyzing press releases, strategy documents, and policy documents of NGOs. Moreover, based on the findings from the document analyses and the literature some more empirical research was done with interviews and virtual observations. The purpose of both methodologies is to provide clarification and additional findings. All the empirical research is included in the results chapter. Then, chapter 5 will elaborate on the discussion. The discussion discussed how to understand the findings and highlights some interesting results. At last, chapter 6 will conclude on the overall research by providing a brief summary of what this research has explored.

2. Literature review

2. 1 Introduction

The Paris Agreement has recently been ratified and is regarded as an important agreement. However, how to make sure that actors also live by the agreement? Given the fact that the Paris agreement is novel, little literature has been written about it in general and especially in regard to ex-post accountability addressed by NGOs. In Chapter 2.2 the literature about the climate regime and the Paris agreement will shortly be elaborated. Then, I will reflect on the literature about accountability. Several concepts in chapter 2.3 will form an important perspective on ex-post accountability, which directs the research in a focus on what to explore. Why should NGOs address accountability? Many scholars argue for a role of NGOs in global governance arrangements to safeguard public accountability (Held, 2004; Scholte, 2004; Grant and Keohane, 2005; Steffek, 2010; Altides & Kohler-Koch, 2009;   Hanjal, 2006; Antlöv et. al., 2010; Newell, 2008). This will be explained in chapter 2.4. How do NGOs ensure public accountability? Chapter 2.5 will discuss that NGOs function as a so-called transmission belt (Steffek & Nanz, n.d.). However, why is this expected role of NGOs ensuring public accountability necessary, when we have governments that are publically elected to represent the interest of its citizens? In chapter 2.6 a debate between statism and cosmopolitism will illustrate that states are not the only actors in global governance arrangements. Therefore, alternative ways of public accountability may be necessary, such as via NGOs. At last, if various scholars believe that NGOs can play an important role in public accountability, what role have they played so far in global governance arrangements? Chapter 2.7 will highlight that various scholars believe the role of NGOs is limited and more symbolic in most global regimes, except for the Human Rights regime. In addition, it will elaborate on the strategies and roles currently played by NGOs in global governance. Chapter 2.8 will finally summarize the key notions of the literature review.

2.2 Climate regime

This thesis will focus on the United Nations Framework Convention on Climate Change (UNFCCC), which is one of the global governance arrangements within the climate regime. The climate regime consists out of many other global governance arrangements like the Major Economies Forum on Energy and Climate Change (MEF), G7, and G20 (Dagnet, Elliott & Qiu, 2015) . It is important to understand that most of these global governance arrangements consists of governments, which meet on frequent bases. In addition, global regimes like the UNFCCC also have permanent bodies

consisting of officials from governments involved. These are Subsidiary Body for Implementation (SBI) and Subsidiary Body for Scientific and Technological Advice (SBSTA). They continue their work on research and implementation besides the annual negotiations of the UNFCCC parties. However, global governance arrangements like the UNFCCC are in general also open for non-party stakeholders such as NGOs, companies and other interest groups. They can often observe, make comments, organize side events, submit research and lobby during a COP. This paper will focus on the Paris agreement that has been concluded in the COP21 of the UNFCCC. In addition, the COP22 is investigated as well. Little literature has been written about this agreement in general and especially in relation to NGOs and ex-post accountability. What is more is that it is still not even ratified by all countries. At the moment of writing this research 119 countries have ratified the agreement (2, UNFCCC, 2016). In the UNFCCC several significant agreements have been reached of which the Kyoto Protocol may be most outstanding. Therefore, a lot of literature regarding climate regimes can be found on the Kyoto Protocol that has been established within the UNFCCC. The Paris agreement becomes increasingly researched, but specific literature regarding the ex-post accountability and NGOs is limited to only the paper of van Asselt (2016). Therefore, much is there still to learn about the Paris agreement and what role NGOs can play to hold actors within this agreement accountable.

2.3 Ex-post accountability

Accountability is a term that is used in a lot in literature and politics, but rarely specified. As Bovens et. al. (2008) notices the term is ''all too easily used in political discourse and policy documents because it conveys an image of transparency and trustworthiness'' (Bovens et.al. 2008, p. 226). However, the term can have various meanings differing in context. Therefore, a presumed mutual understanding fails to acknowledge that it can have multiple meanings. The term is central for this paper and that is why the theoretical understanding of the concept in this paper needs to be defined. Bovens et. al. (2008) made a distinction between a broad normative understanding in which accountability is seen as a personal or organizational virtue against a more narrow focus, which understands it as a social mechanism or the way in which institutional arrangements operate. Accountability in the normative way is essentially contested and a contestable concept and relates often more to accountable behavior and responsibility, which can also vary due to time, role, person etc. The more narrow focus is not whether the agents have acted in an accountable way, but whether they are or *can* be held accountable ex post facto by accountability forums (Day and Klein 1987). This research will explore if NGOs hold actors accountable in a normative or institutional manner. This question can be investigated by using a theory of Mashaw (2007), as it relates to the so-called '*by what standards'* inquiry from his theory. Mashaw (2007) highlights six different

inquiries of accountability, which he calls the ''accountability regime''.   These six are '*who, to whom, about what, through what processes, by what standards and with what effect*' (Mashaw, 2007, p. 18). These inquiries provide a base to compare accountability between different regimes. From the inquiries developed by Mashaw (2007) the questions for this research were derived as was illustrated in figure 2 in the chapter 1.4 of the research objective. Mashaw (2007) argues that only when we have analyzed all these six inquiries something meaningful can be said about accountability.   This paper as illustrated figure 1.2 and figure 2 aims to answer all six, so the final answer to the research question can be meaningful. In addition, he used the distinction between accountholder and accountee, which will be used in this research. Accountholder refers to the one who holds the other accountable. The accountee relates to the one who is being held accountable.

Pollman et. al. (2014) was the first to distinct what they call 'ex-ante accountability' and 'ex-post accountability'. Their paper defines ex-ante accountability as agents being accountable for their decisions, whereas ex-post accountability refers to being accountable for the outcomes. Remarkably all other scholars, whose papers on accountabiliity have been reviewed, did not make this distinction. The paper of Pollman et. al. (2014) researches this difference in regard to risk taking of agents in investments. However, the terms are not only economic, but can also be extended to other fields like governance. The concept is highly relevant for this research, because it helps to identify the scope. The scope of this study is the compliance after the agreements. To understand this matter we will focus on the outcomes and progress, thus not on the decision making process before the Paris agreement.   Therefore, it focuses on ex-post accountability.

With the elaboration on Bovens (2008), Mashaw (2007), and Pollman et. al. (2014) the perspective developed on accountability in this paper is illustrated. I developed ex-post accountability based on these theories. To summarize it shortly ex-post accountability is the focus on actors being held accountable for the progress of decisions made by the means of the six inquiries.

2.4 Public Accountability

Public accountability is a concept that needs conceptualization, because it relates to the '*to whom*' inquiry and an envisioned effect.   Boncondin (2007) defined public accountability the following way: ''Public accountability concerns the obligations of persons and/or entities entrusted with public resources to report to and be answerable to the public for the manner in which public money has been allocated, spent and utilised'' (Boncondin 2007, p.5). As this definition suggests the *to whom* is the public and the *who* are those in control of public resources. In other words, the accountholder is the public and the accountee are the actors with public resources. The expected and observed role of NGOs in the literature is to embody public accountability for the wider public (Steffek et. al., 2009;

Raustiala, 2001). Therefore, in line with the definition of Boncondin (2007) to enact the role of accountholder for the public.   In the literature several reasons are provided why public accountability should not be overlooked. First of all, it provides   ''the opportunity of citizens to critically monitor and debate proceedings of political decision-making' which implies that decision makers are scrutinized, discussed and criticized in public'' (Steffek, 2010, p. 46). Second, ''accountability should help prevent executive abuses'' (Bovens et. al. , 2008, p. 230; Keohane & Grant, 2005). The scholars did not refer to a specific occassion, but given the context of their study it can both be about the public and private domain. Thirdly, it should enhance the learning capacity and effectiveness of the executive branch and its partners in governance (Aucoin and Heintzman 2000). However, in reality there is a lack of institutional means within global regimes like the UNFCCC for the public to scrutinize, discuss and criticize political decision-making and act as accountholder (Bäckstrand, 2008; Raustiala,2001, Scholte, 2004). Moreover, Steffek (2010) wonders; what is the public sphere in transnational-level? The institutional restrictions and lack of clarity on the public sphere resulted in the advocacy for the role of NGOs to ensure societal interests (Steffek, 2010; Raustiala, 2001; Altides & Kohler-Koch, 2009). As Raustiala (2001) argues: ''Indeed, nonstate actors, as demonstrated by this chapter, often claim to be representing the interests of parties who would otherwise lack the access or the means or even the knowledge to influence the development of international negotiation'' (Raustiala, 2001, p.116). Steffek (2010) refers to this function of NGOs as 'transmission belt' between the international organizations and the transnational public sphere. This transmission belt function will be explained in the conceptualization of NGOs below.

2.5 NGOs

Steffek et. al. (2009) conceptualized the difference between the two terms, because in their paper they used the term CSO. They argue that ''non-profit organizations that pursue advocacy for others, or in the name of the common good, are often labeled NGOs, rather than interest groups. That term in its conventional definition excludes trade unions, professional associations and employers' associations, as well as religious congregations '' (Steffek et. al. 2009, p.4) In this research the term NGO is used because of two reasons. First of all, as illustrated in the quote from Steffek et. al. (2009) the NGOs often advocate for the common good and the wider public. Second of all, the scope is on the CAN Coalition, which on their websites states that they merely consist of NGOs. These two reasons clarify why the term
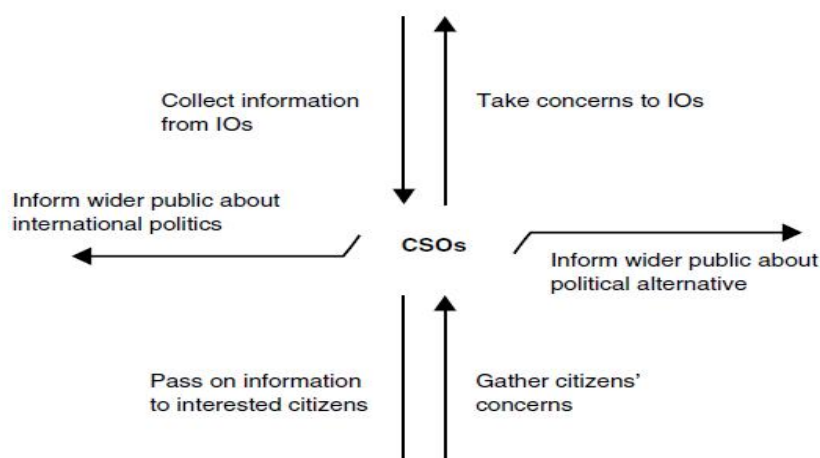

Figure 3 – Transmission belt – source: Steffek et. Al. (2009)

NGO will be used throughout the research instead of CSO.

As discussed in the previous section some scholars argue that NGOs function as transmission belt for the transnational public interest. The understanding of the transmission belt is that it operates in two ways. This is illustrated in figure 3 from Steffek & Nanz (n.d.). NGOs can give voice to the transnational public's concerns to international governance arrangements. Second, they can communicate the internal-decision making processes of these international governance arrangements and by this making it more transparent and accessible for the wider public. However, an important question that evolves is, if this institutional design in which NGOs operate as transmission belt, is also a democratic form? Can we be certain the NGOs are fully independent, transparent, legitimate, and accountable? This deeper question is asked in a lot of papers and will be discussed below.

2.6 Global democratic governance

Do we need global democratic governance in the form of bodies like the UNFCCC? Critics of globalisation of global governance argue for de-globalisation, as they believe it can only be executed in local spaces or at a maximum extent, national arenas (Scholte, 2014). However, as Scholte (2014) argues, how to deal with global ecological changes in this perception? In this research the focus is on climate change, which can only be overcome by a collaboration between actors worldwide (Scholte, 2014). Therefore, the necessity of global governance is apparent, but can this be done in a democratic way? Scholte (2014) explored this by comparing paradigms. Statism opposed to cosmopolitism. Statism advocates for global governance merely by states as they should be democratically chosen. This view relates to the ideal situation illustrated in figure 4.

Figure 4 Global democratic governance Paris agreement. The left part illustrates the ideal situation. The climate regime consists of administrations and the administration are publicly elected in domestic context. Moreover, there is no opportunity to lobby in the climate regime by outside parties. This supports full public accountability. The right side illustrates the reality. Administrations are publicly elected, but send professional diplomats to the climate regime. In the

climate regime there are opportunities for other parties to lobby. Therefore, in the ideal situation there is limited support for public accountability. Scholars like Scholte (2004) therefore envision NGOs to secure public accountability in reality.

However, several issues arise with this paradigm. First of all, Gudynas (2016) discusses that, ''while governments cheer for new global commitments to address climate change, their national policies are still trapped in traditional strategies that promote climate change'' (Gudynas, 2016, p.3). This shows that countries are not effective on their own. Second, the ideal situation does not reflect how global governance in reality works, because in global governance more actors try to steer the outcome of the process than merely states (Scholte, 2014). Therefore this paradigm is rejected in this paper. Cosmopolitism argues for multi-level governance by including actors like associations, NGOs etc. This resembles more the actual situation according to Scholte (2014) of global governance and what has also been illustrated in figure 4. This research is consistent with the cosmopolitan arguments, because it focuses on the role of NGOs in global regimes and therefore multi-level governance. Moreover, in the COPs of the UNFCCC a large variety of actors are included and not merely officials from governments. However, does this paradigm also promote public accountability and democracy? The relationship between public accountability and global democratic governance is a close one. Karlsson-vinkhuyzen (2015) acknowledged ''that public accountability is a necessary condition for the democratization of global governance'' (Karlsson-Vinkhuyzen, 2015, p. 2). For these global governance arrangements to be democratic several preconditions have to be met. They have to be publically accountable, transparent, and legitimate (Karlsson-Vinkhuyzen & Vihma, 2009). In domestic context these components are more convenient to establish than in international domains, where the public sphere is hard to identify (Steffek, 2010). Therefore, as Karlsson-Vinkhuyzen (2015) points out routes to ensure public accountability have to be explored. Steffek (2010) proposes NGOs, because they function as transmission belts. He stated the following: ''We argue that, at international level, the public sphere can provide an adequate political realm with actors and deliberative processes that help to democratize global governance practice'' (Steffek, 2010, p.7) However, as phrased in the discussion about NGOs, if this institutional design is also to be a democratic form, can we be certain the NGOs are fully independent, transparent, legitimate and accountable?   Scholars like Brakman-keiser & Kelly, (2011); Charnovitz, (2005); and Szporluk, (2009) questioned the accountability of NGOs and believed it is important to understand this accountability for the sake of their legitimacy, because it identifies if NGOs make up a proper accountholder in global governance. The following quotes summarize the core arguments of the skeptical scholars perfectly: ''According to Anderson, international NGOs, unlike their domestic counterparts, are not only "undemocratic," but actually are "profoundly antidemocratic." Anderson does not explain exactly why international NGOs are undemocratic other than to refer approvingly to the question asked by David Rieff, namely, "So who elected the NGOs?" (Charnovitz, 2005, p.16). However, a

much larger amount of papers like Karlsson-Vinkhuyzen & Vihna, (2009); Held (2004); Scholte (2004); Grant and Keohane (2005); Steffek (2010); Altides & Kohler-Koch, (2009);   Hanjal, (2006); Antlöv et. al., (2010); and Newell, (2008) pointed out that NGOs are good accountholders in global governance and therefore enhance the democracy of the global governance arrangements. To give an illustration from one scholar: ''The empirical evidence also suggests that non-governmental actors play a key role in triggering transnational public debates on global governance, thus making international governance more transparent and accountable'' (Steffek, 2010, p.7). Even though, few skeptical authors have been discussed, this paper continues with the more cosmopolite argumentation of the majority that NGOs are proper accountholders to ensure public accountability and that this promotes the global democratic governance.

2.7 Theories on the NGO's roles, strategies & barriers

This chapter will provide insight into the questions of the observed role of NGOs. NGOs have been active in many different fields ranging from human rights to extinction of species. The focus in this paper will be on climate change. However, little literature has been written on the exact topic of what activities NGOs undertake to hold the actors in the Paris agreement to account. Therefore, we have little literature to compare on this specific topic. Nonetheless, we can compare the roles and strategies they have undertaken in other domains of global governance. Knowledge derived from this can be used to compare and base this research upon. The chapter starts with the roles, then the strategies will be described and at last some barriers will be discussed.

Observed roles

This paragraph about the observed roles will first describe a useful categorization of roles from NGOs by Najam (2013). Based upon this categorization, the roles identified in the results were developed. After this, I will highlight the roles, which NGOs have played in other domains in relation to the type of role and how much influence NGOs can exert with these roles.   Najam (2013) identified several roles that NGOs have been observed to play in various domains in relation to sustainable development to hold actors accountable. Najam (2013) identified the roles: Monitors, advocates, innovators, and service providers. He discussed these in the agenda-setting, policy development, and implementation phase.   Najam (2013) conceptualized the monitoring role as the form of whistleblowers for policies that are not implemented properly. It is much about keeping track of events and progress. It is the functioning of the eyes and ears for the public. The role of an advocate is perceived as to lobby for policy options that are preferred or unwanted. It also includes mobilizing the public and information dissemination. The role of an innovator is to take the lead in catalyzing innovative contributions needed. Najam (2013) identifies that NGOs have more flexibility

in innovation than governments, since their voluntary basis make failure less criticized. In the innovator role Najam (2013) also discussed that it means, to lead by example. Thus, starting a project that no one else would have done otherwise. The last role of service provider, means that they contribute in marginalized service that could be under the governmental mandate. It constitutes elements as providing shelter, food, or employment, as well as providing consultancy and advise on governmental policies. This research will re-confirm the roles by asking open questions to   NGOs about their envisioned role. If their answers correspond with the roles of Najam (2013), the same categories will be used. However, if this is not the case the research will develop categories that seem more applicable. This way it can be checked if they are applicable in relation to ex-post accountabilility in the Paris agreement. In addition, the strategies that come with the roles will be identified in the case of holding parties accountable for the Paris agreement.

    The role that NGOs have been observed to play in various domains to hold actors accountable is often found to be the same symbolic role in regard to the influence. This means that NGOs are included in the global governance arrangement to enhance the legitimacy (Bohmetl et. Al. 2013), but they do not get the formal role to actually hold actors accountable (Raustiala, 2001). The Round Table on Sustainable Palm Oil (RSPO) is an example of a   global private governance arrangement that wants to enhance sustainable palm oil for the sake of their own businesses (Hospes, 2014). However, they experienced a lack of legitimacy. Schouten & Glasbergen (2011) argue that a major share of this deficit is due to the exclusion of NGOs. In monitoring and reviewing the Poverty Reduction Strategic Papers (PRSPs) from the World Bank and IMF the following is being stated about the role of NGOs by Ghaus-Pasha (2005): ''it shows that the World Bank and the IMF as well as many of the governments developing PRSPs have viewed this as little more than a functional necessity, rarely beyond the level of superficial consultations'' (Ghaus-Pasha, 2005, p. 22). Therefore, at most NGOs can be present in the negotiations and consult, but not interfere and certainly not undertake activities to hold actors accountable. In the Millennium   development goals (MDGs), NGOs are more involved in cooperation with actors like governments in achieving goals, but it is complex to hold actors accountable in MDGs given their lack of specificity (Ghaus-Pasha, 2005).   The only domains where NGOs have played a bigger role in addressing accountability is in Human Rights and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. In Human Rights NGOs have often taken over the function of the global human right bodies and addressed countries on the lack of compliance with these rights (Ghaus-Pasha, 2005). NGOs have acted upon a role as intermediary, where they for example in Mongolia found that lack of institutional capacity resulted in Mongolia's accountability deficit. They advocated for more technical support at the UN Human Right bodies for Mongolia and this resulted in the National Human Rights Commission of

Mongolia (NHRCM), which has recently won a Supreme Court petition (Ghaus-Pasha, 2005). In the domain of climate change and the related environmental problem of desertification Corell & Betsil (2001) compared the influence of NGOs in the United Nations Convention to Combat Desertification (UNCCD) and the Kyoto Protocl (KP). They found that the UNCCD is quite open for NGOs, but the KP is highly restrictive for NGO participation. However, Corell and Batsil (2001) believed that this could be explained by the institutional context. NGOs were most of the times excluded from negotiations at KP, while the UNCCD had an open environment for NGOs and NGO had almost equal status to states. In the literature Raustiala (2001) also looked at the role of NGOs in the climate regime and concluded that ''NGOs do not have untrammeled access to negotiations and decision-making centers: they are at times excluded from negotiations and informal meetings of government officials'' (Raustiala, 2001, p. 112). Related to the findings of Raustiala (2001) are those of van Asselt (2016). He also finds that NGOs play a limited formal role in the implementation, review, and compliance of the Paris agreement. In this research I will investigate this hypothesis of van Asselt (2016), that the formal role is limited in the Paris agreement. First of all, this research will search for confirmation by exploring the perspectives of NGOs towards this hypothesis. Second, it will explore if this limited formal role is also experienced as a limitation by NGOs and if they assume more effectiveness can be accomplished by formalization of their role. This is normative and not numeric effectiveness and therefore strong claims about this will not be made. Overall we find that in general, there is a tendency of including NGOs in global governance, but as many scholars argue mainly for enhancing legitimacy of the arrangement.

Strategies

The strategies that NGOs undertake to hold actors in global governance arrangements to account have been summarized by various scholars. Strategies that were found in general that are used for holding global governance arrangements to account differ from directing media (Karlsson-Vinkhuyzen et. al. 2016; Altides & Kohler-Koch, 2009), advocating for transperancy (Scholte, 2004), policy monitoring and review (Scholte, 2004), pursuit of redress (Scholte, 2004), activism (Rietig, 2011), lobbying (Rietig) to promoting formal accountability mechanisms/participatory audits (Scholte, 2004; Adhil Khan & Chowdhury, 2008). First of all, NGOs direct media in several ways. NGOs publish press releases and other social media messages to raise awareness of societal issues. This can direct what media writes about. In addition, NGOs often act as translators of complicated reports for the media (Altides & Kohler-Koch, 2009). In relation to holding actors accountable this means that NGOs tend to publish articles about actors that fail to comply with an agreement (Scholte, 2004). Secondly, advocating for transparency is a fundamental strategy

that is a necessary pre-condition to understand how actors perform in relation to the agreement (Scholte, 2004). NGOs cannot hold actors accountable when they do not obtain information about the performance of a global regime. Third, policy monitoring and reviewing is a strategy that can be applied once the global governance is operated in transparency. NGOs can monitor the guidelines that are being set in the policy and review if these are ambitious enough and being met. Fourth, pursuit of redress means the corrective actions the NGOs undertake when actors do not operate in an accountable manner (Scholte, 2004). These could vary from using hard law juridical to soft law means as shaming. Fifth,   activism is used in the paper of Rietig (2011) as kind of advocacy in the form of protests. Sixth, lobbying refers to outsider informally trying to influence the inside as strategy (Rietig, 2011). Seventh, promoting formal accountability mechanisms/participatory audits, means that NGOs can promote more formal means such as participatory audits in which NGOs get a more influential role within the global governance arrangement to hold actors accountable. This research builds upon these findings, which originate from various domains by gathering empirical research on the roles and strategies envisioned by NGOs in the climate regime. Similarly to the roles, categories of strategies will also be used in the results when they apply to ex-post accountability of the Paris agreement.

Barriers

Papers like Scholte (2004), Altides & Kohler-Koch (2009), and Hanjal (2006) found answers to the challenges faced by NGOs in holding actors accountable in global regimes and domestic context. They identified that these challenges are elements like resources , which means number of members, amount of finance, and number of employees (Scholte, 2004). The larger NGOs have more resources, which enables them to generate a larger impact on governance both domestic and global. How interested the media is in reporting information provided by NGOs (Altides & Kohler-koch, 2009). Media has become increasingly important to get the attention of the public. Some NGOs according to Altides & Kohler-Koch (2009) draw more media attention then others. The broadness of their general network (Scholte, 2004; Hanjal, 2006). The connections concern a lot of organizations and persons, like MPs, NGOs, industries etc. What mechanisms are used to ensure their own accountability (Scholte, 2004). Developing proper own accountability is a pre-condition for holding others accountable (Scholte 2004) At last, institutional challenges, like how suitable it is to operate in ones institutional environment (Alitides & Kohler-Koch, 2009). This mainly relates to domestic context, where in some societies corruption and other challenges form barriers in holding actors accountable. However, in global context the institutional environment can also be a barrier. For

example the G8 is a closed global regime that has institutional restrictions for NGO intervention (Hajnal, 2007).
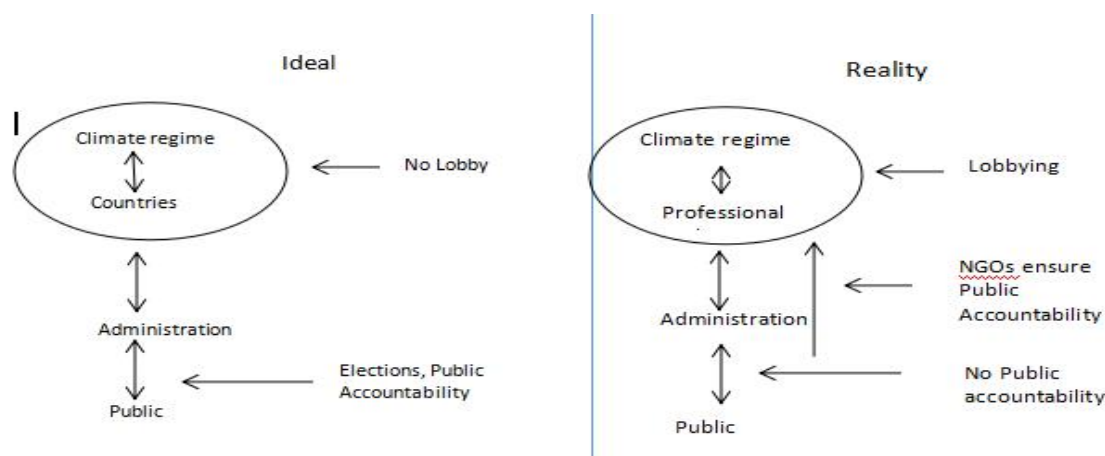
2.8 Brief summary

*Figure 4 -   Global democratic governance Paris agreement.*The left part illustrates the ideal situation. The climate regime consists of administrations and the administration are publicly elected in domestic context. Moreover, there is no opportunity to lobby in the climate regime by outside parties. This supports full public accountability. The right side illustrates the reality. Administrations are publicly elected, but send professional diplomats to the climate regime. In the climate regime there are opportunities for other parties to lobby. Therefore, in the ideal situation there is limited support for public accountability. Scholars like Scholte (2004) therefore envision NGOs to secure public accountability in reality.

This figure summarizes the findings in the literature. In the ideal situation, the statism perspective could be a democratic way to execute global governance and no role of NGOs is needed. However, in reality we find that this is not the case as Scholte (2014) illustrated. He finds that there is already a cosmopolitan operation of global governance in place, since governments send professional diplomats and these come together with officials from the UN and professional lobbyist from all different kind of organizations (Scholte, 2014). Therefore, in reality after an agreement like the Paris agreement has be accomplished in this multi-level setting, it is not only the governments that should and can be hold accountable. It is the wider variety of actors that participate in the creation of such an agreement. The literature illustrated that NGOs are legitimate to hold these actors accountable. Therefore, in reality to promote a democratic way of global governance, the idea from scholars is to strengthen the role of NGOs in ex-post accountability to safeguard democracy. However, as has been discussed in the previous section, this research will explore if a stronger role, such as a formal role is also wanted by NGOs.   What value has more formal according to NGOs? In addition, do NGOs also believe that they can enhance public accountability with a more formal role? What roles and strategies do they currently use to address public accountability in the Paris agreement? Are they similar to those identified in the literature? And what barriers do they face in holding actors of

the Paris agreement accountable? Are these also similar to the literature? The illustration is based on theories from the literature, but these questions remain unanswered in these theories. Therefore, the empirical part of this research will address these questions.

3. Methods of data collection and analysis

3.1 Introduction

This research used three different methodologies for collecting the empirical research. It used document analyses (Altheide 1996, Bryman 2008), semi-structured interviews (Denzin, 2006), and observations (Bryman, 2008). The rationale for the use of three methodologies had two reasons. First of all, similarly to the theory of triangulation it can enhance verifying or challenging findings (Patton, 2005). The data from interviews and observations can reveal some unique insights that cannot be found in document analyses data. In other words, it could enrich the theoretical analysis. This view is supported by Mathison (1988, p.28), who says that ''no single method adequately solves the problem of rival information, because each method reveals different aspects of empirical reality, multiple methods of observation must be employed''. The advantage of using multiple methods in this research, is that it gives more confidence that findings are confirmed in multiple perspectives (Patton, 2005). The second reason for using different methodologies, is that the methodologies functioned as building blocks. The methodologies have been used in a sequence, in which the document analyses was conducted first. It provided the initial insights to the research questions, but also left some questions marks. The insights and gaps from the document analyses were used in the second phase, which was the semi-structured interviews. The semi-structured interviews functioned as verification of findings from the document analyses, but also contributed additional information which was not found in the document analyses on the topics of the formal roles and the barriers. At last, the observational method used for the COP22 was conducted with a more specific lens, since the information found in the previous two methods provided guidance as what to focus on. Using multiple methods is critiqued in qualitative research for realism, meaning that it tries to find one truth (Denzin, 2006). This means that the various methods are mainly used for researching communalities among them, so to provide evidence from different angles for the final research outcome.   This research has also the opposite purpose for using multiple methods. As discussed it uses multiple methods as well for challenging findings and as building blocks. For example, in the findings from the document analyses it will be illustrated that NGOs wish for a more meaningful formal role, but the interviews will discuss that not every NGO believes a formal role is necessary. The following sections will clarify the details of how each method that has been used in the research. However, first the scope will be discussed to understand which NGOs were analyzed.

3.2 Sample Scope

The unit of analyses are NGOs in this research. Several criteria have been set for selection of the samples. For the document analyzes, interviews and observations the scope was quite similar. The criteria for the scope was especially meant for the interviews, but in other methodologies the same scope for selection was attempted to be used. Nonetheless, only few times the selection of NGOs in the other methodologies deviated from the scope. The NGOs that were analyzed, were the trans-national NGOs from the Climate Action Network (CAN). CAN consists of 1100 NGOs, but to reduce the scope some criteria were set for selection. First of all, NGOs must have attended the COP21. Second, they are trans-national. Third, the ones with biggest delegation size at the COP were chosen. Fourth, they are major contributors to side events in relation to the COP. From this selection the aim was to pick a variety of NGOs that are spread in different parts of the world to make it more geographical representative.

3.3 Document analysis

In this research the method was called document analysis, but there tends to be a confusion with content analyses. In methodology books content analyses could mean the final analyses of qualitative data, but it can also be merely analyzing documents (Adler & Clark, 2007). However, I will go with the following definition: ''Content analysis is a method of data collection in which some form of communication is studied systematically''(Adler & Clarck, 2007, p.358). Given the fact that in the end the qualitative data is analyzed in a systematic way, that process was referred to as content analyzes. Analyzing merely the documents is in this research used as document analyses to prevent further confusion. The document analyzes had two purposes. First, it generated further insights on the information found in the scientific literature, but then in journalistic, popular sources, and NGO publications. Second, it provided an initial understanding of the potentially to be interviewed NGO's position toward the research questions. This would constitute as some background information, which could sharpen the interview questions. As mentioned previously the document analyzes provided some interesting findings to several research questions, but it also proved at times to have gaps in information. To give an example, rarely anything was found on the barriers that NGOs face in holding parties accountable in the document analyzed, but this information was derived from interviews. The research used about 50 document sources, which consisted out of press releases of NGOs, news letters of NGOs, policy documents of NGOs, and two times media coverage about NGOs. As discussed in the scope, most of the documents analyzed from NGOs originated from NGOs that met the criteria of the scope. However, in the document analyzes a few times exceptions to the rule were made to increase the variety and amount of findings. The documents that were analyzed that corresponded with the set scope are from FoE Europe, CAN International, CARE International,

Concerned Citizens against Climate Change, Nature & Environment, Caritas Internationales, Birdlife International, NRDC, Oxfam, Tearfund, New Zealand CAN and South Africa CAN. However, the exceptional documents analyzed were from 350.org, Corporate Accountability, Australia Youth Climate Coalition, Oil Change International. The reason for using documents from these NGOs was the fact that some important findings were found that would add some additional value to the research. Moreover, these NGOs meet all criteria expect for the fact that they are not part of CAN. Content analyzes in the case of the document analyzes was done in a qualitative manner, since it is not necessary to view how often a theme is reoccurring. Rather, an explanation of different phenomenon needed to be investigated. The analysis was searching for reoccurring themes regarding the research questions topics like, barriers, informal and formal roles, strategies, standards and other inquiries. The content analysis was a reflective method, because it switched between concept development, data, analysis, and interpretation (Altheide, 1996). This means that, while the data was initially categorized, refinement was frequently necessary based on familiarity with the phenomenon and more context gained from new sources. For example, the categories of roles changed a few times, each time a different understanding prevailed.

3.4 Interviews

The interviews were conducted with six NGOs. They all met the criteria from the set scope. The main purpose of the interviews was to come up with additional information that could not be found in the document analyzes. Nevertheless, at times it was also used to verify or challenge findings from document analyzes. An e-mail was send out to about forty NGOs. Fifteen responded of which half rejected the interview, because they were either too busy or they did not participate in interviews anymore. The NGOs that finally participated in the research were FoE Europe (HQ, Brussel), CAN Europe (HQ, Brussel), Conservation International (HQ Arlington), Nature & Environment (HQ Amsterdam), Tearfund (HQ London), and Brot fur die Welt (HQ, Berlin). The NGOs had also offices in other countries and some of these were located in the global south. Most participants of the NGOs already worked for a couple of years for the NGO. Three years was the shortest period recorded and ten years the longest. Many had a position in either a department within policy, energy or climate change. For final characterization, similar labels from coding in the other methods were used in coding the interviews. The codes will be further discussed in the section of the analyses.

3.5 Interview procedure

All the interviews were conducted by phone or Skype. No compensation was offered for participation. The interviews were semi-structured. This means that an initial structure of fixed questions were written down. However, during the research when some interesting and relevant

topics came up the researcher would ask some probing questions on these matters. This was done to steer the conversation in a controlled direction and yet allow for a certain degree of flexibility, which could be used to discuss additional topics deemed important by the interviewee. The questions asked also depended on the interviewee. Some interviewees had little time, so than the research only focused on the questions that were most relevant. In other cases, the researcher found that some questions were more relevant for the interviewee given his or her expertise. After the first interview some additional questions were added, but all the following interviews had the same basic structure. The interview outline was designed to obtain answers about each of the research questions. The interview contained about 20 open questions. The interview started with questions, related to the background of the interviewee. Thus, the first questions were about the function, if it is part-time or full-time and how long the participant has this function. In several cases these questions were not asked, since the researcher already found this information on the website of the NGOs. These questions were important to ask as it would determine how much knowledge the interviewee had on the following questions. Hereafter, questions were asked about who they hold accountable after Paris agreement, for what, by what standards, with what role, with what strategies, the barriers they face in doing so, and the difference between the envisioned and executed role. It was often found that the answers given to these questions were mostly about what I refer to as the outsider roles and actions, which will be explained in chapter 4.2.1. Therefore, the following questions were about formal roles and actions. The questions asked if they wanted a formal role, if they envisioned it to have more value, and if it would be more effective in ensuring public accountability.   At last, similarly to the study of Ikkala & Lampinen (2012), ''the participants were given the opportunity to bring up something they felt had been given too little attention or left out'' (Ikkala & Lampinen, 2012, p.1037).   The interview questions can be found in the first appendix 'interview questions' and the interview answers in the following appendixes, which are all named by NGO interviewed (e.g. 'Interview Nature & Environment'). The interviews were audio-recorded and transcribed afterwards. The interviews were two times conducted in Dutch and the others in English. The Dutch interview excerpts are translations by the author from the original Dutch transcript.

3.6 Ethics

To follow ethical guidelines, the author based his first steps in the interview on informed consent (Faden, Beauchamp and King, 1986). This means that the researcher should clarify what the consequences of the research are and he has to point out the rights of the participant. Each interview started by thanking the participants for their participation and explained the purpose the research. In addition, the author pointed the participants to their rights, such as anonymity and

confidentiality. This meant that the participants could refuse to answer questions or step out of the interview anytime. In addition, all the interviewees were asked if they wanted their organizations to be anonymous in the research. None of the NGOs requested this anonymity, thus the organizations and functions of the respondents are provided in the research.

3.7 Virtual Observations

This research did virtual observations. The UNFCCC established a live stream for many parts of the COP22. From 7 November till 18 November filmed meetings were watched. In total fifteen conferences were transcribed. However, more conferences have been watched, but some were regarded as not containing relevant information and would therefore not be transcribed. These were especially high level meetings of CMA, press conferences of diplomats, and meetings of SBSTA, CTCN, SBI, APA. The press conferences of CAN international (5), FoE International (3), Bread for the World, YOUNGO, PACJA, Corporate Accountability, WWF and CERES, CAN US have been viewed and transcribed. Not the whole press conference was transcribed, but the researcher paid attention for codes like strategies, barriers, roles, and other inquiries.

3.8 Content Analyses

All the methodologies used were qualitative and therefore the process of emergent coding was followed. The analyses followed the process according to the three steps of coding, which are open coding, focused coding and theoretical coding (Shannon & Hsieh, 2005). The interviews, documents and observations were   analyzed by this standard. Open coding was done by searching for themes that correspond with the sub-questions (De Walt & De Walt, 2011). The relevant fragment of the texts were coded by the following themes: *Envisioned Role (formal/informal), played role (formal/informal), strategies, who is held accountable, to whom, by what standards, for what, with what effect, barriers.* Following this, focused coding consisted out of combining patterns of information within the themes and develop categories out of these. This means that for example categories were found in the theme of *played role* such as,   diplomatic advocate, non-diplomatic advocate, advisory and pioneer. This is one example within the theme of roles, but many categories were developed and can be found in the findings so therefore this section will not elaborate on all of them.   At last, theoretical coding enabled to develop theories from these categories (Strauss & Corbin, 1998). Hypothetical connections from the theoretical coding were developed and represented in figure 1.3 and 1.4.   The same emergent coding methodology was applied in all the research methodologies, which made it convenient to combine the findings of each method.

3.9 Limitations

In the research NGOs have been conceptualized against CSOs in the conceptual framework. As was discussed some organizations like associations, institutes are excluded from the research. The reason for exclusion is to improve the feasibility of the study, but this can also result in limitations of the research. Its limiting consequence is that the research generated knowledge only on the specific scope of the NGOs and it cannot generalize to CSOs.

4. Results

This chapter is subdivided in sections that present the results on the inquiries from *Mashaw's framework* and the barriers for their strategies. The first chapter consist of both findings from interviews and document analyses, but the chapter about the barriers relied mainly on information from interviews.

4.1 Inquiries

 The chapter is subdivided in the six inquiries from *Mashaw's framework* with the lion share for the inquiry; *what processes*. The reason for the extensive results on the questionsof *what processes* is because it discusses both roles and strategies*.* As illustrated in figure 2 of the introduction for each inquiry at least one research question has been developed. Therefore, the relevant research question will not be introduced in each inquiry of the results, because this can also be found in figure 2. The figures 1.3 and 1.4 below continue on the figures 1.1 and 1.2 developed in the introduction with inquiries from *Mashaw's framework.* However, the results have to be presented in two figures 1.3 and 1.4, caused by the differentiation of the standards of accountability, a theory from Bovens (2011).   The figures provide a rough overview of the key empirical results. Each box has a specific color that refers to an inquiry, which will be explained below the figure.
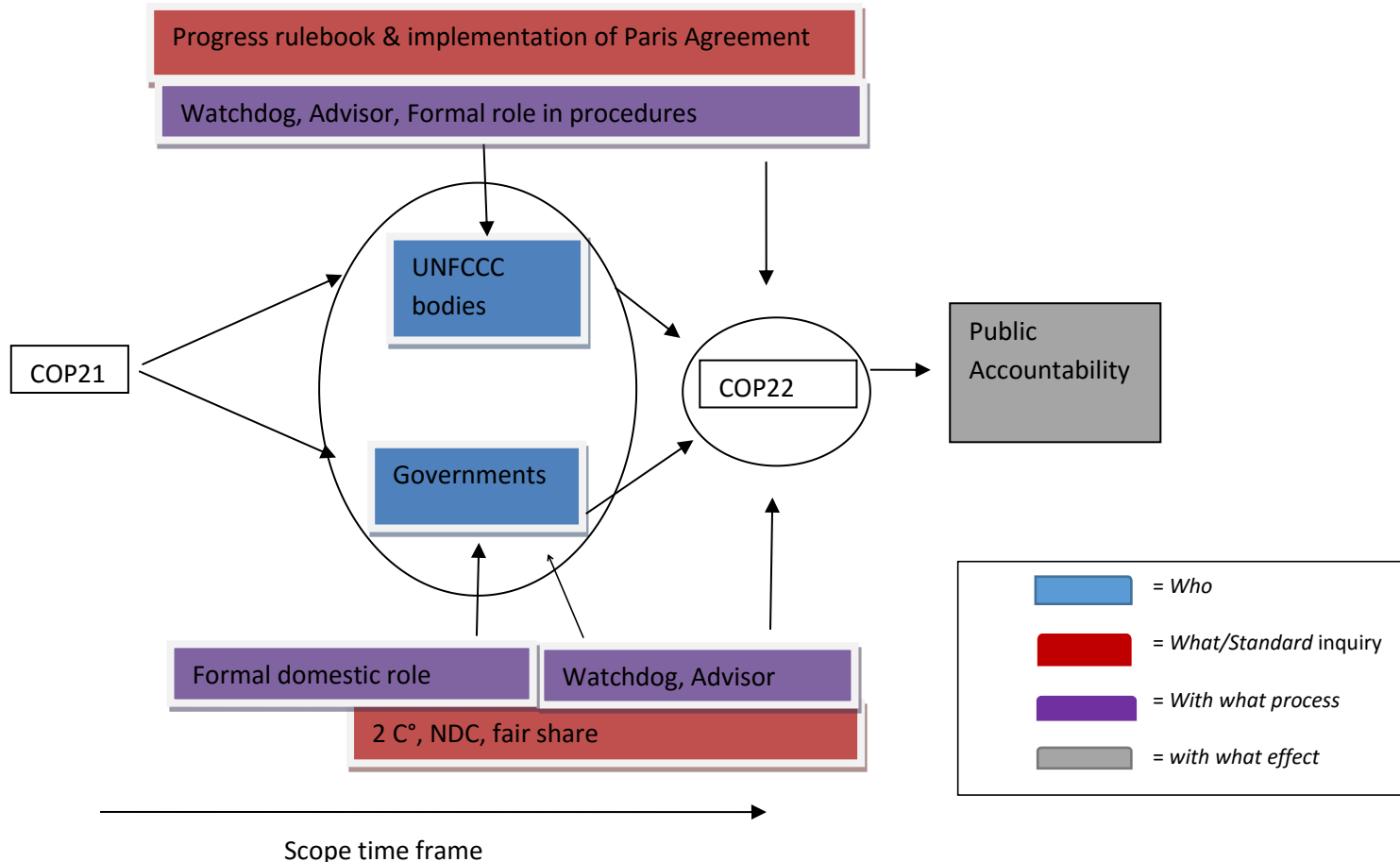
Figure 1.3 - ex-post accountability by institutional standards from *Bovens framework.* The institutional standards refer to specific promises made by the actors in the figure, which are visualized in the box of the standards.   The horizontal axes represents the scope of the time frame. Note that actors who are held accountable for the progress of the implementation of the Paris agreement are the same as during the COP22. This most likely explains why the standards and roles are in both situations directly after the agreement and during the COP22 the same. The output of is envisioned to be more public accountability via NGOs.
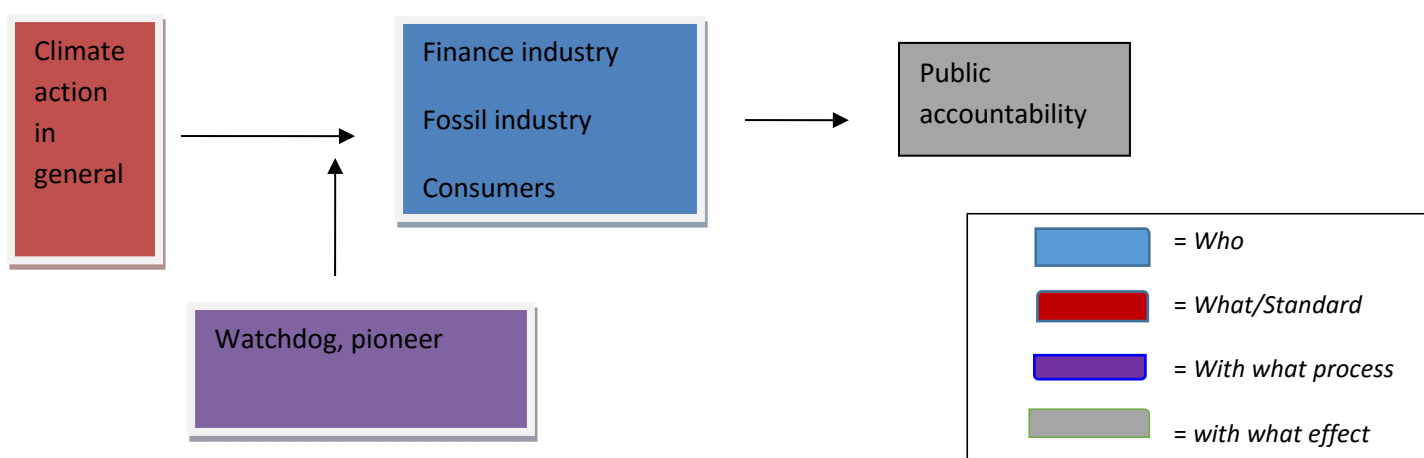

Figure 1.4 - ex-post accountability by normative standards from *Bovens framework*. The normative standards do not refer to specific promises, but expectations of NGOs   The expectation is of the actors held accountable in represented in the blue box is that they act in line with the standard of the visualized in the red box of the standards.

Both figures 1.3 and 1.4 were focused on different aspects. Figure 1.3 can be seen as part of the institutional accountability as it refers to specific promises (standards) and are not generic normative form of accountability. For instance, the 'progress rulebook & implementation of the Paris Agreement' relates to specific standard for which the UNFCCC bodies like APA, SBI and SBSTA are held accountable. The Paris Agreement assigns different tasks to various bodies of the UNFCCC for developing the rulebook and implementing certain issues. The roles for holding these bodies accountable are both informal and formal. If, the modalities and procedures will allow it (most are still to be determined as we will discuss this chapter under the heading 'formal roles'), NGOs can influence accountability as non-party stakeholders among bodies of the UNFCCC. Otherwise, they can influence via their watchdog and advisor role, which will be discussed in this chapter under the heading of 'what processes'. The governments are held accountable in both domestic and global context after the agreement. In domestic context standards like the NDCs can be compared against national policy development and when there is a deviation governments are held accountable. In global context standards like the fair share are standards governments are held accountable for. The fair share mainly relates to the agreed contributions, that developed countries have to provide to developing countries. An example of such a fund is the 100 billion road map. The roles played in figure 1.3 for holding governments accountable can both be formal in domestic policies or informal roles as watchdog and advisor in domestic and global context. Governments develop policies to implement their promises in the agreement and it is not uncommon for NGOs to have a formal position in the development of these policies (as I will show in the case of Nature & Environment further in the text). Figure 1.4 can be seen as more normative accountability, since it is based on more generic normative idea that the actors within the figure are accountable for reducing their footprint, but most did not make specific promises. Actors from the finance sector and the fossil fuel industry frequently after the Paris agreement stated that they also should do their fair share in combatting climate change. However, they did not sign a certain agreement with standards to which they can be hold accountable. Therefore, there are no specific promises these actors can be held accountable to, but since some confirmed to the global norm to contribute in climate mitigation and adaptation is it the normative standard that applies.

Who?

The blue box in the figures 1.3 and 1.4 represents this inquiry [MRV bodies, governments, fossil fuel industry, finance sector, consumer] . Who was being held accountable after the Paris agreement

differentiated. Most commonly it was found that governments are held accountable as well as group of countries such as the European Union. Moreover, also UNFCCC bodies like APA, SBSTA, and SBI and the finance industries, fossil fuel industry, and consumers are being held accountable. It depends on what they are held accountable for and by what standards, which will be discussed in the sections hereafter.

1. Governments

In the interviews officials from Nature & Environment and Tearfund argued to mainly focus on governments. This constitutes both the governments that ratified the agreement and those that are not part of the agreement yet. It is important to understand that 194 countries signed the agreement, but 119 ratified it. However, NGOs also hold governments that signed the agreement, but did not yet ratifiy it accountable for not ratifying it as soon as possible. Therefore, it is not merely parties to agreement (governments that ratified it), who are held accountable. They argued that consumers cannot be held accountable for Paris directly, but only indirectly for reducing carbon emissions. Companies can be hold accountable for lobbying and own responsibilities, but still they cannot be held accountable for the Paris agreement as they did not sign it. Therefore, they concluded that since governments signed the agreement they should be held accountable. Nature & Environment holds the Dutch government accountable and Tearfund holds various governments in countries where they campaign accountable. Tearfund believed that governments could strenghten their role as it currently much more facilitative than active in the transition to a zero carbon emission society. The more international NGOs like FoE Europe, hold the EU accountable, as Europe develops commitments for the European Union as a whole. FoE Europe responded in the interview that they monitor both the European Union as a whole as well as the member states separately. The following quote illustrates how FoE Europe holds the European Union accountable:

''The European Commission is claiming the 40% target is in line with international ambitions to curb climate change, a claim rejected by Friends of the Earth Europe.'' (1, Friends of the Earth Europe, 20 July, 2016)

At the COP22 a lot of NGOs also held the newly elected president of the US accountable, when he follows through on his claims and withdraws from the Paris agreement. He denies climate change and Pan African Climate Justice Alliance (PACJA) an umbrella organization for NGOs from Africa said at the COP22 that the US president-elect should publicly acknowledge that climate change exists. Another example at the COP22 was a minister of Canada who was being held accountable:

''Recently the minister of environment from Canada approved a big pipeline, which is a contradiction. They are not walking their talk in shifting away from fossil fuels'' (Pan African Climate Justice Alliance, 2016)

2. Fossil fuel industry

The other main actors that are being held accountable is the fossil fuel industry and the finance sector. The   fossil fuel industry is believed to be persistent in sustaining the current status quo. Therefore, NGOs hold them accountable for stimulating lock-in situations for countries in the fossil addiction.

''Europe continues to be taken hostage by destructive fossil fuels and the companies who profit from them, according to Friends of the Earth groups protesting at an informal meeting of European energy ministers in Amsterdam today.'' (2, Friends of the Earth Europe, 11 April, 2016)

In a press conference at the COP22 from Corporate Accountability a Nigerian representative from Friend of the Earth International said that the following:

''The fossil fuel industry did not only take our natural resources, but also took our government'' (Corporate Accountability, 15 December 2016)

Therefore, as illustrated in the previous quote, in some cases one can question if a state should be held accountable, when it consists of many industry representatives.

3. Finance sector

The other actor being held accountable is the finance sector. This actor has high control over the allocation of financial resources and therefore is by some regarded as equally important to governments. After the Paris agreement the major banks of Australia had publically committed themselves to their fair share of reducing fossil fuel. However, few months later NGOs like Concerned Citizen against Climate Change noticed increasing investments made by these banks into fossil fuel projects. By sending this information to the popular website *the Guardian* they got the following headliner:

''Despite 2 degree warming limit, Australia's big 4 banks continue to pour billions into fossil fuel'' (1, Slezak,   25 February, 2016)

Of course some other actors were also found to be hold accountable such as consumers, transportation industries, NGOs themselves etc. However, the previous three actors mentioned were by far most commonly found.

To whom

The *to whom* inquiry was clarified in the academic literature. It mainly constitutes the NGOs, their members, LDCs and the wider public. The following quote highlights this finding:

''To deliver solutions that work for people and our planet, we must insulate this process from the corrosive influence of big polluting industries.'' (1, Corporate Accountability International, Climate Change News, 2015)

The concepts of 'public accountability' and 'global democratic governance' in the theoretical background elaborated on this matter. What is else, the empirical research found that NGOs often also represent LDCs. This became clear from the interviews as well as observing the COP22. FoE Europe for example mentioned in an interview that NGOs also represent the LDCs, as these countries sometimes lack the resources to speak up. Therefore, NGOs do not only function as transmission belt for the global public and their members, but as well for LDCs. Bröt für die Welt is an interesting example, during one COP22 press conference they presented together with officials from Tuvalu the case of this island, which is under threat of rising sea levels. Therefore, governments of developed countries are held accountable to LDCs, via NGOs.

For what

This inquiry is represented in the red box of figure 1.3 and 1.4 [NDCs, fair share, 2 degree, progress on the rulebook and implementation of Paris agreement, climate action in general]. Since a variety of actors are being held accountable, they are also held accountable for different reasons. Governments are held accountable for two mitigation promises made in the agreement, which are the two degrees limit and the NDCs. However, the more humanitarian NGOs like Tearfund, FoE Europe and Bröt für die Welt also tend to focus on the so-called 'Fair-share', which means that developed countries should take action in climate adaptation, technology and financial, loss & damage for developing countries.

"The list is long why the Paris deal falls short of what is needed to effectively combat climate change and protect vulnerable and poor people across the world.'' (3, Friend of the earth Europe, 12 December, 2015)

Especially since this was considered by NGOs to be a gap in the Paris agreement, parties were held accountable during the COP22 for addressing these shortcomings. The bodies of the UNFCCC APA, SBSTA and SBI are being held accountable for the progress in developing the rulebook and implementation of agenda items of the Paris agreement. The other figure illustrates that the other group of actors, the fossil fuel industry, finance sector, and consumers, are being held accountable

for generic commitments related to climate change. This could both be moving to more renewable energy or stopping fossil fuel addiction.

<div align="center">*By what standards*</div>

The inquiry *by what standards*   also relates the red box in figure 1.3 and 1.4. The difference is that the previous inquiry is more general, while the standards are more specific. Although, the standards and for what inquiry refer both to the same elements are the standards the specific obligations set out for the actors. The standards are clearer in the case of governments. Governments are being held accountable for the specific standards set in the agreement, although much still needs to be specified by the bodies of the Paris agreement. Just like illustrated in the figure 1.3 they are mainly held accountable for the two degrees limit in global temperature rise, the NDCs and their fair share. The following example of a press conference at the COP22 represents countries being held accountable for their NDCs:

''First of all, we noticed that only Nepal and Morocco are overachieving their NDCs. Second, the NDCs are currently far from sufficient to keep us below even a three degree Celsius global temperature rise. Therefore, much still needs to happen at this COP'' (Climate Analytics, 10 November 2016 - press conference)

 The bodies from the Paris agreement are being held accountable for keeping up with the set agenda and integrating ambitious standards.

''We expect the SBI to address the neglected issues of climate justice and finance'' (YOUNGO, 18 November 2016 press conference)

 For the fossil fuel industry, consumers, and the finance sector it is more abstract since the envisioned standard of most NGOs is fossil free societies and full renewable energy.

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- The inquiry *'with what processes'* will discuss the roles and related strategies of NGOs to operate accountability.

1. *Role: Watchdog - Strategy: Monitor, Advocate*

Role: Watchdog

The role of the watchdog includes both monitoring and advocacy. The watchdog is a typical description for NGOs and encompasses the symbol of safeguarding societal concerns by monitoring and advocating. The role is based on the categorization of Najam (2013). Najam (2013) identified several roles that NGOs have been observed to play in various domains in relation to sustainable development to hold actors accountable. Najam (2013) identified the roles: Monitors, advocates, innovators, and service providers. The criteria for a monitor identified by Najam (2013) were that NGOs function as the eyes and ears of the public, as the whistleblower and keeps track of events and progress. However, as van Asselt (2016) stated roles are often operated intertwined. This was also found during the research. A monitoring role often also includes advocacy. When I asked the question to CAN Europe, if there are NGOs they are aware of that solely monitor and do not engage in advocacy, they stated the following:

''*The essence of every NGO is advocacy, monitoring is not always a given, but if they monitor actions then NGOs will also advocate on the rights or wrongs*" (Interview Cimate Action Network Europe, 16 November 2016)

Therefore, this research deviates from Najam (2013). in that monitoring and advocacy are taken together. Monitoring and advocacy comes in different forms. Monitoring can be observing direct negotiations or reading policy proposals after negotiations. It is also tracking the progress of actors made on their commitments. The NRDC believes that they have to oversee that pledges made in the Paris Agreement transform into reality. Tearfund says that they will monitor government actions and hold them accountable.   The monitoring role is most visible during the COP22, where they participated as observers at official meetings to monitor what was being said.   For advocacy a range of strategies are used. The strategies that are used for executing the advocacy role vary from simply publishing a small text to major activism events. From the interviews it became clear that, distinctions can be made in the type of communication and arenas used for advocacy. Based on this

distinction, the watchdog role will be divided in the diplomatic advocate and non-diplomatic advocate. In the section below it will be clarified.

1.1. Diplomatic Advocate - lobbying, litigation, dialogue, mediaoutreach

The diplomatic advocate includes strategies like lobbying, litigation,media outreach and non-adversarial diplomacy. The watchdog role is regarded as the overarching role of which the diplomatic advocate and the unregulated advocate are parts. The non-diplomatic advocate role can be executed anywhere, at any time, in any manner, but the diplomatic advocate is a role only operated in official settings. They both chase the similar goals, but with different strategies. However, the diplomatic role presents itself in COP conferences of the UNFCCC or in a court case. Brot fur die Welt phrased it as:

''There are the NGOs inside the building and outside, we both have the same goals, but the way we get there is different''. (Bread for the world interview, 28 November 2016I)

The second, difference is the type of communication used. In the official settings as the COP, NGOs have to be diplomatic in the communication or else they will suspended. Brot fur die Welt provided two examples of NGOs being expelled, since they did not act in a diplomatic manner. The NGOs that operate an non-diplomatic advocate role and for example engage in protest, do not have to consider the communication they use. Brot fur die Welt stated:

''We need to be careful in how we address, talk, approach heads of governments, whereas the more activist NGOs outside say anything they like'' (Brot fur die Welt interview, 28 November 2016)

Strategy: Media Outreach

The diplomatic advocate and the non-diplomatic advocate both use media outreach as a key strategy, but in the diplomatic role it is done in a diplomatic manner. According to Brot fur die Welt a lot of words will not be used in press releases at the COP, which are used outside the COP. The COP22 was phrased as the implementation and action COP, because on the agenda was mainly how to operationalize the Paris agreement the best way. In the Paris agreement mitigation was an important focus, but especially humanitarian NGOs experienced that climate justice and adaptation were neglected. Therefore, NGOs aimed to monitor if gaps like climate justice and adaptation in the Paris agreement were addressed and ambitious targets were being set in the COP22. That is why the COP22 started with statements from NGOs that addressed the problem that these issues like climate justice and adaptation were not incorporated in the Paris agreement and also not addressed inbetween the COP21 and COP22. During the COP22, when they felt that parties and bodies paid limited attention to these matters, they would either stress this in press releases or if the

opportunity existed interrupt during the meetings. The following quote from the COP21 of FoE Europe illustrates this monitoring and publishing strategy on loss & damage:

''Without compensation for irreparable damage, the most vulnerable countries will be left to pick up the pieces and foot the bill for a crisis they didn't create.'' (3, Friends of the Earth Europe, 12 December 2015)

FoE international observed that the Doha agreement is legally binding but still not in effect. The next quote is from a press conference of FoE international at the start of the COP22 holding parties accountable for the fact that the Paris agreement is legally binding and should be taken serious:

'*'Kyoto and Paris are not some coffee shop agreements, but legal ones that have to be followed*'' (Friends of the Earth International, 7 November, 2016 press conference)

The presence of NGOs is not only to monitor the decision made by parties, but also the influence of industries. This way they can overcome the lock-in situation of fossil fuel dependency. At the COP22, in a press conference of Corporate Accountability they stressed their concern about the new elected president of the US that has many ties with the fossil fuel industry. In the press conference they gave several examples of the fossil fuel participants that are at times included in delegations of nation states. They also said the following:

''Dirty energy companies here in Marrakesh are also stalking the halls'' (Corporate Accountability, 15 November, 2016 Press Conference)

Their belief is that this results in a conflict of interests, which slows down or even withholds the needed progress for the transition.

'*'Conflict of interest is the elephant in the room over past 25 years and is the reason for the slow progress.''* (Corporate Accountability, 15 November, 2016 Press Conference)

The NGO referred to the Tobacco treaty to overcome a strong industry, since this treaty includes an article which states that the Tobacco industry has no role to play in public health and interest. This treaty excluded the industry from the policy making process and strengthened the ability of parties to hold them accountable. At the end of the COP22, PACJA an umbrella organization for African NGOs, stated their disappointment with the end results of COP22, they believed that developed countries are not walking their talk. For instance, only 18 million dollars were promised by several developed countries during the COP22, which still makes a deficit of 70 billion dollars in the roadmap. The roadmap refers to the agreement closed at the COP16 in Cancun that developed countries have to provide 100 billion to developing countries annually for climate mitigation and

adaptation from 2020 onward. The overarching organization YOUNGO for NGOs with a focus on young people was also not satisfied with the results and said the following:

"We expect a full ambitious comprehensive and clear climate fund by 2018, we do not accept excuses" (YOUNGO, 18 November, 2016 press conference)

"G7 and Australia are paying for fossil fuel subsidies more than 20 times greater than contributions for adaptations funding" (YOUNGO, 18 November, 2016 press conference)

FoE international was very skeptical of the results at COP22. They said that there is no point celebrating the Paris agreement, when developed countries are not showing willingness to commit to action pre-2020. They observed that the proposed carbon markets are not a solution, but they believe it is another loophol of double accounting and lacking real commitment. The only positive signal was that countries pointed out to keep committed to the Paris agreement, even if the US steps out. However, CAN International saw hope in some significant meetings in 2017 that may catalyze greater ambition in climate action. Moreover, NGOs hope for LDCs and especially small island states to take the leadership role in the next COP23 in Fiji.

"We see a shift in leadership to smaller countries in resources but bigger in commitments" (1, CAN International, 18 November, 2016)

Interestingly, FoE Europe operates its advocacy strategies also in the form of supporting the LDCs in negotiations. This is due to the fact that some LDCs lack the resources to strengthen their position during the conferences. NGOs aim to overcome this resource deficit by compensating with own resources. At the COP22, Bread for the World showed a documentary they made about Tuvalu, an island that is already threatened by sea level rise. Bread for the world developed a study with Germanwatch that found that loss & damage and climate finance are far from adequate at the moment. The alternative risk insurance for countries often has a premium that is too high for LDCs to afford. CAN International for example stressed statements for LDCs by pointing out the importance of discussing the facilitative dialogue. The facilitative dialogue is a meeting among the Parties to the agreement to *"take stock of the collective efforts of Parties in relation towards the long-term goal referred to in Article 4, paragraph 1"* (Paris agreement, paragraph 20). The long term goal is the retaining the global temperature well below 2 degree and most preferably than 1,5 degree celcius. The facilitative dialogue can provide the opportunity to revise the collective NDCs, when they fall short in relation to the long term goal. CAN International states the following:

"If we do not discuss the faciliative dialogue and do not prepare for it by 2018, there is a big chance that the facilitative dialogue may fail at all. This would mean that the Paris agreement is not working

as the facilitative dialogue is meant to set the stage for the 5 years monitoring cycle of NDCs.'' (2, CAN International, 10 November 2016)

When analyzing all publications of NGOs one would assume that they hardly get in touch with governments officials. However, especially the findings from the interviews showed that lobbying tactics are not unfamiliar for NGOs. The channels for lobbying can be writing a letter, a phone call or face-to-face contact. CAN Europe lobbied at ministers of the EU member states to make statements about revisioning the Energy policy and the INDCs. However, only five minister agreed to raise the issue of revisioning the policy and in the end nothing was done the plan of CAN Europe. The EU continues implementing its current policy, while they most likely have to adjust it at the facilitative dialogue in 2018. Another lobbying example can be found by Tearfund at a MP of the UK from analyzing their documents:

''With the new Secretary of State- Greg Clark- in post and responsible for climate policy, we wanted to welcome him and ask him to ensure that climate action is at the heart of policy making in his new Department.'' (Tearfund, 2016)

The information from the interviews showed that lobbying is mainly a diplomatic strategy to form a counterforce against the lobbying companies of the fossil fuel industry and a way to ensure that connections with governments official remains tight. Especially NGOs like Nature & Environment that engage less in activism and more in diplomacy are much more engaged in lobbying. They tend to have more connections with government officials and government officials often regard them as more legitimate to listen to. Tearfund mentioned their lobby methods during the interview, which constitutes of sending letters to the administration or   sending policy experts along to lobby ministers, MPs or civil servants. FoE Europe discussed that it has even fixed channels for lobbying at the European Union, they referred to Director General for Energy (DG energy) and   directors general of commissions.

Strategy:non-adversarial advocacy

Non-adversarial advocacy is also an important strategy for holding parties accountable. I consider the difference between non-adversarial advocacy and lobbying that non-adversarial advocacy are official meetings, whereas lobbying often happens informally. Moreover, in non-adversarial advocacy   NGOs engage more in a sharing environment of information. Nature & Environment gave

a clear example in the problem energy classifications. Green energy is classified by a strict categorization of energy labels and criteria. Grey energy on the other hand, has no classification and therefore the two are not regulated equally. Nature & Environment collaborated with several environmental NGOs to move it as agenda point at the Dutch administration. NGOs referred to the responsibility of the administration to operate in the spirit of Paris. The administration adhered and developed working groups with government officials, policy makers and NGOs to investigate the issue and if possible search for solutions. Now in the working groups, by cooperation they can hold parties accountable to consider this problem. CAN Europe provided another example. CAN Europe has frequent conversations with Miguel Arias Canate, the commissioner of Energy and Cimate of the European Union, on the progress made by the EU regarding climate action. CAN Europe engages every day during the COPs with the commissioner of Energy and Climate. However, a struggle that CAN Europe faces is the fact that the intentions of the EU are already fixed before they negotiate in the COP. Therefore, most of the non-adversarial advocacy has to be done before the COP. CAN Europe provided the example of the INDCs.

''The INDCs for the EU were pre-determined in a mandate of October 2014, so the moment to lobby and engage in dialogue was before October 2014, afterwards this decision was fixed and no one could change a thing about it'' (Interview Cimate Action Network Europe, 16 November 2016)

Nevertheless, there have been occasions like in Paris where the EU changed its mandate, because they could not resist the pressures. The goal of retaining global temperature rise well below 1,5 degrees Celsius is one of the major outcomes of Paris, but the EU initial mandate was for two degrees. The EU agreed to the 1,5 degrees Celsius, but when they came back from the COP22 they claimed that their former policy, 40% carbon emission reduction by 2030 was in line with the Paris agreement. The former policy from the EU will evolve in an at least two degrees global warming. So, CAN Europe noticed that the EU would continue on the same unjustified path.

Strategy: litigation

When all these strategies do not seem to work, more legal methods are considerd by NGOs. In an Exxon case NGOs actually filed subpoenas against the energy firm for withholding information from shareholders.

''If prosecutors in New York succeed in proving that Exxon was culpable in covering up the consequences of global warming associated with fossil fuels, that would set the stage for prosecutions in the U.S. and worldwide.'' (Inside Climate News, 26 February, 2016)

However, history has already shown that even more drastic measures are at times taken. One NGO got young people from different states in the United States to sue the president of the United States for inaction on climate change (Concerned Citizen against Climate Change, 9 March, 2016). In the Netherlands an organization called Urgenda even was the first in the world to sue its own government for inaction on climate change (De rechtspraak, 24 June 2015) .

1.2 Non-diplomatic advocate   -   Strategy: Media outreach, Activism

The non-diplomatic advocate has also a media outreach strategy as well an activism strategy. Whereas, the diplomatic advocate happened in official settings with diplomatic communication the non-diplomatic advocate operates outside the official meetings and therefore the communication is less regulated. Most NGOs engage in both roles, but there are some NGOs that also execute one of the two roles. NGOs that use a lot of activism and publish in a harsh way are often excluded from the official meetings or do not want to participate. Therefore, NGOs that engage in a non-diplomatic advocate role mainly use activism and media to enact their watchdog role. A good example of such an NGO is according to Brot fur die Welt; Greenpeace. Greenpeace organizes side-events at a COP, but is not officially included in a batch. A batch is evidence of admission to the UNFCCC meetings. Brot fur die Welt argues that Greenpeace does not believe in diplomatic solutions.

Strategy: Media outreach

The media is used in a more critical bold manner in the non-diplomatic advocate for reaching out to the public and raising awareness at governments. This research is not a linguistic study, so therefore it will not do an elaborate study on the differences in wording. Although, few examples from the document analyzes can be provided of statements that would never be made in a diplomatic setting:

''Words won't fool melting glaciers, and only action can save those impacted by climate change'' (The Parliament Magazine, 22 July 2016)

''Europe continues to be taken hostage by destructive fossil fuels and the companies'' (2, Friends of the Earth Europe, 11 April 2016)

Antoine Simon, Extractive industries campaigner for Friends of the Earth Europe: *"It's time our energy Ministers got real''* (2, Friends of the Earth Europe, 11 April 2016)

Sonja Meister, climate justice and energy campaigner for Friends of the EarthEurope: *''Thousands of climate protesters in the streets of Paris today have shown they understand climate justice, even if politicians do not''* (3, Friends of the Earth Europe, 12 December 2016)

Jagoda Munic, Chairperson Friends of the Earth: '*History will not be made in the convention centre, but on the streets of Paris and round the globe*" (Global research, 12 December, 2015)

Antoine Simon, Anti-fracking campaigner Friends of the Earth France: "*The French government describes itself as a climate champion, but in reality walks hand-in-hand with climate-killing oil and gas companies*" (4, Friends of the Earth France, 8 April 2016)

Silje Lundberg, of Friends of the Earth Norway: "*The government is hypocritical and in denial over Paris.* " (29 January 2016, Concerned Citizens against climate change)

  These quotations illustrate some of the bold wording. The key element here is where the information is published and this is often outside the official settings. Thus, the previous quotes were both derived from online magazines and NGO's own publications. A recent illustration was of Concerned Citizens against Climate Change (4C), where they held Australian banks accountable for investing in fossil fuel projects after the Paris agreement. They wrote a really elaborate article on all the projects Australian Banks invested in and set this against the commitments the banks made after the Paris agreement for moving away from fossil fuel.

Strategy: activism

Another strategy is activism. Oxfam International and Oil Change International referred to the traditional activism as to hold the world leaders accountable:

Helen Szoke, Executive Director Oxfam: "*We will be holding them to account with the millions of people who marched in cities all around the world so that dangerous warming is averted and the world's poorest and most vulnerable communities get the support that they need.*" (Oxfam International, 12 December 2015)

David Turnbull, Campaign Director Oil Change International: "*It is by continuing these fights day in and day out, year in and year out, through the voice of a growing global movement that cannot and will not be silenced, that change will happen.*" (350.org, 12 December,2015)

Activism is found to be inseparable with building movements and creating networks. In the interviews FoE Europe, CAN Europe, and Tearfund pointed out that to strengthen the position of NGOs the importance of building big coalitions with other NGOs is crucial. It enables NGOs to cover and tackle multiple issues at the same time. Coalitions are used in various strategies, but they often present themselves in the form of protests. In protests, the rule is the more people who join the better. In a coalition each NGO has nodes with big networks around them which can be mobilized

anytime. These networks and movements can be used for signing petitions, engaging in protests and changing public opinion. Recently, Tearfund and   a coalition of over hundred NGOs encouraged the UK government to ratify the Paris agreement (Interview Tearfund, 04 November 2016). FoE Europe applied the strategy in relation to protesting and gaining media attention for the issue when the fossil fuel industry held an informal meeting with government officials in Amsterdam:

''Europe continues to be taken hostage by destructive fossil fuels and the companies who profit from them, according to Friends of the Earth groups protesting at an informal meeting of European energy ministers in Amsterdam today.'' (2, Friends of the Earth Europe, 11 April, 2016)

2. Role: Advisory - Strategy: research

NGOs also engage in advisory roles with strategies, such as developing research. Either to verify existing research or to develop new findings and change agendas of the global politics. Najam (2013) defined it as service provider, which constitutes a wider task description of fulfilling public service functions as well as advising and consulting on governmental policies. This last element was found to be more relevant to ex-post accountability. Therefore, since service provider is a too broad descriptive term for the actual practices I would like to phrase it as an advisory role. In the case of ex-post accountability it does not mean providing the public service, but mainly the element of advising government officials and UNFCCC bodies. Najam (2013) did not discuss the difference specifically between service provider (in this case advisor) and advocating, which one could see as similar.   FoE Europe believed that the difference between advising and advocating is that advising is based on research and considers the goals set in the agreement. Advocating is not necessarily based on research, but more on envisioned ideologies of NGOs.

Strategy: research

Research either developed by NGOs or ordered by NGOs   is mainly given to bodies like APA, Subsidiary Body for Scientific and Technological Advice (SBSTA), Technical Expert Meeting (TEM), CMA, SBI or to governments in relation to the Paris agreement. The reason could be to check existing research, to come up with new findings to change agendas or to gain legitimacy for an advisory role. Friends of the Earth Europe has been an active NGO in tracking the performance of the European Union and conducting own research on the current status quo.

‘‘Signatories of the Paris Agreement committed to limiting temperature increases to well below 2°C and to pursue efforts to limit the temperature increase to 1.5 °C. With the current plan Europe is on track to a 2-2.4°C temperature increase’’ (1, FoE Europe, 20 July 2016)

States and the European Union establish their own research departments, which NGOs question to be fully objective. The previous quote illustrates research done by FoE Europe when the European Union claimed that their former policy was still in line with the Paris agreement. FoE Europe developed own research to ensure that research is done without bias. As illustrated, they found discrepancies between the global temperatures in the current European policy and what was outlined in the Paris agreement.   It was observed on the website of the UNFCCC that bodies like APA and SBSTA receive a lot of research from NGOs (2, UNFCCC, 2016). SBSTA for example received a report from several NGOs stating the importance of article 6, paragraph 2 of avoiding double counting and ensuring environmental integrity (Joint Submission, 28 September, 2016). In this report NGOs propose several tools for achieving the proposals. It is important for NGOs to deliver proper research to make sure that these bodies view NGOs as legitimate for pulling research from. In addition, when aiming to change agendas FoE Europe believed that it is important to deliver high quality research. This way they can make sure that the ambitions of NGOs are not only illusions and visions, but actual achievable goals. The interviews showed that providing input by expert based research can be an effective strategy. Nature & Environment outsourced research into the cost-effectiveness of the coal industry in the Netherlands. This research illustrated that closing the coal plantages would be more beneficial in economic terms than lasting the current situation for five more years. The research was send to the administration, which sparked a fierce discussion within the parliament and stimulated consideration of closing down the coal plantages. At the COP22 some NGOs also discussed in press conferences their research to change agendas or to stress the importance of certain matters at the COP22. Climate analytics discussed in a press conference that:

‘‘The NDCs and the action taken so far will results in a 2,9 to 3,4 global temperature rise, which is still far from the 2 degree set in Paris.’’   (Climate analytics, 10 November 2016)

Climate analytics did a comprehensive research about the global temperature rise given what countries have done since the COP21 untill COP22. They also discussed based on their research overperformance of Nepal and Morocco regarding their NDCs. Climate Analytics advised countries not to take action to achieve their NDCs, but first to revise the NDCs, since the current collection of NDCs is still not enough to prevent the environmental tipping point from happening. They also advised China to take up the leadership role now that the US is most likely to play a smaller role in climate action and by this change the political dynamics.

Role: Pioneer

This category relates to the innovator role of *Najam's framework* (2013). I would like to use the pioneering aspect of his theory since this relates most to the ex-post accountability perspective used in this research. We find that the majority of the NGOs envision to take the lead in the transition. Instead of the negative connotation to accountability, they believed that actors can be held accountable by first setting the stage of good governance themselves. In practical terms this means that NGOs set up campaigns for public awareness of climate change, they encourage renewable energy development, and also reduce their own carbon emissions. This supports a positive accountability by taking the pioneer position. In addition, it shows integrity of the NGOs when they advocate for green transitions and moving away from fossil fuel.

''We are helping turn these commitments into effective and sustained action on the ground.'' (NRDC, n.d.)

Strategy: Leadership in climate action

A key long-term strategy executed by NGOs for a while is to be leaders in climate action. This means that they set-up campaigns supporting citizens-led energy transitions and highlight good governance by companies. It relates to the pioneering role. Moreover, to strengthen credibility and integrity, NGOs enhance the sustainability of their own operations. This long-term strategy is to contribute their own fair share and to prevent to be held accountable by others for not walking their talk. In the interview Tearfund clarified to take a leadership role as they appeal at churches, since they are a church based organization.

''We encourage these to consider their own denomination, cutting carbon emissions and holding governments from these countries accountable to do the same.'' (Interview Tearfund, 04 November 2016).

In the COP22 NGOs also took leadership roles in side-events, in which they organized workshop on sustainability. Moreover, NGOs encouraged leadership of LDCs in climate action now that we have a political vacuum due to new president in the US, which is climate skeptical.   Therefore, indirectly via LDCs, NGOs also engage in a leadership strategy.

4. Formal roles in MRV & compliance bodies

The MRV is a collective definition for monitoring, reviewing and verifying. For practicalities this term is used to describe bodies that are concerned with these issues in the case of the Paris agreement.. In the Kyoto protocol a compliance body is established and this will be developed for the Paris agreement as well (Paris agreement, paragraph 103). MRV and compliance bodies both concern themsevles with issues related to accountability. Therefore, both will be used intertwined in this part to refer to bodies that are concerned with accountability and could be interesting for NGO participation. The formalization of the role of NGOs in the Paris agreement has been discussed by van Asselt (2016) and based on his research several research questions were developed around this topic. These will be answered in the following part. It will investigate if NGOs play a formal role currently in accountability in the Paris agreement or if there are opportunities for this, thus testing the theory of van Asselt (2016). In addition, this chapter will identify if a more formal role is actually wanted by NGOs.   The following section will discuss the opportunities for formal roles in the Paris agreement and if these are regarded as essential by NGOs. This section is divided in the compliance committee and the MRV bodies to distinct the two options for formal accountability mechanism within the Paris agreement.

Compliance committee

When exploring the opportunities for NGO participation in the compliance committee, we find that these are limited.   Paragraph 103 of the Paris agreement clearly states that ''the   Agreement shall consist of 12 members with recognized competence in relevant scientific, technical, socio-economic or legal fields, to be elected by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on the basis of equitable geographical representation, with two members each from the five regional groups of the United Nations and one member each from the small island developing States and the least developed countries, while taking into account the goal of gender balance'' (Paris agreement, paragraph 103). This suggests that the compliance committee consists of officials from Parties to the Paris agreement. Therefore, direct inclusion of NGOs in the committee is not feasible. Nonetheless, in an indirect manner NGOs could participate in the committee. No article in the Paris agreement restricts the experts in the committee on being also a representative of NGOs.Therefore, when NGOs put foward their experts with relevant knowledge, they could actually indirectly participate in the committee. This could be one option to formalize the role of NGOs in ex-post accountability of the Paris agreement. The second option is to advocate for a meaningful role around the formal procedures and modalities that are to be developed by APA. Article 15, paragraph 2 on the modalities and procedures is still open for discussion and to be decided by May,

2017 (APA, 14 November 2016). NGOs have the opportunity to advocate that the facilitative orientation of its mandate will involve reporting, both privately and eventually publicly. Moreover, NGOs could stress that non-party stakeholders should also be able to submit concerns regarding compliance by state Parites with their treaty obligations. The International CAN coalition states on their website to be in favor of formal roles for NGOs within the Paris agreement. They believed that non-party stakeholders should be included in a meaningful way. The following was believed to be necessary to make their role more momentous:

''The design of the modalities and procedures for the Compliance Mechanism should therefore contemplate openings for the public to, inter alia: trigger investigations; submit relevant data and observations; challenge compliance data where it is inaccurate, access all relevant compliance documentation and have a say in the final decision making.'' (CAN Coalition, 6 September 2016)

The expectations of their role around modalities and procedures sounds ambitious, but NGOs have played similar roles in other arenas. When Brot fur die Welt got asked the question if they would want a more formal role in MRV or compliance committees, they responded:

''We already have a lot of formal roles. We are nearly in all, like climate fund board, standing committee on finance, adaptation committee'' (Interview brot fur die Welt, 28 November 2016I)

They believed that the UNFCCC is the most open organization towards formal participation of NGOs. When I asked what their formal participation implied they stated the following:

''We can observe, comment, hand in submissions, we can have the right to speak, and we have a lot of informal consultations'' (Interview Brot fur die Welt, 28 November 2016)

Therefore, similar procedures are possible to those proposed by CAN. This illustrates that opportunities exist for such a formal role in the procedures and modalities of the compliance committee.

In the case of CAN Europe and FoE Europe, they argued that they can participate in the compliance system of the European Union like in domains related to transport and energy. This way they can indirectly ensure compliance and accountability of European Union member states. CAN Europe believed that NGO involvement in compliance enhances the effectiveness:

''A lot of coherence is lost when experts from governments are around the table. They have a limited vision on matters and here formal including NGOs is useful for the wider perspective they can bring'' (Interview CAN Europe, 16 November 2016)

The compliance committee is one way to strengthen the formal role of NGO in ex-post accountability of the Paris agreement. What is more, is that the MRV is another option to support accountability. MRV in the Paris agreement is mostly appointed to countries self-initiative and happens on biennial basis (Paris Agreement, article 4, paragraph 2). Nonetheless, it is open how information is collected and by whom. Therefore, the reports are often developed by experts, which can also consist of NGOs. NGOs are regarded by some to be more legitimate in MRV, because they can more easily communicate findings to public than governments since governments are restricted by diplomatic constraints (Interview Brot fur die Welt, 28 November 2016). During the COP22 in one of the final press conferences, YOUNGO also made statements about public participation. They believed that public participation is key for transparency and accountability on climate action. They proposed two strategies:

1. *"CSO should be included in long term development of such decarbonization plans, but with the exclusion of fossil fuel industries."* (YOUNGO, 18 November 2016)

2. *''Country reviews must come from two sources, reporting from the state as well as independent reporting from civil society''* (YOUNGO, 18 November 2016)

This illustrates that NGOs like YOUNGO would be interested in a formal role of NGOs in monitoring and reviewing. According to YOUNGO they have discussed this proposition with several party delegates. The delegates were positive towards the idea and believe that it could move negotiations forward and encourage implementation of the Paris agreement. The necessity of this role was expressed by many NGOs. The following quote summarizes the common argument thoroughly:

''A role like this for non-state actors and independent experts could help to build trust in, and ultimately the effectiveness of, the deal.''   (CAN Coalition, 6 September 2016)

The argument behind building trust is that NGOs are independent and will therefore be perceived as more trustworthy in reviewing progress of states, than a committee that consist of officials send by various countries. The consequence is enhanced trust and effectiveness.   Therefore, CAN believes that it should result in institutionalizing the role of NGOs within review committees either by developing more procedures and modalities around challenging decisions and data or by providing the opportunity of NGOs to participate as experts.

Essence of formal role

The previous information illustrated that opportunities for formal participation exist in both MRV and compliance committees. In addition, it highlighted that   NGOs prefer a more formal role for NGOs. However, in some interviews thoughts on the importance of a formal role for NGOs are mixed. FoE Europe believed that a formal role is wanted to form counterbalance to the businesses that now participate in some bodies. Tearfund believed that there could be value in both the outsider and insider role. They stated it clearly:

''The outside is important to create the political space for politicians to follow through on their actions, while inside agenda points are easier to steer''. (Interview Tearfund, 04 November 2016)

Thus, this means that NGOs could set up campaigns from an informal position to illustrate to politicians that there is support for government action on climate change. However, from a formal position NGOs can change the perceptions of politicians more easily. No argumentation was provided by Tearfund for this claim, although one can imagine that the contact is more direct which strengthens the communication. Nature & Environment answered regarding the formalization of their role in review committees or other government bodies that this would have two sides. On the one hand, it is wanted as it is easier to steer and influence. On the other hand, how to keep you independent position once you have to cooperate with other actors? Therefore, Nature & Environment questioned if a formal role is wanted.

''At least, not all relevant NGOs should be included, because some have to keep the fresh outsider perspective.'' (Interview Nature & Environment, 28 October 2016)

Brot fur die Welt stated the same as Nature & Environment and does not want a more formal role, when it means being also part of the decision making (e.g. as expert in compliance committee):

''I do not want be part of a delegation, but I always want to keep my independent critical position. I want to be a watchdog and I do not want to be part of the system'' (Interview Brot fur die Welt, 28 November 2016)

The overall envisioned effect of the roles and strategies played by NGOs was to secure public accountability. By strengthening public accountability via NGOs the global governance arrangement becomes more legitimate and democratic. However, as we will first discuss, which role informal/formal is most effective to safeguard public accountability and influence the global governance arrangements?

Effectiviness informal/formal role

Tearfund doubted if being formally included would make NGOs more effective. They believed that, one way that it could be effective is if there is an independent state compliance committee and NGOs have an influential formal role, which does not take up a lot resources. Still, one should consider always many elements when engaging in formal participation:

''It is always going to be a judgement call, is it worth investing in? How much resource should I use? Can the government easily contain it themselves? Is it genuine? '' (Interview Tearfund, 04 November 2016)

''Then there is also an issue for NGOs about, do you want to be associated with this, does it cost you trust from civil society, public media and other NGOs or is it worth it? '' (Interview Tearfund, 04 November 2016)

FoE Europe believed that a formal role could enhance the effectiveness, because it provides NGOs with the opportunity to steer the process in an earlier stage. In the current situation they can only respond when decisions have been made, whereas formal participation offers possibilities to influence this before policies have been written down. However, similarly to Tearfund they believed that it is always important to question if this formal participation is only on paper or also in practice. Moreover, if too many other stakeholders with opposing interests participate it will be a slow process and ineffective using too much energy and resources. In addition, FoE in line with Tearfund stated that it is important to question if the participation still safeguards your credibility towards your members, the media, and other NGOs. Moreover, formal roles face many barriers, which will be discussed in chapter 4.2. Therefore, informal roles are regarded by many NGOs as equally

effective.   A key point of CAN Europe was that it both roles could be effective, but a more important issue is cooperation to operate these roles. This is summarized in the following quote:

 ''Most NGOs still work too much on their islands and they do not see that a coalition is stronger than the individual. Cooperation and coalitions are key to stand stronger on all fronts'' (Interview CAN Europe, 16 November 2016)

Public accountability

The literature illustrated the observed effect of public accountability ensured by NGOs. This research aimed to explore the additional question, if NGOs confirm the theory from the literature that NGOs ensure public accountability and in which role they believe it is more convenient to ensure this. The commonality is that NGOs like Tearfund and CAN Europe believed there are two sides to this matter. On the one hand, the formal role secures that NGOs have access to information and can intervene at an earlier stage, like during the negotiations. In the current situation critical points have to be addressed when the policy has been developed, which makes changes less likely. The other side is that in the current situation the media channels are also an effective strategy to address public accountability according to all the NGOs interviewed. Tearfund for example believed that the primary task for NGOs remains publicizing to promote public accountability. In addition, they stated that   public accountability can be addressed by ensuring political space for governments to operate in, so change the way the public thinks. The domestic context is therefore as important or maybe even more important than the global context. Tearfund argued that the public opinion is easier to steer in domestic context and NGOs should focus on holding first their own governments accountable.   In a formal role one has to keep in mind that it does not mingle with interests of stakeholders like the fossil fuel industry. CAN Europe stated the same that it is important always ask the question in a formal role if it keeps your credibility. Therefore, two conclusion can be drawn. NGOs also envisioned their overall role to be the guardian of public accountability, but both formal and informal roles and strategies will be needed to reach this effect. The current informal role is regarded to be effective as media channels can deliver information to large populations. However, accountability when policies are developed is prone to inflexibility of changes. Therefore, a formal role can interfere in negotiations in an earlier stage so accountability is safeguarded.

4.2 Barriers

This chapter will discuss the barriers that come with the roles and strategies identified and what limits therefore the envisioned effect. Some barriers are common for several strategies others apply to a specific strategy. The barriers corresponds also to the *with what effect* inquiry of *mashaw's framework*, because it illustrates what limits some envisioned effects. Thus, since it relates to two inquiries (with what processes, with what effect) it will be discussed separately. The barriers are clustered in wider categories, which are for most based on the challenges of roles identified in chapter 2.7 of the literature. The main categories are resources, institutional and procedural, skepticism and effectiveness, and conflict of interest. The categories include several barriers.

Resources

Resources is used as an umbrella for several challenges that NGOs identified in interviews. The category is based on the the resource challenge identified by Scholte (2004). He discussed that this means the number of members, number of employees, and amount of finance. Similary, resource limitations discussed by Scholte (2004) were identified in this research. However, some additional related challenges were explored, such as balance of resources and non rewarding investment. As illustrated in the previous chapters a large variety of strategies are used, but the challenge is to balance resources between the different strategies. Tearfund said the following:

''The challenge is to find the right proportions of resources to put in policy lobbying, media coverage or campaigning.'' (Interview Tearfund, 04 November 2016)

This also related to the envisioned formal role of NGOs, which is often bureaucratic and can take up a lot of resources. Another challenge related to resources is that of non rewarding investments in the pioneer role, when NGOs take up projects for transition.

''Even though, NGOs are non-profit based organizations the costs must at least be as high as the rewards. Otherwise, resources will diminish and members will start to complain.'' (Interview Nature & Environment, 28 October 2016)

  Therefore, assets must remain stable. At last, financial resources remain an important barrier for NGOs. In litigation strategies, Nature & Environment experienced especially limited financial resources as a barrier to winning the case. The same goes for lobbying strategies. FoE stated the following:

''If you have specific resources to offer it is much easier to influence processes in policy development.' (*Interview Friends of the Earth Europe, 03 November 2016)

Institutional & procedures

The following barrier is called institutional based on the challenge identified by Altides & Kohler-Koch (2009). In their research it referred especially to the domestic institutional environment and the opportunities of holding actors accountable within it. In this research it incorporates challenges like collaboration, attention, and procedural challenges. Tearfund pointed out that collaboration between NGOs is a key challenge. NGOs with a source of expertise are necessary, but also those that can take this information to politicians and the public. However, NGOs often struggle to find each other. Fortunately, coalitions like CAN are steps forward in overcoming this barrier. The next challenge is getting the attention of Members of parliament (MPs). Tearfund argued the following:

''MPs get a lot of issues on their plate and therefore it can be hard to draw attention of MPs admits all the request they get.'' (Interview Tearfund, 04 November 2016)

Both challenges relate most to the advocating and advisory roles. At last, there is a challenge that I refer to as procedural challenge and which relates most to the formal role. FoE Europe believed that the lack of a formal role for NGOs had to do with the fact that UN has always operated in this manner. The UNFCCC never questioned the current procedures.

''NGOs were never expected to mingle with politics'' (Interview Friends of the Earth Europe, 03 November 2016)

Skepticism

Skepticism does not originate as category from the literature, but I developed the category. It includes challenges like NGOs that are seen as a burden and skeptic companion to government officials and bodies of the UNFCCC. It is especially related to the formal role, since NGOs believe that it keeps them from participating in some formal roles.

Effectiveness

Nature & Environment argued that a barrier to participation and input is the fact that government officials sometimes experience NGOs as a burden in their effectiveness and the other way around. The interviewee said:

''If you want to go fast go alone, if you want go far go together'' (Interview Nature & Environment, 28 October 2016)

Conflict of interest

The last barrier of conflict of interest is identified in the results. As corporate accountability stated, is conflict of interest the elephant in the room. It relates to both formal and informal roles. In the diplomatic advocate NGOs face industries with conflicting interests that aim to lobby for their own interests. It is a challenge between NGOs who believe that they operate for public interest and industries that influence for their own interests. In formal roles both are the non-party stakeholders that participate in formal processes and in these cases influences may be equal. The rights of non-party stakeholders around procedures of UNFCCC bodies are the same. However, I also discussed that for instance the party of Nigeria included some officials that worked for the fossil fuel industry. This resolves in an unequal balance between NGOs and industries and conflict of interest. When these industries have such a strong influence and aim to remain the status quo, it will be hard for NGOs to operate their role in ex-post accountability.

5. Discussion

The main research question was what different roles trans-national NGOs see themselves play in holding actors of the Paris Agreement to account, how and why? The sub-questions were derived from this main research question and of the conceptualization of accountability. The sub-questions have been adressed in each inquiry in the results. The discussion chapter is also divided in the inquiries. Each inquiry will shortly be adressed   in this chapter in order to summarize the main findings. However, the chapter will start with short reflection on the communalities and differences between the literature and the results in regard to the expected and observed role. At the end of this chapter an overview table 1 will be developed, to illustrate a comprehensive overview of the key findings.

The expected role

The literature discussed both the expected and observed role. It was found that scholars in general expect NGOs to function as a transmission belt and that they should encourage public accountability. Even though some criticism was also highlighted in the literature, the baseline outcome of the research was that NGOs are legitimate to function as public accountant.

The observed role

The conceptual framework identified that scholars were mainly concerned with the amount of influence and inclusion regarding to the term 'role'. In generic the amount of influence was found to be limited with an exception for NGOs in the field of Human Rights and UNCCCD. Especially, in the Paris agreement the formal roles were not visible according to van Asselt (2016). This research confirms this findings of van Asselt (2016), but also found that there are opportunities for NGOs around formal roles in the Paris agreement. This will be discussed below under the heading '*by what processes*'. Different types of roles where described, such as monitor, advocate, service provider, and innovator (Najam, 2013). This research based the roles in the results on the roles from the literature, but redefined it slightly to enhance the applicability to the research (some of the roles do not relate specifically to ex-post accountability). The roles identified in this research will be discussed below under the heading '*by what processes*'.

Who

   The results discussed several actors that are being held accountable based on different standards. Nevertheless, mainly governments are held accountable. It concerns both governments that ratified the Paris agreement and those that still have to ratifiy it. In addition, bodies that have to implement the agreement of the UNFCCC, the finance sector, the energy and transportation industry and consumers are held accountable for other standards, which will be discussed in the section below of the standards.

To whom

In the literature we find that these actors are mainly held accountable to the global public via NGOs. However, the results came up with additional findings, which illustrated that also LDCs are accountants. NGOs represent the interest of LDCs, because LDCs often lack resources to safeguard their own interest.

By what standards

The standards of accountabilitiy were found to be differentiated and therefore two illustrations have been developed.   Industries and consumers are held accountable for different standards than UNFCCC bodies or governments. Based on Bovens (2008) his conceptualization of accountability we find that both perspectives institutional and normative accountability apply in this research. Industries and consumers are held accountable in a normative way for climate action, whereas governments and UNFCCC bodies are held accountable in an institutional manner for NDCs, fair share, progress on rulebook and implementation of Paris agreement. In figure 1.3 and 1.4 the standards are illustrated.

With what processes - Roles & Strategies

The results discussed both informal roles, such as, advisor, pioneer, and watchdog and formal roles, such as inclusion in MRV or compliance bodies (formally in committee as expert) or part of process MRV or compliance bodies (allowance to submit and observe as non-party stakeholder). Most interesting was the finding that the informal roles are well established among NGOs. They have operated these roles for decades. However, as CAN Europe highlighted, NGOs rarely wonder about what else is possible. The literature discussed that the formal roles of NGOs in MRV or compliance bodies especially in global governance regimes like the UNFCCC is limited. On national level there may be more inclusion such as in the case of Nature & Environment in the Energy policy of the Netherlands, but a formal role in global context is limited. Nevertheless, this research explored the vision of NGOs on a formal role and found some interesting insights. It was based on the research

question; what is the view of NGOs on the value of having a role in the formal accountability system vs. an informal one outside?

Dilemma: formalization vs. independency

The outcome is that some NGOs questioned the value of the role of NGOs in bodies of the Paris agreement as expert. FoE Europe is in favor of a formal role, since they believe that they could counterbalance businesses that participate in some bodies. However, the biggest concern of most other NGOs is that it will affect the key fundaments of NGOs, which is their critical independent position. From the interviews it became clear that NGOs believe that formalization of their role can affect their watchdog function as they should find consensus with other actors within the MRV and compliance bodies. This is a dilemma of formalization against independency of the NGO's role. In the literature scholars advocated for a stronger and more influential role of NGOs and believed that this could address public accountability and enhance the democracy of the global governance arrangement of the Paris agreement. However, this idea is based on the fact that NGOs can still represent the interests of the wider public and operate independently. Nevertheless, when NGOs have to find ways to cooperate as experts, consensus is inevitable. In this context it would mean that NGOs have to give up some of the public concern to reach agreements with professional delegates within review, implementation, and compliance bodies. An exception could be in the case when NGOs form an indepedent review body, but this will be most unlikely. Therefore, both a role as expert in the compliance committee or as independent review body are either not valued or overly ambitious. NGOs believe that in global context a formal role around the modalities and procedures that are still open for debate could have most value and is most realistic. This research has illustrated a substantial variety of informal roles and strategies that NGOs can undertake to hold actors of the Paris agreement accountable. Therefore, two major questions can be raised from this dilemma. First of all, are informal roles and strategies as effective as formalization and institutionalization of the role of NGOs in ex-post accountability in the Paris agreement? Second, which role safeguards public accountability by NGOs in global governance of the Paris agreement? These two questions were explored in the research and will be elaborated under the heading '*with what effect*'.

With what processes   - Strategies

The strategies that were found were related to ex-post accountability for the Paris agreement are litigation, activism, observing, leadership, media outreach, non-adversarial advocacy, lobbying, research, advocating for formal roles. Some related to those identified in the literature like media outreach (Altides & Kohler-Koch, 2009), policy monitoring and reviewing (Scholte, 2004), lobbying

(Rietig, 2011), activism (Rietig, 2011), and promoting formal accountability mechanisms/participatory audits (Adhil Khan & Chowdhury, 2008). Although, these did not specifically refer to the Paris agreement in the literature. Moreover, the other strategies like research, non-adversarial advocacy, litigation, and leadership in climate action are identified in this research. The strategies identified were both played and envisioned to be played after the Paris agreement towards and during the COP22. Nonetheless, these strategies are used for the long term, so also after the COP22 NGOs will continue to operate these strategies. The strategies were coupled with specific roles, based on own my perceptions, NGO statements and the literature. The general effectiveness of the strategies will be discussed in the section below. The strategies were also found to be different depending on the type of NGO and the challenges like resources. NGOs can be more diplomatic in advocating or non-diplomatic for instance and both come with different strategies.

With what effect

Effectiveness - formal and informal

Effectiveness has been addressed in a normative manner in this research. The NGOs were asked if they expected to be more effective in a formal or informal role. The literature showed that scholars believe that NGOs should get a more formal position given the fact that they ensure public accountability and enhance democracy. However, they also found that this formal role is currently limited (van Asselt, 2016) and more symbolic (Ghaus-Pasha, 2005). None of them argues something on the effectiveness. Therefore, this research aimed to gain information by researching the perception of NGOs towards effectiveness in relation to formal and informal roles. The results showed different perceptions to the issue if formalization of their role would enhance their effectiveness. In generic NGOs found the informal strategies currently used effective, but the envisioned effect of formal roles depends on the context. Tearfund summarized it perfectly. They stated that it depends if NGOs have they execute the expert role or are part of the procedures. Being part of the process would imply that NGOs would engage in dialogue with an independent state compliance committee and have a role in decision making. This could be a cost-effective way. However, if they get a formal position as experts than it may become more of a burden, because they will face bureaucratic struggles and spend a lot of resources. Therefore, Tearfund believes it will not be as effective. Thus, a formal role as expert is not envisioned to be as effective as the role in modalities and procedures given the trade-offs. FoE Europe believed that a formal role in modalities and procedures could enhance the effectiveness, because it provides NGOs with the opportunity to steer the process in an earlier stage. CAN Europe confirmed this idea and provided the example of the NDCs that were decided upon in 2014 already by the EU. In the current situation NGOs have to

track the high level negotiations of which they are excluded to prevent decisions being made without their awareness. A formal role includes NGOs in negotiations enhancing the awareness of important decisions that are going to be made. Tearfund believes that NGOs should ask themselves several questions when engaging in formal participation like is it a genuine inclusion? How many resources will it take up? Do you want be associated with this or will it cost you trust from civil society, public media, and other NGOs? If, NGOs do not consider this first then they may engage in formal participation, which is not as effective as their informal roles. The perceptions of the NGOs showed some interesting insights. However, this is a normative finding. For future research it is interesting to also consider the quantitative effectiveness instead of the normative one from this research.

Public accountability

The '*with what effect*' inquiry was also found to be related to public accountability. FoE Europe believes that NGOs are the key stakeholder to address public accountability in global governance. In social problems, such as the climate crises, NGOs can represent the vulnerable and raise their voice. As highlighted in the results, NGOs did this as well for LDCs at the COP22. Many NGOs were skeptic of the effect achieved in holding actors accountable. It is hard for NGOs to track when negotiations are happening, because they are not formally included in the Paris agreement. As discussed previously, participating in formal processes could also enhance the effectiveness of NGOs, because they are involved when negotiations are happening and do not have to advocate when decisions have been made and policies have been written. A generic consensus by NGOs is that the effect of a formal role is improved public accountability. Nonetheless, Tearfund argues that public accountability can also effectively be addressed from outside and domestic context. They gave several examples. One, NGOs should primarily take up the role of publicizing issues to promote public accountability. Two, public accountability can be addressed by ensuring political space for governments to operate in, so change the way the public thinks. Three, the domestic context should also not be neglected according to Tearfund, so holding own governments accountable. Nevertheless, the fourth argument may be most interesting. Tearfund believes that to have a stronger effect coalitions of NGOs are key. This is similar to what CAN Europe believed that NGOs are still operating too much on their own, while cooperation is key to have a bigger impact on global governance.

Barriers

The barriers identified in the results formed some similarities with those from the literature. Whereas the document analyses provided little insight in the barriers that NGOs face in enacting their role and strategies, the interviews were saturated with information. The challenges identified

within the resource and institutional barriers were most commonly a key restriction for most strategies. These two barriers were also identified in the literature, but then in a different context. For the formal inclusion role key barriers were the fact that NGOs are experienced as a burden for effectiveness, they are a skeptic companion, procedures are fixed for decades, and the possibility of formal processes taking up too many resources. Given the numerous restrictions in the strategies and roles, it becomes clear that there are still many opportunities for NGOs once they overcome these challenges. The formal role is envisioned to be effective, but a lot of barriers were identified. Here lies the work for NGOs to overcome these barriers and open up the opportunity for a formal role.

Overview table

The following table 1 provides an overview of the numerous findings in the this research. It shows for each formal and informal roles the corresponding findings and how these relate together. Table 1 had been explained in the results and discussion, so therefore I will not elaborate on it once again. However, one important point to mention is that inclusion in MRV board means playing a formal role such as expert in a committee, which was unwanted and not regarded as effective by NGOs. Nevertheless, a formal role in procedures and modalities around MRV or compliance bodies is envisioned to be more effective. When looking back at figure 4 from the literature review chapter, table 1 illustrates how NGOs can ensure more public accountability. The literature illustrated scholars believed that NGOs can promote public accountability, which is necessary in the cosmopilitan global governance. . Moreover, NGOs also believed that the effect of holding actors accountable is to strenghten public accountability.   Table 1 highlights that most informal roles and one formal role are effective ways to strenghten public accountabililty, but also identifies the barriers that NGOs should overcome in order to play these roles and strategies.

	Role		Barriers	Effectiveness	PA
Envisioned Formal Role	Inclusion compliance or MRV body	-	Skeptic companion, resources, procedural, effectiveness, conflict of interest	No	Less
	Formal role in procedures and modalities around MRV or compliance bodies			Yes	more

	Role	Strategies	Barriers	Effectiveness	PA
Envisioned Informal Role	Pioneer	Take leadership in climate action	Non-rewarding investments		
	Watchdog: Diplomatic Advocate	Litigation, Media outreach, lobby, non-adversarial advocacy	Resources, institutional		
	Watchdog: non-diplomatic advocate	Activism, Media outreach	Resources, institutional	Yes	
	Advisor	Research	Resources, institutional		More

Table 1 - overview of findings ex-post accountability. Table 1 is divided in the formal and informal role with the corresponding strategies, standards, barriers and effectiveness. PA means public accountability. Effectiveness relates to if the role and strategies result in more or less public acountability and ex-post acountability in global governance.

Limitations

This research has several limitations. First of all, when using multiple methods for data collection, the risk is that data is not measured equivalent. This limitation applies to certain extent in this research. The data from the document analyses provided less relevant findings compared to the other methodologies. However, the purpose of the document analyses was to gather initial information that other methodologies could build upon. Therefore, I still perceive it as a valuable methodology as it enabled to focus the interviews and observations on findings and gaps from the document analyses. The second limitation is that a relatively small number of interviews have been conducted. A large amount of units have been contacted, but few samples have been collected. The likely explanation is the fact that this research was done around the time that the COP22 took place. Some were therefore too busy. Others simply responded not to participate in interviews given the many request they get. Nevertheless, the samples that participated were highly influential in the

climate regime of the UNFCCC. CAN Europe speaks on behalf of over 400 NGOs. Therefore, the limited amount of interviews is partly compensated by the weight of value from the NGOs. Third, there can be a bias in the empirical analyses, since this research dealt with perspectives that sometimes have to be interpreted. To overcome this limitation this research mainly used quotes to illustrate what the reasoning was based on. The fourth limitation is that the research did not conduct participation observation to understand what activities NGOs undertake at the COP22. This limited a detailed observation of the activities that NGOs undertake at the COP22, because I had to rely only on external sources. Nonetheless, a lot of important information is provided in press conferences by NGOs. Therefore, the virtual observations were helpful. Future research could use participant observation to get a richer picture of the activities undertaken by NGOs at a COP. At last, since the interviews are not quantified, the findings are all analyzed in a qualitative manner, which implies that nothing can be said about statistical significance of the findings. Moreover, findings have been generalized to what was most commonly found, but this does not mean that it applies in every case. For future research it would be interesting to do the same or a similar research in quantitative terms.

Recommendations

Based on all the findings I would like to propose a recommendation for scaling up opportunities for NGOs to ensure ex-post accountability in the Paris agreement. The idea is for NGOs to put more time and effort in coalitions like CAN to make use of the complementary skills and resources. This way together they can overcome barriers, implement a larger variety of roles and strategies and make steps foward in public accountability of the Paris agreement. This research showed that NGOs play a large variety of roles, but according to CAN Europe still too much on their own. Cooperation and coalitions should be the prime focus of NGOs. NGOs viewed both formal and informal roles as effective, but face individual challenges to play certain roles. Informal roles identified in this research are envisioned to be played around the Paris agreement, but NGOs have played similar roles in other global regimes. Therefore, they are familiar with these informal roles. Cooperation is only key for informal roles to overcome barriers such as limited resources. Nevertheless, the disadvantage of the informal roles is that these are not based on institutional mechanisms. Moreover, as NGOs stressed in the results, from the outside it is hard to keep up with processes and outcomes of negotiations. Therefore, formal roles are also interesting to NGOs. The formal role in the Paris agreement for NGOs is still insecure. Although the implementation of article 15 of the Paris agreement is still on the agenda, thus opportunities exist for NGOs to advocate for their formal position around the compliance procedures and modalities. Even though, we identified in the results that also opportunities exist to participate as expert in the compliance committee this was not

considered to be effective, realistic or wanted for NGOs. Nonetheless, if NGOs could advocate for a meaningful formal role in procedures in compliance or MRV, then NGOs should consider many elements. These are for example: Does it not take up too many of my resources? Is it a genuine position? Do I have influence on the decision making or only a voice? Does it affect my credibility? Can I more effectively address public accountability? Nevertheless, that NGOs should take up this possibility now that there is a window of opportunity may be clear. Therefore, some NGOs should pay attention to informal roles and the corresponding the strategies, while others lobby for a meaningful formal role around the modalities and procedures in the Paris agreement. Elements deemed important by NGO in the modalities and procedures are openings for the public, trigger investigations, submit relevant data and observations, challenge compliance data, access all relevant compliance documentation and consult in the final decision making. Cooperation is also important for supporting each other in holding governments individually accountable within their own country. In domestic context it is more convenient to hold parties accountable, thus NGOs should not overlook this opportunity. Governments are for example obligated to review their progress in regard to their NDCs (Paris agreement, article 4, paragraph 2). NGOs can monitor and support governments in their implementation. A final recommendation in this research that indirectly relates to accountability and directly to the barrier conflict of interest is that of the Tobacco treaty. NGOs should take a careful look at the Tobacco treaty and advocate for copying the article 5.3 of the WHO Framework Convention on Tobacco Control that considers exclusion of stakeholders, who have a vested interest and are from the Tobacco industry. When this applies in the procedures and modalities of the Paris agreement it will be much more convenient to address accountability without conflict of interest. If these recommendations of cooperation both for formal and informal roles, advocating for a meaningful formal role around modalities and procedures in MRV and compliance of the Paris agreement and overcoming conflict of interest are addressed, than we can increase the chance of effective ex-post accountability mechanisms contributed by NGOs.The resulting effect would be stronger public accountability and ex-post accountability and therefore a more accountable and legitimate global agreement on climate change.

6. Conclusion

   This research aimed to answer the question, what different roles do trans-national NGOs see themselves playing in holding actors of the Paris Agreement to account, how and why? CAN Europe pointed out that the role that NGOs should and can play in ex-post accountability is rarely discussed among NGOs, but regarded as given. Therefore, the findings to the research question can put some new ideas on the agendas of NGOs in holding parties accountable for an important agreement in our history. NGOs play and have the opportunity to play a large variety of roles in ex-post accountability, which were summarized in table 1. As discussed in the literature and in figure 4 this is necessary to safeguard public accountability in cosmopolitian global governance. The roles and strategies can enhance public accountability according to both scholars and NGOs themselves. The informal roles are watchdog, advisor, and pioneer. These roles are accompanied by strategies like, litigation, media, observation, activism, lobbying, research, leadership in climate action, and non-adversarial advocacy. The barriers that come with these strategies are related to resources, conflict of interest, and institutions. Based on van Asselt (2016) this research also considered the formal roles in MRV or compliance committees. In regard to MRV bodies and compliance committees of the Paris agreement we find no formal meaningful roles for NGO in the current situation. This research explored if this was wanted and considered to be more effective, according to NGOs. It found that there are some trade-offs in both formal and informal roles. Formal roles face quite a lot of barriers as identified in the research, while informal roles do not have an institutional mechanism to monitor and advocate at the UNFCCC.   There is a window of opportunity currently with the modalities and procedures around the compliance committee and MRV of the Paris agreement being in development. However, a lot of barriers to this role were discussed, such as resources, procedures, skepiticsm, effectiveness and conflict of interest. It was recommended for NGOs to first tackle these in order to get this formal role. How NGOs could overcome these barriers could be interesting for future research. A reccomendation from this research is for individual NGOs to put more resources and effort into coalitions like CAN, so to benefit from cooperation. A related reccomendation is to focus as well on the domestic context of governments that signed the agreement. In big coalitions NGOs originate from different countries and they can hold their own governements accountable. Within the coalition they can share best practices among each other. An additional reccomendation, which relates to the barrier conflict of interest is to overcome the conflict of interest by copying article 5.3 of the Tobacco treaty, which says   ''parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with

national law'' (WHO Framework Convention on Tobacco Control, article 5.3). This could strengthen the position of NGOs in ex-post accountability. For future research it can be interesting to research the opportunities for exclusion of industries with conflicting interests. One could for example do a case study into the Tobacco treaty and see how this could apply in the Paris agreement. In the current situation, conflict of interest limits the opportunities for NGOs to hold parties accountable and therefore it is related and important. This research explored a normative effectiveness based on the perception of NGOs regarding the formal roles, but for future research it is interesting to investigate effectiveness from a quantitative side. Thus, if we can statistically prove that certain roles and strategies are more effective. Moreover, a legal study can be done into the legal implications of formalization of a role for NGOs in a compliance committee. At last, given the leadership vacuum that evolved now that the US has a new president, it can be interesting to do research on how NGOs can encourage leadership by LDCs or if NGOs can take up this leadership role. Reaching a global agreement to fight climate change is one step, now let accountability to this promise be the next.

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Appendix

Interview questions

Thank you for participating in this interview. This interview is for a Master thesis research. The research will be about the role that NGOs can and plan to play in various ways to ensuring States keep their commitments in the Paris agreement. Your contribution will be very valuable to the research. There are several things you need to be aware of. First of all, if there is any question you do not feel comfortable to answer just say so.. At last, you have the choice to remain anonymous - and chose then how I can refer to you (as NGO official or official of your specific NGO), or not be anonymous. The thesis itself will be published at Wageningen University and possibly be develoed into Scientic journal article.

<u>Informative on person</u>

1. What is your position within the organization? (full-time/part time)
2. How long have you been working in the organization?

<u>Informative organization</u>

1. What do you believe is the overall mission of your organization? (and how does this relate to climate change?)

<u>Main</u>

1. What is the position of your organization regarding the Paris agreement outcomes?
2. What has been the role of your organization during and after the negotiation of the agreement?
3. Which actors do you consider have the major responsibility to implement the agreement and how do you engage with those? Who do you focus on? (countries, companies, cities?)
4. What do you believe this actor should be held to account for?

5. What role do you take after the agreement in making sure that parties live up to the agreement?

6. Is there a difference in the role that you aim to undertake and what you can actually do in practice?

7. What actions do you undertake to meet this role?

8. What does this mean in really practical terms? (I have seen many times on NGO websites things like we check governments, we advocate at governments, but what does it mean in practice?)

9. Do you achieve the wanted effect?

10. What barriers do you face when you are trying to operate your role in making sure that parties meet their part of the agreement?

11. What opportunities do you see for making your work more successful?

<u>Follow up questions formal role</u>

1. What formal roles are granted right now in reviewing, implementation or compliance bodies (national or international bodies)?

2. Would you want more formal roles?

3. What holds you back?

4. What strategies do you use for inclusion of formal positions in e.g. review, implementation, or compliance body?

5. Would it make your organization much more effective?

6. Or does the informal/outsider role achieve the same effect?

7. Do you believe that NGOs that are formally included in reviewing, implementation or compliance bodies can still operate in the way NGOs are supposed to (e.g. independent, critical)?

8. Do you believe that a more formal role of NGOs contributes in public accountability? (actors from the Paris agreement being more accountable to the wider global public?)

<u>Marrakech:</u>

1. Did you use the COP22 also as opportunity to hold parties accountable for the Paris agreement?

2. What role did/do you play? What formal and what informal roles?

3. Which actions do you undertake there that were not written on your website?

4.

Interview Nature & Environment

Job description: Project manager, Energy

Date: 28/10/2016

Time: 13:00 - 13:45

<u>Informatief over persoon</u>

1. Wat is uw positie binnen de organizatie? (full-time/part time?)

Bijna full time

2. Hoe lang werkt u al binnen de organizatie?

4 jaar

<u>Onderzoek</u>

1. Volgde uw organisatie van te voren en tijdens het parijs akkoord ook de ontwikkelingen en hebben jullie het ook proberen te beïnvloeden?

Ja wij hebben grote rol gespeeld van te voren en geweest verslag te doen.

2. Ik heb ook contact met jullie gezocht omdat jullie ook in de CAN Coalition zitten. Wat doen jullie binnen deze coalitie en hoe betrokken zijn jullie hiermee?

Bijna niet. Vragen binnen, geef antwoord voedingsbodem in nationale lidstaten. Vorige week nog vraag energie labels en regels apparaten, overzicht welke landen negatief

3. Gelooft u dat NGOs een belangrijke rol zouden moeten hebben na het overeenstemmen van een akkoord in het verantwoordelijk houden van betrokken partijen?

Zeker weten. Veel verschillende taken meer nationaal en energie zeker taak. Media en druk erop houden

4. Wie houden jullie vooral verantwoordelijk na de Parijs akkoorden? (mag ook nationaal)

Overheid verantwoordelijk past daar bij. 3 richtingen, consumenten bij dragen (nooit over Parijs), indirect wel het is nodig (CO_2 verminderen), bedrijven ook prikkelende onderzoeken (Parijs kan vaker vallen, houden ook niet verantwoordelijk- duurzaam en duurzaam ondernemen, bedrijven hebben het niet ondertekend), dus enige overheid veel meer spelende rol en nu veel meer faciliterend veel meer actieve rol. Richting geven, bepaald gedrag aantrekkelijk en ander gedrag minder aantrekkelkijk

5. Wat voor rol neemt u op zich als organizatie in het verantwoordelijk houden van deze partij?

Nooit over NDC meer grotere doel Parijs, onder de 2 graden liever anderhalf in 2100. De berekingen die daar aan volgen en wat dit betekent om te reduceren. Monitoren niet actief maar meer nationale document, soms indirect gesprekken, meer media. Meer lijdraad. Tegenover overheid lobby organisatie, niet zo uitgesproken als greenpeace en md. Nette brieven naar kabinet en zorgen dat het op agenda komt blijft veel meer intern.

6. Wat zijn de specifieke acties die u momenteel uitvoert om partijen verantwoordelijk te houden? (lees veel over voor de schermen in de vorm van projecten, maar wat achter de schermen?) (wat betekent dit in praktijk?)

Kolencentrales voorbeeld. Puur lobby project, publieke opinie onderzoeken laten uitvoeren dingen die niet eerder belicht. Veel goedkoper gewoon sluiten…. Sturen naar kamer en minister en hoop dat in debat moties worden aangenomen. Geslaagd als motie of wet wordt aangenomen. Dit onderzoeken en publieke opinie…

Werkgroepen als ze er mee bezig en zitten wij ook in, aan tafel met beleids makers – labelling stroom – geen labels grijze stroom als groene stroom   niet eerlijk – feitelijk haken en ogen, geen keuze grijze stromen (kool of gas) wij vonden dat er systeem moet komen voor grijze stroom GFO. Voor gelobbyd met milieu organisaties – wel motie dat overheid moest uitzoeken wat kosten en implementatie zou zijn om dat te uitvoeren – ze stellen een werkgroep in met in dit geval ons – onderzoeks opzet akkoord is en dat het rapport leesbaar is – en kamerleden spreken dat het verslag wordt goed gekeurd

Keihard onderhandelen energie akkoord voorbeeld ervan was met SER niet direct overheid,

Dus gemeentelijk niveau wel betrokken – met projecten – nationale klimaat coalitie veel gemeentes

Rechtzaken tegen kolencentrales.

7. Bereiken jullie het gewilde effect?

Veel langzamer en afgezwakter dan we willen, rapport matig, rechtzaken verloren

8. Welke barrières liggen nog in de weg om het voorziene rol en effect te kunnen bereiken?

Niet veel groepen zijn die formele als commissie – veel geld krijgen wij van projecten en deel postcode lotterij… als wij iets doen moet het wel echt toegevoegde waard ook in euros -   wij zijn ook lastig voor overheid, wil je snel gaan ga dan alleen wil je ver komen ga dan samen – als ambtenaar iets snel voor elkaar wil krijgen ons niet vragen…

Klimaat scepticus is weg – en daarom rol groter… veel

9. Hoe denkt u dat dit kan worden overkomen? Welke strategieën gebruikt uw organisatie hiervoor?

Energie akkoord hebben wij wel degelijk rol in commissie of het wel goed genoeg gaat. Borgus commissie (Natuur & Milieu in stuurgroep) maar ook meerdere NGOs – spelen vaak wel minder actief. Hele energie akkoord is door ons opgestart… vanuit een overheid is er belang om milieu organisaties aan boord te hebben dan weet je zeker dat ze er mee eens zijn en niet achteraf zeuren,

Voorkom dat je wordt meegezogen als je aan tafel zit vs. Onafhankelijk

Vind ik fijn als sparren met andere NGOs verse blik van buiten heel goed niet allemaal aan tafel want scherpe blik.

Absoluut geen onderdeel overheid zou willen dat dat was, meest opgelost gericht.

Formele positie vs onafhankelijk van systeem

Kritische partner stellen wij ons op…. Anders rechter hand

Interview Friends of the Earth Europe

Job description: Climate justice and energy department

Date: 03/11/2016

Time: 10:00 - 11:00

<u>Informative on person</u>

3. What is your position within the organization? (full-time/part time)

9 years at climate justice and energy program, campaigner on this, full time, EU representative.

4. How long have you been working in the organization?

<u>Main</u>

12. What is the position of your organization regarding the Paris agreement outcomes?

FoE Europe is very critical, content wise we did not appreciate the outcome. It does not contribute to climate crises, especially not climate justice. I think for especially us that the rich countries are not taking up their responsibility. The developing countries are currently doing more and have larger burden. If developing countries take things onboard they need support of developed countries and that is not quite clear in the Paris agreement.

13. What has been the role of your organization before and during the agreement?

FoE is very involved, we do not track every technical detail, but we track by being there and supporting developing countries, working with European Union, actions outside, being very present in Paris, thus a with a mix of activities

14. Who do you believe should be accountable after the agreement? Who do you focus on? (countries, companies, cities?)

Europe, we have our own targets, we focus mainly on European union the parliament but also member states, in that we often do not pick politician out but if we see one chancellor or specific area we focus on specific people as well but more state and European union

15. What do you believe this party is accountable for?

We have a general message, like their fair share. EU should take on their responsibility, thus stay in line with 2 degree. This is the main thing we hold them accountable to. In addition, financing and technology to developing countries is something that we consider. Last point is the urgency, they make a plan by 2050, but we call them about they have to act much faster e.g. 2020 because they made also promises around that target date.

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16. What role do you take after the agreement in making sure that parties live up to the agreement?

One side make it public, show what they say and what they do, we are not compromising very much as other NGOs in Brussels. We know what is needed and then see what they do. We use social media, press other channels to make it clear. We also have lobby talks, me personally less, we have lobby talks with people in commission or parliament to hold them account of their promises. DGM, DGenergy, directors general of different commission, main channels lobby. Internally we also try to explain to our network what EU is currently doing – e.g. milieudefensie holding EU member states holding accountable.

Even though, EU is one party in UN we also have member states, so therefore we have relations with NGOs within these member states.

17. Is there a difference in the role that you aim to undertake and what you can actually do in practice?

We feel at EU level that we are far away from reality what is necessary, it is quite difficult to talk to politician to cut emissions ambitiously. They sometimes laugh at us and say how can we do that? What we do instead, we come together with other NGOs so we are stronger, than we engage in actions or media awareness. Other approach is working with scientist, so it is not only a vision but we can come with facts. At the UN atrophy level we work with a lot of other countries like LCD countries to give stronger voice, we can be their soundboard, but they can also be our soundboard, so it is not only working with scientist and other NGOs.

Additional formal role questions

9. Would you want more formal roles?

What we believe that role of NGO should be improved massively, we see that some involvement is possible, giving short interventions of 2 minutes. We fight to actively participate to be part of smaller workgroup discussion, because if you see the role of businesses currently they often have a role within the parties – they are parties sitting within the party and as NGO hardly possible. In that we want to see this improve. We can represent the people and not the business.

10. What holds you back?

Good question, I never thought about it. If you look at the UN body history, they never expected that civil society would play a role in politics so maybe history related. If you have specific resources to offer it is much easier to influence processes in policy development. Batches, you get different batches. You get a party batch and you are part of official delegation but still NGOs do not have access to every document. We do not work for parties, but we are independent, so we need to be carefull where we are included. We especially do not want to work with big polluting businesses.

11. Would it make your organization much more effective?

Would be more effective if have an official role. You are involved in the process much earlier. What is currently happening is that people with good connections to parties can get hands on documents early so they can steer process and we have to react. So, if we have an official role we can influence this more. We really fight for it that there is proper participation not only on paper. COP22 will be kind about implementation, NGOs will be there, but the participation of NGOs is not really there. FoE international, we are critical against the UN.Atrophy body as well, because the process is slow because they are driven by fossil fuel companies. This makes it difficult to see how they can solve it. I say this because we have to be critical of in what we participate, so we participate on paper and put a lot of energy in it and cannot move anything because of other parties included. So we have to be careful and consider in what bodies to participate. To keep own credibility it is really important for us and to our members.

12. Do you believe that a more formal role of NGOs contributes in public accountability? (actors from the Paris agreement being more accountable to the wider global public?)

In general we have the opinion that in a climate crises which is mainly social crises you have to include the people, we have to be involved very actively for them. I see some dangerous of being stuck in process and problems with other stakeholders like fossil fuel industry.

Teamleader Campaigns

Date: 04/11/2016

Time: 13:00 - 13:30

Main

18. **Which actors do you consider have the major responsibility to implement the agreement and how do you engage with those? Who do you focus on? (countries, companies, cities?)**

Yes we have been working on climate since 2002. Engaged since then, not specifically Paris. More getting people concerned UK.

19. **What do you believe this actor should be held to account for?**

For UK campaigning focus on UK, their promises and particular promise climate finance and UK emsissions. Scotland not formally signatory to Paris, but a lot of the cutting emissions are delegated to Scotland. The different countries around the world where Tearfund works, where we have partners working on this also focus on their government. We do not really focus on companies and consumers, if we focused on particular company will be particular aspect, could you change food program. We do appeal at churches. We are a church based organization. So we look at whats the local church and what is their denomination and what are you doing to cut your carbon and to hold the government accountable.

20. **What actions do you undertake to meet this role?**

So it is mostly not us doing the tracking, we rely on climate action network, we listen to groups like that and who are tracking what actions are to be taken, and we pick particular aspects that we focus on, sometimes lobby civil servant and governments where we could, but we do more publically

campaigning and ask supporters to write their MPs about it. Lets say we sign the Paris agreement, that was wonderful, we promised this overarching goal, now please tackle this particular issue within it. So for example last month we were part of this joint thing with over 100 NGOs in the UK to aks MPs to ratify the Paris agreement. And they published a low carbon investment plan. So the low carbon investment plan is a huge thing with many many aspects of it and we picked three of those that we wanted to talk to MPs about it. So it is often coalition with others, acking whatever we think are important aspects of the bigger promise to focus on at the time, is the decision going to be made soon, which things can everyone in the coalition agree on or what is in the news already? It is a mixture of those things, but most important is what is going to have the biggest impact on emissions, so facing out coal from power electricity generation, big task over past 5 years, nearly end of the road on that nearly got there.

21. What does this mean in really practical terms? (I have seen many times on NGO websites things like we check governments, we advocate at governments, but what does it mean in practice?)

Sometimes lobbying, although we put less effort in that, but we do that as well. We send policy expert along, to lobby a minister or MP with special interest or civil servant, that will tend to be about UK aid in relation to climate change, so it is diffit funding of fossil fuel project like that.

So both outside and inside moving things?

Definitely combing the two, but we think that the outside is more important to create the political space for politicians to follow through on the actions, it is easier to make a promise than to fulfill it.

22. **What barriers do you face when you are trying to operate your role in making sure that parties meet their part of the agreement?**

So there is a lot of research work to be done, so there needs to be source of expertise, who understands the details of it and has the time to stay with it and it usually it work very well if that is how it is done across several NGOs or thinktanks, or academics, so that work can be done collaboratively. It does not matter very much who is doing it, depends on where source expertise is, but than you need NGOs that can take this information to politicians more widely so for example if it is a piece of energy policy, you know half a dozen MPs would know about it because they are

particular interest and they are after the MPs general idea, but some do not know too much, so how do you get their attention? How do you make it something that rises up in their agenda amongst five hundred other things people are yelling at them about? And that is where NGOs can do that both inside and outside, so MPs or whoever it might be, trusted NGO that they would listen to can remind them that this is important and we can do that meeting experts face-to-face or we can do through supporters or media coverage. We do that as tearfund as well. You can change the proportion where you put more resources into policy lobbying, media coverage or campaigning, that are the three elements you want to combine but you can change the proportions quite a lot.

\Follow up questions formal role

13. Would you want more formal roles?

Outside more useful, so I think if government are going to meet their promises they do so because they think it is unpopular to do it, and that would certainly in a democracy and maybe even autocracy, they wont do something that would annoy people, so showing that there is support for action on climate is probably in a more generic ways more useful than not being on a particular policy, but we need to do both.

So indeed important to do both?

Yes and across NGOs coalition working together you can have someone to have one and one the other

14. Would it make your organization much more effective?

Good question, it's a good role for as long consider how much time its costing for NGOs, so one way that might work, if there is a independent state compliance committee and NGOs comes has a dialogue with them and can influence the decision making. This formally as part of the process or informally that seems like a cost-effective way to do it and running the process sound like it might become a heavy burden

Confirmation:

Yeah being heard is part of the process rather than helping run the process, I think that would be better, NGOs can informally do that, and that is one thing a coalition can do so for example a intitiative ''stop climate chaos scotland'' which monitors what the Scottish government does to do with carbon emission and than it picks top A areas of the biggest influence and than it goes into more details on those. So, they report on how well the government is doing and what the government needs to do next. So, they do that without any other formal mechanisms needed and than they get media coverage of it and to meet Scottish ministers about it and get it to come in the attention that way. So you can have an informal process to do that as well formal. Being really formally involved sound like a bureaucratic process and it will take up a lot of resource, which you probably you do not have. It is always going to be a judgement call, is it worth investing in, how much resource should I use, is it used for a problem that the government can easily contain and be more effective or is it genuine. Then there is also an issue for NGOs about to you want to be associated with this, does it cost you trust from civil society, public media and other NGOs or is it worth it?

15. Do you believe that a more formal role of NGOs contributes in public accountability? (actors from the Paris agreement being more accountable to the wider global public?)

Probably more from outside, maybe it is about publicizing things primariliy so about taking progress that governments have made at Paris. So, mostly it will not be NGOs that are tracking those, but NGOs do the primary work. NGOs can pick up on it and make it popular so they can get it in the media and get into the public and to decision makers that would not have heard about it otherwise. That would probably be the most useful role, the most effect that we can have. The second, one is change the way the public thinks about things, so can we make them care more about these things than they do now and can we help them to be more imaginative really. So it is not think that this is a difficult thing where the government needs to do something, but we need to be careful they do not go overboard and do too much. Can we help people to be more helpful on that and that changes the political space for the government to operate in. That is most useful thing NGOs can do.

Maybe the other aspect of it is making so government are primarily accountable to their own public, so they think the public being national and something NGOs can add is that governments are accountable to the publics of other national publics as well, because each government affects people in other countries so we could attempt to do that.

Interview Climate Action Network Europe

Job description: Director

Date: 16/11/2016

Time: 13:00 - 13:45

<u>Main</u>

23. What is the position of your organization regarding the Paris agreement outcomes?

Globaal genomen is onze opinie dubbel. Als we echt het klimaat wijziging willen beperken hebben we meer nodig dan in parijs staat, niet bindende commitments, omdat de targets die landen stellen niet compatibel zijn om onder de 2 graden te komen. Maar andere kant opluchting dat het akkoord er was, en dat het verder ging dan wat er verwacht was wat er uit ging komen. ALs je kijkt naar de politieke realiteit van dat moment is meer dan verwacht,

24. What has been the role of your organization during and after the negotiation of the agreement?

De internationale onderhandelingen zijn de belangrijkste reden voor het bestaan van CAN en CAN Europe. We hebben heel hard gewerkt in de positie van Europese unie en verschillende lidstaten belangrijke aanloop geleverd en druk blijven zetten tijdens de COP.

25. Is there a difference in the role that you aim to undertake and what you can actually do in practice?

Goede vraag, ik denk dat er heel weinig NGOs zijn die daar bij stil staan, moesten we nu volledig autonoom kunnen bepalen welke rol we kunnen spelen? Wat zou die rol dan moeten zijn? Ik denk dat de meeste NGOs werken vanuit het bestaande systeem. Zeer dduielijk uit NGO kan de vraag dat we eigenlijk meer rond de tafel zouden moeten zitten wanneer de werkelijke onderhandling plaats vind en dat geld zowel onderhandelingen internationaal waar als het er op aan komt heel veel achter gesloten deuren gebeurd en waar NGOs geen rol hebben maar zelfde voor EU. Waar dit ook

veel gebeurd en dikwijls weinig toegang hebben als het gaat over de technische onderhandelingen waar we weinig toegang hebben en moesten we dat wel hebben, omdat er aan de overheids zijde meer volk is omdat de coherentie verloren gaat als experten van de overheid rond de tafel zitten en dat ze maar hele beperkte visie op zaken hebben en dat het voor hun heel goed zou zijn als ze praten met mensen die meer een algemene visie hebben, maar om die ruimere blik te hebben zou een formele ngo participatie zeker meer zinvol zijn en dan heb ik het echt over toegang tot vergaderingen en invloed op de uiteindelijke keuzes.

26. What does this mean in really practical terms? (I have seen many times on NGO websites things like we check governments, we advocate at governments, but what does it mean in practice?)

Achter de schermen vraag:

Belangrijkste om nu te doen is zeer regelmatig gesprekken hebben met onderhandelaars, ministers, europese commissaris over de voortgang wat er gebeurd.

Op COP zelf gaat het met name over communicatie - ECO bijvoorbeeld geeft dagelijks standpunten op wat er gebeurd

Met CAN europe hebben we vergaderingen. Zo hebben we elke dag een afspraak met europese commissaris voor energie klimaat, miguel arias canate, waar we de voortgang bespreken. Regelmatig met europese parlement, meer dan druk zetten is dat niet, want omdat standpunten en onderhandelings mandaat van te voren al vast liggen, meeste werk gebeurd van te voren.

Er is een bepaald mandaat en dat heeft een zekere flexibiliteit, belangrijkst ambitie hiervoor is om lat hoog te leggen door van te voren druk te voeren, maar echt wijzigingen gaan er niet meer zijn. Een voorbeeld, de INDCs Europa heeft die vastgelegd in oktober 2014, het moment om te lobbyen en campagne daar op te voeren was voor oktober 2014, daarna lag dat vast, dat was beslist door de Europese staats en regerings leiders en er was niks of niemand die dat nog kan veranderen in de aanloop van parijs, dus er is niks meer aan gewijzigd op dat vlak. Er kon niks meer veranderen in Parijs zelf. Zo zijn er een aantal dingen die vast liggen maar er zijn ook wat flexibele mogelijkheden. Het beste voorbeeld daarvan is de anderhalf graad, well below 1,5 die is er eigenlijk toegevoegd in Parijs zelf. Dat was niet van te voren door de Europese Unie besloten geen standpunt van EU dat ze

dat zouden ondersteunen, maar ze hebben zichzelf zo onder druk gezet gevoeld dat ze het onderschreven hebben. Probleem dan is als het niet echt een standpunt van de EU is wat gaan ze dan mee doen na Parijs? Kan het nog impact hebben op verdere beslissingen? Dat is op dit moment heel beperkt.

Op dit moment doen ze dus vrij weinig met 1,5 graad?

Ze doen er niks mee. Want wat is er gebeurd, oktober 2014 was gezegd 40% reductie 2030. Dan is er parijs akkoord gekomen, iets scherpere doelstelling, want EU heeft altijd 2 graden aangehouden en Parijs zegt well below 1,5, teruggekomen van Parijs en gezegd er is niks veranderd. De doelstellingen blijven, de ten minste 40% en men gaat gewoon verder als Parijs nooit heeft plaats gevonden.

Hoe hebben jullie dan invulling gegeven hieraan om ze verantwoordelijk te houden?

Aantal belangrijke dingen. 1. Na Parijs was process van reflectie, waarbij Europese commissie met een communicatie is gekomen over hoe Parijs op te volgen. Er is een debat geweest op de raad van leef ministers in Maart. Daar hebben wij een poging gedaan binnen commissie om een herziening te krijgen in de 40% belofte, dat zat in de orginele voorstel van commissie in, maar is eigenlijk geblokeerd geweest door de niveau van de president van de commissie Juncker, die dat er uit gezweerd heeft.
2 hebben we dan geprobeerd om voldoende ministers statements te laten maken, waarin ze zeggen we moeten eigenlijk onze eigen INDC herzien en kijken over het in lijn is met de akkoorden van Parijs. Dat is eigenlijk beperkt gebeurd er zijn maar 5/6 ministers die dat gezegd hebben toen in maart maar er is verder niks mee gebeurd. Er is dus geen process . Het probleem is dat eigenlijk twee zaken tegelijk gebeurden. 1. er is die nood om die 40% te herzien 2. Europese commissie volop bezig met het verwerken hoe die 40% kan bereikt worden met herziening van richtlijn emmissie handel systeem en herziening van nationale doelstellingen van 2030. Er gaat binnenkort een herziening komen   van de deficiency richtlijn en hernieuwbare energie richtlijn. Er is dus een heel groot recum van wetsvoorstellen die er voor moeten zorgen dat de 40% gehaald wordt. En tegelijk tijd zeggen wij en dat is niet alleen de NGOs maar ook de wetenschappers enz. Dat is allemaal goed ,maar eigenlijk moeten we nu al werken aan een hogere doelstelling en moeten we er voor zorgen dat die wetgeving en die intiatieven niet alleen een reductie van 40% waar maken maar eigenlijk ook snel kunnen worden ingezet om een hogere doelstelling waar te maken

Dat is uitdaging om die twee processes tegelijk te doen. De commissie zegt we willen eerst de wetgeving hebben en dan gaan we kijken en dan spreken ze over 2018 gaan we kijken of we de doelstelling kunnen veranderen

Dus eigenlijk voor jullie zaak om te zorgen dat dit wordt versneld en dat ze er nu al mee bezig gaan?

Het andere grote spoor waar we aan gewerkt hebben is dat binnen het milieu nationalci verhaal er ook een regioen process zou zijn en dat regioen process is van het akkoord van parijs, dus elk jaar moeten de target worden herzien start in 2023 en in de beslissing die het akkoord van Parijs omkaderd staat dat in 2018 komt een eerste soort van facilitative dialogue, voor ons is het belangrijk dat in 2018 de commissie al iets op tafel kan leggen en dat zijn ze op dit moment nog niet van plan, dus voor ons is dat een belangrijke datum dat er voor 2018 een process komt rond de herziening van wat de EU zal doen naar 2030 toe.

Follow up questions formal role

16. What formal roles are granted right now in reviewing, implementation or compliance bodies (national or international bodies)?

Hangt er van af wat je bedoelt met formele rollen… er zijn een aantal formele processes die de Europese commissie heeft rond inspraak van wat ze dan stakeholders noemt. Die zin dat er zijn formele consultaties processes zijn waarbij je dan schriftelijk je mening kan geven rond een aantal vragen voor de commissie komt met een nieuw voorstel. In vele gevallen wordt zo'n formele consultatie process afgesloten met een consultatie of conferentie, meestal is dat een dag waar dan CAN Europe als een overkoepelende organisate de standpunten van NGOs deelt

We zitten ook in wat men noemt high level expert groups. Die de commissie opricht waar ze opnieuw de mening van verschillende stakeholders willen hebben

Er bestaat niet echt een expert groep rond de Parijs akkoorden dus daar zeker hebben we geen specifieke formele rol ofzo

Wat we wel hebben, is opzich ook niet een formele rol, maar we hebben elke twee/drie maand hebben wij een vergadering met de commissaris waar we de voortgang bespreken, waar we onze opinie kunnen geven wat ze voorstellen, en waar we om meer toelichting kunnen vragen

Het lijkt wel of een zekere invloed hebt… maar heeft u..

Wij hebben een stem maaar of we invloed hebben is twijfelachtig

17. Would it make your organization much more effective?

Ik denk dat als wij een rol krijgen in compliance dat dat uiteraard goed zou zijn. Opnieuw we hebben het over twee soorten compliance, je hebt compliance binnen het akkoord van Parijs nu moeten daar de regels nog voor worden uitgewerkt. En dan zal sws soft zijn omdat er niet zoveel bindende afspraken gemaakt zijn dat was met name om wille van de US.

Dan heb je daarnaast het hele systeem binnen de Europese Unie zelf waar je wel compliance systeem hebt voor bestaande wetgeving rond uitstoot van GHG enz. Daar is een sterker systeem maar ook daar hebben NGOs geen rol, moest dat mogelijk zijn zou dat uiteraard wel belangrijk zijn, al hebben wij ook niet altijd de kennis en de capaciteit. Om goed te kunnen nagaan wat er in elk van de 28 lidstaten gebeurd moet je wel de capaciteit hebben ook binnen de verschillende lidstaten en er zijn een aantal landen waar NGOs wel redelijk goed uitgebouwd zijn maar er zijn ook lidstaten waar de NGO beweging eerder beperkt is

Het belangrijkste van alles is cooperatie tussen NGOs. De meesten werken nog te veel op hun eigen eiland en zien niet dat een coalitie veel sterker is dan een individu. Ik denk dat dat een van de belangrijkste stappen is om op meerdere fronten sterker aanwezig te kunnen zijn.

18. Do you believe that a more formal role of NGOs contributes in public accountability? (actors from the Paris agreement being more accountable to the wider global public?)

Het probleem is met PA, je hebt er twee zijden aan. 1 of je de info hebt om te zeggen wat er fout loopt of niet 2. is de kanalen die je kunt gebruiken, en dat is de media, en met externe rol kunnen we ze goed gebruiken met een een formele rol is misschien iets meer credibilieit maar PA kunnen we met een informele rol net zo goed spelen

Job description: Climate Policy Director

Date: 28/11/2016

Time: 11:15 -   11:45

<u>1. Are NGOs sometimes official included in party of LDCs, saw that you did some work for Tuvalu but were you formally included in their party? What did you do them at the COP22 and before?</u>

We were not formally included in the delegation because I am german. NGOs help LDCs. A CSO was once part of delegation Bangladesh, but got kicked out of delegation. In the UNFCCC it is happening in general we call this shrinking spaces. CSO needed for LDCs, for creating expertise and doing projects in climate vunerable countries. NGOs from the North support these LDCs, but are often critical in global north. We are not part of official delegation of Tuvalu, but it was an exchanged cooperation.We had no financial flows.Tuvalu only has 11000 people so support from external consultant australia is needed. Our main task during the negotations is to support LDCs. CAN invited LDCs to exist coal

<u>2. What else did you do during the COP22?</u>

We are part of the EXT-alliance, a protestant network. We support them to include them in the negotiations. It works like a thinkthank. We do a lot of capacity building. At the COP there was too much mitigation to adaptation 80/20. I did not have high expectations of COP22. It was more implementing and creating the rulebook, the finance is still not enough not transperant way represented. Two major problems that still persist is finance and we are still heading to 3 degree warmer world. The good things is that we at least have a landing zone or navigator to head towards. In the COP22 it was obvious hanging big black cloud, the elections US that might push progress back, but trump can leave UNFCCC in 1 year, paris agreement 3 years and do nothing now. He wants clean coal, he needs fossil fuel industry for his power relations

<u>3. Would you consider publishing articles in the media and lobbying both as advocate role or do you think these are different roles? How would you call them?</u>

I am analyzing not for what Angela merkel said but for what she did not say. What could she have said to take the bar higher

All I do is advocating - if I sit in a panel or give you an interview. However, there is a very fine line. Two groups of CSO always argument about this. The ones inside the building and ones outside the building. Everyone is calling for climate justice, however inside in more diplomatic manner while outside more rude words. They are not happy with what we do inside the room, but they have to understand that we want the same, but have to take care how we address, talking, approaching heads of government, how to do your media work, how you do conversations with government officials we have regular meetings.

Two NGOs got kicked out because they did not act in a diplomatic matter. Story about posters of Arabia officials in men room and other NGO two people from India. They distributed flyers at COP20, which said that tibet is believed to be the smallest nations. This was too much for the Chinese delegation and they kicked them out of the UNFCCC.

<u>4. Are there NGOs that only monitor and observe but do not engage in advocacy?</u>

Inside the negotations one does monitoring and advocacy always combined

<u>5. Some NGOs said that a formal role could be effective when they do not have to run the process but when they are part of the process? Do you have an idea what could be a useful formal role in compliance committees?</u>

We are in nearly all climate fund board, standing committee on finance, adaptation committee. The UNFCCC is best example of organization that includes NGOs a lot.

What do you understand as your formal role now?

We can observe, comment, hand in submissions, right to speak, informal consultations.

If you can make decisions, so even a more influential formal role would you want this?

No I do not want to be part of delegation always want to keep my independent critical position. I want to be a watchdog. I do not want to be part of the system. Most likely there will be CSO participation in compliance committee when it comes but more as observer.