



CENTER for INTERNATIONAL
ENVIRONMENTAL LAW

Breaking the Deadlock: Why and How Voting Can Advance the Climate Negotiations Thirty Years On

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Executive Summary

Since 1989, governments have negotiated agreements and decisions to combat climate change, yet international cooperation continues to lag dangerously behind what science demands. We are at a critical juncture: time is running out, but the international community still has the tools to act decisively. The International Court of Justice (ICJ) recently reaffirmed that international cooperation on climate change is a matter of legal obligation, and States cannot negotiate their way out of their responsibility. Countries gathered for the First Conference on Transitioning Away from Fossil Fuels in Santa Marta, Colombia in April 2026, which signaled that momentum for climate action and fossil fuel phaseout is growing. Yet a key factor limiting progress in the United Nations Framework Convention on Climate Change (UNFCCC) has been the reliance on consensus decision-making, which often results in lowest common denominator outcomes.

This consensus-based approach contrasts with practices in many other United Nations (UN) forums, where decision-making by qualified majority or other forms of voting is the norm. Voting allows negotiations to move forward without giving any single country veto power over the outcome. Experience shows that **when voting is possible, negotiations tend to be more productive, compromise solutions more constructive, and final agreements stronger and more ambitious than they would be under a strict consensus requirement.**

This paper examines the use of voting as the standard practice in other UN processes and the lessons it offers for the UNFCCC. It explores how such procedures have been applied and considers procedural pathways to reform decision-making within the UNFCCC. The aim is to identify actionable strategies that can accelerate climate action while there is still time to respond effectively to the climate crisis.

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The Problem

For more than thirty years, countries have participated in multilateral negotiations aimed at stopping dangerous climate change through international cooperation. Yet the annual growth in global emissions of greenhouse gases (GHGs) is accelerating¹—wreaking havoc around the globe, negatively impacting people’s lives and livelihoods, destroying the environment, and, in the most extreme cases, threatening to displace entire populations and submerge States. Countries and communities facing this harm are left with few means to address it.

Why — despite the clear scientific evidence and lived realities of climate change — does progress under the UNFCCC remain so slow? One reason is crystal clear: governments with vested interests in the status quo and no desire to bear responsibility for the escalating crisis are able to block consensus, thereby paralyzing decision-making and preventing the ambitious outcomes that science and justice require.

A process limited to consensus-based decision-making — in particular when consensus is poorly defined and stringently applied — begets a race to the bottom where one Party or a small minority of Parties can hold the negotiations hostage. The result is a stalemate that most often leads to less ambitious decisions formulated to appease the conservative minority.² Various examples in the history of the UNFCCC demonstrate how the insistence on consensus has led to slower and less ambitious outcomes, including on the following critical issues:

- **Fossil fuels:** When the Parties finally decided to take on coal for the first time at the twenty-sixth United Nations Climate Change Conference of the Parties (COP26) in Glasgow, objections by a handful of countries led to a last-minute “huddle,” which watered down the text from a “phase-out” of only coal to a “phase down.”³ It took twenty-eight COPs to formally recognize the need to move away from fossil fuels as a whole, as Parties did for the first time in the 2023 Global Stocktake — despite fossil fuels being the known primary driver of climate change, responsible for 68 percent of total GHG emissions and 90 percent of all carbon dioxide emissions.⁴ To date, a small group of Parties continues to refuse to act on the Global Stocktake outcome, leading to a massive split at COP30, which ultimately led to a smaller group of Parties deciding to take the fight elsewhere. (See more below in Box 4: “Coalitions of the Willing” and New Spaces Add Impetus for UNFCCC Reform).
- **Science and 1.5°C:** After asking the Intergovernmental Panel on Climate Change (IPCC) for a report on the impacts of global warming of 1.5°C and related pathways, Parties at COP24 could not even “welcome” the report due to objections from three countries.⁵
- **Loss and damage:** Decades-long denial of the need to address loss and damage can at least partially be explained by the consensus-based decision-making model. From the very start of the UNFCCC, the United States (US) has taken a hard-line position on the topic, allowing others to hide behind them as there was no threat of voting. At COP26, the US was still leading the opposition to proposals by developing countries on loss and damage finance, preventing the establishment of any mechanism.⁶ While one can only speculate, it is highly probable that the significant pressure in 2022 and at COP27 that forced the

European Union (EU) to change position, isolating the US and eventually leading to the establishment of the Fund for Responding to Loss and Damage,⁷ could have come much earlier in a majority-based decision-making model.

- **Agenda fights:** Proposed new agenda items have often stalled the start of climate conferences and taken precious time from critical negotiations. For example, after the failure of COP29 to adopt an ambitious climate finance goal in line with legal obligations, the Group of 77 (G77) and China proposed an agenda item on Article 9.1 of the Paris Agreement ahead of the sixty-second session of the Subsidiary Bodies of the UNFCCC (SB62). The inability of Parties to come to a consensus on this proposal, or take it to a vote, postponed the start of the negotiations for almost two days. Similarly, a disagreement on an agenda item, notably on decision-making, at the thirty-eighth session of the Subsidiary Body of Implementation (SBI38) blocked the entire body from commencing work that session as the Russian Federation, Belarus, and Ukraine consistently objected and rejected any proposed compromise that would have allowed negotiations to proceed.⁸ Current practice means that this extreme scenario could happen again.

Thirty years of COP decisions, negotiations growing in size, and a proliferation of agenda items, dialogues, and work programs have not achieved the chief objective of the UNFCCC: to prevent dangerous climate change. While proponents of consensus claim that it is necessary to bring Parties along and ensure ownership, in reality this model of decision-making has enabled a race to the bottom and created a regime in which the same Parties that continually fail to comply with agreed outcomes or satisfy their duties under the UNFCCC and Paris Agreement nonetheless continue to shape the collective framework.

Box 1: Consensus Blocks Ambition — and for Now, Adoption — of a Global Plastics Treaty

The development of a new environmental treaty is shedding new light on a decades-old problem: consensus-only decision-making. Negotiations on an international legally binding instrument on plastic pollution (Intergovernmental Negotiating Committee on Plastic Pollution, INC) are currently at a stalemate due to a weaponization of consensus, with a handful of countries blocking the majority from moving forward.

Similar to the rules of procedures (RoPs) used by default for the adoption of multilateral environmental agreements (MEAs) over the past sixty years, the provisionally adopted RoPs for the INC allow for two-thirds majority voting as a “last resort” (Rule 38.1).⁹ However, building on decades of experience derailing the UNFCCC decision-making process, a small group of countries led by petrostates tried to reopen provisionally approved RoPs during INC-2 to set a new precedent. After two days of blocking the meeting, it was decided to introduce an interpretive statement indicating that there is disagreement on Rule 38.1.¹⁰ The result is that while the provisional rules allow for voting on substantive issues, the practice has been to aim for consensus on everything, at all cost, to avoid further procedural blockage. This has effectively led to a failure to reach an agreement with already two additional meetings achieving no outcome, mainly due to a handful of oil-producing countries blocking discussions and preventing the adoption of a treaty that would control the production of plastics or regulate toxic plastic components.

The big difference with the UNFCCC is that the draft RoPs being applied in the INC actually allow for qualified majority decision-making on substantive matters and therefore countries have the tools at hand to break the deadlock. Civil society has been urging Parties to move ahead with a vote in the interest of securing an ambitious Plastics Treaty and saving multilateralism.¹¹ Going forward, those aiming for a progressive and effective treaty will have to invoke the rules and call for a vote when consensus is not possible. This will not only be critical to set ambitious and much-needed targets, but it also has implications for the future of the Plastics Treaty negotiations once an agreement is reached. The INC still has to decide on how decision-making will happen at future COPs, and a walk down the UNFCCC consensus path must be avoided.¹²

The Solution

Consensus-based decision-making is, of course, not bad in itself — in fact, consensus is the aspiration in international cooperation. As Angela Merkel, president of COP1, noted, “... a search for consensus is important even with qualified majority voting. When you’re not dependent on getting unanimity and a qualified majority is possible, you should still try to find a consensus. But, of course, the search for consensus must not be used as a blockade.”¹³ It is better if all countries

agree fully on the necessary steps to meet the objectives of the UNFCCC and the Paris Agreement. Consensus should remain the preferred option, but it cannot be the only option.

Having procedures in place for decision-making by voting in the absence of consensus is valuable for a variety of reasons.

1. **Brokering consensus:** the prospect of voting can induce Parties that would otherwise block progress to come to the table and work together rather than publicly display their opposition, and potentially their isolation, in a vote.
2. **Overcoming minority blockers:** the prospect of voting means that one Party, and in reality, one powerful Party or small group of Parties, cannot continue to block decisions.
3. **Allowing the majority to move forward:** the prospect of voting can allow for greater ambition because it enables the global majority — who want effective climate action — to continue to push and not succumb to pressure and less ambitious outcomes for fear of not getting any agreement.
4. **Exposing those who block progress:** the prospect of voting ultimately exposes the Parties who are trying to block progress. Too often, negotiations go behind closed doors, and the public is left to speculate about who is to blame when outcomes fail to meet the moment. Having transparent voting means that those who do not want an ambitious outcome have to declare their opposition to the world.

Box 2: Brokering Consensus: Resolution Requesting the Advisory Opinion on Climate Change from the ICJ

In 2023, the UN General Assembly (UNGA) adopted the resolution requesting an advisory opinion on climate change from the ICJ by consensus.¹⁴ Arguably, not every country supporting the resolution fully endorsed the two questions put forward, but none was willing to isolate itself by calling for the vote knowing that the resolution would go forward. Thus, the possibility of voting enabled the ultimate adoption by consensus of the resolution.

Voting does not undermine multilateralism, it enhances it. The High-Level Advisory Board on Effective Multilateralism (HLAB), established by the UN Secretary-General, called the overreliance on decisions by consensus a frequent obstacle to effective multilateralism as it “allows a small number of States to block action that is clearly needed to address issues of global concern.”¹⁵ In recommending a shift towards qualified majorities, the HLAB explicitly mentioned the role this shift could have in addressing long-standing shortcomings in environmental governance.

Importantly, voting in multilateral forums is far from unprecedented. The option for voting is not always used, and its application depends on the topic, but it remains something Parties have in their back pocket to help achieve more ambitious outcomes in various processes. As detailed in

the Annex of this briefing note, many multilateral institutions, such as the UN General Assembly (UNGA), COPs for environmental agreements, and human rights institutions, allow for voting in at least some circumstances. Even institutions directly related to the UNFCCC, like the Green Climate Fund (GCF), have procedures for voting in the absence of consensus.

Box 3: Recent Example — Voting on a COP Host

The decision on which country would host COP31 remained unsettled until COP30, barely a year before COP31 is scheduled to take place — and later than is typical. It was only in Belém that Parties finally agreed upon a hybrid arrangement, according to which Türkiye will be the physical host and Australia will preside over negotiations. Many questions remain about how to operationalize the unusual hosting agreement. At the most recent Convention on Biological Diversity (CBD) COP, Parties faced a similar conundrum with no consensus on whether to have the next COP in Azerbaijan. Ultimately, Parties agreed to have a secret ballot vote in line with Rule 46 of the CBD’s Rules of Procedure and thus decided on a host multiple years in advance.¹⁶ While this was a procedural decision, not a decision concerning substantive policy outcomes, it nevertheless demonstrates how a majority vote could help unlock effectiveness and efficiency.

Why Now?

Thirty Years and Counting

The UNFCCC was signed in 1992, and since then, thirty COPs have taken place. It’s been ten years since the Paris Agreement was signed in 2015. Despite the near-universal ratification of these multilateral agreements, Parties continue not to deliver. Far from halting dangerous climate change, the years since the adoption of the UNFCCC have seen the opposite. Escalating climate change has led to a dramatic rise in climate damages and a corresponding rise in climate litigation. Yet COP after COP has failed to put us on the path necessary to keep global temperature rise below 1.5°C.

2025 should have been a critical year in the Paris Agreement’s ambition cycle, with Parties submitting new and bolder Nationally Determined Contributions (NDCs). Yet, a mere sixty-four new NDCs were submitted in time for inclusion in the October 2025 UNFCCC synthesis report.¹⁷ That means on the eve of COP30, two-thirds of countries failed to uphold even the simplest obligation of submitting a plan, let alone their duty to ensure their plans are in line with limiting warming to 1.5°C.¹⁸ Each year, the consequences of the continuous flouting of climate duties are all too real. For example, 2024 saw annual emissions grow to new highs.¹⁹ The fact that COP30 failed to meaningfully address the ambition and accountability gaps left by 2025 NDCs is yet

another demonstration that the process, as currently designed, is not meeting the urgency of the moment.

Multilateralism Is Under Attack and in Need of a Refresh

Multilateralism is under threat due to a variety of factors, including rising authoritarianism and failure to hold States accountable for persistent breaches of international law. The credibility of climate COPs is at an all-time low, with trust in the process shattered after repeated demonstrations of bad faith by some parties and far too little progress on curbing the drivers of the climate crisis or providing the finance and support necessary for ambitious climate action. COP29 proved to be a culmination of sorts, with many describing it as the worst they had ever seen.²⁰ COP30 hardly fared better, with States expressing frustration in the process, calling points of order, and seeing negotiations once again dragged into overtime. This frustration was especially apparent in the second week, which saw days of closed-door negotiations and a failure, once again, to include any concrete, actionable, or binding decision on fossil fuels, despite more than eighty countries advocating for a roadmap to guide the transition away from fossil fuels.²¹

The answer, however, is not to abandon cooperative action, but to enhance it; not to reject it, but to remake it. We cannot afford to give up or despair. Effective multilateralism is the basis of any effective solution to the climate crisis, and strengthening the existing systems, as well as adopting new ones, is the only way forward. Climate change is a global problem — it knows no borders as harmful activities and harmful impacts do not necessarily take place in the same country. It is therefore critical that the international climate treaty regime functions and is implemented in a way that enables the achievement of its ultimate goals.

Effective Cooperation on Climate is a Legal Obligation

The ICJ was explicit in its recent Advisory Opinion on the legal obligations of States in respect of climate change:²² “Climate change is a common concern. Co-operation is not a matter of choice for States but a pressing need and a legal obligation.”²³ The ICJ’s opinion made clear that States must use all means at their disposal to prevent climate harm in line with their obligations under the UNFCCC and Paris Agreement as well as under other conventional and customary international law. States are responsible not just for their actions, but for their inaction on climate, including the failure to regulate private conduct or to cooperate in implementing global solutions.

In the face of an ever more urgent climate crisis, the ICJ said, the legal duty of States to cooperate in preventing climate harm and protecting human rights from climate impacts requires them to determine whether existing treaties and their implementation are fit for purpose or whether additional cooperative action must be taken, including new obligations.²⁴ Currently, the UNFCCC and Paris Agreement are not serving their purpose. That means States have a legal obligation to fix the existing regime to ensure it is capable of delivering the required ambition at COPs and

beyond, or to supplement it through additional avenues for cooperative action. And a prime place to start is by allowing for voting.

Increasing Calls for Reform

The slow pace or complete lack of progress on certain issues under the UNFCCC has not gone unnoticed. It has led to the development of new treaty initiatives, domestic and regional lawsuits, and requests for advisory proceedings from the ICJ as well as regional human rights courts and the International Tribunal for the Law of the Sea (ITLOS), to clarify States obligations to act on climate change and the consequences for breaching those. Increasingly, various actors are calling for process reform,²⁵ including the COP30 President, who highlighted the need for COP reform,²⁶ mandated a “Circle of Presidencies” to seek solutions on strengthening multilateralism and global climate governance,²⁷ and proposed new ideas for climate governance.²⁸ The UNFCCC Secretariat also mandated a High-Level Advisory Group on COP strengthening. Any meaningful reform of the UNFCCC must also scrutinize its consensus-based decision-making model, which lies at the core of its ineffectiveness.



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Box 4: "Coalitions of the Willing" and New Spaces Add Impetus for UNFCCC Reform

As frustration with the slow and ineffective COP process grows, countries have increasingly attempted to pursue multilateral solutions elsewhere. The historic ICJ climate Advisory Opinion was followed by a UNGA resolution that endorsed and welcomed the Court's conclusions while opening concrete pathways to operationalize the opinion, including through mechanisms that would complement the UNFCCC. The success of that resolution — adopted by a commanding majority of 141 countries despite pushback from a handful of States and last-minute amendments aimed to derail or dilute the resolution²⁹ — once again demonstrates how voting can broker progress.

Another notable example is the First Conference on Transitioning Away from Fossil Fuels, hosted in Santa Marta, Colombia in April 2026 by the governments of Colombia and the Netherlands.³⁰ This conference was announced during COP30 in the Belém Declaration on the Transition Away from Fossil Fuels³¹ at the height of the deadlock on fossil fuels, and endorsed by twenty-four countries.³² The conference explicitly aimed to be a "complementary space to the UNFCCC" while not replacing it.³³

A Fossil Fuel Treaty and a Climate Reparations Mechanism, the latter potentially under the auspices of the UNGA, are among the proposals that would meaningfully contribute to the implementation of existing legal obligations. Support continues to grow for a standalone legal instrument on fossil fuel phaseout. To date, eighteen countries,³⁴ as well as nearly 200 subnational governments, thirty-seven Indigenous nations and communities, and many civil society organizations, individuals, and businesses,³⁵ have endorsed the establishment of a Fossil Fuel Treaty as a new, binding agreement to manage the international phaseout of fossil fuels. Like the Conference in Santa Marta, the Treaty would complement, not compete, with the UNFCCC and Paris Agreement by facilitating participating States' cooperative implementation of their legal duties to reduce fossil fuel production and use.³⁶

Even the COP30 President promoted the idea of creating new spaces, most notably a UN Climate Council under the auspices of the UNGA as a solution to speed up implementation and improve accountability.³⁷

As the climate crisis increases in scale and severity, it touches nearly every aspect of life and every sector of the economy and society. No single forum or legal instrument can address it comprehensively. The UNFCCC therefore should not be the only space to discuss multilateral solutions to the climate crisis. Far from undermining the UNFCCC, efforts to create coalitions of the willing and develop additional mechanisms and instruments focused on addressing specific dimensions of the crisis or tackling particular causes and responses demonstrate the importance of multilateral approaches to international cooperation and represent vital avenues to accelerate urgently needed global climate action.

These various initiatives do not obviate the need to reform the UNFCCC, which remains the main multilateral space for climate decision-making and cooperation. Rather, they bring into sharper focus the continued need for the UNFCCC as a coordinating space, a clearinghouse, and as the political heart of global climate action, as well as the need for reforms that could make it a more agile, ambitious, and fair space to tackle core issues that require universal engagement and exchange among Parties, while other dimensions can be meaningfully advanced through complementary micro-multilateral or plurilateral approaches that start and grow or feed back into the UNFCCC. An ineffective UNFCCC remains a critical barrier to a just transition, the provision of climate finance in line with States' common but differentiated responsibilities, and accountability for the breach of legal climate obligations. An effective UNFCCC would be poised to respond to new risks and developments, integrate best available science and traditional knowledge on the health, economic, and rights impacts of, and viable solutions to, climate change, and mobilize resources consistent with its ultimate objectives as well as the fundamental principles of prevention, precaution, and equity.

In conclusion, what we need in the face of an accelerating climate crisis is both strong and fast implementation pathways to deliver on States' legal obligations, which may or may not be established through "minilateral" pathways, and a well-functioning UNFCCC that remains the preeminent forum to discuss comprehensive multilateral climate solutions and cooperation.

Two Ways to Implement Qualified Majority Decision-Making at the UNFCCC

Currently, there are two options to move the UNFCCC from a consensus-based model to a model that allows for a qualified majority to make decisions when consensus cannot be reached. This does not exclude the possibility of other pathways existing or being developed.

1. Adopting the Rules of Procedure

The draft rules of procedure contain rules for voting, including options for how to proceed when all efforts to reach consensus have been exhausted. They also contemplate having different voting rules depending on the type of decision to be taken in line with the suggestion in Article 7.3 of the UNFCCC that there may be specified majorities for adopting particular decisions. For decades, COPs have applied the draft rules of procedure primarily because Parties cannot agree on the provision on voting (Rule 42). The paragraphs on voting have remained in brackets, so they have not been applied.

Every year, the adoption of the rules of procedure is on the COP agenda, and therefore they could be finalized and adopted, including Rule 42 on the process for voting, in the absence of consensus. Ever since the deadlock — triggered by the Russian Federation, Belarus, and Ukraine at the thirty-eighth session of the Subsidiary Body for Implementation under the UNFCCC (SB38) — COP Presidencies are meant to hold consultations on the matter of decision-making, and therefore any Presidency has the tools to prioritize this matter if they wish to do so.

However, consultations on both agenda items (adopting the rules and decision-making in the UNFCCC), are often seen as a formality and have not yielded any results.³⁸ This happened again at COP30, where, according to the public COP30 agenda, the Presidency consulted Parties on the decision-making agenda item and ultimately the COP decided to defer it until COP31.³⁹ The first step in getting this done is for a group of Parties to decide that decision-making is a priority, and use the existing spaces to ensure that those blocking progress have to do so publicly.

Benefits and Challenges

Removing the brackets around the voting provision and adopting the draft rules of procedure could be the most straightforward path toward more effective decision-making. However, it requires a committed COP Presidency, champion States, and broad political backing in order to force difficult discussions and unlock greater climate ambition.

According to Article 7.3 of the UNFCCC, the rules of procedure were meant to be adopted at COP1, and, per Article 7.2(k), have to be adopted by consensus. However, Parties blocked their adoption at COP1⁴⁰ and have continued to do so for the thirty years since. In that time, however, examples of how voting can work in the climate space (see the GCF section in Annex 1) have been developed. This should give Parties comfort in voting in the COP space as well. If there were sufficient political pressure and broad enough support for the adoption of the rules, it would be possible to bypass the persistent, albeit passive, resistance of a small minority and end this deadlock once and for all. Consensus does not require universal support; it just requires no objection. And at times, when isolated Parties sought to prevent decisions on specific items, COP Presidents determined that such resistance did not constitute an objection and proceeded to adopt the decisions. Such an outcome is conceivable with respect to the adoption of the rules of procedure. This would require sufficient consultations to explore whether, now, enough of a consensus exists to override isolated resistance and make a decision more than three decades overdue. States committed to climate action need to step up and bring this procedural issue to the forefront, so that substantive issues do not continue to lag behind.

Box 5: Relevant Text from the Draft Rules of Procedure

Rule 41

1. Each Party shall have one vote, except as provided for in paragraph 2 of this rule.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States that are Parties to the Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Rule 42

[1. Alternative A

The Parties shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall, as a last resort, be taken by a two-thirds majority vote of the Parties present and voting, except:

(a) as otherwise provided by the Convention, the financial rules referred to in Article 7, paragraph 2 (k) of the Convention or the present rules of procedure[.] [;]

[(b) for a decision to adopt a proposed protocol, which shall be taken by [consensus] [a three-fourths majority of the Parties present and voting][.] [;]

[(c) for decisions under paragraph 3 of Article 4 and paragraphs 1, 3 or 4 of Article 11 of the Convention, which shall be taken by consensus.]

1. Alternative B

Decisions on matters of substance shall be taken by consensus, except that decisions on financial matters shall be taken by a two-thirds majority vote.

2. Decisions of the Conference of the Parties on matters of procedure shall be taken by a majority vote of the Parties present and voting [, **except that adoption of a motion or proposal to close or limit debate or the list of speakers shall require a two-thirds majority vote of the Parties present and voting**].

3. If the question arises as to whether a matter is one of a procedural or substantive nature, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the Parties present and voting.

4. If, on matters other than elections, a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected.

5. For the purposes of this rule, the phrase "Parties present and voting" means Parties present at the meeting at which voting takes place and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.]

2. Amending the Convention

Under Article 15 of the Convention, any Party is able to propose an amendment to the Convention. Amendments have to be adopted by the COP and under Article 15(3), which allows for voting by a three-fourths majority as a last resort. Additionally, Paris Agreement, Article 22 states that the UNFCCC provisions on adoption of amendments (Article 15) applies to amending the Paris Agreement.

In 2011, Mexico and Papua New Guinea put forward a proposal to amend Articles 7 and 18 of the Framework Convention.⁴¹ This proposal would amend Article 7 of the Convention so as to indicate that while Parties should still adopt financial rules by consensus, rules of procedure could be determined by a three-fourths majority vote. It would also acknowledge that the COP would not adopt the rules of procedure "at its first session," given that it has passed. It also proposed amending Article 18 on the right to vote to specify when a vote shall take place. The proposed additions on voting (see text box) echo rules of procedure for other forums.

Box 6: Additions to Article 18 Contained in the Proposal from Mexico and Papua New Guinea

- Without prejudice to the provisions of paragraph 3 of Article 15, the Parties shall make every effort to reach agreement on all matters by consensus. If such efforts to reach consensus have been exhausted and no agreement has been reached, a decision shall, as a last resort, be adopted by a three-fourths majority vote of the Parties present and voting, except the following which shall be taken by consensus:
 - a. the financial rules referred to in Article 7, paragraph 2 (k) of the Convention;
 - b. decisions under paragraph 3 of Article 4 and paragraphs 1, 3 or 4 of Article 11 of the Convention.
- For the purpose of this Article, Parties present and voting' means Parties present and casting an affirmative or negative vote.⁴²

While the proposed amendment was submitted and discussed at COP17 and COP18, it has yet to be adopted. However, it continues to be included on the provisional agenda for every COP thereafter.

Benefits and Challenges

Unlike adopting the rules of procedure, amending the Convention and/or the Paris Agreement only requires agreement from three-quarters of the Parties. This lower threshold could allow rules on voting to overcome the objections of the countries that have blocked the movement away from consensus since COP1. Further, adopting this amendment would alleviate the need to include voting rules in the Rules of Procedure and therefore could unblock their adoption.

The challenge to the amendment route is that this proposal has been on the table for over ten years and yet Parties have not been willing to discuss it as an agenda item. Further, though an amendment can be adopted by a majority vote, it still has to be ratified by all Parties. Therefore, Parties could refuse to ratify the proposed voting amendment and then may refuse to abide by it, which could result in different rules on voting for different Parties.⁴³

Additionally, opening the door and actually adopting an amendment could lead to new amendments being proposed that would actually weaken the UNFCCC and/or Paris Agreement or have unintended consequences — a potential risk particularly in the current geopolitical context. There are few examples of amendments across MEAs, though some, like the Kigali Amendment to the Montreal Protocol, have been positive.

Models to Adopt

There is no one way that all bodies make decisions, with some choosing a simple majority system and others using a supermajority (two-thirds, three-quarters, etc.) or even double majorities, among others. There are also models by which Parties opt-in or opt-out of amendments to a Convention depending on whether they voted for them. To read more about these options, see CIEL's 1999 paper on "[Effective Decision-Making](#)."⁴⁴

Conclusion

The climate crisis is too dire to continue calling incremental steps representing the lowest common denominator “progress.” Science tells us we are more than halfway through the critical decade in which we must stop fossil fuel expansion and shift away from a fossil economy. Not doing so will have dire consequences for millions of people around the world, many of whom are already suffering the brunt of climate impacts. The global majority has been demanding climate justice for decades. The option to vote will not solve all problems, but it is a critical tool to unblock ambition under the UNFCCC and the Paris Agreement. Parties have a legal duty to cooperate effectively and in good faith to prevent and repair climate harm, using all means at their disposal. Voting is one such means and there is simply no excuse not to use it. The best time to ratchet up climate ambition was yesterday. The next best time is now.

Annex I: Decision-Making in Other Forums

The rules for decision-making in multilateral forums can and do vary depending on context and the type of decision at issue. For instance, different voting procedures may apply to COP decisions versus amendments to an annex. The examples below demonstrate some of the different approaches.

UN Institutions

Institution	Rules for Voting
United Nations General Assembly (UNGA)	<p>UN Charter, Art. 18(1): “Each member of the General Assembly shall have one vote.”</p> <p>Art. 18(2): Decisions on “important questions,” which include issues around peace and security, elections, and expulsion of Members, among others, “shall be made by a two-thirds majority of the members present and voting.”</p> <p>Art. 18(3): “Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.”</p> <p>(Also reflected in the <u>UNGA Rules of Procedure</u>, Rules 82-85).</p>
UN Human Rights Council (HRC)	Follows the <u>UNGA Rules of Procedure</u> .
UN Environment Assembly (UNEA) of the UN Environment Programme (UNEP)	<p><u>Rules of Procedure:</u></p> <p>Rule 48: Each member of the UNEA shall have one vote.</p> <p>Rule 49(1): “Except where the present rules of procedure expressly provide otherwise, decisions of the United Nations Environment Assembly shall be made by a majority of the members present and voting.”</p>
World Health Organization (WHO)	<p><u>Rules of Procedure:</u></p> <p>Rule 70: “Decisions by the Health Assembly on important questions shall be made by a two thirds majority of the Members present and voting. These questions shall include: the adoption of conventions or agreements; the approval of agreements bringing the Organization into relation with the United Nations and with intergovernmental</p>

	<p>organizations and agencies in accordance with Articles 69, 70 and 72 of the Constitution; amendments to the Constitution; appointment of the Director-General; decisions on the amount of the effective working budget; and decisions to suspend the voting privileges and services of a Member under Article 7 of the Constitution.”</p> <p>Rule 71: “Except as stipulated otherwise in these Rules, decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.”</p>
<p>International Maritime Organization (IMO)</p>	<p><u>IMO Convention:</u></p> <p>Art. 62(b): “Decisions shall be by a majority vote of the Members present and voting and, for decisions where a two-thirds majority vote is required, by a two-thirds majority vote of those present.”</p> <p><u>Rules of Procedure of the Assembly</u></p> <p>Rule 31: “decisions of the Assembly and of its subsidiary bodies shall be made, elections, including those subject to the provisions of Article 16 of the IMO Convention, determined, and reports, resolutions and recommendations adopted by a majority of the Members other than Associate Members present and voting.”</p>

Other Multilateral Environmental Agreements

Treaty	Rules for Voting
<p>Convention on Biological Diversity (CBD)</p>	<p><u>Rules of Procedure:</u></p> <p>Rule 40(1): the rule for voting on decisions on matters of substance, which posits potentially allowing for decisions to be passed with a two-thirds majority vote, is bracketed.</p> <p>Rule 40(2): “Decisions of the Conference of the Parties on matters of procedure shall be taken by a majority vote of the Parties present and voting.”</p>
<p>Montreal Protocol on Substances that Deplete the Ozone Layer</p>	<p><u>Montreal Protocol</u></p> <p>Art. 2.9: “(c) In taking such decisions, the Parties shall make every effort to reach agreement by consensus. If all efforts at consensus have been exhausted, and no agreement reached, such decisions shall, as a last resort, be adopted by a two-thirds majority vote of the Parties present and voting representing a majority of the Parties operating under Paragraph 1 of Article 5 present and voting and a majority of the Parties not so operating present and voting; (d) The decisions, which shall be binding on all Parties ... “</p> <p><u>Rules of Procedure:</u></p> <p>Rule 40(1): “Unless otherwise provided by the [Convention] or by the Protocol, decisions of a meeting on all matters of substance shall be taken by a two-thirds majority vote of the Parties present and voting, except as otherwise provided in the Terms of Reference for the administration of the Trust Fund.”</p> <p>Rule 40(2): “Decisions of a meeting on matters of procedure shall be taken by a simple majority vote of the Parties present and voting.”</p>
<p>UN Convention to Combat Desertification (UNCCD)</p>	<p><u>Rules of Procedure (Decision 1/COP.1):</u></p> <p>Rule 47(1): the rule for voting on decisions on matters of substance is bracketed, which demonstrates a potential for allowing decisions to be passed with a two-thirds majority vote.</p> <p>Rule 47(2): “Decisions of the Conference of the Parties on matters of procedure shall be taken by a majority vote of the Parties</p>

	<p>present and voting.”</p>
<p>Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)</p>	<p><u>Rules of Procedure (as amended in 2019)</u></p> <p>Rule 28(1): “Except where otherwise provided for under the provisions of the Convention, these Rules or the Terms of Reference for the Administration of the Trust Fund, all votes on procedural matters relating to the conduct of the business of the meeting shall be decided by a simple majority of the Representatives present and voting, while all other decisions shall be taken by a two-thirds majority of Representatives present and voting.”</p>
<p>Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention)</p>	<p><u>Rules of Procedure</u></p> <p>Rule 39(1): “The Contracting Parties present and voting shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, the decision shall, as a last resort, be taken by a simple majority vote of the Contracting Parties present and voting, unless otherwise provided by the Convention, ...”</p> <p>Rule 39(2): “Decisions of the Conference of the Parties on matters of procedure shall be taken by a simple majority vote of the Contracting Parties present and voting.”</p>
<p>Basel, Rotterdam & Stockholm Conventions (BRS Conventions)</p>	<p><u>Rules of Procedure for the BRS Conventions</u></p> <p>Basel Convention</p> <p>Rule 40(1): “The Parties shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, the decision shall, as a last resort, be taken by a two-thirds majority vote of the Parties present and voting, unless otherwise provided by the Convention, the financial rules referred to in paragraph 3 of article 15 of the Convention and the present rules of procedure.”</p> <p>Rule 40(2): “Decisions of a meeting on matters of procedure shall be taken by a simple majority vote of the Parties present and voting.”</p> <p>Rotterdam and Stockholm Conventions</p>

	<p>Rule 45(1): On substantive matters, the text allowing for voting in the absence of consensus is in brackets but posits doing so by a two-thirds majority.</p> <p>Rule 45(2): “Decisions of the Conference of the Parties on matters of procedure shall be taken by a majority vote of the Parties present and voting.”</p> <p>While voting is allowed on procedural issues under the <u>Rotterdam Convention</u>, the actual listing of substances on Annex III, thus requiring prior informed consent before trading, requires <u>consensus</u>. To list a substance, it first goes through the Chemical Review Committee that does the scientific assessment and recommends it to the Conference of the Parties (COP) for approval to list in Annex III. This has resulted in some chemicals being recommended by the Committee and not being listed due to opposition from a small group of Parties.</p>
<p>Agreement under the UN Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ Agreement)</p>	<p><u>Part III: Measures Such as Area-Based Management Tools, including Marine Protected Areas</u></p> <p>Art. 23(1): “As a general rule, the decisions and recommendations under this Part shall be taken by consensus.”</p> <p>Art. 23(2): “If no consensus is reached, decisions and recommendations under this Part shall be taken by a three-fourths majority of the Parties present and voting, before which the Conference of the Parties shall decide, by a two-thirds majority of the Parties present and voting that all efforts to reach consensus have been exhausted.”</p>
<p>UN Convention on the Law of the Sea (UNCLOS)</p>	<p><u>UNCLOS</u> establishes numerous bodies and each has its own decision-making process, including rules for voting when there is no consensus. One such example is the Assembly of the International Seabed Authority:</p> <p>Art.159(7): “Decisions on questions of procedure, including decisions to convene special sessions of the Assembly, shall be taken by a majority of the members present and voting.”</p> <p>Art. 159(8): “Decisions on questions of substance shall be taken by a two-thirds majority of the members present and voting, provided that such majority includes a majority of the members participating in the session.”</p>

UNFCCC and Related Bodies

Institution	Rules for Voting
UN Framework Convention on Climate Change (UNFCCC)	<u>UNFCCC</u> , Art.15: The Parties shall make every effort to reach agreement on any proposed amendment to the Convention by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the meeting.
Green Climate Fund (GCF)	<u>Decision B.23/03</u> : Procedures for decision making in the event that all efforts at reaching consensus have been exhausted. When the GCF Board co-chairs make every attempt to reach consensus and then determine that all efforts to reach consensus have been exhausted, then the GCF Board votes on a decision with each member getting one vote. “If at least a four-fifths majority of Board members present and voting vote in favour of the draft decision, the draft decision shall be considered adopted, unless four or more developed country Board members or four or more developing country Board members vote against it.”
Adaptation Fund	<u>Rules of Procedure</u> , para. 45: “If all efforts to reach a consensus have been exhausted and no agreement has been reached, decisions shall be taken by a two-thirds majority of the members present at the meeting on the basis of one member, one vote.”
Fund for Responding to Loss and Damage (FRLD)	<u>Decision 1/CP.28, Annex I (Governing Instrument)</u> , para. 26: “Decisions of the Board will be taken by consensus. If all efforts at reaching consensus have been exhausted and no consensus is reached, decisions will be taken by a four-fifths majority of the members present and voting. The Board will develop procedures for determining when all efforts at reaching consensus have been exhausted. The Board will adopt procedures for taking decisions between meetings.”
Paris Agreement Implementation and Compliance Committee	Rules of Procedure, <u>Decision 24/CMA.4, Annex I, Rule 9</u> : If all efforts to reach consensus have been exhausted, then there can be a vote with each member having one vote. “A decision that is voted in favour of by at least three quarters of members present and voting shall be considered adopted.”

Voting in Practice

While consensus is the preferred norm in many multilateral institutions (i.e., the Human Rights Council, many other MEAs), in most institutions voting can and does happen, and has allowed for ambitious decisions to move forward. Some institutions regularly vote, while others do so only in instances where consensus cannot be reached. With regard to the latter, this can often enable progress (i.e., when the HRC establishes monitoring mechanisms). Below is a non-exhaustive overview of examples of voting in multilateral fora in practice.

Institution/ Convention	Examples of Voting
<p>UN General Assembly (UNGA)</p>	<p>UNGA regularly votes on resolutions, and a recent example is the resolution welcoming the ICJ Advisory Opinion on climate change. Following months of negotiations on a draft resolution and coming to a compromise text, Vanuatu and a core group of States tabled a resolution related to this ruling. In the end, the UNGA adopted the resolution by a recorded vote of 141 countries in favor, eight against, and twenty-eight abstaining. The final vote came after several votes on amendments were proposed by big polluters trying to dilute the resolution.</p>
<p>CITES</p>	<p>Parties regularly vote during Committee meetings, including at COP, and will even vote on text during discussions of decisions if wording cannot be agreed upon.⁴⁵</p>
<p>World Health Assembly</p>	<p>The Pandemic Agreement was originally adopted through a vote by States in a Committee, and that was followed by it being adopted by consensus by WHO Member States.⁴⁶</p>
<p>UN Convention on the Law of the Sea (UNCLOS)</p>	<p>After all attempts to reach consensus were exhausted, UNCLOS itself was adopted by a vote at the request of the US.⁴⁷</p>
<p>Convention on Biological Diversity (CBD)</p>	<p>At the most recent CBD COP, Parties voted to break the stalemate on whether to have the next COP in Armenia or Azerbaijan.⁴⁸</p>
<p>Stockholm Convention</p>	<p>In 2015 at COP7, seeing a deadlock due to one Party opposing the listing of a substance in the Convention’s Annex A (elimination), the Parties took a vote, for the first time ever, in order to list the Persistent Organic Pollutant (ninety in favor, two against, eight</p>

	abstained). ⁴⁹
Human Rights Council (HRC)	In 2021, the HRC established the mandate for the Special Rapporteur on human rights and climate change through a vote where four countries abstained and one country voted no, but that was not enough to block the resolution from passing. ⁵⁰
Rotterdam Convention	At COP9, a vote was called for after a few Parties rejected the proposal to form a compliance committee, including a party noting that consensus shouldn't be used to block progress. Given the stalemate, there was a vote and Parties overwhelmingly (120 in favor, six against) adopted the new Annex VII. ⁵¹ At COP11, Parties continued to disagree on listing chemicals in its Annex III despite the Chemical Review Committee (CRC) ⁵² recommending them and some of the recommended chemicals being in limbo for over a decade with a few Parties opposing the listing for several COPs. To try to break the stalemate, Parties voted on whether to create a new annex to list chemicals that the CRC recommended listing (such as chrysotile asbestos), but that could not be approved by the COP. However, this amendment failed to pass as it fell short of the three-fourths majority needed (ninety-two voted in favor, which is less than three-quarters of the 132 Parties present and voting), thus the stalemate continues. ⁵³
Green Climate Fund	Since the adoption of the voting procedures in 2019, the GCF Board has voted several times, which has enabled funding proposals to move forward to approval over the objection of a minority of Parties. ⁵⁴ In 2025, the first funding proposal was rejected using voting when five developed country Board members voted in opposition. ⁵⁵
International Maritime Organization (IMO)	In April 2025, the IMO voted to adopt a Net-Zero Framework. ⁵⁶ However, in October, following a campaign against it from a handful of Parties, the IMO Parties then voted to postpone full adoption of the net-zero framework for another year. ⁵⁷

Endnotes

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⁴⁸ IISD, “Highlights and Images for 31 October 2024,” *IISD Earth Negotiations Bulletin*, October 31, 2024, enb.iisd.org/un-biodiversity-conference-cbd-cop16-31Oct2024. Note that the Convention on Biological Diversity had to take a vote on where to have its next COP: “An evening plenary addressed organizational matters and held a vote on the venue of ... COP 17 ... With 65 votes, Armenia was elected host of COP 17, with Azerbaijan receiving 58 votes.”; *Convention on Biological Diversity, Draft Proceedings of the Meeting, CBD/COP/16/L.1*, (Nov. 1, 2024), 6–7 www.cbd.int/doc/c/f8db/776f/0c155c403be48987bfff29f86/cop-16-l-01-en.pdf.

⁴⁹ UNEP, *Report of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants On the Work of its Seventh Meeting (2015)*, UNEP/POPS/COP.7/36, (2015), para 145 ff; Giulia Carlini, “Chemical CoPs: Mixed Results with a Surprising, Small Revolution at the 11th Hour,” *CIEL Blog*, May 22, 2015, www.ciel.org/chemical-cops-mixed-results-with-a-surprising-small-revolution-at-the-11th-hour/.

⁵⁰ Geneva Environment Network, “Environment @ 48th Session of the UN Human Rights Council,” October 8, 2021), www.genevaenvironmentnetwork.org/resources/updates/environment-48th-session-of-the-un-human-rights-council/.

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⁵² The Chemical Review Committee (CRC) is a subsidiary body of the Convention that can recommend substances to the COPs for listing in its Annex III and thus fall into its prior informed consent procedure.

⁵³ UNEP, *Report of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade on the work of its eleventh meeting* (2023), UNEP/FAO/RC/COP.11/25 (2023), para 139 ff.; IISD, “The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,” IISD Earth Negotiations Bulletin, April 8, 2025, enb.iisd.org/articles/rotterdam-convention.

⁵⁴ Green Climate Fund, *Report of the Forty-Second Meeting of the Board, June 20 – July 3, 2025*, GCF/B.42/19/Rev.01 (2025), <https://www.greenclimate.fund/sites/default/files/document/report-forty-second-meeting-board-30-june-3-july-2025-gcf-b42-19-rev01.pdf>. Detailing the vote on FP274; Green Climate Fund, *Report of the 40th Meeting to The Board, October 21–24, 2024*, GCF/B.40/24 (2025), www.greenclimate.fund/sites/default/files/document/report-meeting-fortieth-meeting-board-21-24-october-2024-gcf-b40-24.pdf. Detailing votes on multiple funding proposals: FP244, FP247; Green Climate Fund, *Report of the Twenty-Fourth Meeting of the Board, November 12–14, 2019*, GCF/B.24/18 (2020), www.greenclimate.fund/sites/default/files/document/gcf-b24-18.pdf. Explaining voting on FP082; Liane Schalatek and Charlene Watson, *Climate Finance Fundamentals II* (Heinrich Böll Stiftung, 2019), us.boell.org/sites/default/files/2019-11/CFF11%202019%20%5BENG%5D%20DIGITAL.pdf. Describing the voting on FP082 and how it had been stalled for several meetings).

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