

Feature—*Brief on Sustainable Development Goal 13 on Taking Action on Climate Change and Its Impacts: Contributions of International Law, Policy and Governance*

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1. INTRODUCTION

The Sustainable Development Goals (SDGs) are a set of 17 aspirational goals with 169 associated targets, adopted by United Nations (UN) member States in 2015 as part of the 2013 Agenda for Sustainable Development. The SDGs replaced the Millennium Development Goals, which were established following the UN Millennium Summit in 2000. They trace their roots to the 1972 UN Conference on the Human Environment and the 1992 UN Conference on Environment and Development, and commit States to achieving sustainable development in its economic, social, and environmental dimensions, in a balanced and integrated manner.¹

SDG 13 commits States to “[t]ake urgent action to combat climate change and its impacts.”² It emphasizes the agreed global need to mitigate anthropogenic greenhouse gas emissions and to adapt to the damages already caused by climate change. It also acknowledges that “the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change.”³

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¹ See *Transforming our World: the 2030 Agenda for Sustainable Development*, GA Res 70A/1, UNGAOR, 70th Sess, UN Doc E/15/16301 (2015) 1, Preamble [UN, “2030 Agenda”].

² *Ibid* at 23.

³ *Ibid* at 14 (asterisk).

BOX 1: GOAL 13: TAKE URGENT ACTION TO COMBAT CLIMATE CHANGE AND ITS IMPACTS*

*Acknowledging that the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change.

13.1 strengthen resilience and adaptive capacity to climate related hazards and natural disasters in all countries

13.2 integrate climate change measures into national policies, strategies, and planning

13.3 improve education, awareness raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction, and early warning

13.a implement the commitment undertaken by developed country Parties to the UNFCCC to a goal of mobilizing jointly USD100 billion annually by 2020 from all sources to address the needs of developing countries in the context of meaningful mitigation actions and transparency on implementation and fully operationalize the Green Climate Fund through its capitalization as soon as possible

13.b Promote mechanisms for raising capacities for effective climate change related planning and management, in LDCs, including focusing on women, youth, local and marginalized communities

This Issue Brief provides a succinct analysis of the contributions made by international law, policy, and governance to achieving the ambitious goal set out in SDG 13. Following an outline of the legal sources that support SDG 13, this Brief explores some key legal obstacles that the international community and individual States could face in their efforts to combat climate change and its impacts, as well as some policy, institutional, and governance-related considerations for furthering the domestic implementation of SDG 13.

2. CONTRIBUTIONS OF INTERNATIONAL LAW, POLICY, AND GOVERNANCE TO SDG 13 TO COMBAT CLIMATE CHANGE AND ITS IMPACTS

SDGs take the form of aspirational targets and thereby differ from traditional legal obligations.⁴ Nevertheless, the objectives of SDG 13 are reflected in a number of binding treaties, including the *United Nations Framework Convention on Climate Change (UNFCCC)*,⁵ the *Kyoto Protocol*,⁶ together with its *Doha Amendment*,⁷ and the *Paris Agreement*,⁸ among other multilateral legal instruments. As such, SDG 13 reiterates a number of States' preexisting legal obligations.

⁴ Legal and international relations literature is divided on whether so-called 'soft law' can correctly be characterized as nonbinding or quasi-binding.

⁵ United Nations Framework Convention on Climate Change, 9 May 1992, 1771 UNTS 107, 31 ILM 849 (entered into force 21 March 1994) [*UNFCCC*].

⁶ *Kyoto Protocol to the United Nations Framework Convention on Climate Change*, 11 December 1997, 2303 UNTS 148, 37 ILM 22 (entered into force 16 February 2005) [*Kyoto Protocol*].

⁷ It is worth noting that the *Kyoto Protocol* expired in 2012 and only a minority of States have ratified its *Doha Amendment to the Kyoto Protocol*, CMP Dec 1/CMP.8, 8 December 2013 (not yet entered into force).

⁸ *Paris Agreement*, CP Dec 1/CP.21, 21st Sess (2016) FCCC/CP/2015/10/Add.1 (entered into force 4 November 2016) [*Paris Agreement*].

2.1. THE *UNFCCC*

SDG 13 explicitly acknowledges that the *UNFCCC* “is the primary international, intergovernmental forum for negotiating the global response to climate change.”⁹ Some experts describe this acknowledgement as “separat[ing] the UN’s legal process to address climate change from the UN’s voluntary process to address sustainable development.”¹⁰ While the *UNFCCC* itself does not contain legally binding emissions reduction targets, it does commit Parties to stabilizing greenhouse gas concentrations in the atmosphere at a level that would “prevent dangerous anthropogenic interference in the climate system.”¹¹

Given the explicit reference to the *UNFCCC* in SDG 13, it is not surprising that many aspects of SDG 13 overlap with and reinforce reciprocal obligations under the *UNFCCC*. For example, the *UNFCCC* recognizes that developed countries should take the lead in combating climate change and its adverse effects, underlining the responsibility of Parties to “protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities.”¹² This principle is reiterated in the *Paris Agreement* and its subsequent Adoption Decision.¹³ Likewise, in support of SDG 13.2 on the integration of climate change measures, article 4.1(f) of the *UNFCCC* urges all Parties to mainstream climate change considerations into their policies, laws, and institutions.¹⁴

The law, policy, and governance mechanisms established to secure and equitably distribute climate finance also contribute to the attainment of SDG 13(a). In this way, article 4.3 of the *UNFCCC* on climate finance directly reinforces SDG 13(a),¹⁵ as do Conference of the Parties

⁹ UN, “2030 Agenda”, *supra* note 1 at 14 (asterisk).

¹⁰ Ilan Kelman, “Climate Change and the Sendai Framework for Disaster Risk Reduction” (2015) 6:2 Intl J Disaster Risk Science 117 at 118.

¹¹ *UNFCCC*, *supra* note 5 at 2.

¹² *Ibid* art 3.1.

¹³ *Paris Agreement*, *supra* note 8, Preamble; *Adoption of the Paris Agreement*, Dec 2015/L9/Rev.1, UNFCCC, 21st Sess, UN Doc FCCC/CP/2015/L.9/Rev.1 art 15 [*Adoption Decision*].

¹⁴ *UNFCCC*, *supra* note 5 art 4.1(f) (calls on states to “[t]ake climate change considerations into account, to the extent feasible, in their relevant social, economic and environmental policies and actions, and employ appropriate methods, for example impact assessments, formulated and determined nationally, with a view to minimizing adverse effects on the economy, on public health and on the quality of the environment, of projects or measures undertaken by them to mitigate or adapt to climate change”).

¹⁵ *Ibid* art 4.3 (“developed country Parties and other developed Parties included in Annex II shall provide new and additional financial resources to meet the agreed full costs incurred by developing country Parties in complying with their obligations under article 12, paragraph 1. They shall also provide such financial resources, including for the transfer of technology, needed by the developing country Parties to meet the agreed full incremental costs of implementing measures that are covered by paragraph 1 of this article and that are agreed between a developing country Party and the international entity or entities referred to in article 11, in accordance with that article. The implementation of these commitments shall take into account the need for adequacy and predictability in the flow of funds and the importance of appropriate burden sharing among the developed country Parties”).

(CoP) decisions establishing the Green Climate Fund,¹⁶ and provisions related to climate finance found in the *Paris Agreement*.¹⁷

Supporting the engagement goals of SDG 13.3, *UNFCCC* article 4.1(i) also encourages education, training and awareness-raising on climate change.¹⁸ Corresponding guidelines and plans have been developed through *UNFCCC* CoP decisions (including the adoption of the Doha work programme on article 6 of the Convention),¹⁹ and related provisions can be found in the *Paris Agreement*.²⁰ Further, international and domestic policy and governance mechanisms established under article 4.1(i) of the *UNFCCC* could be harnessed to support the implementation of SDG 13.3. For example, existing school curricula could be adapted to include climate change teaching modules and training programs.

Finally, policies and practices developed around decisions of CoPs to the *UNFCCC* also help guide the interpretation and achievement of SDG 13, contributing to the interpretation of international law on climate change.

Together, the international legal obligations and governance mechanisms surrounding the *UNFCCC*, including policies like incentivizing clean technology, reducing emissions from deforestation and land degradation, promoting adaptation and resilience, and securing transparency of climate actions, can all contribute to the achievement of SDG 13. Likewise, governance systems and benchmarks that are already in place to monitor climate action under the *UNFCCC* could assist global efforts to achieve and monitor the progress towards SDG 13.

2.2. NON-UNFCCC MECHANISMS

As climate change affects many aspects of social, environmental, and economic development, a number of other international legal instruments can also contribute to the successful implementation of SDG 13. For example, the *Convention on Biological Diversity* (CBD)²¹ commits Parties to promoting the conservation of biological diversity and the sustainable use of biological resources, among other objectives.²² Given the important role of biodiversity in climate change mitigation and adaptation, CBD obligations and reporting mechanisms can be leveraged to promote the achievement of SDG 13, particularly SDGs 13.2 and 13(a).

¹⁶ See e.g. Dec 1/CP.16, UNFCCC, 16th Sess, UN Doc FCCC/CP/2010/7/Add.1 at para 102 and following; Dec 3/CP.17, UNFCCC, 17th Sess, UN Doc FCCC/CP/2011/9/Add.1.

¹⁷ *Paris Agreement*, *supra* note 8 art 9.

¹⁸ *UNFCCC*, *supra* note 5 art 4.1(i) (encourages states to “[p]romote and cooperate in education, training and public awareness related to climate change and encourage the widest participation in this process, including that of non-governmental organizations”).

¹⁹ See e.g. Dec 15/CP.18, UNFCCC, 18th Sess, UN Doc FCCC/CP/2012/8/Add.2.

²⁰ *Paris Agreement*, *supra* note 8 art 6(8).

²¹ Convention on Biological Diversity, 5 June 1992, 1760 UNTS 79, Can TS 1993 No 24, 31 ILM 818 (entered into force 29 December 1993) [*CBD*].

²² *Ibid* art 8. The CBD also has as an objective “the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding” (art 1).

The *Ramsar Convention* also plays an important role in climate change mitigation and adaptation.²³ Many wetland environments, including lakes, rivers, swamps, marshes, mangroves, and coral reefs are increasingly threatened by climate change. The *Ramsar Convention* provides a framework for the national and international conservation and use of internationally significant wetland environments. Certain obligations and mechanisms enshrined under the *Ramsar Convention* and its resolutions could support the implementation of SDG 13. For example, Resolution XII.11 on “Peatlands, climate change and wise use” urges the protection and sustainable use of peatlands for climate mitigation, encouraging Parties to “[limit] activities that lead to drainage of peatlands and may cause subsidence, flooding and the emission of greenhouse gases.”²⁴

Likewise, the *United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD)* calls upon national governments, NGOs, and local populations to cooperate to combat desertification and mitigate the effects of drought and dryland degradation.²⁵ Since climate change could exacerbate desertification, drought, and dryland degradation in certain regions, the policy, governance, and other related instruments adopted under the UNCCD may also support the implementation of SDG 13.

The *Sendai Framework for Disaster Risk Reduction 2015–2030 (SFDRR)* also reinforces SDG 13 by recognizing the critical interrelationship between climate change, sustainable development, and disaster risk reduction.²⁶ The *SFDRR* identifies climate change as a major driver of disaster risk and recognizes the need for cross-sectoral approaches for addressing these risks. The *SFDRR* also promotes implementation measures, such as the need to “[i]ncorporate disaster risk reduction measures into multilateral and bilateral development assistance programmes within and across all sectors, as appropriate, related to poverty reduction, sustainable development, natural resource management, the environment, urban development and adaptation to climate change.”²⁷ Efforts to implement adaptation and resilience measures under the *SFDRR*, including those focused specifically on small island developing States, can therefore support the achievement of SDGs 13.1 and 13(b).

Climate change also affects a wide range of human rights, including the rights to life, health, an adequate standard of living, housing, food and water, culture, education, and rights associated with migration and self-determination.²⁸ The enjoyment of these rights is affected

²³ *Convention on Wetlands of International Importance especially as Waterfowl Habitat*, 2 February 1971, 996 UNTS 245 (as amended, entered into force 21 December 1975) [*Ramsar Convention*].

²⁴ Conference of the Parties to the Ramsar Convention on Wetlands, *Peatlands, Climate Change and Wise Use: Implications for the Ramsar Convention*, Res XII.11, 12th Sess. (2015) at 21, online: <www.ramsar.org/sites/default/files/documents/library/cop12_res11_peatlands_e.pdf>.

²⁵ *United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa*, 17 June 1994, 33 ILM 1329 (entered into force 26 December 1996), Preamble.

²⁶ UNISDR, *Sendai Framework for Disaster Risk Reduction 2015–2030* (Sendai: UNISDR, 2015), para 3, online: <www.unisdr.org/files/43291_sendaiframeworkfordren.pdf>; see also *ibid*, Preamble.

²⁷ *Ibid* at para 47(d).

²⁸ See, e.g. Stephen Humphreys & ICHRP, *Climate Change and Human Rights: A Rough Guide* (Versoix, Switzerland: International Council on Human Rights Policy, 2008) at 1; Sébastien Jodoin and Katherine

not only by the effects of climate change itself, but also by States' efforts to mitigate and adapt in response to climate change. Given these significant impacts, the *International Covenant on Economic, Social and Cultural Rights (ICESCR)* offers an important legal justification for the implementation of SDG 13.²⁹ Effective climate change planning and management, as well as strengthened resilience and adaptive capacity, are critical for respecting, protecting, and fulfilling the rights enshrined in the *ICESCR*.³⁰ Per the Committee on Economic, Social and Cultural Rights, "in accordance with Articles 55 and 56 of the Charter of the United Nations, with well-established principles of international law, and with the provisions of the Covenant itself, international cooperation for development and thus for the realization of economic, social and cultural rights is an obligation of all States."³¹ These obligations continue to apply in the context of climate change, and Professor John Knox, UN Special Rapporteur on Human Rights and the Environment, has further remarked in his reports that both substantive and procedural rights are directly relevant to climate change.³² Given the impact of climate change on a broad range of human rights, a number of other international human rights instruments also support the implementation of SDG 13, including the *Convention on the Rights of the Child*, the *UN Declaration on the Rights of Indigenous Peoples*, the *International Covenant on Civil and Political Rights*, and the *Convention on the Elimination of All Forms of Discrimination Against Women*, as well as regional human rights instruments like the *European Convention on Human Rights* and the *American Convention on Human Rights*.

In certain Regional Trade Agreements (RTAs), Parties have also included provisions that favour climate change mitigation and adaptation measures, helping to ensure that trade and investment do not impede these efforts.³³ For example, Parties to the *EU-Colombia-Peru RTA* "reaffirm their commitment to effectively implement in their laws and practices" their obligations under the *Kyoto Protocol*, provided that any measures taken under the *Kyoto Protocol* are not trade restrictions in disguise.³⁴ Similarly, under the *EU-Republic of Korea Free Trade Agreement*, the parties "reaffirm their commitment to reaching the ultimate objective of

Lofts, *Economic, Social, and Cultural Rights and Climate Change: A Legal Reference Guide* (New Haven, Ct.: CISDL, GEM & ASAP, 2013) at 5.

²⁹ *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, 993 UNTS 3 (entered into force 3 January 1976) [ICESCR].

³⁰ Jodoin & Lofts, *supra* note 28 at 6.

³¹ CESCR, *General Comment No 3: The Nature of States Parties' Obligations*, 5th Sess, UN Doc E/1991/23 (14 December 1990) at para 14.

³² See John H Knox, *Report of the Independent Expert on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment*, A/HRC/31/52; John H Knox, *Report of the Independent Expert on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment*, *John H. Knox Mapping Report*, A/HRC/25/53, UNGAOR, 25th Sess (2013).

³³ See Markus W Gehring et al, *Climate Change and Sustainable Energy Measures in Regional Trade Agreements (RTAs): An Overview*, ICTSD Global Platform on Climate Change, Trade and Sustainable Energy, Issue Paper No 3 (Geneva, International Centre for Trade and Sustainable Development, August 2013) [Gehring et al].

³⁴ EC, *Council Dec of 31 May 2012 on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other*, [2012] OJ, L 354/55 arts 270(2), 270(4) [*EU-Colombia-Peru Agreement*].

the United Nations Framework Convention on Climate Change and its Kyoto Protocol.”³⁵ Various RTAs also explicitly attempt to prevent the weakening of environmental protections under domestic laws or try to strengthen the enforcement of domestic environmental laws.³⁶ In addition, exceptions and reservations can serve as “windows” within trade regimes, to the extent that they are interpreted to “preserve the flexibility of a regulator responding to new challenges, such as climate change.”³⁷ RTAs might even promote cooperation on climate change issues and encourage trade and investment liberalization for adaptation and mitigation response measures by promoting the adoption of new policies and governance mechanisms, including the promotion of trade and investment in climate-relevant sectors and commitments to cooperate on climate change.³⁸

Finally, in addition to these various legal instruments, States’ obligations to integrate climate change measures into national policies, strategies, and planning are also underpinned by international legal principles. For example, the general obligation of States “to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,” as mandated by the International Court of Justice in the *Nuclear Weapons* opinion, is directly applicable to the issue of CO₂ emissions and climate change mitigation.³⁹

3. LEGAL OBSTACLES FACING THE IMPLEMENTATION OF SDG 13 ON COMBATING CLIMATE CHANGE AND ITS IMPACTS

While SDG 13 is supported by existing international law, its successful implementation also faces a number of obstacles. To begin with, the success of SDG 13 as a whole, as well as that of the other SDGs, hinges to a great extent on the efficacious implementation of the *Paris Agreement*.⁴⁰ While the *Paris Agreement* is applicable to all the State Parties that ratify or otherwise accept it, it is also a bottom-up instrument that relies on States establishing their own substantive targets in the form of Nationally Determined Contributions (NDCs), and its

³⁵ EC, *Council Dec of 16 September 2010 on the signing, on behalf of the European Union, and provisional application of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part*, [2011] OJ, L 127/54 art 13.5(3) [*EU-South Korea Free Trade Agreement*].

³⁶ See e.g. *United States-Colombia Trade Promotion Agreement*, United States and Colombia, 22 November 2006, arts 18.4, 18.6, 18.7, online: <ustr.gov/trade-agreements/free-trade-agreements/colombia-fta/final-text>; *EU-South Korea Free Trade Agreement*, *supra* note 34 art 13.5(2).

³⁷ Gehring et al, *supra* note 33 at 16.

³⁸ See e.g. *EU-Singapore Free Trade Agreement*, European Union and Singapore, art 13.11.2 (not yet entered into force; see also *ibid*, Chapter 7); *South Korea-Peru Free Trade Agreement*, South Korea and Peru, 21 March 2011, art 19.8.2; see generally Susanne Droege et al, “The Trade System and Climate Action: Ways Forward Under the Paris Agreement” (2016) *Climate Strategies Working Paper* at 24–25, online: <climatestrategies.org/wp-content/uploads/2016/10/Trade-and-climate-ways-forward-1.pdf>.

³⁹ *Legality of the Threat or Use of Nuclear Weapons*, Advisory Opinion, [1996] ICJ Rep 226 at para 27; see also *Case Concerning the Gabčíkovo-Nagymaros Project*, [1997] ICJ Rep 7 at para 53, citing *ibid*.

⁴⁰ Christoph von Stechow et al, “2°C and SDGs: United They Stand, Divided They Fall?” (2016) 11 *Environment Research Letters* at 2, online: <iopscience.iop.org/article/10.1088/1748-9326/11/3/034022/pdf>.

effectiveness relies on each Party's self-determined efforts.⁴¹ Its success thus requires the design of effective and coordinated policy, governance, and other legal efforts for its implementation at all levels, as well as on the individual ambitions of each Party.

Resource constraints affecting the State Parties may constitute another obstacle to the implementation of SDG 13. Consequently, adequate and predictable climate financing, as recognized under the *UNFCCC*, the *Paris Agreement*, and SDG 13 will be critical for ensuring that the most vulnerable Parties can successfully adapt to the effects of climate change. The enhanced mobilization of resources, including the redirection of investments and funding towards climate finance (e.g. to various climate funds such as the Green Climate Fund and to the Adaptation Fund⁴²) or to instruments such as REDD+ and the new Sustainable Development Mechanism,⁴³ is a necessary step forward as noted in the *Paris Agreement*.⁴⁴

The global "carbon budget" may also exacerbate the issue of resource constraints, as governments and businesses will need to leave valuable fossil fuels in the ground in order not to exceed the maximum amount of carbon that may be released into the atmosphere while having a likely chance of limiting global temperature rise to 2 degrees Celsius above pre-industrial levels.⁴⁵ Efforts to remain within this budget raise questions about equity, including how to fairly allocate the rights to exploit remaining fossil fuel reserves.⁴⁶ Fossil fuels are politically sensitive because many economic models rely heavily on fossil fuel revenues and recent discoveries of oil and gas in developing countries are expected to bolster budgets for socioeconomic development.⁴⁷

In many cases, the effective implementation of SDG 13 and the *Paris Agreement* will also require changes to laws, policies, and institutional arrangements at both national and subnational levels. These changes, in turn, will trigger related demands for effective national and local policy and governance mechanisms, increasingly detailed technical standards, and public participation, alongside other demands. For example, States could cut subsidies and preferential tax treatments for the fossil fuel industries, while also incentivizing the use of

⁴¹ See *Paris Agreement*, *supra* note 8 arts 3–4.

⁴² The Green Climate Fund is an operating entity of the Financial Mechanisms of the UNFCCC that supports projects, programmes, policies, and other activities in developing country Parties. The Adaptation Fund is similarly intended to finance climate adaptation projects and programmes in developing countries that are Parties to the Kyoto Protocol.

⁴³ *Paris Agreement*, *supra* note 8 art 6 establishes "[a] mechanism to contribute to the mitigation of greenhouse gas emissions and support sustainable development".

⁴⁴ *Ibid*, art 9.

⁴⁵ Fiona Harvey, "IPCC: 30 Years To Climate Calamity if We Carry On Blowing the Carbon Budget", *The Guardian* (27 September 2013), online: <www.theguardian.com/environment/2013/sep/27/ipcc-world-dangerous-climate-change>.

⁴⁶ *Ibid*.

⁴⁷ UNDP, *UNDP's Strategy for Supporting Sustainable and Equitable Management of the Extractive Sector for Human Development*, (UNDP, December 2012) at 6–7, online: <www.undp.org/content/dam/undp/documents/partners/civil_society/miscellaneous/2012_UNDP_Strategy-for-Supporting-Sustainable-and-Equitable-Management-of-the-Extractive-Sector-for-Human-Development.pdf>.

renewable energies and the development of renewable energy technologies.⁴⁸ However, if not handled diligently, the removal of subsidies could increase fuel prices for households or pose a challenge to livelihoods. Such challenges must be counterbalanced with effective government incentives and protections for fundamental human rights.

4. POLICY, INSTITUTIONAL, AND GOVERNANCE ARRANGEMENTS TO COORDINATE THE DOMESTIC IMPLEMENTATION OF SDG 13

The crosscutting nature of climate change means that leadership at the national level will be crucial for creating a clear roadmap for implementing, monitoring, and coordinating efforts towards the realization of SDG 13. Strong coordination will be required both across sectors, as well as between levels of government. Ensuring that climate change-related information, technology, and expertise is deployed across ministries and various subnational bodies will be key for promoting effective and coordinated climate action. Indeed, several countries have already established national institutions and bodies that provide a strong starting point for organizing national cooperation to achieve SDG 13.⁴⁹

Because climate change is a highly crosscutting issue, steps toward the realization of SDG 13 will also enable States to make strides towards the achievement of the other SDGs. To this end, in implementing SDG 13, States should consider complementarities between different international law instruments in order to more effectively tackle their legal commitments and obligations. For example, States should consider how constructive linkages could be forged between pledges or transparency and review mechanisms adopted in the *Paris Agreement* and in other relevant conventions, in order to better streamline reporting and data collection processes.

5. CONCLUSION

The effects of climate change are already being felt around the world and urgent action is needed to adapt to and mitigate even greater impacts. Indeed, “the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, with a view to accelerating the reduction of global greenhouse gas emissions.”⁵⁰ However, notwithstanding the international community’s support for SDG 13, as well as other obligations under the *UNFCCC* and other international legal instruments, much depends on the effectiveness of the recent *Paris Agreement* and on the Parties’ own efforts, innovations, and willingness to work together towards this goal.

To this end, well-adapted law and policy frameworks at all levels are needed to promote the rapid and effective implementation of the *Paris Agreement* in a manner that is supported by existing environmental, social, and economic instruments. A recent survey conducted by the Climate Law and Governance Initiative found that “156 of 187 countries prioritized legal and

⁴⁸ See generally Zeineb Abdmouleh, Rashid AM Alammari & Adel Gastli, “Review of Policies Encouraging Renewable Energy Integration and Best Practices” (2015) 45 *Renewable and Sustainable Energy Reviews* 249.

⁴⁹ For example, the Philippines, Australia, and Mexico, among others, have established national climate change commissions to coordinate and implement climate actions in their countries.

⁵⁰ *UNFCCC Durban Platform for Enhanced Action* at 2.

institutional reform in their iNDCs [intended nationally determined contributions], seeking to address inadequate current frameworks and governance challenges.”⁵¹ These results indicate a clear recognition of the importance of law and governance-based reform for action on climate change in many countries, including the need for increased support, technical expertise, and capacity building in this regard.

Existing legal obligations, instruments, and policy mechanisms, both within and beyond the *UNFCCC*, can also support the implementation of SDG 13 by providing a strong basis for the achievement of this goal. SDG 13 may also provide added impetus for States to address the crosscutting nature of climate change, anchoring climate responses firmly in their sustainable development planning. Nevertheless, a number of challenges to the achievement of this goal remain and much will depend on the success of the *Paris Agreement* to curb harmful impacts of climate change and to help prepare human populations and ecosystems to adapt to its effects.

⁵¹ Marie-Claire Cordonier Segger, Mirjam Reiner & Alexandra Scott, *Countries Stress the Importance of Legal and Institutional Reforms and Capacity Building in their iNDCs*, (Cambridge: Climate Law and Governance Initiative, 2016), at 4, online: <www.climatelawgovernance.org/Downloads/CLGI%20Research%20Announcement%20-%20Countries%20stress%20the%20importance%20of%20legal%20and%20institutional%20reforms%20and%20capacity%20building.pdf>.