

## ➤ Better Cross-Regime Connectivity Is Needed to Address the Collateral Impacts of Climate Change

William W. Burke-White, Professor of Law, Carey Law School, University of Pennsylvania

Climate change has significant collateral impact across a wide range of issue domains—from trade and investment to migration and food security, from the law of the sea and human rights to urban policy and public health. While climate change itself is addressed by institutions such as the UNFCCC and associated treaty regimes (Paris Accords, etc.), the collateral effects of climate change are addressed by separate institutions largely defined by their own focal issues. Given the density of the international institutional architecture, most collateral impacts of climate change fall within the remit of some international institution or international treaty regime. Yet, the existing international institutional architecture is deeply inadequate for addressing the collateral impacts of climate change precisely because those international organizations or legal treaty regimes are independent and not adequately condensed into a coherent whole. In short, the existing architecture lacks effective connective mechanisms among this range of institutions and between those institutions and the institutional frameworks primarily focused on climate change to address a challenge as daunting and cross-cutting as climate change.

The primary mandate of most international institutions is defined through their respective founding instruments or through their practice over time based on the sector in which they operate or the mission with which they were endowed. The WTO, for

example, is tasked with providing “[the common institutional framework for the conduct of trade relations among its Members,](#)” whereas the WHO is intended “[to act as the directing and coordinating authority on international health work.](#)” Consistent with their founding instruments, such international organizations prioritize their respective spheres of activity and often approach any international issue with the goal of maximizing the values and interests for which they were established—enhanced free trade or improved public health, for example. Climate change will, therefore, never be front and center on these institutions’ agendas nor will it be the primary consideration on which they base their decisions or actions. Climate change is, of course, the primary mandate of the UNFCCC. Yet, the UNFCCC lacks competence and authority in many of these sectors in which climate change will have serious collateral impact. The overall result is a sector-specific international institutional architecture that often fails to recognize or prioritize cross-sector collateral impacts. There is a very real risk that this existing institutional structure will never adequately prioritize the grave implications of climate change in areas primarily governed by non-climate focused institutions and regimes.

Two reforms to the existing international architecture could significantly improve the ability of the international system to address the collateral impacts of climate change. First, new connective fabrics must be designed and stitched across existing institutions that both integrate and

prioritize the climate even in institutions fundamentally dedicated to other issues and challenges. To advance this goal, other non-climate focused institutions must be more directly represented in and participate at climate focused institutions, such as the UNFCCC, to facilitate the sharing of information, common conversations, and joint programs across sectors. So too, non-climate specific institutions and regimes must better prioritize and integrate climate issues into their work. Given that such institutions reflect the will and interests of member states, it is member states themselves that must signal to such institutions the need to prioritize climate policy in their own work.

Second, new institutional mechanisms with the mandate of cutting across sectors and issue-areas must be developed.

Existing institutions with a trans-sector mandate can play a role. To some extent, the [G-7](#) and [G-20](#) have done so, relying on global economic impact as a way bridging issue silos. Both organizations can do more to ensure cross-sector policy coordination that prioritizes the collateral impacts of climate change.

Notwithstanding the role the G-7 and G-20 can play, a climate focused framework to connect institutions and regimes across sectors and silos is needed. “[Climate Clubs](#)” could offer a potential structure to address cross-sector climate impact, bringing together a coalition of states with the willingness and capacity to address both the direct and collateral impacts of climate change. Even though many states would be left out of such a club, it would be well positioned to link multiple sectors of the international architecture in addressing climate change and could provide a foundation for issue-

specific institutions to build bridges among themselves.