



THE IMPACT OF U.S. CLIMATE POLICY SHIFTS ON GLOBAL SUSTAINABLE DEVELOPMENT GOALS: A TRANSNATIONAL LEGAL PERSPECTIVE ON ENVIRONMENTAL JUSTICE

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Abstract

This article examines the evolving trajectory of U.S. climate policy and its ripple effects on global efforts to meet the United Nations Sustainable Development Goals (SDGs). Against the backdrop of major policy reversals and re-engagements from the U.S. withdrawal from the Paris Agreement to its re-entry the paper critically analyses how domestic legal shifts in the United States influence transnational climate cooperation, funding, and enforcement.

Using a transnational legal approach, the article investigates the normative consequences of these shifts for vulnerable countries, particularly in the Global South. It highlights how inconsistency in U.S. leadership undermines climate finance, technological transfer, and shared accountability, all of which are essential for achieving SDGs 7, 13, and 17. The paper also considers legal frameworks under international law and U.S. administrative policy to assess their alignment with principles of environmental justice.

Ultimately, the study advocates for legally binding mechanisms to secure continuity in U.S. climate obligations, proposing stronger cross-border governance structures that insulate multilateral environmental commitments from domestic political cycles.

PART ONE

Overview of US Climate Policy and Its Global Significance

Climate change poses a significant global environmental threat with widespread consequences for human life and planetary systems. In the context of international law, it is recognised as a transformation in global climate patterns caused, directly or indirectly, by human-induced alterations to the atmospheric composition

(UN Framework Convention on Climate Change, 1992). In response to this intensifying challenge, international legal instruments have emerged to coordinate global efforts most notably the United Nations Sustainable Development Goals (SDGs) and the Paris Agreement established under the United Nations Framework Convention on Climate Change (UNFCCC) (UN General Assembly, 2015). Adopted by UN member states in 2015, the SDGs include specific targets relating to climate action and clean energy, emphasising that combating climate risks is fundamental to sustainable development (UN General Assembly, 2015). The Paris Agreement similarly provides a legal framework that commits participating states to limit global temperature increases and reduce carbon emissions in accordance with scientific recommendations (Paris Agreement, 2015). These instruments demonstrate a shared legal and ethical commitment to coordinated and inclusive solutions for climate stability.

Explanation of Key Concepts: Climate Policy, Environmental Justice, Transnational Law

Environmental justice refers to the equitable treatment and meaningful inclusion of all communities in the development and enforcement of environmental law and policy, regardless of income, race, or geographic location (Bullard, 2000). In the climate context, this principle focuses on how those least responsible for emissions often face the most severe impacts particularly low-income communities and developing countries vulnerable to sea-level rise, extreme weather, and food insecurity (UN Human Rights Council, 2009). The UNFCCC codifies this recognition through the principle of "common but differentiated responsibilities and respective capabilities" (CBDR-RC), which acknowledges disparities in historical emissions and financial capacities (UN Framework Convention on Climate Change, 1992). Given the cross-border nature of greenhouse gas emissions and climate harms, climate change is best viewed through a transnational legal lens. Philip Jessup famously described transnational law as encompassing all legal norms that govern conduct or effects across national boundaries (Jessup, 1956). Climate change fits this definition perfectly, as environmental harm in one jurisdiction often causes consequences in others.

A transnational law approach allows us to examine not only treaty obligations but also how domestic regulations, soft-law standards, and judicial rulings in one country influence others (Zumbansen, 2010). The interconnection between U.S. domestic climate shifts and global responses offers a rich case study for exploring how legal authority and accountability travel across borders.

The Role of the United States in International Climate Agreements

The United States has historically shaped the global climate regime sometimes as a leader, sometimes as a disruptor. It ratified the UNFCCC in the 1990s but declined to ratify the Kyoto Protocol due to concerns about economic competitiveness and the absence of developing country obligations (Byrd Hagel Resolution, 1997). By contrast, the Obama administration actively contributed to negotiating the Paris Agreement and formally joined in 2016 through executive action (White House Archives, 2017). However, in 2017, the Trump administration announced its withdrawal, citing unfair economic burdens; this exit became official in late 2020 (White House Archives, 2017). Upon taking office in 2021, President Biden signed the re-accession instrument, rejoining the Paris Agreement and pledging renewed U.S. commitment to global climate finance and domestic emissions reductions (White House, 2021). These fluctuations undermine the reliability of U.S. participation and highlight the risks of politically unstable treaty compliance.

Research Objectives and Key Questions

This essay evaluates how U.S. climate policy changes affect the realisation of SDGs and the global enforcement of environmental justice principles, using a transnational legal framework. It explores whether abrupt policy shifts such as exiting or re-entering climate agreements undermine international goals and what role legal mechanisms play in ensuring accountability. Specifically, the question is: To what extent do

shifts in U.S. climate policy affect the achievement of global sustainable development goals and the realisation of environmental justice, and how can transnational legal tools mitigate these effects?

PART 2

Legal Developments in US Climate Policy at the Federal and State Levels

The legal approach of the United States to climate change is complex, reflecting the influence of changing political administrations and the fragmented nature of its governance system. Federal climate regulation has fluctuated significantly across administrations, with legal authority primarily rooted in the Clean Air Act of 1970 (Clean Air Act of 1970). This law empowers the Environmental Protection Agency (EPA) to regulate air pollutants that endanger public health, which later became the foundation for regulating greenhouse gases (GHGs) (Environmental Protection Agency, 2009).

In *Massachusetts v Environmental Protection Agency*, the United States Supreme Court recognised that GHGs fall within the definition of "air pollutant" under the Clean Air Act, thereby affirming the EPA's authority to regulate emissions from vehicles (*Massachusetts v Environmental Protection Agency*, 2007). This landmark decision established climate change as a legitimate subject of federal environmental regulation. However, the boundaries of this authority have continued to evolve through subsequent litigation and administrative action. For instance, in *West Virginia v Environmental Protection Agency*, the Court restricted the EPA's power by applying the "major questions" doctrine, concluding that sweeping regulatory schemes must have clear congressional approval (*West Virginia v Environmental Protection Agency*, 2022).

Federal policy has also been shaped by executive action. Under President Obama, the Clean Power Plan aimed to cut emissions from the power sector, but it was repealed under the Trump administration and replaced with the less ambitious Affordable Clean Energy Rule (Environmental Protection Agency, 2019). President Biden's administration reversed course again, introducing ambitious targets under the Inflation Reduction Act (IRA) of 2022, which includes substantial investment in clean energy, carbon capture, and environmental justice (Inflation Reduction Act, 2022). This Act represents the most significant federal climate legislation to date, using tax incentives and public funding to shift the energy economy towards sustainability (US Department of Energy, 2023).

Beyond the federal level, many individual states have taken bold climate action through their own legislative frameworks. States such as California and New York have enacted ambitious climate targets, including commitments to reach net zero emissions and to phase out fossil fuels in transport and power sectors (California Assembly Bill No 32, 2006; New York Climate Leadership and Community Protection Act, 2019). California's Global Warming Solutions Act (AB 32) established a cap-and-trade program and a mandate for renewable energy adoption, often serving as a model for other jurisdictions (California Air Resources Board, 2021). State courts have also played a role, with climate litigation increasingly brought under state constitutional or statutory law, as seen in the youth led *Held v Montana* case, where plaintiffs argued that fossil fuel policies violated their right to a clean and healthy environment (*Held v State of Montana*, 2023).

The divergence between progressive states and federal retreat highlights the fragmented nature of US climate governance. State-level efforts have been essential in maintaining momentum during periods of federal inaction, but they also create inconsistency and undermine the coherence of a national strategy (Cleatus, 2020). Furthermore, this fragmented landscape raises questions about the international reliability of US commitments, particularly when federal priorities shift between administrations (Friedman, 2022).

As a result, the US legal approach to climate change is marked by inconsistency. While the Clean Air Act provides a basis for action, recent Supreme Court rulings have narrowed federal regulatory space, and progress increasingly depends on executive leadership and state innovation. Understanding the legal trajectory at both federal and state levels is essential for assessing the international implications of US climate policy, especially in the context of transnational obligations and sustainable development.

PART THREE

Global Impact on SDGs and Environmental Justice

The oscillations in U.S. climate policy create far-reaching effects on the world's pursuit of sustainable development and justice. As one of the planet's largest historical emitters of greenhouse gases, American leadership or its absence has a disproportionate influence on global climate goals. This is evident in how shifts in U.S. commitment ripple through international frameworks. The United Nations Framework Convention on Climate Change (UNFCCC) makes clear that its "ultimate objective" is the "stabilisation of greenhouse gas concentrations...at a level that would prevent dangerous anthropogenic interference with the climate system" (United Nations Framework Convention on Climate Change, 1992). In practical terms, when the United States retreats from its climate obligations, the entire world's capacity to reach agreed temperature limits is weakened. Indeed, even the relatively brief U.S. withdrawal from the Paris Agreement in 2017--2020 was enough to reveal "unpredictability and uncertainty in the leadership" of the global climate response (Urmi, 2025), and it has been warned that the 2025 withdrawal is likely to have "devastating impacts on global temperature rise and its associated risks" (Urmi, 2025). Such policy volatility undermines trust among international partners and calls into question whether the United States will honour its commitments at a moment when collective action is urgently needed.

Impact on SDG 13 (Climate Action)

The Paris Agreement lies at the heart of Sustainable Development Goal 13, which aims to "hold the increase in the global average temperature" well below 2°C (pursuing efforts toward 1.5°C) and to enhance resilience against climate change. Achieving SDG 13 thus depends on all major emitters maintaining ambitious, stable policies. By stepping back from its pledges, the U.S. directly hinders that effort. The UNFCCC objective quoted above reinforces that unified action is critical. In effect, studies and analysts warn that U.S. withdrawal will exacerbate warming outcomes. For example, one climate analyst notes that the 2025 exit would risk "devastating impacts on global temperature rise" and associated harms. To meet SDG 13's targets, it is often observed that "immediate action for drastic reductions" in emissions is required this decade. Any delay or backsliding, particularly by a country the size of the U.S., greatly increases the chance that the world will exceed the Paris thresholds, triggering more severe heatwaves, extreme weather, sea-level rise, and ecosystem collapse. In summary, the U.S. policy retreat directly imperils the core aim of urgent climate action under SDG 13 at the very time global cooperation is most needed.

Beyond reducing emissions, SDG 13 also calls for strengthening adaptation and delivering on climate finance. In particular, Target 13.a urges developed countries to mobilise jointly US\$100 billion per year by 2020 to assist developing nations, and to fully capitalise the Green Climate Fund (GCF). U.S. participation is pivotal to these commitments. Unfortunately, recent reversals have undermined progress. Notably, in 2025 the U.S. rescinded its outstanding US\$4 billion pledge to the GCF and walked away from new funding mechanisms, including the Just Energy Transition Partnerships (JETPs) it had helped launch (Chime, 2025). These JETPs were designed to support countries like South Africa, Indonesia, and Vietnam in shifting from coal to clean energy. By quitting these coal-to-clean deals, the U.S. effectively abandoned its share of roughly US\$45 billion in pledged climate financing (Chime, 2025). This abrupt pullback deals a heavy blow to SDG 13's implementation: it subtracts directly from the promised climate finance that developing countries depend on, forcing delays or cutbacks in critical adaptation and renewable energy projects. As one

legal scholar observes, finance is "central to achieving [climate] goals and ensuring the enjoyment of human rights" for people in least-developed countries and small island states (Gibson, 2025). In practical terms, the U.S. withdrawal from these funding commitments exacerbates the resource shortfall faced by vulnerable nations trying to build resilience against climate change.

Impact on SDG 7 (Clean and Affordable Energy)

U.S. policy shifts also significantly influence progress toward Sustainable Development Goal 7, which seeks universal access to affordable, reliable, sustainable, and modern energy. The global transition to clean energy -- including expanded renewable capacity and energy efficiency is one of the principal ways to achieve both SDG 7 and SDG 13 together. U.S. investment, technology innovation, and diplomatic support have helped drive renewable energy expansion worldwide. By contrast, a policy pivot toward fossil fuels by the United States sends conflicting signals internationally. For example, the "energy dominance" agenda that prioritizes oil, gas, and coal export promotion can dampen global clean energy momentum. Pulling out of coal-transition partnerships (the JETPs) exemplifies this. Without U.S. backing, countries like South Africa lose expected grant funding and loan guarantees that were meant to help retire coal plants. The setback to these coal-phaseout plans means that retiring expensive coal is harder and replacing it with solar or wind (to which renewables must remain cost-competitive) is slower. In general, when the world's second-largest economy signals lower support for renewables, it can slow international investment flows and technology diffusion needed for SDG 7. In sum, U.S. retreat from global clean energy initiatives undermines the assumption (embodied in Paris and the SDGs) that rich countries will help make clean energy affordable in developing countries.

Disproportionate Burdens on Developing Nations

These shifts in U.S. climate policy disproportionately burden nations in Africa, the Caribbean, and elsewhere that are among the least responsible for climate change. Many African countries, for example, have contributed only a tiny fraction of global emissions but already face rapidly rising temperatures. A recent WMO report notes that "Africa is responsible for less than 10 percent of global greenhouse gas emissions" yet it is the continent "which is the least able to cope with the negative impacts of climate change" (World Meteorological Organization, 2023). In concrete terms, parts of sub-Saharan Africa are witnessing more severe droughts, floods, and heatwaves; these events destroy crops, harm food security, and disrupt economies. Governments in such countries often have limited fiscal space and infrastructure to respond. When promised external climate finance and technological support are pulled back, African and Small Island Developing States suffer most. Legally, this outcome runs counter to the equity principles of international climate law (the UNFCCC's Article 3 requires consideration of special circumstances and disproportionate or abnormal burdens on vulnerable developing Parties). In other words, the United States' policy reversal means that countries that bear little blame for warming must shoulder more of its consequences. The result is not only economic damage Africans already lose an estimated 2--5% of GDP to climate disasters each year but also threatened human rights of the poorest: rights to life, food, health and development are imperilled when high emitters backtrack on their commitments. For Small Island states (SIDS) in the Pacific and Caribbean, similar dynamics play out with rising sea levels and storms destroying infrastructure and homes even as they have contributed minimally to global emissions.

Environmental Justice -- International and Domestic

Viewed through an environmental justice lens, these international impacts raise stark equity issues. A core tenet of environmental justice is that no group whether a people, country, or demographic class should bear a disproportionate share of environmental harm from others' actions. Globally, the U.S. policy reversal means that vulnerable populations in the Global South pay a high price for decisions made far away. This is particularly troubling because both the 2030 Agenda for the SDGs and the Paris Agreement explicitly call

for fairness and justice. Indeed, the preamble to Paris acknowledges the concept of "climate justice" and stresses the importance of "vulnerable [communities]" in shaping climate policy (Paris Agreement, 2015). By contrast, on the domestic front, environmental justice concerns arise for U.S. communities of colour and low-income groups. In the United States, socially disadvantaged communities are already found in locations with heavier pollution and fewer resources to adapt to climate hazards. The U.S. Environmental Protection Agency notes that "certain groups are more vulnerable...due to social and economic factors like income [and] education," and explicitly identifies communities of colour and low-income Americans as socially vulnerable to climate impacts (US Environmental Protection Agency, 2025). In practice, a failure to cut emissions and invest in clean energy can worsen this unequal burden: fossil-fuel infrastructure and air pollution increasingly concentrate near poor and minority neighbourhoods, leading to higher rates of asthma and other illnesses. Conversely, equitable climate action (stronger pollution controls, clean-energy investments, and disaster resilience measures) would promote justice by delivering cleaner air, jobs, and protections to these same communities. In short, U.S. climate retrenchment not only conflicts with the duty of international climate justice but also risks deepening domestic inequities in health and environmental quality.

Transnational Legal Responsibility

Under the prevailing transnational climate framework, the United States remains bound by several layers of obligation despite its unilateral withdrawal moves. The UNFCCC (1992) and its Paris Agreement (2015) together embody commitments that all Parties have assumed. For example, Paris' Article 2 declares the objective of "holding the increase in the global average temperature... well below 2°C" and it explicitly seeks to make finance flows consistent with low-emission development. Paris also reaffirms the Convention's principle of "common but differentiated responsibilities and respective capabilities", requiring that developed Parties (like the U.S.) continue to lead in reducing emissions and providing support (finance, technology, capacity) to developing Parties. In this sense, even after withdrawal from the Agreement, the United States' decision will remain a breach of its duty to be a cooperative participant in climate regimes.

Moreover, Paris (Article 13) and UNFCCC frameworks require transparency and reporting from all Parties, meaning the U.S. must still report emissions and policies. While enforcement under these instruments is largely non-punitive, Paris does establish a global stocktake and a facilitative compliance mechanism to review whether states are meeting their self-set targets. In addition, recent COP decisions have developed a Global Goal on Adaptation and a Loss and Damage Fund precisely to address the needs of the most affected states. These evolving legal instruments though not judicially binding in a punitive sense reflect the international community's recognition that equity and support for vulnerable countries are core to legitimate climate governance. In sum, transnational law continues to treat the United States as part of a polycentric climate regime with shared goals. The U.S. is legally expected to compensate, through finance or action, for the consequences of its emissions and policy choices. Its abrupt policy reversals thus place it in breach of the cooperative spirit of the Paris framework and pose challenges for the entire global effort to achieve the SDGs.

PART FOUR

Conclusion and Recommendations

This essay has examined how shifts in US climate policy from initial leadership under the Paris Agreement to subsequent withdrawals have triggered significant consequences for the global pursuit of the Sustainable Development Goals (SDGs), particularly for vulnerable populations. By exiting and later rejoining the Paris Agreement, the United States positioned itself as an unpredictable actor in global climate governance. Analysts have observed that during the Trump administration, the US effectively joined nations like Iran, Libya, and Yemen in distancing itself from the Paris regime, a move that sent a troubling message about its

credibility as a partner in multilateral efforts (Gibson, 2025). These fluctuations have undermined trust in the US and weakened confidence in its climate commitments. Even after returning to the Agreement, the US faces the challenge of restoring its reputation and fulfilling overdue responsibilities.

The stakes are especially high for environmental justice. Those who have contributed the least to climate change small island developing states, the least developed countries, and marginalised communities in the United States continue to face the most severe consequences. These communities bear a disproportionate burden (Carrillo Bañuelos & Tigre, 2025), despite playing a minimal role in historical greenhouse gas emissions.

Key Legal Recommendations

1. Clarify and elevate international legal duties through the ICJ and treaties

The UN General Assembly's recent request for an advisory opinion from the International Court of Justice (ICJ) represents a key opportunity to define binding legal obligations on climate action (Carrillo Bañuelos & Tigre, 2025). The forthcoming opinion is expected to interpret states' duties to protect the environment for both current and future generations. This clarification could establish legal duties such as the obligation to prevent environmental harm or the duty of due diligence. Beyond moral influence, the General Assembly may issue a resolution endorsing the opinion's findings or propose amendments to climate treaties that give the opinion binding effect. States could also voluntarily submit to ICJ jurisdiction or agree to binding arbitration in disputes involving climate impacts (Reis & Tyagi, 2023).

2. Enhance the enforcement mechanisms under the Paris Agreement

At present, the Paris Agreement does not impose strong legal sanctions. Article 24 of the Paris Agreement adopts the dispute mechanism from the UNFCCC, which allows states to resolve disagreements through negotiation, with only limited use of binding processes (Reis & Tyagi, 2023). To improve compliance, the Paris Conference of Parties could consider establishing a formal compliance mechanism similar to the one created under the Kyoto Protocol. Such a mechanism would monitor states' progress and permit the imposition of reputational or material consequences for non-compliance (Zhang et al., 2024). Additional reforms could include mandatory external evaluations of emissions data or the public identification of states that fall short of their targets.

3. Regulate corporate climate responsibility under international law

Given the significant environmental footprint of multinational corporations, legal reforms must target not only governments but also private actors. Bilateral and multilateral investment agreements could be revised to incorporate environmental clauses that mandate emission disclosures or carve out climate-related claims for arbitration. Domestic courts may recognise corporate emissions as violations of treaty-based environmental standards, especially where such emissions contribute to transboundary harm. In the United States, legislation could impose a duty of care on companies with global supply chains, requiring them to mitigate their contribution to climate degradation.

4. Embrace transnational legal pluralism to bridge enforcement gaps

Modern climate governance is fragmented across multiple legal frameworks. Transnational legal theory acknowledges this polycentric reality, encouraging the integration of informal instruments with formal treaty obligations (United Nations General Assembly, 2022). For example, voluntary guidelines such as those regulating shipping emissions or corporate disclosures may gain legal significance if referenced in judicial decisions or incorporated into national legislation. This layered approach broadens the enforcement toolkit,

allowing multiple actors to address climate obligations simultaneously. Legal pluralism thus becomes a strength, supporting a more adaptive and inclusive climate regime.

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