

# THE DESIGN OF CLIMATE INSTITUTIONS: CONTRIBUTIONS FOR THE ANALYSIS<sup>1</sup>

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## Introduction:

The problem of designing government institutions in charge of the climate agenda is a constant issue in debates and forums about climate politics in Latin America. This reflects the concerns of governmental officers, activists and scientists working on climate issues, when they face institutional reform processes and have to make decisions or assume positions regarding the most suitable institutional designs to deal with such a complex issue as climate change.

The purpose of this article is to contribute to the analysis and debate about climate institutional designs within the Latin American context. To that end, it identifies four key political challenges facing the institutions in charge of national climate change policies in the countries of the region. Firstly, the cross cutting nature of the climate agenda; secondly, the long term perspective (and levels of uncertainty) posed by climate change against the more reduced temporal frameworks of political cycles; thirdly, the asymmetry of power between the government areas in charge of climate issues and other areas of the government and, and last, the deficits of implementation of climate policies. Clearly, these challenges are not the only challenges climate institution are confronting in the region; we could make a long list of key factors affecting climate institutions, which may vary according to the level of development of each country, its political-institutional characteristics (the level of power centralization, the state capacity, etc.). Notwithstanding the importance of these factors and other ones, we consider that the four previously identified categories represent some of the key political challenges facing climate institutions in Latin America.

Likewise, the article analyses different types of institutional design answers to these challenges, and the limitations of these answers. In this regard, it is necessary to stress the existing gaps in the climate policy literature in Latin America regarding these issues. In general, studies that address climate institutions tend to concentrate in the description of the institutional frameworks. With few exceptions, there is a notorious lack of analysis and

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1. This article, with some modifications, was one of the background documents for the II Regional Symposium on Climate Change and Decision Making (August 19 – 20, 2015, Montevideo – Uruguay), organized by Regional Center on Climate Change and Decision Making. Thanks to Romain Svartzman for his excellent work as research assistant in the development of this document.

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evaluations on the functioning of state agencies in charge of the climate agenda<sup>1</sup> as well as on the relations existing between social and political contextual factors and the impact of the climate institutions. In this context, this analysis about strengths and weaknesses of different designs of climate institutions has a clear exploratory goal.

Before continuing our analysis, it is necessary to make a couple of conceptual clarifications. Firstly, the article is focussed on the design of government institutions in charge of the climate agenda. It does not refer to the design of specific public policy instruments. It is possible to argue that different types of public policy (whether they are mitigation or adaptation policies; whether they are market instruments, command and control or information mechanisms) may generate specific and different organizational demands (Meadowcroft, 2009). However, we argue that the political challenges identified in this article are the critical issues faced by the climate institutions in general, regardless the type of policy instruments involved.

Secondly, the article is focused in the design of institutions at national level; it does not address the design of neither international institutions nor local government level institutions. However, it is important to mention that the challenges faced by national climate institutions are also faced -with other characteristics-, by sub national and local institutions. Accordingly, there are interesting mutual learning possibilities between different types of institutional design experimented at the national and sub national levels to approach these common challenges.

The article is organised as follows. Firstly, it presents some brief general comments about the relevance of institutional design and the impact of institutions; then, it analyses four of the main challenges faced by climate institutions in Latin America and the possible institutional design answers in order to face these challenges. Finally, the article ends with some considerations and suggestions for a research agenda on these issues within the Latin American context.

## Relevance of Climate Institutions Design

Why is it important to wonder about the design of climate institutions? There is vast literature analysing the problems of institutions and how they affect political processes (for a revision of institutionalist approaches, see the classic article from Hall and Taylor, 1996). It is not the purpose of this article to review such literature, but we would like to shortly highlight some key aspects which might be useful for our analyses on the problems of institutional design in the climate policy field.

Firstly, institutionalist analyses emphasize that institutions provide the context (the "rules of the game") in which political actors interact to pursue their goals and interests; certain approaches argue that institutions can also shape the goals and interests of actors (Thelen and Steimo, 1992). Therefore, different institutional designs may generate different incentives affecting the goals, interests and behaviour of the actors involved in the climate agenda.

Secondly, the institutions affect the relative power of the different actors in a political process, affecting their level of access and leverage capacity (Hall and Taylor,

1996). Therefore, different institutional designs might strengthen and/or weaken different actors involved in the policy making, implementation or monitoring process of the climate agenda.

However, it is important to clarify that the impact of the institutions over public policy and the behaviour of political actors is not linear. Institutions do not work in a “vacuum”. Their impacts depend on and may vary according to factors within the political, social and ideological/cultural context. Consequently, the impact of the institutions may be considered as “configurational”, using the terminology of Ragin (2000). In this way, a same institution may have different consequences or impacts in different political contexts, according to the combination (configuration) of factors existing in each case.

After these brief general comments about institutions, the following section addresses some of the main political challenges faced by climate institutions in our region and which have been or may be the possible institutional design answers to address these challenges.

## **Main challenges for climate institutions in Latin America**

As mentioned in the introduction, we have identified four key political challenges faced by climate institutions (and generally, by environmental institutions) in the countries of the region.

### **i) Cross cutting issue**

From a public policy perspective, one key characteristic of the climate change issue is its cross cutting nature (Mimura et al, 2014; Somanathan et al, 2014). Addressing the challenges of climate change implies the involvement and articulation among different areas of the government (what it might be called horizontal coordination) and among the different levels of governments over a same territory (vertical coordination) The cross cutting characteristic of climate change issues requires to integrate and articulate the climate agendas and policies with the sectorial policies and macroeconomics policies. Otherwise, the potential impacts that mitigation and adaptation policies might be quite limited in scenarios in which the development policies of a country go in a contrary way.

There are different types of institutional designs aiming to address the cross cutting challenge posed by climate issues. Probably, the most standardized institutional answer in the region has been the creation of inter-ministerial coordination units or commissions, in many cases located or coordinated by at the environmental ministries or secretariats. (EuropeAid, 2009; Aguilar and Recio, 2013). As an example, it can be mentioned the Inter-ministerial Committee on Climate Change in Brazil and the National Commission on Climate Change in Paraguay, among other cases. Other common type of institutional answer in the region to address the need to integrate the climate agenda in the sectorial policies has been the creation of units or offices of climate change in different ministries (for example, units on climate change in the agricultural ministries in Argentina, Chile, and other countries in the region).

From an institutional design perspective, these organizational forms represent a recognition and attempt to address the cross cutting nature of climate change, however, they have their limitations. For example, the typology of the inter-ministerial commission does not address the problem of power asymmetry between the climate governmental agencies and other ministries and secretariats, even if these commissions make possible a formally equal participation of the different government areas in these coordination spaces. Likewise, one of the limitations of the climate change units or offices created inside the ministries in charge of sectorial policies (agriculture, infrastructure, etc.) is the reduced political leverage of these offices to affect central lines of work of such ministries.

A third type of institutional design answer which is being experienced in some countries, has been to place the climate agenda as part of the competences of planning agencies or departments as a way to strengthen the mainstreaming of climate change in the agendas of other areas of government. The 2014 IPPC report specifically mentions the case of China as an example of this institutional strategy (Somanathan et al, 2014).<sup>ii</sup> In the region, we can mention the Climate Change National System of Colombia under the direction and coordination of the National Planning Department – DPN for its Spanish acronym– (Sarmiento, Ramos and Wightman, 2012).<sup>iii</sup> This system was created in 2011 by CONPES decision 3700; however, it has not been fully institutionalized yet (Jaramillo, 2014). Time will have to go by in order to evaluate the effectiveness of this institutional design in promoting the mainstreaming of climate objectives in Colombian development policies.

## **ii) Long Term (and uncertainty)**

From a public policy perspective, one of the challenges posed by climate change issues is that climate temporal frameworks hardly fit with the time frames of politics. The processes of climate change and their impacts develop in temporal frames which are much longer than the electoral cycles ruling the political life in democratic societies. (Meadowcroft, 2009, Le Clercq, 2011). This generates huge challenges for the adoption, and mainly, for the implementation of climate policies. The problem may be framed as follows: Why are political leaders in office, whose temporal frameworks are generally 4 or 8 years, going to promote policy measures with long term benefits, when the implementation of such measures may generate concrete economic and/or political costs today? Furthermore, to this question it should be added the uncertainty about the extent of the possible consequences of climate change and of the impacts of the mitigation and adaptation policies adopted (Le Clercq, 2011).

From an institutional design perspective, a possible answer to this challenge is to strengthen agencies within the State apparatus, with strong professionalized bureaucracies and programmatic mandates, and relatively autonomous from the political power, which allow for sustaining policies and projects beyond the electoral cycles. The risk of this type of institutional design is that these agencies, with strong technical background, might have little political leverage to impulse the climate agenda on their own, or they

might finish being co-opted by the government in power, prioritizing short term agendas over medium or long term strategies.

As an example of this type of institutional design we can mention the General Direction of Irrigation of Mendoza province (Argentina).<sup>iv</sup> This organism is in charge of managing the provincial water resources, a key issue in the climate adaptation agenda, especially for a province like Mendoza with serious problems of water shortage. The Irrigation Direction is a self-governed agency, independent from the provincial executive power; its authorities are proposed by the governor but elected by a qualified majority of the provincial legislature, which generates incentives to propose candidates, with professional prestige, acceptable for the different political coalitions with legislative representation. In this regard, it is important to mention that the province of Mendoza is characterized by a highly competitive political system, with a great alternation of the political parties in charge of the government, and in which the ruling coalitions seldom have their own majorities in the legislature. This shows a political context in favour of the functioning of this type of institutional design which emphasizes the features of autonomy and technical strength.

### iii) Power Asymmetry in front of other areas of government

This is a critical challenge faced by climate institutions, and in general, by environmental institutions in the countries of the region. Regardless of the scope of the legal competences of climate institutions and their institutional hierarchy, there is an extended perception among those working in climate change issues that the governmental areas in charge of climate policies tend to have less capacity to influence and shape the political agenda of government in comparison with other ministries or secretariats in charge of macro-economic or sectorial policies (industries, agriculture, energy, land planning, etc.). Unfortunately, we do not know about studies in the region evaluating in a systematic way the relevance or political leverage of the climate governmental agencies or departments in relation with other areas of the government; however, this is an issue repeatedly appearing in debates and discussions Among climate activists or public officials working in climate change governmental agencies.<sup>v</sup>

From the institutional design, we can at least identify two types of answers to address the asymmetry of power of the governmental areas in charge of climate issues. One type of answer has been to place the climate area or key topics of the climate agenda under the direct competence of the Presidency in order to give higher political relevance to those issues. The Action Plan for Prevention and Control of Amazonia ((PPCDAm, for its Portuguese acronym), coordinated by the Civil House of the Presidency of Brazil, is a good example of this institutional design. The Civil House is an organism directly depending on the Presidency of the Republic, and has as function to assist the President, especially in the coordination of government policies and actions. PPCDAm, created in 2003, comprises measures and actions from more than 10 ministries and agencies of the Brazilian government. One of the highlighted aspects of the program has precisely been the role of the Civil House of the Presidency in the coordination of the program, which

has contributed to the political and institutional strengthening of the initiative (Cardoso et al, 2012). This type of institutional design has also been much used at the local government level. Just as an example, one can mention the Inter-institutional Commission of Climate Change of the Federal District in Mexico --CICCDE, for its Spanish acronym-, which is composed by more than thirty different agencies of the city government; the Commission is in charge of the formulation and evaluation of the local climate policy, and it is under the leadership of the city mayor (Rueda Abad, 2011).

Obviously, the risk facing this type of institutional design is that it strongly depends on the commitment and willingness of the political leader in charge of government. In many cases, it has occurred that this type of designs are initiated in contexts in which the political leadership in charge of government was committed to the climate agenda but when the government changes, this commitment or political willingness is not kept along the new administration, so these climate institutional spaces lose political relevance.

Other type of institutional design answer to the problem of power asymmetry has been to place the climate area or relevant climate policy issues in key ministries, with strong own political leverage (ministry of energy, finance, etc.). As an example of this institutional design, it can be pointed out the case of the National Energy Policy 2005-2030 of Uruguay, which has promoted a great development of the renewable energies and diversification of the energy mix of the electrical sector of such country. The formulation and execution of this policy has been mainly in charge of the National Direction of Energy.

However, as any institutional design, this strategy of placing the climate area or climate policy issues in politically strong ministries bears problems. For some analysts, the risk of this institutional design is that the climate objectives might be coopted by the central agenda or the traditional sectorial interests of the ministry involved (Meadowcroft 2009). In relation to this argument, the Uruguayan experience is an interesting case to closely analyze. The advances regarding energy efficiency and development of alternative energy sources in Uruguay was mainly motivated by energy security objectives and not by climate policy reasons. This raises the question about the feasibility of this institutional model in political sceneries where the possibilities of "win-win" agendas or of co-benefits are more limited that the ones appearing in the case of Uruguay.

#### **iv) Deficit in the implementation of policies**

The strong deficit in the implementation of climate policies, and environmental policies in general, is a critical problem faced by the region. The report made in 2012 by the Latin American Platform on Climate assessing the state of climate policies in the agricultural and forest sector of 10 countries in the region, outlines that the deficit in the implementation of the climate policies and programs was a problem affecting all countries involved by the study in a greater or lesser extent. (Ryan 2012).

From an institutional design perspective, a possible answer to the problem of weak or lack of policy implementation is to generate climate policy accountability mechanisms or agencies. This type of institutions, with powers to conduct policy reviews and issue reports, can increase the reputational costs of a government for the lack of advance in

the implementation of an already approved policy. An interesting example of this kind of institutional design is the Climate Change Committee of United Kingdom, expressly mentioned by the 2014 IPCC report (Somanathan et al, 2104). This organism is composed by a committee of experts, independent of the government, which basically analyses the implementation of sectorial and department plans and assess the fulfillment of the emissions goals. The committee annually reports its analysis and evaluations to the parliament and the government is formally required to answer its report.

Obviously, this type of organisms does not address the most structural factors which might be in the root of the problem of climate policies implementation (lack of State capacity, opposition of key economic – social sectors, etc.). However, it is an institutional design answer which aims to increase the costs of the political actors due to their lack of fulfillment of the policy commitments assumed.

## Final Comments

Based on the analyses of these political challenges faced by climate institutions in the countries of our region, we would like to outline the following three aspects: In first place, a specific institutional design might be very efficient to address some of the challenges identified, but not others. The design of a governmental agency or mechanism generally involves certain level of trade-off between different desirable objectives, for example, between increasing the political leverage of an issue or area placing it directly under the head of government (Presidency, Chief of Government, etc.) or strengthening the autonomy of an agency against political changes and electoral cycles. This characteristic of the institutional design suggests the convenience of conceiving climate institutional reform in terms of a process of reform involving a group of institutions; it is difficult to address the problems or challenges affecting climate governance as from the design of an institution in an isolated way. This comment clearly relates to the argument developed by the literature of polycentric government (Ostrom, 2009), which highlights the convenience of addressing climate change issues through institutional designs which encompass many different organizational units and intervention levels.

In second place, our analysis suggests there is not a “correct” design for climate institutions. As it has been exemplified by the cases briefly analyzed in the text, the effects or impacts of the institutional designs mostly depend on contextual factors either political, economic, social and/or cultural. This generates two remarks. Firstly, regarding processes of reform of climate institutions, we should analyze the options and proposals for institutional design taking into account the conditions and characteristics of the political and social context in which they will be inserted. This is particularly relevant when assessing the possibility of «importing» institutional models from a context to another, since the same institutional design might have different impacts or consequences to the ones expected depending on the context. The same way, and in relation with the research agendas on climate policy in the region, it is clear the need of going beyond descriptive analyses of climate institutions, to develop analyses of the relations existing between factors of the political, social, economic context and the impact of climate institutions.



Finally, perhaps the most difficult challenge to address and solve by an institutional design approach is the deficit of political relevance of the climate change agenda vis-à-vis other issues of the national political agenda. In certain way, addressing this problem, leads to redirect the focus of analyses from institutional design towards how to build greater social demand and political coalitions in favor of the climate agenda. Achieving greater political and social support is a key element so that the problem of climate change takes a more central place in the public agenda and the structure of the State.

## Notes

- i For example, one of the exceptions are the half term and final term assessments of the 2008-2012 National Action Plan on Climate Change of Chile (PANCC, for its Spanish acronym), which evaluated the management and actions carried out by the different ministers and agencies of the Chilean State to implement the commitments adopted in the context of the plan (Obreque, 2011, Universidad de Chile et al, 2015).
- ii The coordination of the national program on climate change is under supervision of the National Leading Group on Climate Change, which depends on the National Development and Reform Commission. This Commission has a central place in the structure of the Chinese State (Somanathan et al, 2014).
- iii DPN is a technical organism depending directly on the Presidency of the Republic and is in charge of the design and evaluation of Colombia's strategic public policies, the management and allocation of public investment and the realization of government plans, programs and projects.
- iv For more information regarding General Direction of Irrigation see <http://www.agua.gov.ar/dgi/>
- v However, it is important to mention there is a growing body of studies and reports in the region analyzing public budget allocations to agencies in charge of climate policies (see, for example, Alencastro, 2014; Di Paola, 2015; and other studies of ECLAC's climate change unit, as well as from the Climate Finance for Latin America and the Caribbean Group, <http://gflac.org/>). The level of the budget allocation is a clear indicator of the relevance and the priority that governments give to the climate issue within the framework of possibilities of existing resources. It could also be reasonably argued that the level of budget allocation is an indicator of the political strength of a governmental area or agency.

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Submitted on: 21/05/2016

Accepted on: 24/09/2016

<http://dx.doi.org/10.1590/1809-4422ASOCEX0005V1942016x>

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**Abstract:** This article explores the issue of designing government institutions in charge of the climate agenda in the Latin American context. To this end, it identifies some key political challenges facing climate institutions in the countries of the region. In particular, it discusses four topics: First, the cross cutting nature of the climate agenda; second, the long-term perspective (and levels of uncertainty) posed by climate problems against the tighter time frames of political cycles; third, the power asymmetry between the government agencies in charge of climate issues and other areas of government; finally, the implementation deficits of climate policies. The article also discusses different types of institutional design responses to address each of these challenges and the advantages and limitations of each one.

**Keywords:** Climate change; climate governance; climate politics and policy; institutional design; Latin America

**Resumen:** Este artículo explora la problemática del diseño de las instituciones de gobierno a cargo de la agenda climática en el contexto latinoamericano. A tal fin, se identifican algunos de desafíos políticos claves que enfrentan la institucionalidad climática en los países de la región. En particular se analizan cuatro temas: primero, la transversalidad de la agenda climática; en segundo lugar, la perspectiva de largo plazo (y los niveles de incertidumbre) que plantea la problemática climática frente a los marcos temporales más reducidos de los ciclos políticos; tercero, la asimetría de poder de las áreas a cargo de los temas climáticos frente a otras áreas de gobierno, y finalmente, los déficits de implementación. Asimismo, el artículo analiza distintos tipos de respuestas desde el diseño institucional para hacer frente a cada uno de estos desafíos y las ventajas y limitaciones de cada una de estas respuestas.

**Palabras claves:** Cambio climático, gobernanza climática, política climática, diseño institucional, América Latina

**Resumo:** Este artigo explora o problema de projetar instituições governamentais encarregado da agenda climática no contexto da América Latina. Para este fim, alguns desafios políticos fundamentais que enfrentam as instituições climáticas nos países da região são

identificados. Em particular quatro tópicos são discutidos: em primeiro lugar, a integração da agenda do clima; Em segundo lugar, a perspectiva de longo prazo (e níveis de incerteza) colocada por problemas climáticos enfrentados o mais rigoroso dos prazos ciclos políticos; terceiro, a assimetria de poder das áreas responsáveis pelas questões climáticas em comparação com outras áreas de governo; e finalmente, déficits de implementação. Além disso, o artigo aborda os diferentes tipos de respostas de desenho institucional para lidar com cada um desses desafios e as vantagens e limitações de cada uma dessas respostas.

**Palavras-chave:** Mudanças climáticas; governança climática; política climática; desenho institucional; América Latina.

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