Low carbon economy: What role for legislators?

Global trends, gaps and opportunities in climate change legislation

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Climate change laws of the world
CLIMATE LEGISLATION IN 177 COUNTRIES IN 2017
Climate laws and policies by focus area

ENERGY

- Climate change / low-carbon transitions
- Energy
- Mainstreamed into planning
- Forestry
- Various
Court action is increasingly used to hold governments accountable and to increase ambition.

- Court cases might address actions or inaction related to climate change mitigation and adaptation:
  - To challenge either validity or particular application of laws
  - Press for greater ambition
  - To fill the gaps left by legislative and regulatory inaction

- From our database, there were 20 cases in the legislation/policies category, all initiated after 2008, with a peak in 2015.
Sectoral focus of legislation does not match emissions profiles

**GHG emissions from various sectors**

- **Electricity and heat production**: 25%
- **Agriculture, forestry, and other land use**: 24%
- **Industry**: 21%
- **Transportation**: 14%
- **Buildings**: 6%
- **Other energy**: 10%

There are 741 legislative and executive acts addressing energy supply.

There are only 278 legislative and executive acts addressing emissions from agriculture, forestry, and land use change.
Adaptation is under-legislated

- Legislation addressing adaptation: 7%
- Executive orders addressing adaptation: 20%
- Legislation and executive orders addressing mitigation: 73%
Institutional Arrangements and Mandates

- Delegation of responsibilities and powers to regulate
- Designation of policy coordination responsibility
- Inter-agency coordination mechanism
- Independent advisory body
- Provisions for enforcement and monitoring
- Parliamentary oversight
A searchable database with over 1370 laws from 177 countries

http://www.lse.ac.uk/GranthamInstitute/climate-change-laws-of-the-world/
Search laws by various criteria

Search Climate Change Laws of the World

- Region: South Asia
- From year: 2013

Search
Interactive country map

Select a country from the dropdown, or click on the map.

India

- 11 laws
- 3,031.3 MtCO2e
- 6.1% of global emissions
Clicking on a country opens a window with key indicators and a link to a detailed country profile.
Kenya

Country Data

Region
Sub-Saharan Africa

Income Group (World Bank)
Lower middle income

Multi-hazard average annual loss from natural disasters (percent of GDP)
23.6%

GHG Emissions (MtCO₂e, including LULUCF), 2013
28.95629273

Rank as emitter
Below Top 50

Main groups

Paris Agreement ratification status
Ratified (28/12/2016)

Federative/Unitary
Unitary

Approach to Climate Change
Legislative Portfolio
Executive Portfolio
Litigation
Indicators
Legislative Process
Sources

Climate Change Act, 2016 (2016/Mitigation and Adaptation Framework)

This Act provides a framework for promoting climate resilient low carbon economic development. It aims to (Art 3-2): “mainstream climate change responses into development planning, decision making and implementation; build resilience and enhance adaptive capacity to the impacts of climate change, formulate programmes and plans to enhance the resilience and adaptive capacity of human and ecological...read more

Energy Act 2006, Parts of which is executed by the Energy Management Regulations 2012 (2007)

Encompassing several laws related to energy, the Act has a very broad scope, covering all forms of energy, from fossil fuels to renewables. The Act mandates the government to promote the development and use of renewable energy, including biodiesel, bioethanol, biomass, solar, wind, hydro-power, biogas, charcoal, fuel-wood, tidal, wave, municipal waste, among others. The Act...read more

Last modified 6 September, 2015
Kenya

The Policy aims to provide a framework for an integrated approach to sustainable management of Kenya’s environment and natural resources. In particular it proposes to strengthen: • Legal and institutional framework for good governance • Integrate environmental management with economic growth, poverty reduction and improving livelihoods • Research and capacity development • Promote new environment. ...read more

The National Climate Change Response Strategy outlines its objectives as to: • Enhance the understanding of the global climate change regime, negotiation process and develop priorities for Kenya • Assess the evidence and impacts of climate change in Kenya • Recommend adaptation and mitigation measures • Develop assessment and capacity building frameworks • Recommend. ...read more

Agriculture (Farm Forestry) Rules 2009 (2009)
...read more

National Policy for Disaster Management (2009/Adaptation Framework)
The policy recognizes that climate change contributes significantly to Kenya’s increasing vulnerability to disasters in the last two decades and affects seriously the lives and livelihoods of communities. The policy therefore aims to institutionalise mechanisms to address these disasters and associated vulnerabilities stressing the central role of climate change in any sustainable and integrated National. ...read more

Last modified 18 October, 2016
Climate Change Act, 2016

Legislative, Mitigation and Adaptation Framework © 2016

This Act provides a framework for promoting climate resilient low carbon economic development. It aims to (Art 3-2):

1. "mainstream climate change responses into development planning, decision making and implementation;
2. build resilience and enhance adaptive capacity to the impacts of climate change;
3. formulate programmes and plans to enhance the resilience and adaptive capacity of human and ecological systems to the impacts of climate change;
4. mainstream and reinforce climate change disaster risk reduction in strategies and actions of public and private entities;
5. mainstream intergenerational and gender equity in all aspects of climate change responses;
6. provide incentives and obligations for private sector contributions to achieving low carbon climate resilient development;
7. promote low carbon technologies to improve efficiency and reduce emissions intensity by facilitating approaches and uptake of technologies that support low carbon, and climate resilient development;
8. facilitate capacity development for public participation in climate change responses through awareness creation, consultation, representation and access to information;
9. mobilize and transparently manage public and other financial resources for climate change response;
10. provide mechanisms for, and facilitate climate change research and development, training and capacity building;
11. mainstream the principle of sustainable development into the planning for and decision making on climate change response; and
12. integrate climate change into the exercise of power and functions of all levels of governance, and to enhance cooperative climate change governance between national government and county governments”.

The Act establishes a National Climate Change Council, chaired by the President, with Deputy President as vice-chair, that provides an overarching national climate change coordination mechanism. It also establishes the Climate Change Directorate – Secretariat to the Council and the lead agency of the government on national climate change plans and actions.

The prerogatives of the National Climate Change Council include (Art 6):

1. ensure the mainstreaming of the climate change function by the national and county governments;
Litigation search

Search Climate Change Litigation of the World

From year ➔ To year ➔
Country ➔
Side A (plaintiff / claimant) type ➔
Side B (defendant) type ➔
Side C (intervenor) type ➔
Category ➔
Climate area covered ➔
Status ➔

Search

Or free text search
e.g. for citation / reference number

Search

Search the databases by selecting the legislation or the litigation search and applying your search criteria.

You can also click here to explore our interactive country map.

About

Climate change Laws of the World and Climate Change Litigation of the World build on several years of data collection by both the Grantham Research Institute and the Sabin Center, including the collaboration of Grantham Institute with GLOBE International on a series of Climate Legislation Studies.

Climate Change Laws of the World covers national-level climate change legislation and policies in 164 countries. They include the world’s 50 largest greenhouse gas emitters and 93 of the top 100 emitters. Together they account for nearly 95 per cent of global greenhouse gas emissions. The database covers climate change related legal bodies and areas including energy, finance and trade.

Climate Change Litigation cases raise issues of liability, mitigation and adaptation. The dataset documents climate change litigation in the US, please view the database. This will take you to http://climate.lse.ac.uk.

For details about methods and terminology, please visit http://climate.lse.ac.uk.

Use and reference

The authors encourage the use of the results electronically.

Please reference the source of the Climate Change Laws database when making use of the data.

http://climate.lse.ac.uk

The Climate Change Laws of the World and Climate Change Litigation of the World datasets are distributed under the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International (CC BY-NC-ND 4.0) license. No permission is required to use the data for non-commercial purposes. Attribution is only required to the dataset, not to the authors.

Side types: Individual, government, corporation, NGO

Category:
- Cases challenging legislation/policies
- Cases regarding information/disclosure cases
- Cases dealing with Protection/loss and damage
- Cases addressing administrative issues

Climate area: mitigation, adaptation, both

Status: open, closed, appealed
253 climate-related court cases in 25 jurisdictions

Netherlands

Total number of climate laws and policies: 9
Total number of climate litigation cases: 1

see full legislative portfolio
see full executive portfolio
see all litigation

Urgenda Foundation v. Kingdom of the Netherlands (District Court of the Hague, 2015)

Year opened: 2015
Status: Appeal pending
Jurisdiction: The Netherlands
Principle law(s): European Convention on Human Rights, UNFCCC
Mitigation/adaptation: Mitigation

Summary

A Dutch environmental group, the Urgenda Foundation, and 900 Dutch citizens sued the Dutch government to require it to do more to prevent global climate change. The court in the Hague ordered the Dutch state to limit GHG emissions to 25% below 1990 levels by 2020, finding the government’s existing pledge to reduce emissions 17% insufficient to meet the state’s fair contribution toward the UN goal of keeping global temperature increases within two degrees Celsius of pre-industrial conditions. The court concluded that the state has a duty to take climate change mitigation measures due to the “severity of the consequences of climate change and the great risk of climate change occurring.” In reaching this conclusion, the court cited (without directly applying) Article 21 of the Dutch Constitution; EU emissions reduction targets; principles under the European Convention on Human Rights; the “no harm” principle of international law; the doctrine of...
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<th>Countries not yet in the database:</th>
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<tr>
<td>Antigua and Barbuda</td>
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<td>Bahamas, The</td>
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<td>Bahrain</td>
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<td>Dominica</td>
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<td>Saint Vincent and the Grenadines</td>
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Thank you Grazie - 谢谢 - Merci – Спасибо - Gracias - شكرا - Terima kasih - Kiitos - Grazie - ต่อ สุขภาพ - Obrigada - ありがとう ございます - Danke - धन्यवाद - آپ کا شکریہ - Tak - You're very welcome:
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