

Climate Change Legislation in 2015

Presentation to UNEP/CPA Legislators Expert Meeting on Climate Change

London, 26 October 2015

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Overview

- Background
- Numbers and trends
- Contents and coverage
- Some politics
- Assessing credibility of INDCs – *work in progress*

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 - Study context
 - Defining climate change laws
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The Climate Legislation Studies - to facilitate learning, collaboration, and inspiration in climate policymaking

- Long-term collaboration between GLOBE and the Grantham Research Institute at LSE
 - Starting in 2010 with 16 countries
 - Building on the 2009 *Globe Legislative Principles*
- The 2015 study includes 98 countries + EU, laws up to 1 Jan 2015
 - Covering 93% of global greenhouse gas emissions and 90% of world forests
 - Inter-Parliamentary Union as a new partner



What is a climate change law?

- Broad definition in terms of legislative instruments
 - Both legislative acts passed by parliaments and executive instruments of similar status (e.g., presidential decrees, executive orders, some times even policies)
- Broad definition in terms of sector coverage
 - All sectors relevant to the climate debate, including carbon pricing, clean energy supply, energy efficiency, transport, deforestation, adaptation, clean R&D, institutional reform
- All entries are vetted by government officials and/or parliamentarians
- National level only (with limited acknowledgment of sub-national policies)

Some examples



UK *Climate Change Act* (2008)



S Africa *National Climate Change Response Policy* (2011)



Germany *Renewable Energy Sources Act* (rev. 2011)



Switzerland *CO₂ Act* (rev 2013)



Philippines *Disaster Reduction and Management Act* (2010)



China *12th Five Year Plan* (2011)



Mexico *General Law on Climate Change* (2012)



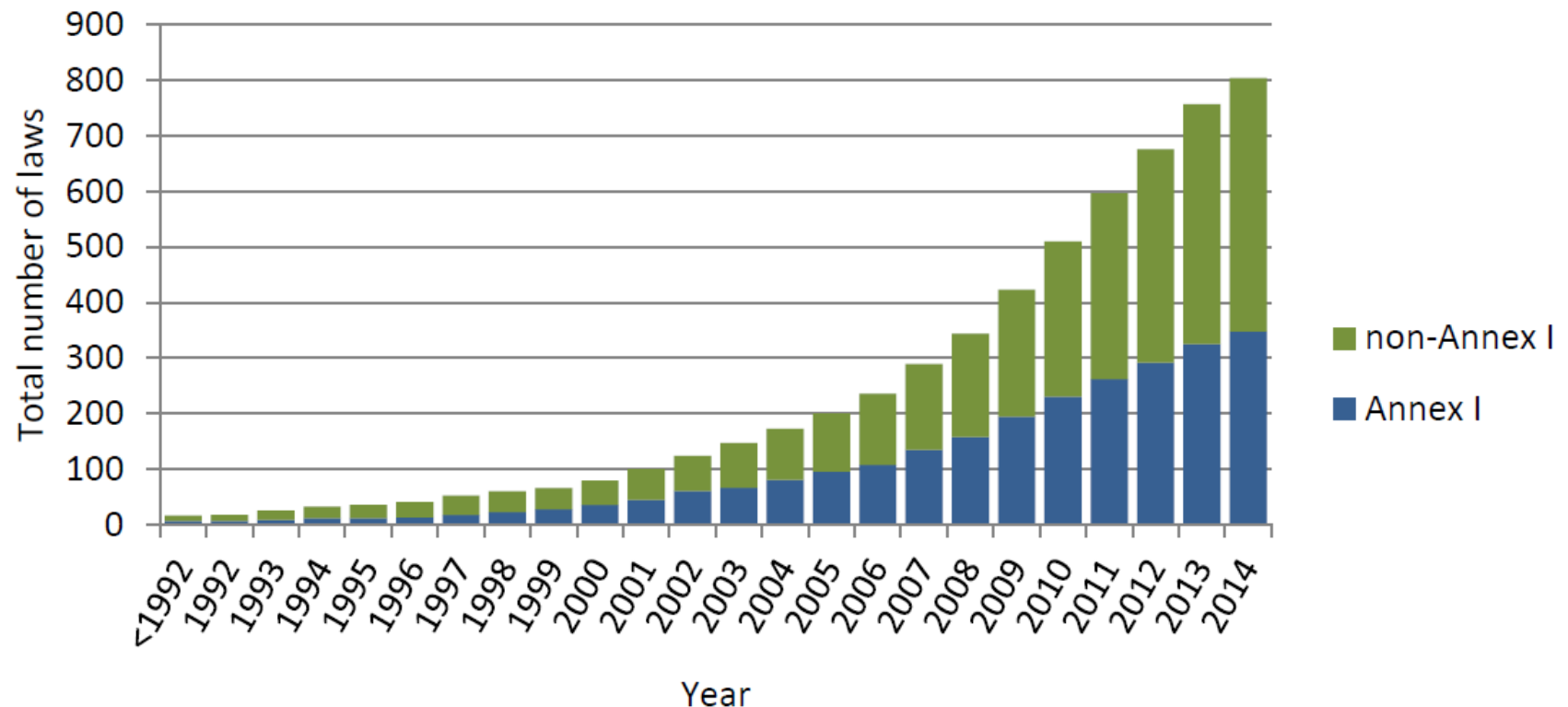
S Korea *Framework Act on Low Carbon Green Growth* (2009)

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 - Number of climate laws over time
 - Climate legislation in 2014
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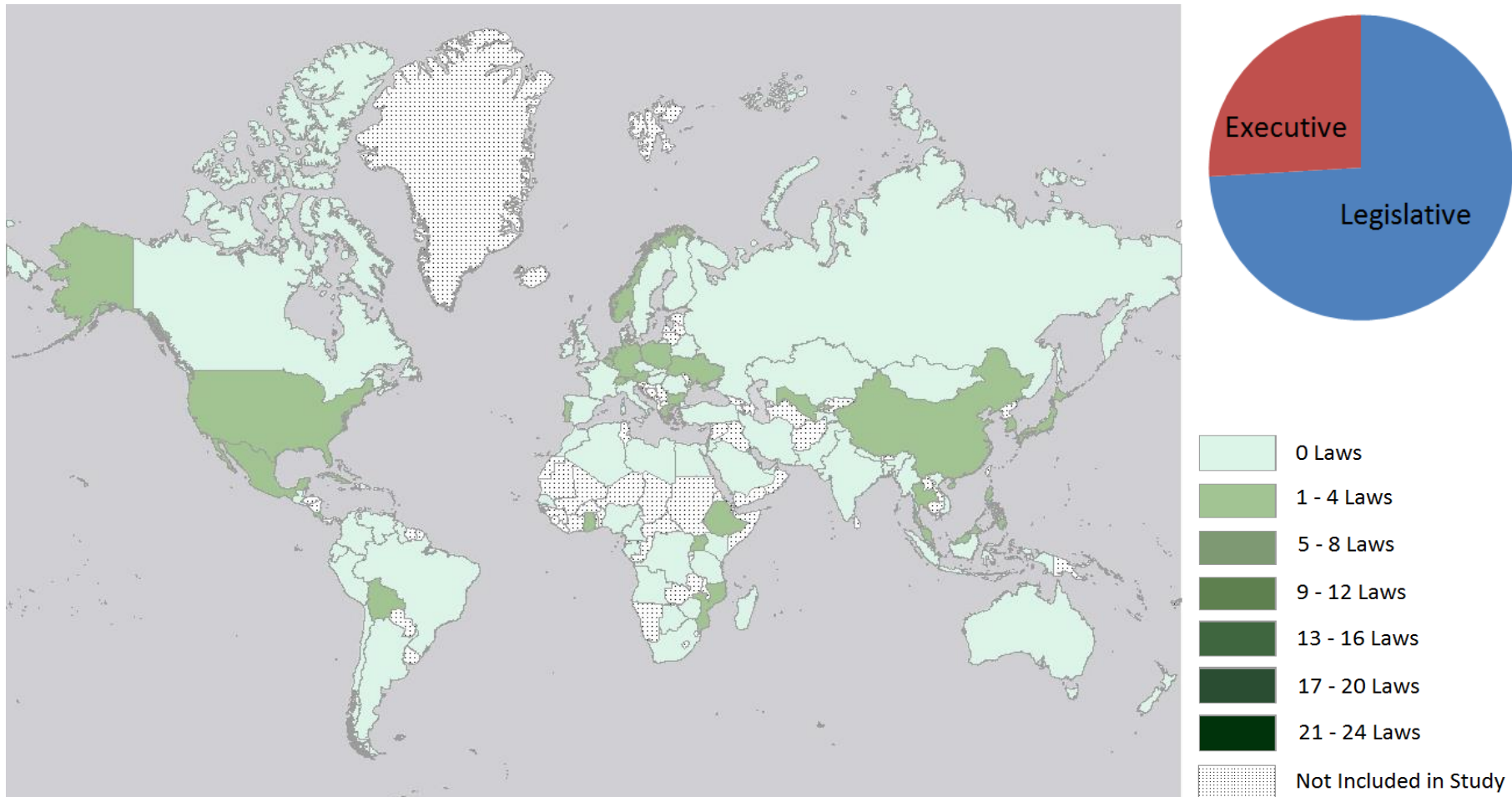
Number of climate laws doubles every 4-5 years

Ahead of Paris there are twice as many climate laws as before Copenhagen



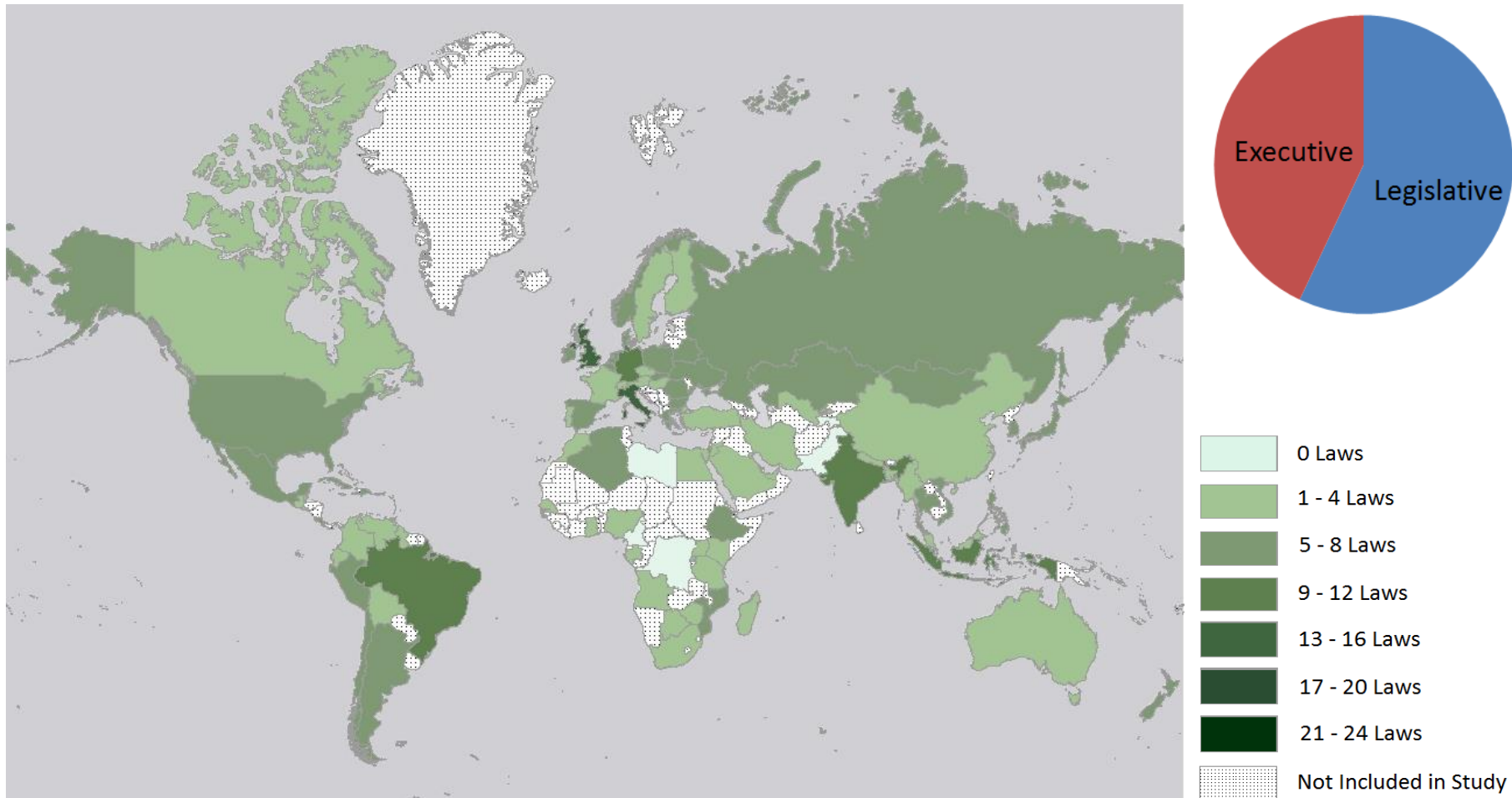
Sustained momentum in climate legislation

The number of climate or climate-related laws has gone up from around 50 in 1997 (the year of the Kyoto Protocol)...



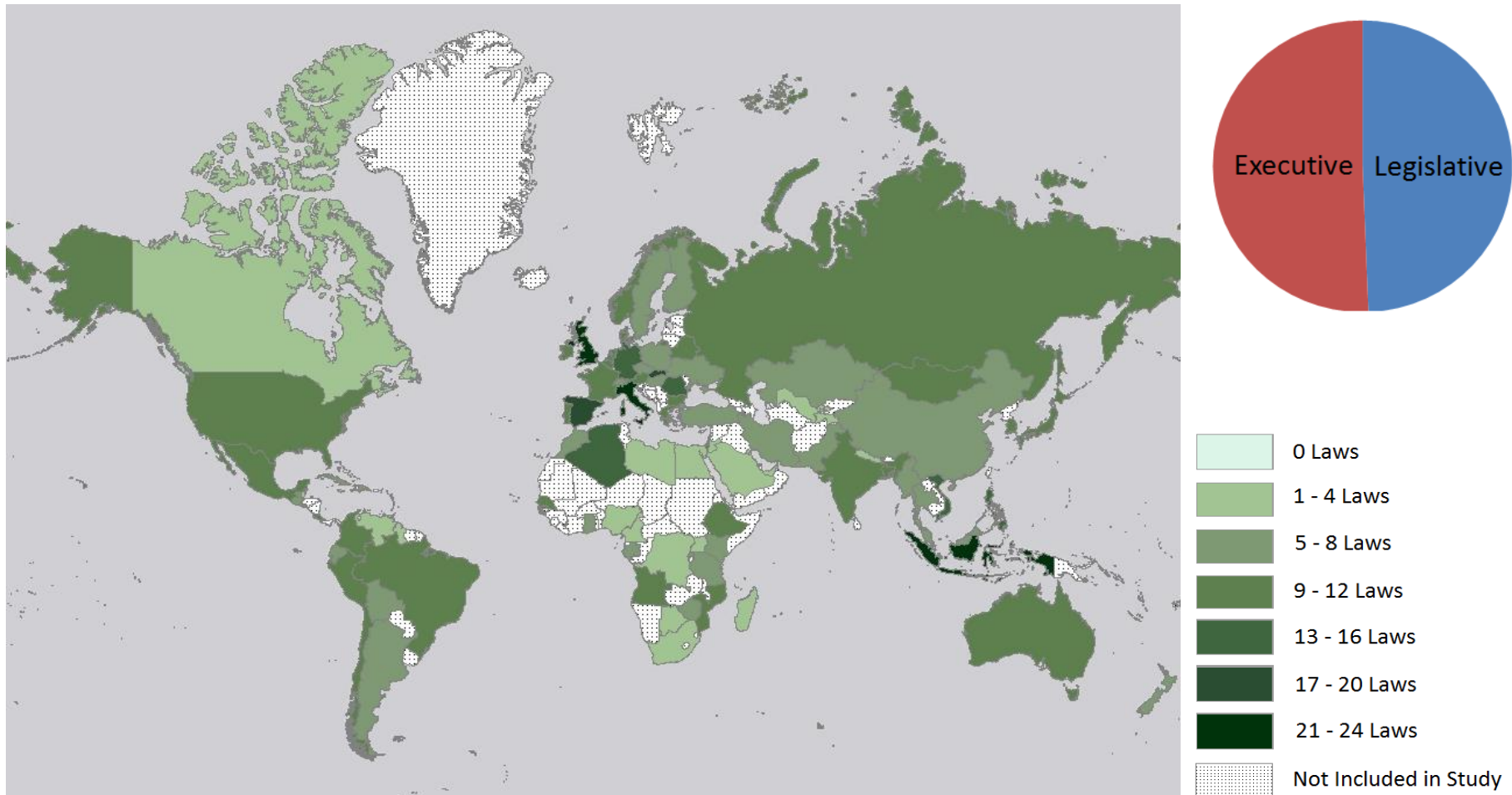
Sustained momentum in climate legislation

... to 400 climate or climate-related laws in 2009 (ahead of the Copenhagen Summit)...



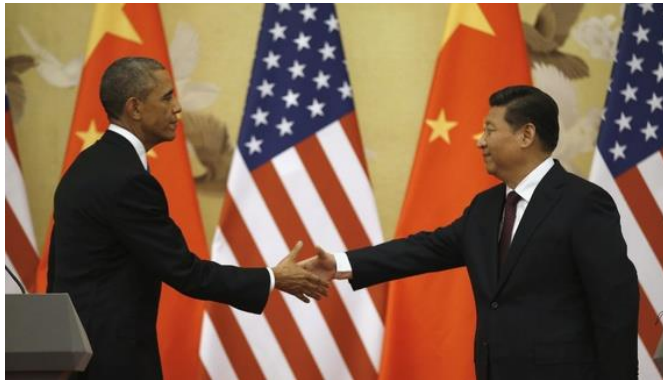
Sustained momentum in climate legislation

... to over 800 climate or climate-related laws at the end of 2014 (ahead of the Paris Summit in December 2015).



Slowdown in legislative activity in 2014

- 46 new laws and policies passed in 2014
 - compared with 82 in 2013
- 8 significant, multi-sectoral laws passed
- A slowing in legislation compensated by some political progress

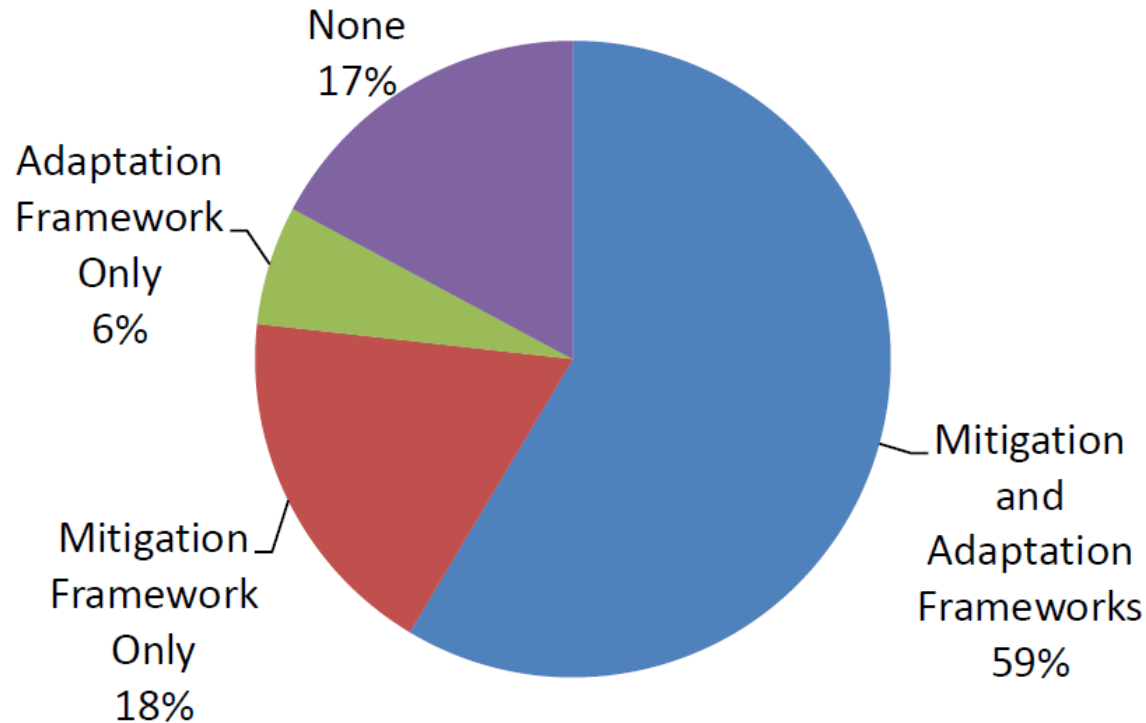


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 - Emissions targets
 - Policies and institutions
- Some politics
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A strategic approach to climate policy

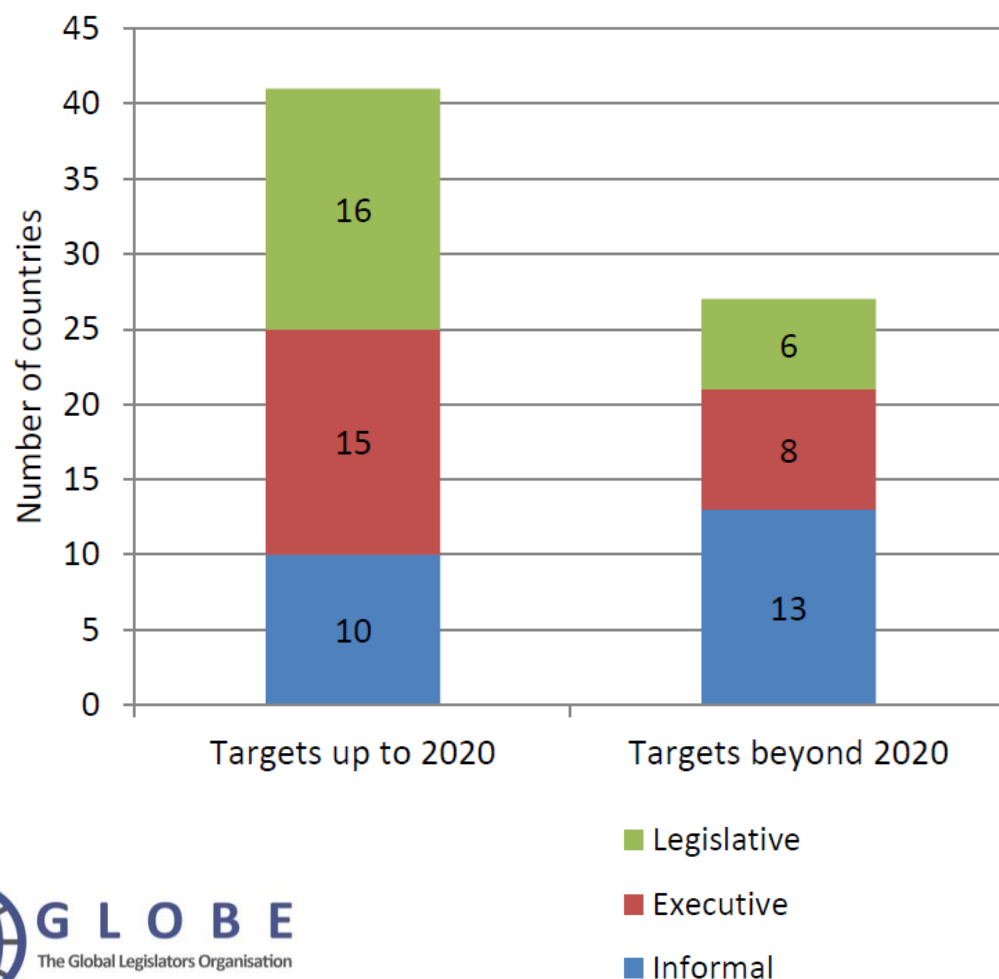
Three quarters of countries have framework legislation for mitigation



Definition: Laws or regulations with equivalent status, which serve as a comprehensive, unifying basis for climate change policy, addressing multiple aspects or areas of climate change mitigation or adaptation in an overarching manner.

Setting emissions objectives

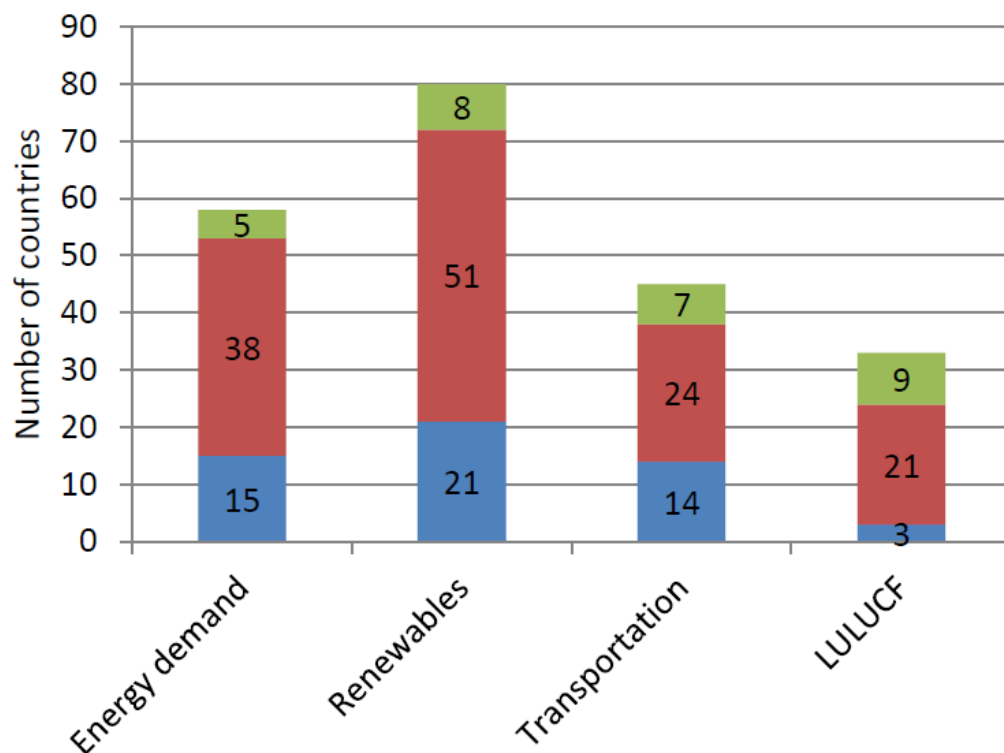
Over 75 per cent of global emissions are covered by economy-wide emission reduction targets (excluding commitments in INDCs)



- 41 countries (including EU) have targets up to and including 2020
- 27 countries (including EU) have targets going beyond 2020

Issue-specific targets complement emission objectives

Most issue-specific targets are contained in executive orders, rather than legislative acts



- 80 countries (including EU) have renewables targets
- 58 countries (including EU) have energy efficiency targets

A wide mix of policies

- 47 countries (including the 28 Member States of the European Union) have introduced carbon pricing through either a carbon tax or a cap-and-trade system
- Almost 90 countries have policies to promote low carbon technologies (including renewables)
- Over 80 countries have policies addressing adaptation and climate resilience

Information needs strengthening

- GHG emissions inventories
 - Many outdated, incomparable inventories
 - 59 countries (all non Annex I) have official data from 2009 or earlier
- Climate change risk assessments
 - Only 37 countries produced national risk assessments which go beyond that in the national communication to the UNFCCC

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 - International drivers of climate legislation
 - Domestic drivers of climate legislation
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International drivers of climate legislation

- **Policy diffusion** through learning and other spill-overs
 - Passage of climate legislation increases with the number of laws already adopted elsewhere
- **Binding obligations** under the Kyoto Protocol
 - Countries with obligations under Kyoto temporarily passed more climate laws (weak evidence).
- **Global leadership** associated with hosting a climate summit
 - Climate legislation increases after a country hosts a Conference of the Parties

Domestic drivers of climate legislation

- **Strategic legislation** like the UK Climate Change Act
 - There is more legislative activity following the passage of a flagship law, but total stock of laws reduces need for more legislation.
- **Political orientation** does not matter much
 - Left-wing and right-wing governments are equally likely to pass climate legislation (except perhaps in Anglo-Saxon countries)
- **Electoral cycle**, i.e. time until the next election
 - In democracies, fewer climate laws are passed immediately before a general election (i.e. climate is not a vote winner)
- **Economic context**, e.g. the effect of the recession
 - Economic crises do not reduce passage of climate laws, in fact left-wing governments are more likely to legislate (a green fiscal stimulus?)

Full study available online

Featuring 99 detailed country profiles, research papers and a searchable legislation data base which is regularly updated

The Global Climate Legislation Study



"The results of the 2015 Global Climate Legislation Study are encouraging... I invite legislators to take advantage of this new, powerful tool and to use it to help increase their contributions towards meeting the 2° Celsius goal."
Christiana Figueres (Executive Secretary, UNFCCC)

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Assessing credibility of INDCs – work in progress

Dr Alina Averchenkova and Samuela Bassi, Grantham Institute, LSE

Ambition

- ❑ 119 INDCs submitted, 147 Parties, 87% of global emissions (by October 1st)
- ❑ 80% quantified mitigation targets
- ❑ Over 80% adaptation
- ❑ 50% to BAU, 26% absolute targets



Credibility

- ❑ Enabling, enforcement nationally
- ❑ Driving ambition up in the future
- ❑ Complying with international MRV requirements

Feasibility

- ❑ Technology
- ❑ Finance & capacity for implementation

Methodology

- Identify the attributes that have been suggested to increase credibility of policy/pledges by past theoretical and empirical studies
- Assess what these attributes could consist of applied to climate mitigation
- Identify a simplified set of indicators that can be used as a proxy for the evaluation of the attributes of credibility at a country level
- On the scale from “weak” to “strong” assess the presence of the attribute at a country level
- Apply the framework to G20 countries to illustrate overall trends

Credibility of mitigation pledges: determinants

Elements	Determinants of credibility
1. Rules and procedures	Strong domestic legislative and policy basis
	Transparent, consistent and inclusive decision-making and implementation processes
2. Players and organisations	Dedicated & independent public bodies on climate change
	Supportive on balance private bodies
3. Norms	Strong international engagement
	Climate-aware public opinion
4. Past performance	Good past performance towards international mitigation targets

Indicators

Thank you
Comments are welcome

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