

# Climate Change Laws of the World

Webinar, 5<sup>th</sup> June 2017





**Grantham  
Research Institute  
on Climate Change  
and the Environment**



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**SABIN CENTER FOR CLIMATE CHANGE LAW**



**Inter-Parliamentary Union**

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**The Global Legislators Organisation**



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## Governance and legislation



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and the Environment

### Climate Change Laws of the World

Search for laws and litigation cases in our databases

## Research



### Do international factors influence the passage of climate change legislation?

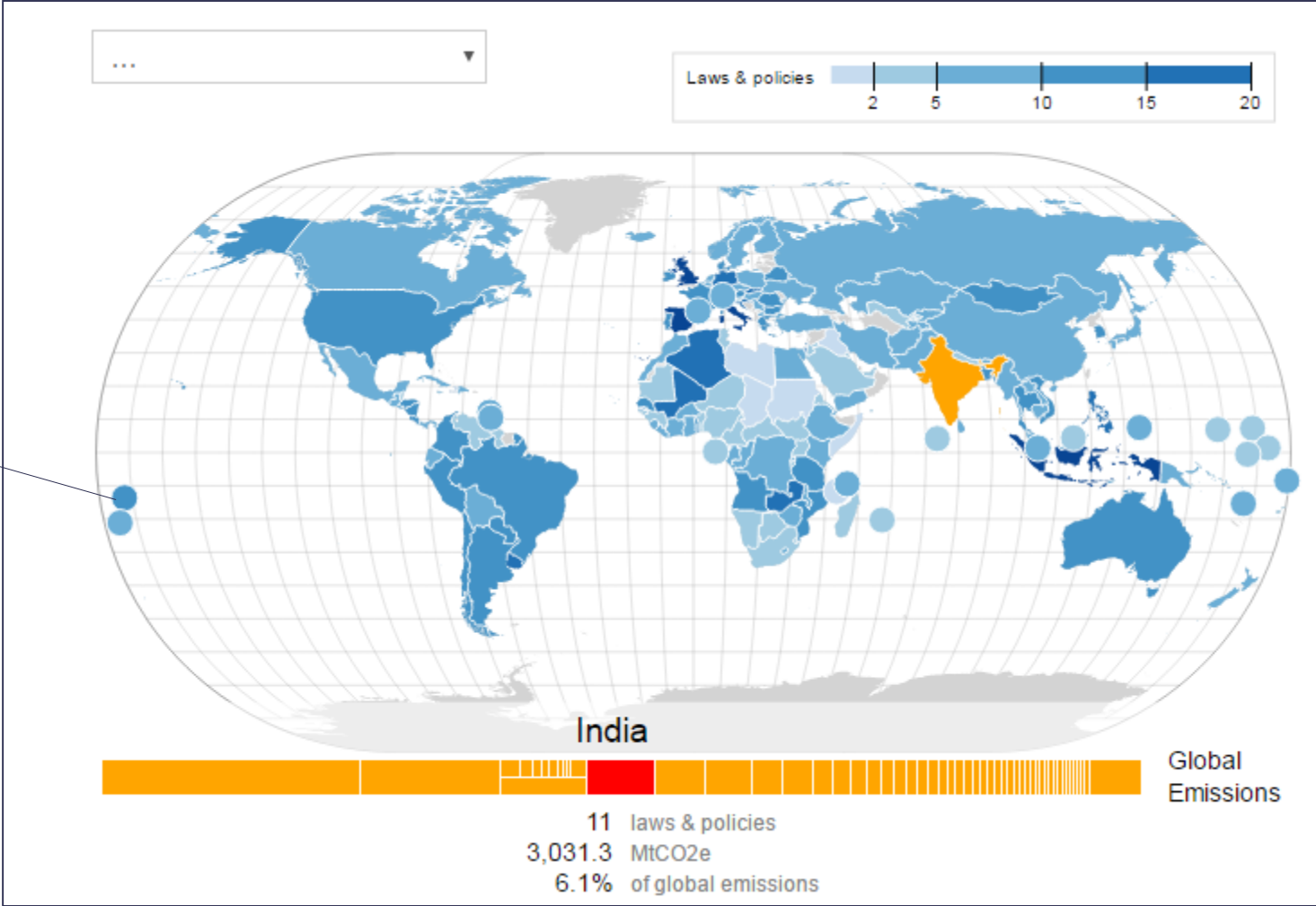
The number of climate change laws in major economies has grown from less than 40 in 1997 to almost 500 at the end of 2013. The passage of these laws is influenced by both domestic and international factors. This

## Programme keywords

carbon targets **economic competitiveness** GLOBE international policy legislation Paris Agreement **policy instruments** The

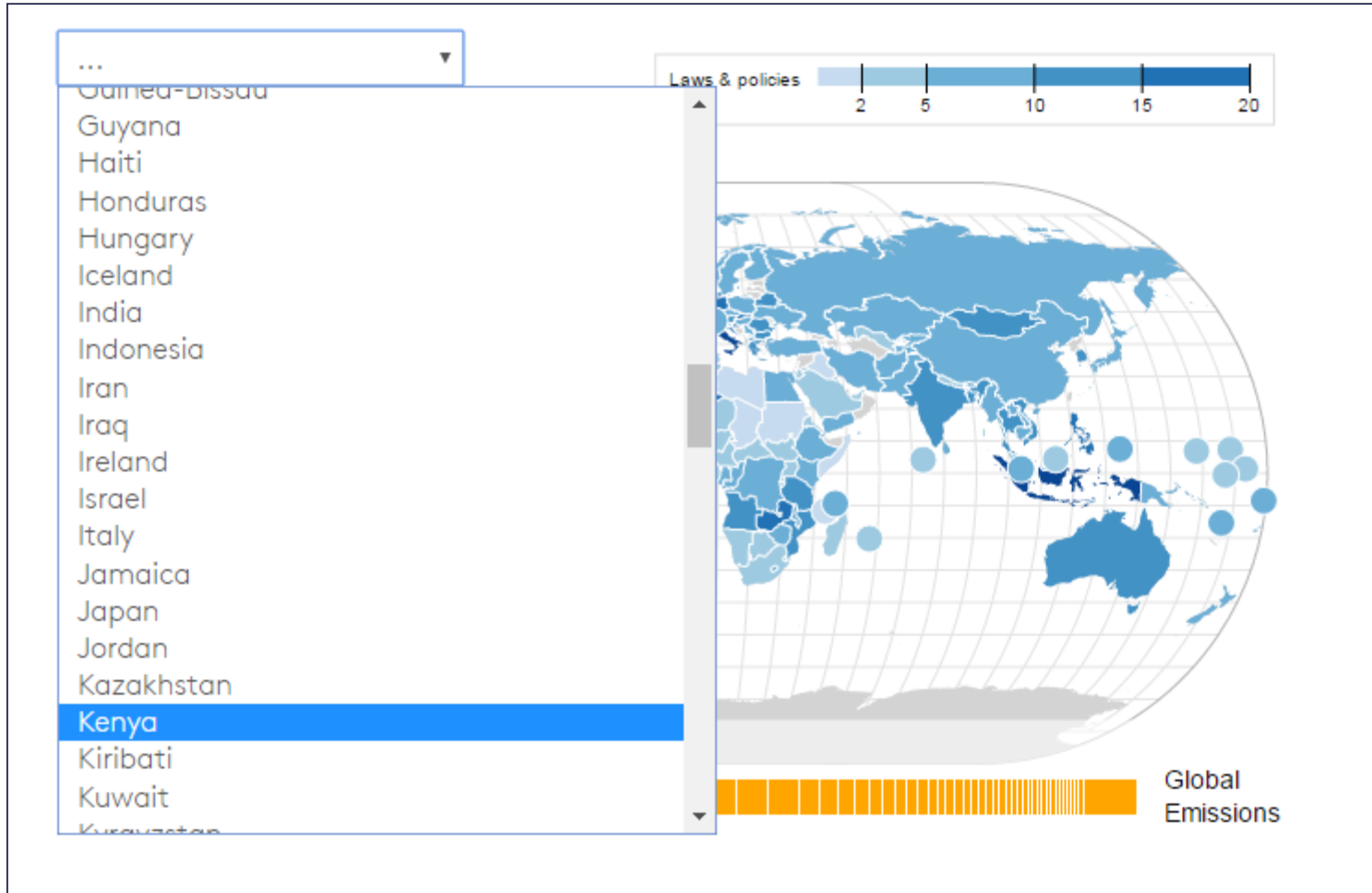


# Interactive country map covering 164 countries: Hover above a country to see basic information

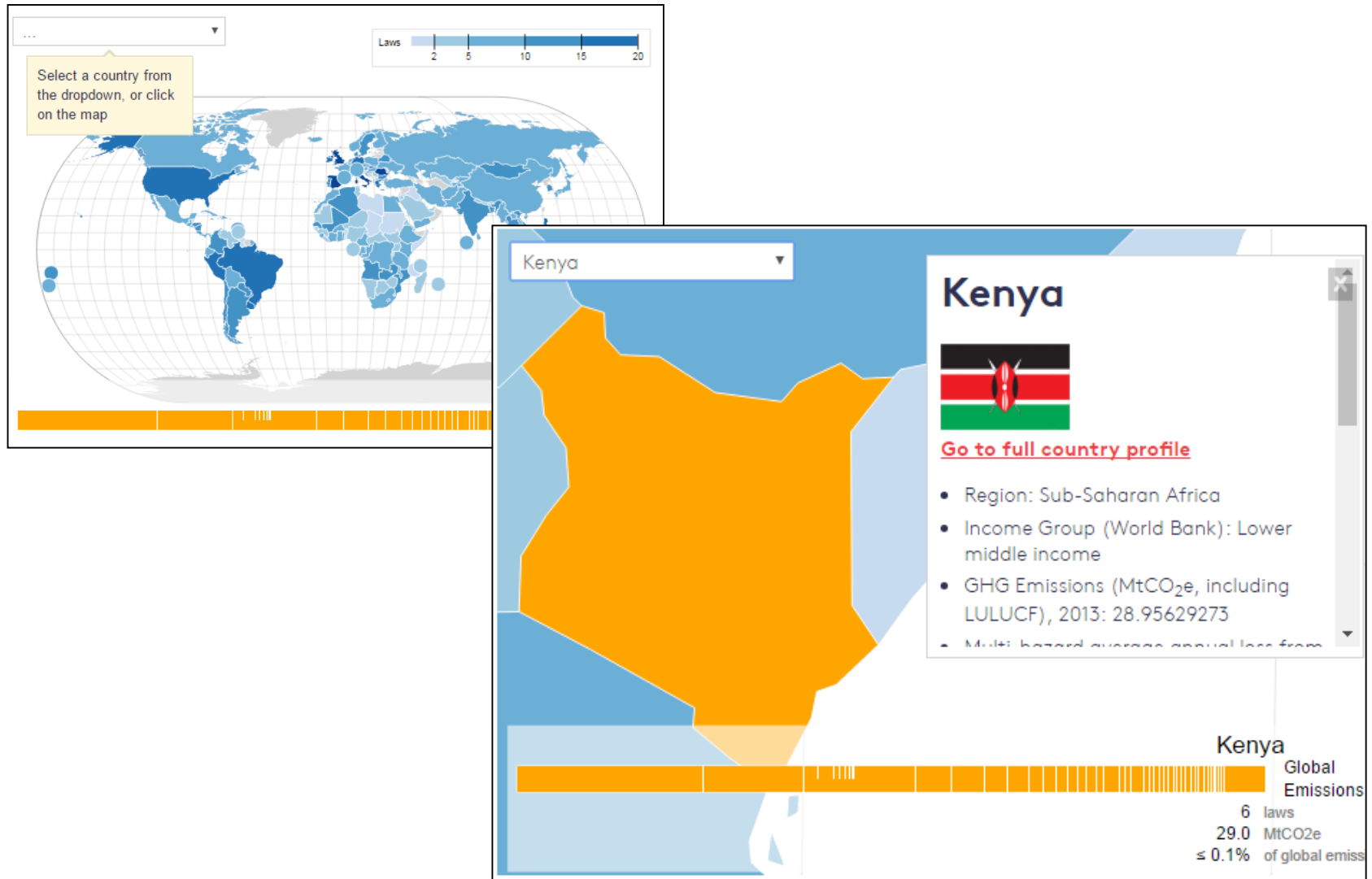


Small(er)  
countries

# Alternatively, select country from the dropdown menu:



# Clicking on a country opens a window with key indicators and a link to a detailed country profile:



# Detailed country profiles: legislative portfolio (laws passed by parliaments/national assemblies)

Write to us

## Kenya



 **Intended National Determined Contribution (INDC) (PDF)**

### Country Data


Region

**Sub-Saharan Africa**

Income Group (World Bank)




**Lower middle income**

Annual loss from natural disasters (average percent of GDP) 

**23.6%**

GHG Emissions (MtCO<sub>2</sub>e, including LULUCF), 2013

**28.96**

Rank as emitter 

**Below Top 50**

Main groups

**G77**

Paris Agreement ratification status

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 18 October, 2016



# Detailed country profiles: executive portfolio (policies passed by governments, the executive branch)

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## Kenya



 [Intended National Determined Contribution \(INDC\) \(PDF\)](#)

### Country Data


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### **National Environment Policy 2013 ( 2013 )**

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](#)

### **National Climate Change Response Strategy 2010 As implemented by 2013-2017 Climate Change Action Plan ( 2010 )**

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*

# Detailed law/policy profiles: English summaries for 850+ laws

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## Kenya



Total number of climate laws and policies:  
7

Total number of climate litigation cases: 0

[see full legislative portfolio](#)

[see full executive portfolio](#)

[see all litigation](#)

## 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;

# Detailed country profiles: approach to climate change (for 99 countries only, updated in mid-2015)

## Kenya



[Intended National Determined Contribution INDC \(PDF\)](#)

### Country Data

Region  
**Sub-Saharan Africa**

Income Group (World Bank)  
 **Lower middle income**

Annual loss from natural disasters (average percent of GDP)   
**23.6%**

GHG Emissions (MtCO<sub>2e</sub>, including LULUCF), 2013  
**28.96**

Rank as emitter   
**Below Top 50**

Main groups  
**G77**

Paris Agreement ratification status

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[Litigation](#)

[Indicators](#)

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Kenya ratified the Kyoto protocol in 2005, and supports the UNFCCC process as a Non-Annex 1 country. It submitted its first national communication in 2002. Given that its natural resource-dependent economy is highly vulnerable to rising temperatures, changing rainfall patterns and other extreme weather conditions such as droughts and flooding, developmental policies and priorities are mindful of the need to mainstream climate change concerns with national development priorities; the constitution has a legal commitment to attain ecologically sustainable development which forms the basis for its climate change policy framework. Kenya has expended significant efforts to forge a comprehensive framework to address climate issues responding to the development of the international climate change regime since the 1990s. The climate change legal/policy portfolio is evolving towards an integrated framework.

In 2010, the Ministry for Environment and Mineral Resources launched the National Climate Change Response Strategy (NCCRS), complemented by the 2013-2017 Climate Change Action Plan. The strategy's primary focus is to ensure that adaptation and mitigation measures are integrated in all government's planning, budgeting and development objectives. The Strategy identifies and recommends specific measures that include suggestions on carbon markets, green energy development, research and development and institutional framework for climate governance. The 2013-2017 Action Plan provides develops implementation framework for the NCCRS.

The strategy recognises that Kenya stands to benefit from carbon markets (CDM and VCM) by increasing access to international carbon markets through mitigation measures (promotion of energy efficiency and renewable technologies) and building capacity at institutional and community level.

The NCCRS proposes: 1) calculation of the baseline GHG Grid Emission Factor (GEF) for the electricity grid to facilitate CDM projects in the power sector and assist carbon project developers and consultants, 2) target capacity building for the private sector and investors to increase awareness of GHG reduction project developments and markets, e.g. developing a detailed handbook on the opportunities, role of actors and appropriate processes, 3) a manual to guide CDM implementation, 4) strengthening relevant institutions and removing barriers to carbon trading such as high initial transaction costs and low level of awareness of CDM potential on the part of private sector, particularly investment and financial organisations, 5) providing tax incentives and favorable import tariffs on technology that reduce emissions, 6) clear energy pricing and CDM project policies including a general institutional framework and good governance, 7) ensuring that Kenya establishes itself as a cost-effective host country to GHG emission reduction projects, 8) designing a ranking of project types from the easiest and most viable to the most difficult and least viable, 9) creating a database of existing projects, emission reduction volumes, other benefits, project developers, financiers, government support,

# Detailed country profiles: selected indicators (emissions and targets)

## Kenya



[Intended National Determined Contribution \(INDC\) \(PDF\)](#)

### Country Data

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**28.96**

Rank as emitter

**Below Top 50**

Main groups

**G77**

Paris Agreement ratification status

**Ratified (28/12/2016)**

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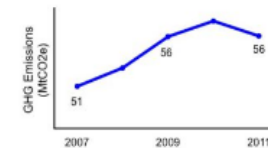
[Sources](#)

## Emissions <sup>1</sup>

Rank as emitter (including LULUCF):

Below Top 50

GHG Emissions 2007-2011 (MtCO<sub>2e</sub>)



Country-reported GHG emissions (incl. LULUCF) (MTCO<sub>2</sub>): -6.53 (reporting year: 1994 )

Country-reported GHG emissions (excl. LULUCF) (MTCO<sub>2</sub>): 21.47 (reporting year: 1994 )

## Information <sup>1</sup>

GHG inventory: 1994

Climate risk assessment: National Climate Change Response Strategy (2010)

## Targets

Economy wide targets - Up to (and including) 2020

Source:



# Detailed country profiles: legislative process (for 99 countries)


## Kenya




 **Intended National Determined Contribution (INDC) (PDF)**


### Country Data

Region  
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Main groups

Approach to Climate Change

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In 2010 Kenya's unicameral Parliament was replaced with a bicameral Parliament comprising a National Assembly and a Senate. The National Assembly consists of a Speaker, 290 MPs elected by constituencies, 47 women MPs elected by registered voters from each county and 12 members nominated by political parties according to the proportion of members they have in the National Assembly to represent special interests including youth, persons with disabilities and workers. The Senate consists of 47 members, each elected by the registered voters of each county, 16 women members nominated by political parties according to their proportion of members of the Senate, two members (a man and a woman), representing young people and two members, (a man and a woman), representing persons with disabilities.

The last general elections were held in 2013 and the next one is due in 2017.

Proposed laws are called bills, and are either Public or Private. Public Bills concern matters of public policy or changing existing legislation. The government initiates them with its executive power while private members of either house can promote a private bill.

The first stage is the drafting of a bill by a ministry, in co-ordination with the Kenya Law Reform Commission (KLRC) and the Attorney-General's Chambers (AGC). The first draft is sent to the Commission for the Implementation of the Constitution (CIC), which opens a compulsory consultation process with stakeholders and civil society. Drawing from the various contributions and working with the CIC, the AGC prepares the Bill. The draft Bill is submitted for Cabinet approval and if approved, the Bill is published in the Kenya Gazette and introduced in Parliament.

Parliament scrutinises bills in three readings. The committee in charge of a specific issue/area normally conducts the first reading. Next, the entire Parliament discusses the Bill, before returning the text to the Committee with amendments. The third reading takes place after the Committee has reviewed the draft. Once passed in Parliament, the AG presents the Bill to the Cabinet before it returns to Parliament for a last round of debate. The text approved by Parliament is submitted to the President for assent. If the President signs the bill, it is published and becomes a law. The President can return the bill to the Speaker of the National Assembly to be considered again by Parliament. If Parliament agrees with the President's proposals or concerns, the bill is accordingly amended and forwarded to the President for assent. If it rejects the President's amendments to the bill by a two-



## Governance and legislation



Explore country data with our interactive map



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### Climate Change Laws of the World

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## Research



### Do international factors influence the passage of climate change legislation?

The number of climate change laws in major economies has grown from less than 40 in 1997 to almost 500 at the end of 2013. The passage of these laws is influenced by both domestic and international factors. This

## Programme keywords

carbon targets **economic competitiveness** GLOBE international policy legislation **Paris Agreement policy instruments** **The**

# A searchable database with over 1200 laws from 164 countries

## Climate Change Laws of the World

Please make a selection

Legislation

Litigation

### Search Climate Change Laws of the World

Region

All ▼

Country

All ▼

From year

All ▼

To year

All ▼

Country importance as emitter ⓘ

All ▼

Country income group ⓘ

All ▼

Framework legislation ⓘ

All ▼

Executive/Legislative ⓘ

All ▼

Categories ⓘ

All ▼

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 and climate-related laws, which reflects the relevance of climate policy in areas including energy, transport, land use, and climate resilience.

Climate Change Litigation of the World features climate litigation cases from 25 countries. These cases raise issues of law or fact regarding the science of climate change and/or climate change mitigation and adaptation policies or efforts before an administrative, judicial or other investigatory body. The dataset does not include the United States – To access information about climate change litigation in the US, please [click here to go to the Sabin Center / Arnold & Porter Kaye Scholer database](#). This will take you to a different website and will open in a new window.

For details about methodology and scope, as well as for a report on trends in litigation and legislation in 2017, [see](#)

<http://www.lse.ac.uk/GranthamInstitute/publication/globaltrends2017/>

### Use and reference of the data

The authors encourage the use of this database. Users are welcome to download, save, or distribute the results electronically or in any other format, without written permission of the authors.

Please reference the source as follows:

Climate Change Laws of the World database, Grantham Research Institute on Climate Change and the Environment and Sabin Center for Climate Change Law. Available at: <http://www.lse.ac.uk/GranthamInstitute/Legislation>.

# Search for laws by various indicators

Write to us

## Climate Change Laws of the World

Legislation **Litigation**

### Search Climate Change Laws of the World

Region  
South Asia

Country  
All

From year  
2013

To year  
All

Country importance as emitter  
All

Country income group  
All

Framework legislation  
All

Executive/Legislative  
All

Categories  
All

**Search** or [Clear all](#)

Filtered view - (10) [Download results \(CSV in .zip\)](#)

**National Biodiversity Strategy and Action Plan** (Afghanistan/2014/Executive)

**National Comprehensive Agriculture Development Priority Program 2016 – 2020** (Afghanistan/2016/Executive)

**Rural Renewable Energy Policy (RREP)** (Afghanistan/2013/Executive)

**Action Plan for Energy Efficiency and Conservation** (Bangladesh/2013/Executive)

Published by the Ministry of Power, Energy and Mineral Resources, the action plan aims to set a cohesive framework for energy efficiency and conservation activities under the guidance of the ... [read more »](#)

**Climate Fiscal Framework** (Bangladesh/2014/Executive)

The Climate Fiscal Framework (CFF), published by the Ministry of Finance, provides principles and tools for climate fiscal policy-making (CFP), helping to identify the demand and supply sides of climate ... [read more »](#)

**National Sustainable Development Strategy (2010-2021)** (Bangladesh/2013/Executive)

The NSDS identifies five strategic priority areas and three cross-cutting areas that are critical to achieve sustainability in Bangladesh. The five strategic priority areas are: – Sustained economic growth – ... [read more »](#)





# Litigation search

Please make a selection

Legislation

Litigation

## 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.

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Climate Change Litigation cases raise issues of law mitigation and adaptation body. The dataset does litigation in the US, please [database](#). This will take

For details about methodology legislation in 2017, see <http://www.lse.ac.uk>

## Use and reference

The authors encourage the results electronically. Please reference the source Climate Change Laws of the Environment and <http://www.lse.ac.uk>

## Invitation to

We aim for the database claim to have identified the readers of this report to draw our attention to any entries we may have missed. Please send your comments (attaching supporting documents if possible) to: [gri.cgl@lse.ac.uk](mailto:gri.cgl@lse.ac.uk).

**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

# Search for laws by various indicators:

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## Climate Change Laws of the World

Legislation

Litigation

### Search Climate Change Litigation of the World

From year: All To year: All

Country: India

Side A (plaintiff / claimant) type: All

Side B (defendant) type: Government

Side C (intervenor) type: All

Category: All

Climate area covered: All

Status: All

Search or Clear all

Or free text search

Filtered view - (9) [Download results \(CSV in .zip\)](#)

### Environment Support Group v. Union of India (Opened in 2014 )

Citation/reference number: Application No. 06 of 2013 (SZ)  
Jurisdiction: India  
Core objective(s): Challenge to application of grant given for development.  
Current status: Decided  
Cites a Supreme Court decision which described climate change/global warming as a 'major threat to the environment'. 1. It is held that the applications are barred by limitation only in ... [read more »](#)

### In re Court on its own motion v. State of Himachal Pradesh and others (Opened in 2016 )

Citation/reference number: Application No. 237 (THC)/2013  
Jurisdiction: India  
Core objective(s): Challenge to approval given by Minister for Planning for construction proposal on grounds that procedure did not follow Environmental Planning and Assessment Act  
Current status: Decided  
India's National Green Tribunal (NGT) was granted jurisdiction by a 2010 statute "over all civil cases where a substantial question relating to environment ... is involved and such question arises ... [read more »](#)

### Jan Chetna v. Ministry of Environment & Forests (Opened in 2011 )

Citation/reference number: Appeal No. 22 of 2011(T)  
Jurisdiction: India  
Core objective(s): Challenge to application of grant given for development.  
Current status: Decided  
M/s. Scania Steels & Power Ltd. (formerly known as Sidhi Vinayak Sponge Iron Ltd.) was operating a Sponge Iron Plant in Village Punjipatra, Tehsil Gharghoda, District Raigarh in the State ... [read more »](#)

## 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)

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

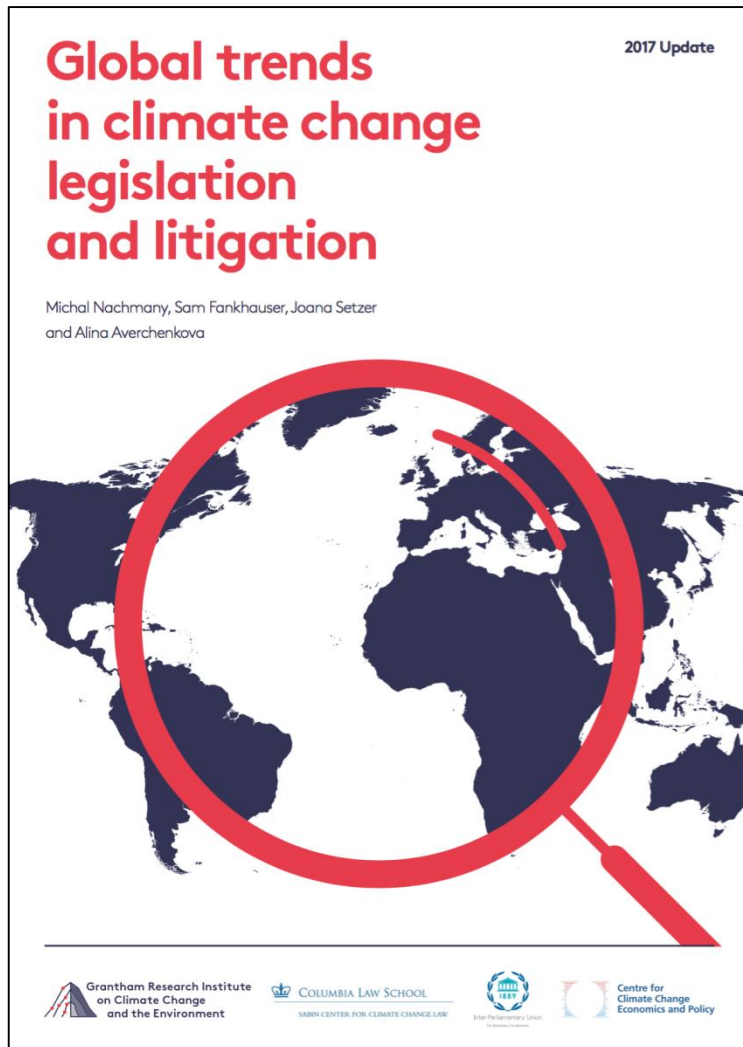
### Summary

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 hazardous negligence; the principle of fairness, the precautionary principle, and the sustainability principle embodied in the UN Framework Convention on Climate Change; and the principle of a high protection level, the precautionary principle, and the prevention principle embodied in the European climate policy. The court did not specify how the government should meet the reduction mandate, but offered several suggestions, including emissions trading or tax measures. This is the first decision by any court in the world ordering states to limit greenhouse gas emissions for reasons other than statutory mandates.

<b>Core objective(s):</b>	Seeking declaratory judgment and injunction to compel the Dutch government to reduce GHG emissions
<b>Category:</b>	Suits against Governments: Human Rights/GHG Emissions Reduction and Trading: Other
<b>Side A:</b>	Urgenda Foundation (Ngo)
<b>Side B:</b>	Kingdom of the Netherlands (Government)
<b>Decisions(s):</b>	▪ Decided (District Court of the Hague)
<b>Case document(s):</b>	▪ <a href="http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBDHA:2015:7196">http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBDHA:2015:7196</a>

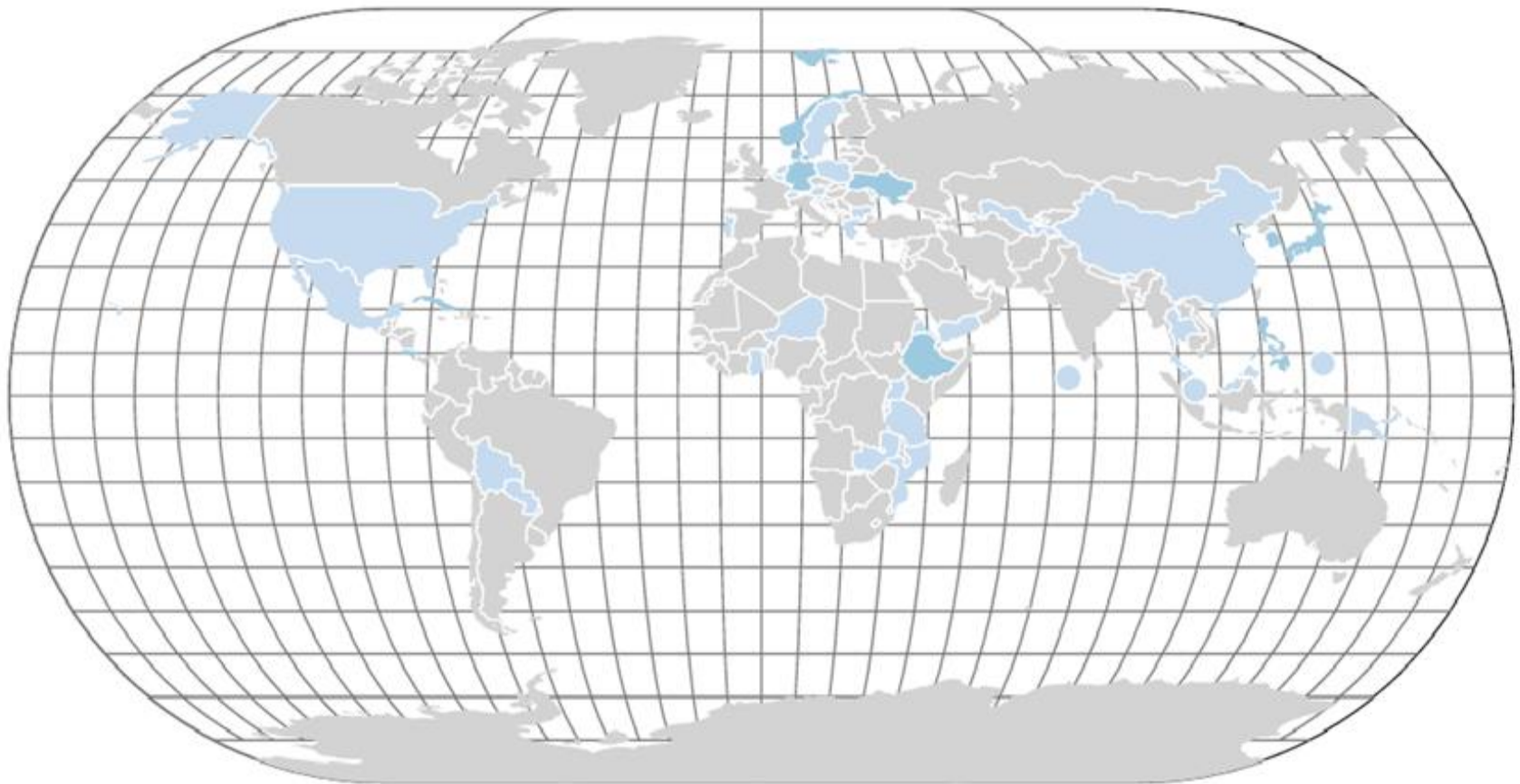
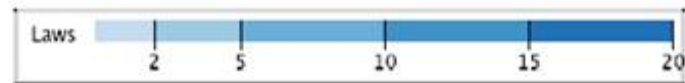


# Global trends in climate change legislation



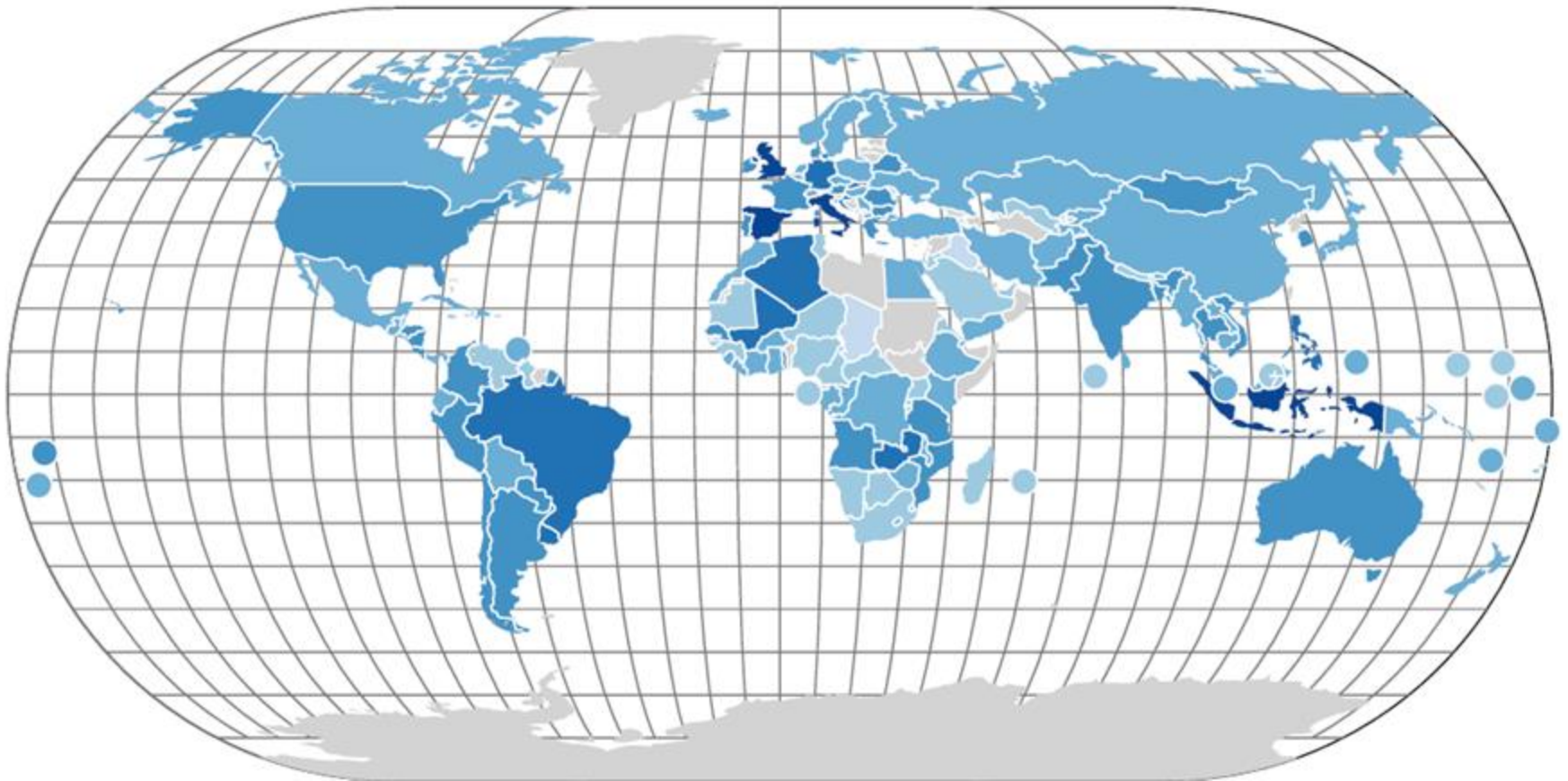
# Climate legislation in 164 countries in 1997

*c. 60 laws*

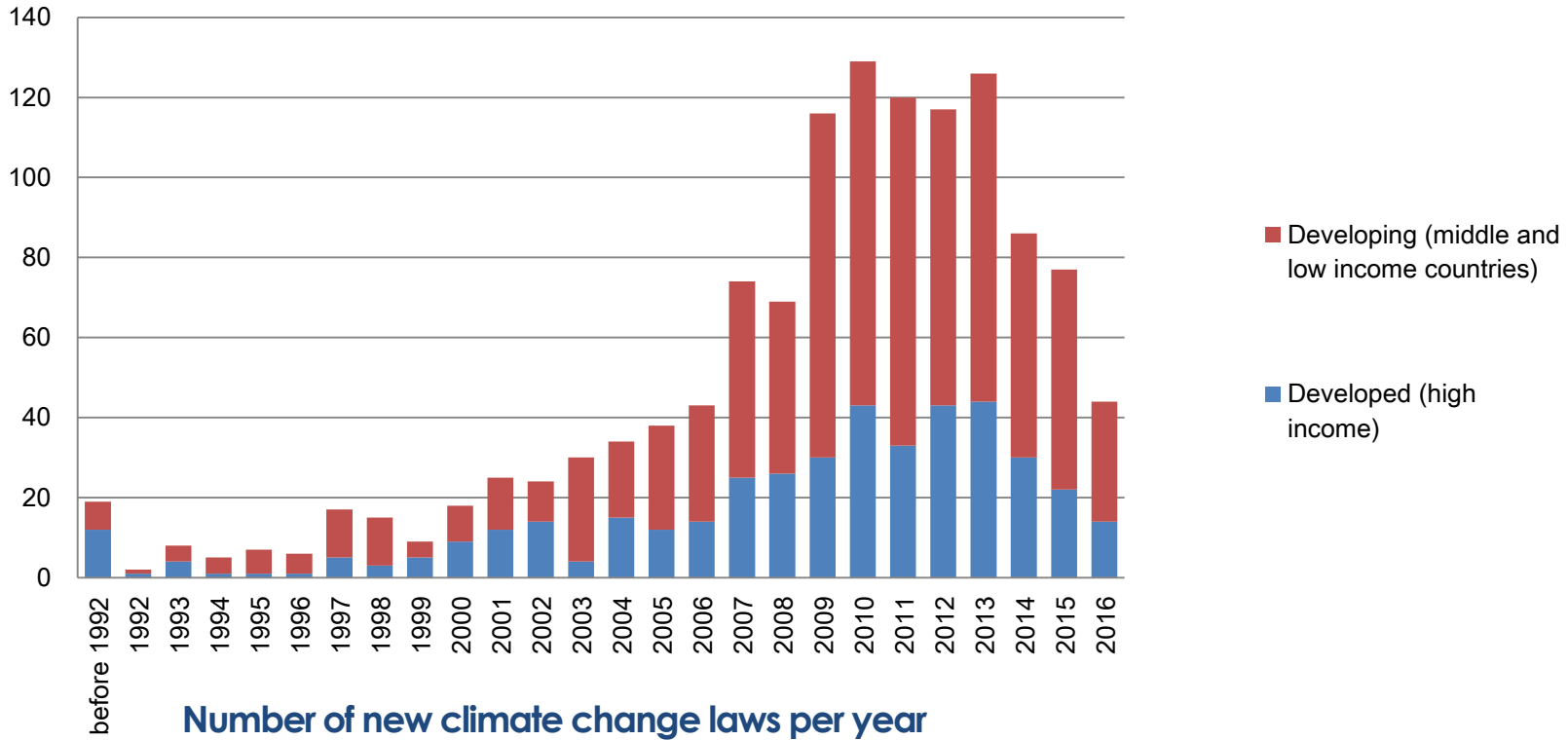


# Climate legislation in 164 countries in 2017

*1200+ laws: A twenty fold increase in 20 years*

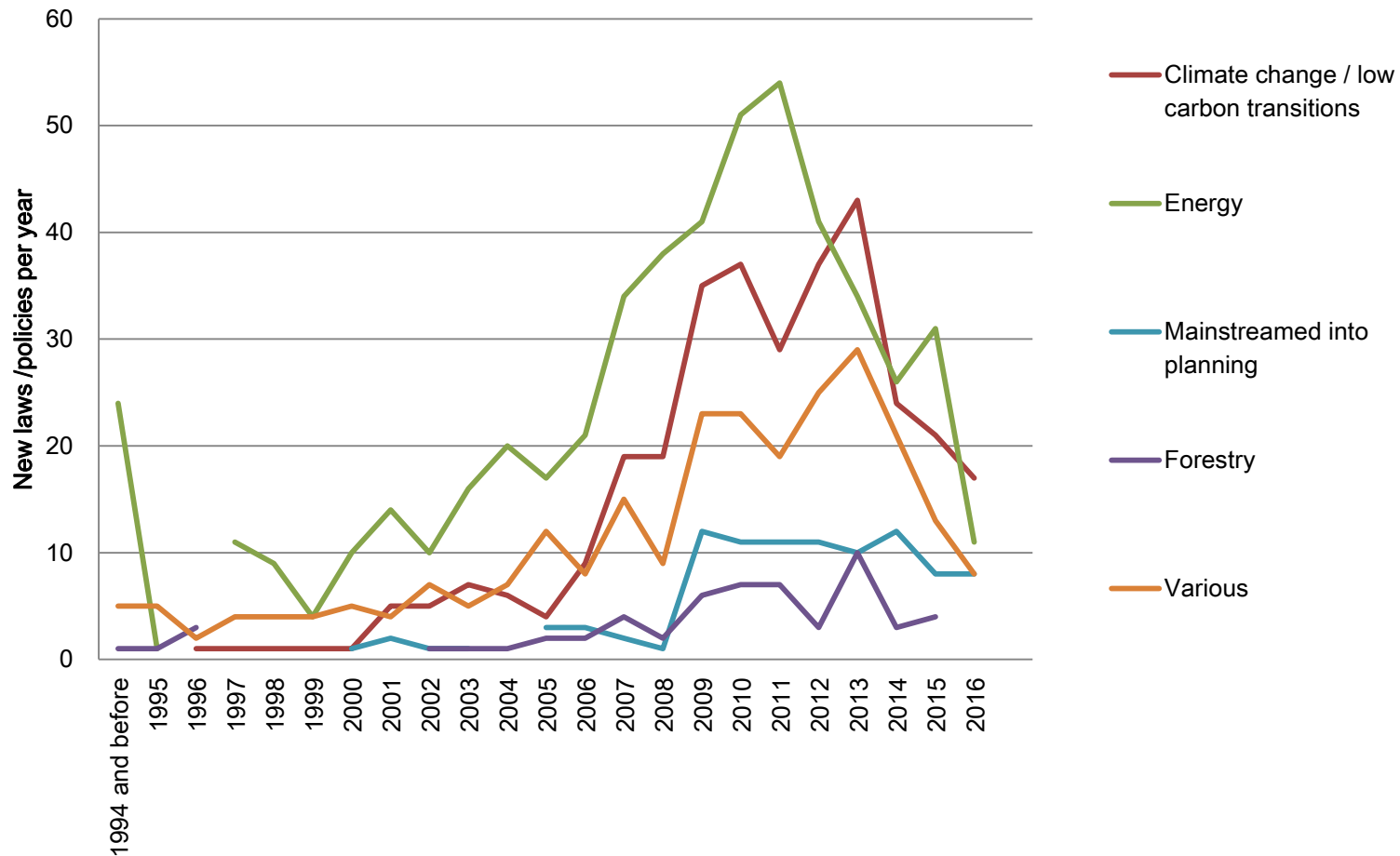


# Annual legislative action up to 2016



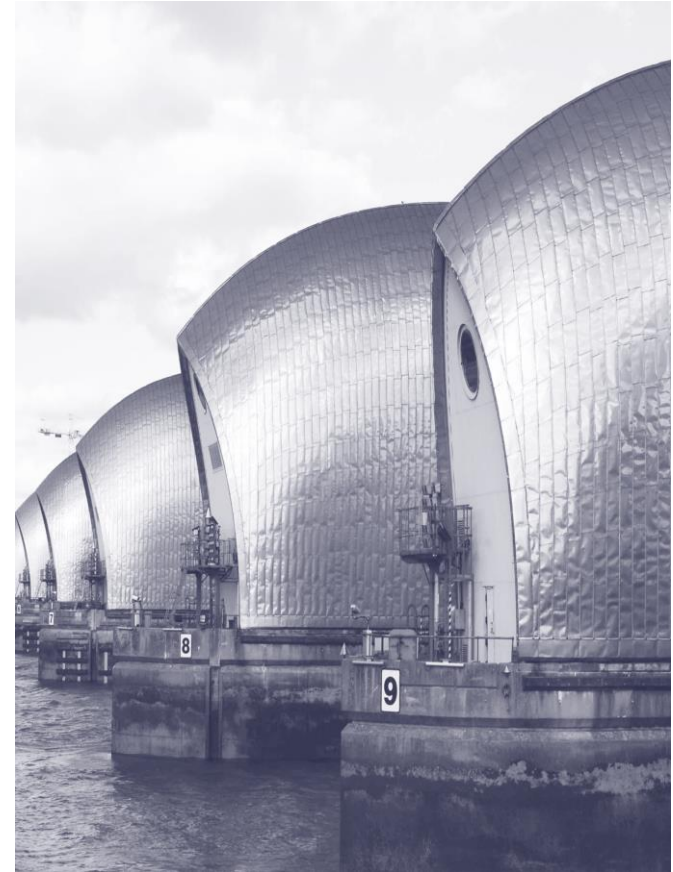


# Annual growth in the number of laws and policies by focus area, pre-1994 to 2016

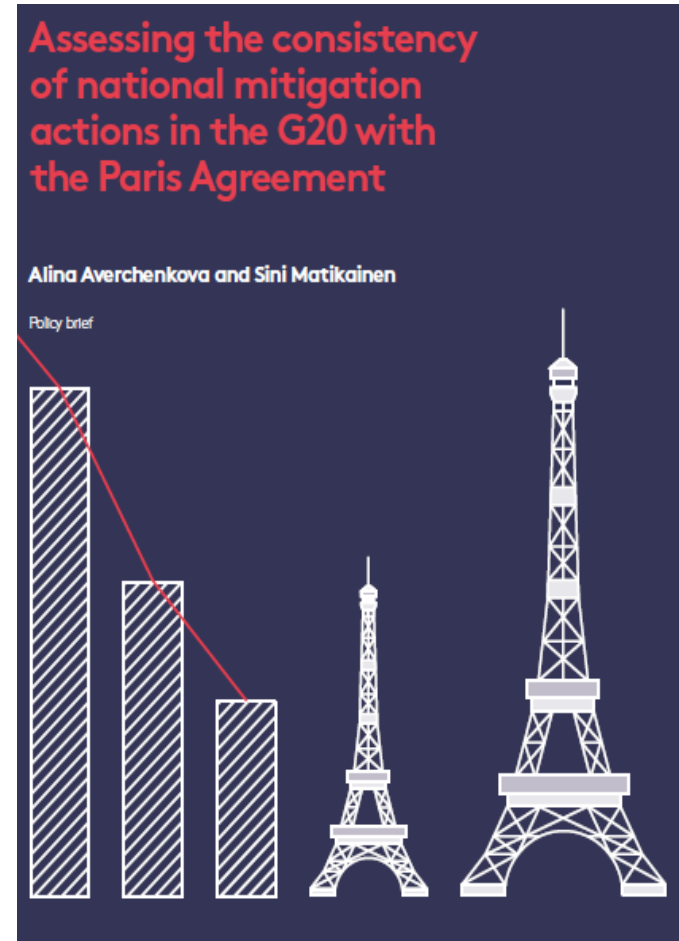
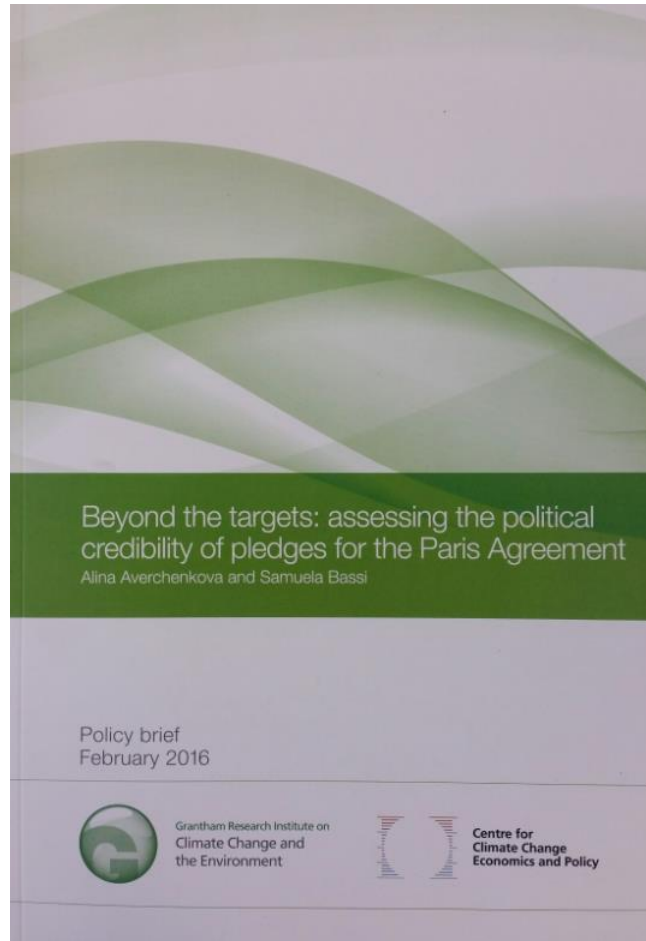


# Developments since the Paris Agreement

- 14 new laws and 33 new executive policies related to climate change introduced since Paris
- 18 of the new laws and policies mainly focus on climate change and 4 specifically relate to NDCs
- Almost all LDCs address climate change in their legislation or policy- captured for the first time this year
- More work needs to be done in factoring climate change into their development plans (42% -20 LDCs have already done so)



# Climate Change Laws of the World: a research resource



# Bringing attention to neglected areas:

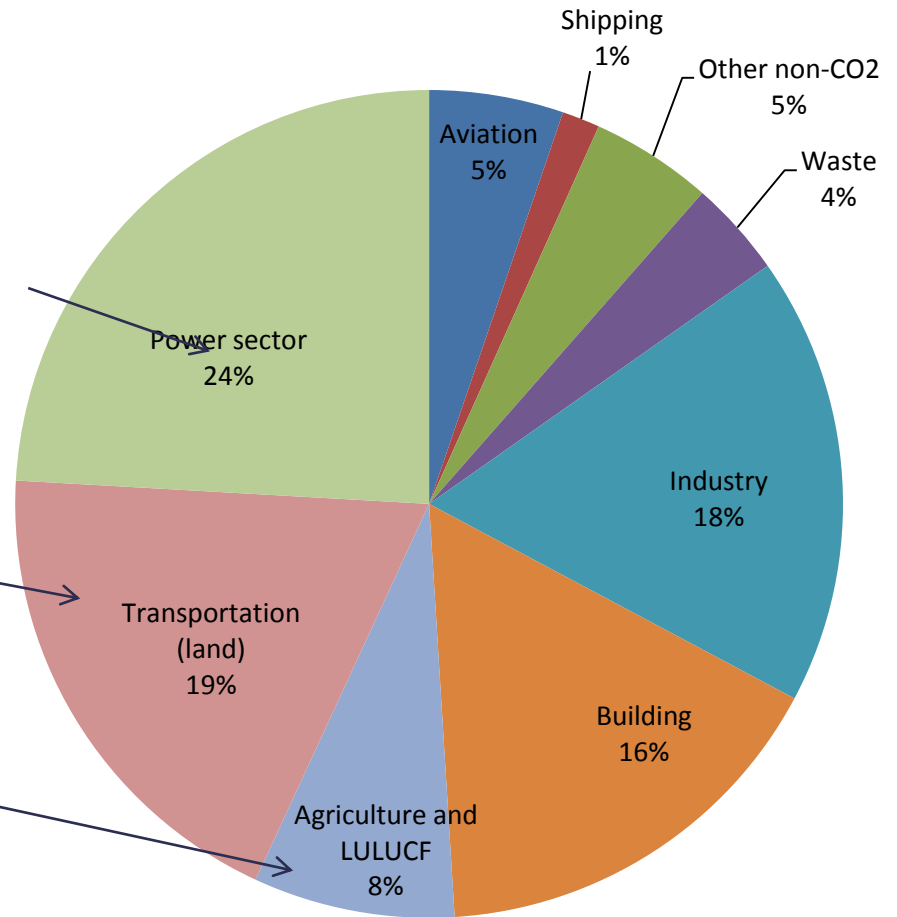
- **Number of laws:** The UK has 23 climate laws or key policies (Indonesia has 21).
- **Gaps in legislating specific sectors**

*15 of the UK's 23 laws/policies address energy supply – a sector responsible for a quarter of GHG emissions*

*7 laws/policies address transport, a sector responsible for 20% of emissions*

*There are no laws or policies directly addressing emissions from agriculture and LULUCF, a sector responsible for 8% of emissions*

## UK emissions by sector (2013)



## And some inspiration and ‘*Esprit de corps*’

“The hon. Gentleman talked about our country legislating for this area and leading alone, but will he peruse the GLOBE International report on 33 countries, 32 of which are making what I would call progress - I am sure he would not - in the area? **Britain is not doing things alone; 32 like-minded countries are passing legislation to similar effect.**”

(Barry Gardiner MP, speaking in the UK parliament, September 2013)

“I do welcome the publication of the climate legislation study. The United Kingdom, including many parliamentarians throughout the House, has played a leading role in encouraging other countries to enact climate change legislation, and it is encouraging to see how many have responded.”

(Ed Davey, former UK Secretary of Energy and climate change, speaking in the UK parliament, February 2014)







**Thank you Grazie - 谢谢 - Merci – Спасибо - Gracias -  
شكرا – Terima kasih - Kiitos - Grazie - ඔබට ස්තූතියි -  
Obrigada- ありがとうございます - Danke  
Tak - धन्यवाद - آپ کا شکریہ - תודה**

**Your input is valuable and very welcome:  
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