

CLIMATE CHANGE

A Comparative Overview
of Legislative and Executive
Responses in the Americas



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INTRODUCTION AND PURPOSE

This document provides a comparative analysis of trends in the development of legislation and policy instruments to address climate change in OAS Member States. It looks at the implementation of legal principles by legislative and executive branches and their contribution to defining how climate change is addressed at a national level. A companion booklet, “Climate Change: A Comparative Overview of the Rights Based Approach in the Americas” is also available. It is intended to brief policy-makers and parliamentarians on current knowledge and understanding, and developments in the Inter-American agenda, that relate to climate change, as well as its linkages to environmental and human rights law.

Climate Change Responses and Approaches: Roles and Responsibilities of the Legislative and Executive Branches

The legislative branch and executive branch have distinct and interrelated responsibilities in addressing the issue of climate change. Legislatures are responsible for ensuring that citizen interests are broadly represented and that governments are held accountable in implementing laws that are supported by appropriate budget allocations. The executive branch, in turn, is responsible for outlining policy frameworks and for executing mandates received from the legislative branch.

CLIMATE CHANGE RESPONSES BY THE LEGISLATIVE BRANCH

Parliaments perform a critical role in democratic society as the institution that represents and aggregates citizen interests in the drafting and scrutiny of legislation and oversight of the executive branch. Parliamentarians in OAS Member States are likewise committed to adopting legislation, holding governments accountable, and fostering cooperation and exchanges of innovative practices for climate change mitigation and adaptation through inter-parliamentary institutions like ParlAmericas—and initiatives like the Parliamentary Network on Climate Change (PNCC) that ParlAmericas has jointly established with Parlatino.

The comparative analysis that follows, while not comprehensive, provides some insight on legislative trends to mitigate and adapt to climate change through national parliaments in different countries across the hemisphere.¹



Antigua and Barbuda

There is no specific or comprehensive climate change law in Antigua and Barbuda. Measures to require or encourage climate change mitigation and adaptation are instead found in other laws such as the Forestry Act,² the Beach Protection Act,³ the Plant Protection Act,⁴ the Fisheries Act,⁵ and the recently enacted Environment Protection Management Bill.⁶



Argentina

There is no specific law in Argentina that addresses climate change. The country has nonetheless ratified the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol and the Paris Agreement. Several other laws also have an effect of requiring or encouraging mitigation and adaptation actions. These include Law 25.675 (General Law of the Environment) and Law 26.190, which establishes a regime for the national promotion of production and use of renewable sources of energy, as well as complementary laws to promote biofuels and hydrogen energy. Law 26.639 also establishes a minimum threshold regime for the protection of glaciers and periglacial environment.



Barbados

There is no specific law in Barbados addressing climate change, but rather a wide scope of separate laws that address environmental, land use and building issues and therefore have an effect in requiring and encouraging mitigation and adaptation in response to climate change. For example, the Town and Country Planning Act, which regulates the physical land use planning system, has guided the development of the National Physical Development Plan, which supports renewable energy production by earmarking suitable sites for wind energy development.⁷



Belize

Belize does not have a specific law addressing climate change. The Environmental Protection Act⁸ nonetheless has an effect of requiring mitigation or adaptation through regulation of pollution and effluents, and environmental impact assessments.



Bolivia

Bolivia does not have a specific law addressing climate change. However, in 2012, it enacted a Framework Law of Mother Earth for Integral Development to Live Well (Law 300),⁹ which establishes that climate change projections should be incorporated in development decisions and requires that climate change policies be developed.¹⁰ This law also establishes principles of climate justice and access to justice through courts and tribunals in cases of violation of the rights of Mother Earth.



Brazil

Brazil established by law the National Climate Change Policy that defines principles, objectives, directives and management instruments relating to climate change. Law 12.187 instructs the executive branch to issue sectoral plans for mitigation and adaptation. Other laws also have an effect of requiring or encouraging mitigation actions. These include the Forest Code, the Solid Waste Policy, the Coastal Zone Management Law, the Electricity Sector Law, and the Biodiesel Law, amongst others. An important feature of the Brazilian legal framework is the constitutional provision established in Article 225 that provides for an integral approach in environmental matters and establishes the responsibility of all branches of government and of citizens to protect and defend the environment for future generations.



Canada

Canada does not have a specific law addressing climate change but rather an extensive legal framework that regulates the environment and energy, comprised of the Environmental Protection Act,¹¹ the Environmental Assessment Act,¹² the Water Act,¹³ and the Energy Efficiency Act¹⁴ among other laws, which have an effect of requiring or encouraging mitigation and adaptation in response to the impacts of climate change. Some provincial legislatures have also enacted climate change and Greenhouse Gas (GHG) emissions reduction laws. These include a carbon levy in the province of British Columbia and cap-and-trade systems in the provinces of Ontario and Quebec.



Chile

While Chile does not have an explicit law that addresses climate change, the General Law of the Environment acknowledges climate change mitigation as a national priority. This law mandates the Ministry of Environment with proposing policies and formulating plans and programs related to climate change, in collaboration with different entities of the public administration, to establish mitigation and adaptation measures. Other legislation, like the General Law for Electric Services, the Law on Non-Conventional Renewable Energies, the Law on Geothermal Energy, the Forest Law, and a law that establishes a tax exemption on solar thermal systems, have an effect of requiring or encouraging mitigation and adaptation. The establishment of a carbon tax on emissions from fixed sources has contributed to historically low solar energy prices.



Colombia

Since 2015, Colombia has been working on a draft bill to establish climate change mitigation and adaptation measures. In the interim, other laws such as the Renewable Natural Resources and Environmental Protection Code¹⁵ and the Law for Promotion and Efficient Use of Energy Resources¹⁶ have an effect of requiring or encouraging mitigation and adaptation actions.



Costa Rica

Costa Rica has been debating a General Law on Climate Change. In the interim, other laws such as the Environmental Law, the Forestry Law, and a legal regime governing energy use have had an effect of requiring or encouraging mitigation and adaptation actions.



Cuba

There is no specific law in Cuba addressing climate change, but a broad institutional and legal framework is in place to address mitigation and adaptation objectives. The Environment and Rational Use of Natural Resources Law of 1997 established the general responsibilities of the State to protect and rehabilitate the environment, and systematically tackle causes of degradation. In 2014, the Foreign Investment Law also called for use of renewable energies in foreign investment projects.



Dominica

The Commonwealth of Dominica does not have a specific law addressing climate change. A series of laws have nonetheless been enacted to regulate use of fragile land resources. These include *inter alia*: the Town and Country Planning Act, the Land Management Authority Act, the Forest Reserve Rules, the Forestry and Wildlife Act, the National Parks and Protected Areas Act (which protects 20% of the country's land mass), the Beach Control Act, the Water and Sewerage Act, and the Pesticide Control Act. A comprehensive Environmental, Climate Change and Development Bill is currently being developed under a Cabinet directive issued in August 2011. This new legislation is expected to address key deficiencies in the existing legal and institutional framework, and to establish an effective framework for managing anthropogenic threats to vulnerable ecosystems. The bill is also meant to establish key legal and institutional frameworks needed to effectively implement the country's Low-Carbon Climate-Resilient Development Strategy¹⁷ and address climate and development issues in an integrated manner.



Dominican Republic

The Dominican Republic does not have a specific law addressing climate change. However, the National Development Strategy sets a commitment to decrease GHG emissions. Additionally, much of the country's environmental legislation is relevant to climate change. Since issuance of the General Environmental Law (64-00), environmental and climate change management issues are the responsibility of the Ministry of Environment and Natural Resources. Legal frameworks such as the Law on Incentives for Developing Sources of Renewable Energy, the Law on Hydrocarbons and the Forestry Law among others, have an effect in requiring or encouraging mitigation and adaptation actions.



Ecuador

Ecuador does not have a specific law addressing climate change. However, the legal framework that regulates the environment and energy has an effect of requiring or encouraging mitigation and adaptation measures.¹⁸



El Salvador

El Salvador does not have a specific law addressing climate change. However, the legal framework that regulates the environment and energy, including the General Environmental Law, the Forestry Law,¹⁹ and the Land Use Planning and Development Law,²⁰ among others, have an effect in requiring or encouraging mitigation and adaptation actions.²¹



Grenada

Grenada does not have a specific law addressing climate change. Climate change is primarily addressed through executive policies and strategies. The Constitution recognizes under the general welfare clause the right to a clean, healthy and ecologically balanced environment which is the overarching framework for these policies. Several individual laws also support climate change objectives such as the Forestry Soil and Water Conservation Act²² or the Land Development Control Act.



Guatemala

Guatemala has a Framework Law to regulate vulnerability reduction, adaptation to climate change and mitigation of GHG emissions.²³ Complementary frameworks include the Forest Law²⁴ and a Law that provides incentives for renewables.



Guyana

Guyana does not have a specific law addressing climate change. However, the Environmental Protection Act, the Energy Act and the Protected Areas Act, amongst other laws, have an effect of requiring or encouraging mitigation and adaptation actions.



Haiti

While there was a lot of discussion regarding the need to strengthen the environmental management framework in Haiti following the 2010 earthquake, the country does not have a specific environmental management framework or a climate change law. Chapter II of the 1987 Constitution contains articles addressing the environment, and provides for maintaining an ecological balance. In 2006, a Presidential Decree on Environmental Management²⁵ was issued to complement these constitutional provisions. The decree contains provisions on environmental planning, protected areas, environmental assessments, the national environmental information system, pollution, and environmental damage.



Honduras

Honduras does not have a specific law addressing climate change. The national legal framework that regulates the environment and energy therefore has an important influence in addressing climate change.



Jamaica

In Jamaica, there is no law that expressly requires mitigation or adaptation to the impacts of climate change. Several laws and regulations nonetheless have an effect of requiring or encouraging mitigation and adaptation actions. These include the Clean Air Act, the Watershed Protection Act, the Water Resources Authority Act, the Environmental Management Act, the Land Authority Act, the Land Development and Utilization Act, the Urban Development Corporation Act, the Meteorological Act, the Natural Resources Conservation Authority Act, the Office of Disaster Preparedness and Emergency Management and the Disaster Management Act, as well as the National Heritage Trust Act, the Endangered Species Act and forestry regulations.²⁶



Mexico

In 2012, Mexico enacted a General Law on Climate Change (amended in 2014). This complements other legislation like the General Ecological Equilibrium and Environmental Protection Law and the General Law on Environment and Natural Resources, which collectively address air quality, renewable energy, wildlife and biodiversity, and sustainable forest management. In 2011, it also issued a law that limits vehicular emissions. Legislative initiatives like these have been a strong driver of executive policy to tackle climate change following the Cancun Agreements in 2010.



Nicaragua

While Nicaragua does not have a specific climate change law, a resolution on climate change and adaptability²⁷ amended the General Environmental and Natural Resources Law²⁸ to include climate change protection.



Panama

Panama has recently established a Ministry of Environment through Law 8 of 2015 and an amendment of Law 41 of 1998 (the National Environmental Law) as well as some provisions in the Water Law. Panama does not have a specific law addressing climate change, but rather an environmental legal and regulatory framework and an energy regulation framework that supports climate change adaptation and mitigation efforts. In December 2016, a representative of the National Assembly assumed the presidency of the ParlAmericas permanent working group on climate change, which supports inter-parliamentary coordination and experience-sharing on legislative measures for mitigation and adaptation to climate change across the hemisphere.



Paraguay

Since 2014, Paraguay has been discussing a General Law on Climate Change. In the interim, the legal framework on environmental management has an effect of requiring or encouraging mitigation and adaptation to the impacts of climate change.



Peru

Since 2014, Peru has been working on a proposed Framework Law on Climate Change through outreach to different political sectors. In the interim, the legal framework on environmental management, including the General Environmental Law, the Environmental Management System Law, the Law on Regional Governments, the Law on Payment for Ecosystem Services, the Forest and Wild Fauna Law, the Protected Areas Law, and the Water Resources Law support climate change adaptation and mitigation efforts.²⁹



St. Kitts and Nevis

St. Kitts and Nevis does not have a specific law addressing climate change. Instead, the National Conservation and Environmental Protection Act (NCEPA), the Fisheries Act, and the Agricultural Development Act, among others, have an effect of requiring or encouraging mitigation and adaptation actions.³⁰ Other notable legislation includes the Development Control and Planning Act, which established a Development Control and Planning Board with the responsibility to review and make determinations on building and development planning applications in relation to environmental impact assessments.³¹



St. Lucia

In St. Lucia, there is no law that expressly requires mitigation or adaptation to the impacts of climate change. These objectives are instead supported through other laws like the Forest, Soil and Water Conservation Act, the Saint Lucia National Trust Act, the Wildlife Protection Act, the Fisheries Act, the Land Conservation and Improvement Act, the National Conservation Authority Act and the Physical Planning and Development Act.



St. Vincent and the Grenadines

In St. Vincent and the Grenadines, there is no individual law that expressly requires mitigation of or adaptation to the impacts of climate change and no general environmental management framework. Instead, the Forest Resource Conservation Act,³² the Beach Protection Act,³³ the Fisheries Act,³⁴ and the Waste Management Act,³⁵ amongst others, have an effect of supporting actions to address climate change.



Suriname

Suriname does not have a specific law that addresses climate change nor a comprehensive environmental law enacted since the Nature Conservation Act of 1954.³⁶ Issues related to environmental pollution, the establishment of an environment authority and fund for climate research, and provisions to make environmental impact analysis mandatory³⁷ are nonetheless expected to be included under a new environmental law that is under consideration.



The Bahamas

In the Bahamas, there is no law that expressly requires mitigation or adaptation to the impacts of climate change. These objectives are instead supported through other laws like the Conservation and Protection of the Physical Landscape Act.³⁸



Trinidad and Tobago

In Trinidad and Tobago, there is no law that expressly requires mitigation or adaptation to the impacts of climate change. These objectives are instead supported through other laws like the Vehicle Emissions Act, the Air and Noise Pollution Management Act, the Water Pollution Management Act, the Environmental Management Act, the Disasters Measures Act, and the Forests Act.



United States

In the United States, the Global Climate Change Prevention Act of 1990³⁹ establishes mitigation actions within the agriculture, forestry and trade sectors. While there is no federal law that comprehensively regulates mitigation and adaptation to climate change, these objectives are supported through several individual laws addressing air quality, energy, forestry and coastal zone management. Legislative initiatives at the state level complement these national frameworks.



Uruguay

Uruguay does not have a law that expressly requires mitigation or adaptation to the impacts of climate change. The General Environmental Law nonetheless supports compliance with climate change mitigation and adaptation measures.



Venezuela

In Venezuela, the legal framework regarding climate change is comprised of the Constitution, the Organic Environmental Law⁴⁰ and the Law of Socio-Natural and Technological Risks of 2009.⁴¹ The latter established a committee responsible for the National Adaptation to Climate Change Plan and for assessing the country's vulnerabilities to climate change.



CLIMATE CHANGE RESPONSES BY THE EXECUTIVE BRANCH

The executive branch has a two-folded mission. First, it outlines policy frameworks that require legislative efforts to be implemented and, second, it executes mandates conferred by the legislative branch through public policies. The following comparative analysis, while not comprehensive, illustrates trends to mitigate and adapt to climate change through national-level policies of the executive branch.⁴²



Antigua and Barbuda

Antigua and Barbuda has demonstrated its commitment to the implementation of obligations under the United Nations Framework Convention on Climate Change (UNFCCC) through the establishment of a climate change database, Greenhouse Gas (GHG) inventory, and research and monitoring programs, amongst other policies. It has also issued a National Environmental Strategy and National Physical Development Plan, a National Energy Policy, and an Energy Sustainability Strategy.⁴³



Argentina

Argentina hosted the Conference of the Parties (COP 4) of the UNFCCC in 1998, and established the Argentinian Carbon Fund in 2015, through an executive decree (Decree 1070/05) to promote mitigation projects under the Kyoto Protocol. Since 2012, the country also possesses a National Climate Change Mitigation Strategy.



Barbados

Barbados has a National Climate Change Policy since 2012, which supports continued institutional, administrative and legislative improvements to mitigation and adaptation efforts in pursuit of a green economy status. The country has taken a leading role in climate finance issues, through its representation of Small Island Developing States in the Green Climate Fund Board.⁴⁴



Belize

Belize has been working on a National Energy Policy Proposal with support from the OAS.⁴⁵ One of the objectives of the proposal is to minimize the deleterious effects of climate change and GHG emissions. An existing Climate Change Adaptation Policy also encourages government agencies to explore and access opportunities derived from global climate change negotiations for capacity building, new funding, and support with technology transfers. This policy also mandates relevant agencies to prepare adaptation policy options for their sectors. In 2009, the country issued a National Adaptation Strategy and Action Plan to address climate change in the water sector.⁴⁶



Bolivia

Bolivia has promoted initiatives that contribute to climate change mitigation and adaptation through executive decrees. For example, Decree No. 28218 incorporates clean development mechanisms in its National Development Policy.



Brazil

Several executive decrees have been issued by Brazil in areas that address climate change mitigation and adaptation. Examples include the establishment of an Inter-Ministerial Committee on Climate Change (Decree No. 6263/2007), a National Plan on Climate Change, as well as a National Climate Change Policy. These executive initiatives have committed to include 80% of renewables in the energy matrix, and to a 10% reduction in electricity consumption by 2030 under requirements of the National Energy Plan.



Canada

Canada has shown strong leadership on climate change issues. As part of its contribution to a new global climate change agreement, it intends to achieve an economy-wide target to reduce GHG emissions by 30% below 2005 levels by 2030. In this context, the country has been implementing a sector-by-sector regulatory approach to reduce GHG emissions, aligned with major economic partners. Actions have also been taken by the executive branch in areas relating to transportation and hydro-fluorocarbons amongst others.⁴⁷



Chile

Chile, through the ministry of the Environment, has taken efforts to integrate climate change measures in national public policies for the purpose of achieving a low carbon economy. It has also established a Council at the ministerial level focused on sustainability and climate change,⁴⁸ and issued a revised National Climate Change Adaptation Plan in 2014. It is currently updating its National Climate Change Action Plan through a process of public consultations, and developing sector based adaptation plans. The creation of an Agency for Sustainability and Climate Change has also been announced. This decentralized agency will support implementation of state policies for sustainable development and climate action in the private and public sectors.



Colombia

Colombia has established a National Climate Change Adaptation Plan with the objective of reducing vulnerability and increasing response capacities to extreme weather events related to climate change.⁴⁹ Three other strategies relating to climate change were also included in the country's National Development Plan: a Low Carbon Development Strategy, a Reduced Emissions from Deforestation and Forest Degradation (REDD+) Strategy, and a strategy for financial protection in relation to extreme weather events. Presidential decrees have also established an Inter-Sectoral Committee on Climate Change, and a National Climate Change System to formulate and articulate climate change policies.⁵⁰



Costa Rica

Costa Rica has taken strong leadership in tackling climate change. The country has a National Climate Change Strategy since 2008, and a corresponding Action Plan, which entered into force in 2014. It has also established a Carbon Neutrality System through a ministerial resolution⁵¹ that has engaged the private sector and civil society in addressing climate change. Based on this system, the country has reaffirmed its commitment to becoming carbon-neutral by 2021.



Cuba

In 2017, the Council of Ministers approved the Climate Change Plan “Tarea Vida,” with a focus on protecting citizens in vulnerable locations from extreme weather events, enhancing food security, and livelihoods in the tourism sector. Previously, the 2011 guidelines of the Economic and Social Policy prioritized environmental studies focused on climate change, with an emphasis on water, soil and biodiversity conservation. The National Environmental Strategy of 2011-2015 proposed to enhance the use of renewable energy sources, strengthen adaptation measures in coastal zones management, and promote adaptation planning and investments to prevent impacts of extreme weather events. It further introduced mitigation and adaptation measures to minimize climate impacts on human health, to improve early warning systems, and to extend land-cover in the forestry sector. The Program to Combat Climate Change of 2007 highlighted the incorporation of climate change adaptation in all programs, plans and projects that focus on food production, water resource management, spatial planning, and hygiene and epidemiology.



Dominica

The Commonwealth of Dominica has implemented a Biodiversity and Climate Change Adaptation Program through its Convention on Biological Diversity Strategy and Action Plan,⁵² which fully integrates mitigation and adaptation measures. Since 2012, the country also has a Low-Carbon Climate-Resilient Development Strategy which includes a Pilot Programme for Climate Resilience (PPCR) and Strategic Programme on Climate Resilience (SPCR). Implementation of this strategy is expected to lead the transformation to a low carbon economy.



Dominican Republic

The Dominican Republic has an Economic Development Plan that is compatible with climate change mitigation and adaptation objectives.⁵³ A National Council for Climate Change and Clean Development was also established in 2008 via executive decree.⁵⁴ This Council is composed of various ministries, government entities, and representatives from the private sector and civil society organizations and is chaired by the President of the country.



Ecuador

The Ministry of Environment of Ecuador is responsible for implementing policies in support of climate change adaptation and mitigation. The country also has an Inter-Institutional Committee on Climate Change that coordinates policies and actions across government departments, and a National Climate Change Strategy to 2025.⁵⁵



El Salvador

El Salvador has issued various policy instruments that address climate change. These include the National Environmental Strategy, the National Energy Policy and the National Climate Change Strategy of 2013.



Grenada

Grenada has a National Climate Change Policy and Action Plan since 2007. These instruments were partially driven by the country's participation in the Caribbean Planning and Adaptation to Climate Change (CPACC) project executed with the General Secretariat of the OAS with funding from the Global Environmental Facility (GEF). Since 2011, it has a Low Carbon Development Strategy, mostly driven by the priority of addressing the impacts of climate change. The country has been using the following policies as guiding frameworks for low carbon development: the National Energy Policy of 2011, the Protected Area System Plan of 2012, and the National Climate Change Policy and Action Plan of 2007-2011.⁵⁶



Guatemala

Guatemala has taken important actions to address climate change. Examples include a recently adopted Energy Policy that aims to source 80% of the country's electricity from renewables by 2030.



Guyana

As a result of participating in the Caribbean Planning and Adaptation to Climate Change (CPACC) project, executed by the General Secretariat of the OAS with funding from the Global Environmental Facility (GEF), since 2002, Guyana has developed a Climate Change Adaptation Policy and Implementation Plan. It is also implementing a Low Carbon Development Strategy and has led international efforts in support of projects to avoid deforestation.



Haiti

Haiti has an extensive policy framework that aligns with global climate change objectives, despite challenges in its implementation. This includes a Strategic Development Plan and National Adaptation Plan, which addresses integrated water resource management, coastal zone management, food security, bio trade, energy transition, and education to reduce fossil fuel consumption.



Honduras

Honduras has a National Climate Change Strategy and has taken important actions in relation to climate change, leading regional efforts to tackle the issue of bark beetles affecting forests.⁵⁷



Jamaica

The Vision 2030 Jamaica National Development Plan establishes a blueprint for development and overarching framework for activities in support of climate change mitigation, particularly through greater energy conservation. Adaptation is addressed in the Sector Plan for Natural Resources and Environmental Management and Climate Change.⁵⁸ The country has also developed a National Policy for the Trading of Carbon Credits within its National Energy Policy with support from the OAS.



Mexico

Mexico has a National Climate Change Plan and an Inter-Ministerial Committee that addresses climate change policies, in addition to a National Program on Air Quality, and a GHG emissions registry. A Climate Change Fund has also been established to promote low carbon green growth.



Nicaragua

Nicaragua has issued a National Environmental and Climate Change Strategy. This strategy is cross cutting in nature as it is designed to be implemented by different Ministries and to mainstream climate change considerations in government policy and land management. Within this framework, sectoral authorities have issued action plans for climate change in relation to agriculture, fisheries and forests among other sectors.⁵⁹



Panama

Panama has a National Climate Change Strategy since 2007 and has recently engaged in developing a conceptual framework for a carbon market.



Paraguay

Paraguay has been working on a GHG emissions inventory for more than a decade, and has a National Climate Change Commission formed by different ministries, government agencies and representatives of academia.⁶⁰



Peru

Since 2003, Peru has been working to strengthen normative, institutional and policy frameworks relating to climate change. It has adopted a National Climate Change Strategy to comply with UNFCCC commitments at the national level, which has been updated in consultation with multiple stakeholders on the occasion of the hosting of the Conference of the Parties (COP 20) of the UNFCCC in 2014.



St. Kitts and Nevis

St. Kitts and Nevis has a broad policy framework to address environmental and climate change related challenges. These include the National Environmental Management Strategy (NEMS) and a National Energy Policy developed with support of the OAS.⁶¹



St. Lucia

St Lucia has a National Climate Change Adaptation Policy that is designed to address short, medium and long term impacts of climate change in a coordinated, holistic and participatory manner.



St. Vincent and the Grenadines

St Vincent and the Grenadines has several different policies to support adaptation to climate change. These include the National Economic and Social Development Plan 2013-2025, which includes climate resilience in its strategic objectives, and the National Environmental Management Strategy and Action Plan. It is currently developing a National Energy Action Plan.⁶²



Suriname

In 2011, Suriname established a Climate Compatible Development Agency to consolidate and streamline climate change related efforts across various government departments. The Agency's responsibilities include coordination of national policies on climate change mitigation and adaptation, and forest conservation. The agency is also mandated to secure international funding in relation to these policies, to lead the country's Climate Change Fund, and to support a Climate Compatible Knowledge Institute.⁶³



The Bahamas

The Commonwealth of the Bahamas has a National Policy on Adaptation to Climate Change since 2005. This policy includes directives for multiple sectors including agriculture, fisheries, the energy sector, the financial and insurance sector, forestry, health and human settlements, biodiversity, and the tourism sector amongst others.⁶⁴



Trinidad and Tobago

Trinidad and Tobago has a National Climate Change Policy since 2011 and has established a Green Fund. The country also has a comprehensive policy framework addressing climate change issues in relation to forests, energy and environmental management.



United States

In 2014, the US Environmental Protection Agency (EPA) issued the Clean Power Plan aimed at reducing carbon pollution from power plants with a focus on climate change action, although this plan is currently under litigation.⁶⁵ Several states have also adopted policies in relation to climate change. These include climate action plans in Colorado, Connecticut, Maine and New York; the establishment of GHG emission performance standards for vehicles in California, New Jersey and Washington; the establishment of commissions to develop policy recommendations on climate change in Alaska, Arkansas and Arizona, and a cap-and-trade program in California.⁶⁶



Uruguay

Uruguay has assumed a leading role in negotiations for multilateral environmental agreements and support to the Montevideo Program on Environmental Law. It also has a comprehensive National Climate Change Strategy.



Venezuela

Climate change is addressed in the Economic and Social Development Plan of Venezuela. In 2012, the country also adopted new strategies for climate change mitigation and adaptation.⁶⁷

AT A GLANCE: INDEX OF KEY LEGISLATION AND POLICY FRAMEWORKS TO ADDRESS CLIMATE CHANGE

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
Antigua and Barbuda	<ul style="list-style-type: none"> • Forestry Act • Beach Protection Act • Plant Protection Act • Fisheries Act • Environment Protection Management Bill 	<ul style="list-style-type: none"> • Establishment of a climate change database, Greenhouse Gas (GHG) inventory, and research and monitoring programs • National Environmental Strategy • National Physical Development Plan • National Energy Policy • Energy Sustainability Strategy
Argentina	<ul style="list-style-type: none"> • General Law of the Environment (<i>Ley general del ambiente</i>) • Minimum threshold regime for the protection of glaciers and periglacial environment 	<ul style="list-style-type: none"> • Argentinian Carbon Fund (<i>Fondo argentino del carbono</i>) • National Climate Change Mitigation Strategy (<i>Estrategia nacional de mitigación del cambio climático</i>)
Barbados	<ul style="list-style-type: none"> • Town and Country Planning Act 	<ul style="list-style-type: none"> • National Climate Change Policy • Represents Small Island Developing States in the Green Climate Fund Board

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
Belize	<ul style="list-style-type: none"> • Environmental Protection Act 	<ul style="list-style-type: none"> • National Energy Policy Proposal • Climate Change Adaptation Policy • National Adaptation Strategy
Bolivia	<ul style="list-style-type: none"> • Framework Law of Mother Earth for Integral Development to Live Well (<i>Ley marco de la madre tierra y desarrollo integral para vivir bien</i>) 	<ul style="list-style-type: none"> • Inclusion of clean development mechanisms in the National Development Policy (<i>Política nacional de desarrollo</i>)
Brazil	<ul style="list-style-type: none"> • Forest Code • Solid Waste Policy • Coastal Zone Management Law • Electricity Sector Law • Biodiesel Law 	<ul style="list-style-type: none"> • National Climate Change Policy • Inter-Ministerial Committee on Climate Change • National Plan on Climate Change • National Energy Plan
Canada	<ul style="list-style-type: none"> • Environmental Protection Act • Environmental Assessment Act • Water Act • Energy Efficiency Act • Emissions reduction laws enacted in some provincial legislatures 	<ul style="list-style-type: none"> • Sector-by-sector regulatory approach to reduce GHG emissions, aligned with major economic partners • Economy-wide target to reduce GHG emissions by 30% below 2005 levels by 2030

LEGISLATIVE BRANCH

EXECUTIVE BRANCH

Chile

- General Law of the Environment (*Ley de bases generales del medio ambiente*)
- General Law for Electric Services (*Ley general de servicios eléctrico*)
- Law on Non-Conventional Renewable Energies (*Ley de energías renovables no convencionales*)
- Law on Geothermal Energy (*Ley de concesiones de energía geotérmica*)
- Forest Law (*Ley de bosques*)

- Council at the ministerial level focused on sustainability and climate change
- National Climate Change Adaptation Plan (*Plan nacional de adaptación al cambio climático*)
- National Climate Change Action Plan (*Plan de acción nacional de cambio climático*) (under public consultation)
- Agency for Sustainability and Climate Change (*Agencia de cambio climático y sustentabilidad*)

Colombia

- Renewable Natural Resources and Environmental Protection Code (*Código nacional de recursos naturales renovables y de protección al medio ambiente*)
- Law for Promotion and Efficient Use of Energy Resources (*Ley de uso racional y eficiente de la energía*)
- Draft bill to establish climate change mitigation and adaptation measures

- National Climate Change Adaptation Plan (*Plan nacional de adaptación al cambio climático*)
- National Development Plan, which includes: a Low Carbon Development Strategy (*Estrategia de desarrollo bajo en carbono*), a Reduced Emissions from Deforestation and Forest Degradation (REDD+) Strategy (*Estrategia nacional de reducción de emisiones debidas a la deforestación y degradación forestal*), and a strategy for financial protection in relation to extreme weather events
- Presidential decrees have also established an Inter-Sectoral Committee on Climate Change (*Comisión intersectorial de cambio climático*), and a National Climate Change System (*Sistema nacional de cambio climático*)

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
Costa Rica	<ul style="list-style-type: none"> • Environmental Law (<i>Ley orgánica del ambiente</i>) • Forestry Law (<i>Ley forestal</i>) • General Law on Climate Change (<i>Proyecto de ley marco de cambio climático</i>) 	<ul style="list-style-type: none"> • National Climate Change Strategy (<i>Estrategia nacional de cambio climático</i>) • Carbon Neutrality System that has engaged the private sector and civil society • Reaffirmed commitment to becoming carbon-neutral by 2021
Cuba	<ul style="list-style-type: none"> • Environment and Rational Use of Natural Resources Law (<i>Ley de protección del medio ambiente y del uso racional de los recursos naturales</i>) • Foreign Investment Law (<i>Ley de inversión extranjera</i>) 	<ul style="list-style-type: none"> • National Environmental Strategy (<i>Estrategia nacional ambiental</i>) • Climate Change Plan “Tarea Vida” (<i>Tarea Vida: Plan de Estado para el enfrentamiento al cambio climático</i>) • Program to Combat Climate Change (<i>Programa de enfrentamiento al cambio climático</i>)
Dominica	<ul style="list-style-type: none"> • Environmental, Climate Change and Development Bill (in progress) • Town and Country Planning Act • Land Management Authority Act • Forest Reserve Rules • Forestry and Wildlife Act 	<ul style="list-style-type: none"> • Biodiversity and Climate Change Adaptation Program • Low-Carbon Climate-Resilient Development Strategy

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
Dominica (continued)	<ul style="list-style-type: none"> • National Parks and Protected Areas Act • Beach Control Act • Water and Sewerage Act • Pesticide Control Act 	
Dominican Republic	<ul style="list-style-type: none"> • General Environmental Law (<i>Ley general de medio ambiente y recursos naturales</i>) • Law on Incentives for Developing Sources of Renewable Energy (<i>Ley de incentivo al desarrollo de fuentes de energía renovable</i>) • Law on Hydrocarbons (<i>Ley de hidrocarburos</i>) • Forestry Law (<i>Ley forestal</i>) 	<ul style="list-style-type: none"> • Economic Development Plan (<i>Plan de desarrollo económico</i>) • National Council for Climate Change and Clean Development (<i>Consejo nacional para el cambio climático y el mecanismo de desarrollo limpio</i>), composed of ministries, government entities, private sector, and civil society organizations, chaired by the President of the country
Ecuador	<ul style="list-style-type: none"> • Legal framework that regulates environment and energy, and requires or encourages mitigation and adaptation measures 	<ul style="list-style-type: none"> • Inter-Institutional Committee on Climate Change (<i>Comité interinstitucional de cambio climático</i>) • National Climate Change Strategy (<i>Estrategia nacional de cambio climático</i>)

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
El Salvador	<ul style="list-style-type: none"> • General Environmental Law (<i>Ley de medio ambiente</i>) • Forestry Law (<i>Ley forestal</i>) • Land Use Planning and Development Law (<i>Marco jurídico para el uso del suelo y ordenamiento territorial urbanístico</i>) 	<ul style="list-style-type: none"> • National Environmental Strategy (<i>Estrategia nacional de medio ambiente</i>) • National Energy Policy (<i>Política nacional de energía</i>) • National Climate Change Strategy (<i>Estrategia nacional de cambio climático</i>)
Grenada	<ul style="list-style-type: none"> • Land Development Control Act • Forestry Soil and Water Conservation Act 	<ul style="list-style-type: none"> • National Climate Change Policy • Low Carbon Development Strategy • National Energy Policy • Protected Area System Plan
Guatemala	<ul style="list-style-type: none"> • Framework Law to regulate vulnerability reduction, adaptation to climate change and mitigation of GHG emissions • Forestry Law (<i>Ley forestal</i>) • Law that provides incentives for renewables 	<ul style="list-style-type: none"> • Energy Policy (<i>Política de energía</i>) that aims to source 80% of the country's electricity from renewables by 2030

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
Guyana	<ul style="list-style-type: none"> • Environmental Protection Act • Energy Act • Protected Areas Act 	<ul style="list-style-type: none"> • Climate Change Adaptation Policy • Low Carbon Development Strategy • Leading role internationally in projects to avoid deforestation
Haiti	<ul style="list-style-type: none"> • Constitutional provisions regarding the environment and ecological balance 	<ul style="list-style-type: none"> • Presidential Decree on Environmental Management • Strategic Development Plan • National Adaptation Plan
Honduras	<ul style="list-style-type: none"> • National legal framework that regulates the environment and energy, and has an important influence in addressing climate change 	<ul style="list-style-type: none"> • National Climate Change Strategy (<i>Estrategia nacional de cambio climático</i>) • Leading regional role in tackling the issue of bark beetles affecting forests
Jamaica	<ul style="list-style-type: none"> • Clean Air Act • Watershed Protection Act • Water Resources Authority Act • Environmental Management Act 	<ul style="list-style-type: none"> • Vision 2030 National Development Plan, with focus on greater energy conservation • Sector Plan for Natural Resources and Environmental Management and Climate Change

LEGISLATIVE BRANCH

EXECUTIVE BRANCH

**Jamaica
(continued)**

- Land Authority Act
- Land Development and Utilization Act
- Natural Resources Conservation Authority Act
- Disaster Management Act
- National Heritage Trust Act
- Endangered Species Act

- National Policy for the Trading of Carbon Credits within its National Energy Policy

Mexico

- General Law on Climate Change (*Ley general de cambio climático*)
- General Ecological Equilibrium and Environmental Protection Law (*Ley general de equilibrio ecológico y de protección del medio ambiente*)
- Law that limits vehicular emissions

- National Climate Change Plan (*Plan nacional de adaptación al cambio climático*)
- Inter-Ministerial Committee
- National Program on Air Quality (*Programa nacional centrado en la calidad del aire*)
- GHG emissions registry (*Registro de emisiones de GEI*)
- Climate Change Fund (*Fondo para el cambio climático*) to promote low carbon green growth

Nicaragua

- Amendments of the General Environmental and Natural Resources Law (*Ley general de medio ambiente y recursos naturales*) to include climate change protection

- National Environmental and Climate Change Strategy (*Estrategia nacional ambiental y de cambio climático*)

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
Panama	<ul style="list-style-type: none"> • National Environmental Law (<i>Ley general del ambiente</i>) and legal and regulatory framework • Water Law (<i>Ley de uso de las aguas</i>) 	<ul style="list-style-type: none"> • National Climate Change Strategy (<i>Estrategia nacional de cambio climático</i>) • Developing a conceptual framework for a carbon market
Paraguay	<ul style="list-style-type: none"> • Legal framework on environmental management • General Law on Climate Change (<i>Ley general de cambio climático</i>) (on debate) 	<ul style="list-style-type: none"> • Working on a GHG emissions inventory • National Climate Change Commission (<i>Comisión nacional de cambio climático</i>), formed by different ministries, government agencies and representatives of academia
Peru	<ul style="list-style-type: none"> • General Environmental Law (<i>Ley de medio ambiente</i>) • Environmental Management System Law (<i>Ley marco del sistema de gestión ambiental</i>) • Law on Payment for Ecosystem Services (<i>Ley de mecanismos de retribución por servicios ecosistémicos</i>) • Forest and Wild Fauna Law (<i>Ley forestal y de fauna silvestre</i>) • Protected Areas Law (<i>Ley de áreas naturales protegidas</i>) • Water Resources Law (<i>Ley de recursos hídricos</i>) • Framework Law on Climate Change (<i>Ley marco para enfrentar los efectos del cambio climático</i>) (in progress) 	<ul style="list-style-type: none"> • National Climate Change Strategy (<i>Estrategia nacional de cambio climático</i>)

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
St. Kitts and Nevis	<ul style="list-style-type: none"> • National Conservation and Environmental Protection Act • Fisheries Act • Development Control and Planning Act 	<ul style="list-style-type: none"> • National Environmental Management Strategy • National Energy Policy
St. Lucia	<ul style="list-style-type: none"> • Forest, Soil and Water Conservation Act • Saint Lucia National Trust Act • Wildlife Protection Act • Fisheries Act • Land Conservation and Improvement Act • National Conservation Authority Act • Physical Planning and Development Act 	<ul style="list-style-type: none"> • National Climate Change Adaptation Policy
St. Vincent and the Grenadines	<ul style="list-style-type: none"> • Forest Resource Conservation Act • Beach Protection Act • Fisheries Act • Waste Management Act 	<ul style="list-style-type: none"> • National Economic and Social Development Plan • National Environmental Management Strategy • National Energy Action Plan
Suriname	<ul style="list-style-type: none"> • Nature Conservation Act 	<ul style="list-style-type: none"> • Climate Compatible Development Agency

	LEGISLATIVE BRANCH	EXECUTIVE BRANCH
The Bahamas	<ul style="list-style-type: none"> • Conservation and Protection of the Physical Landscape Act 	<ul style="list-style-type: none"> • National Policy on Adaptation to Climate Change
Trinidad and Tobago	<ul style="list-style-type: none"> • Vehicle Emissions Act • Air and Noise Pollution Management Act • Water Pollution Management Act • Environmental Management Act • Disasters Measures Act • Forests Act 	<ul style="list-style-type: none"> • National Climate Change Policy • Green Fund
United States	<ul style="list-style-type: none"> • Global Climate Change Prevention Act, which establishes mitigation actions within the agriculture, forestry and trade sectors 	<ul style="list-style-type: none"> • Clean Power Plan to reduce carbon pollution (under litigation) • Climate action plans, GHG emission performance standards for vehicles, and commissions to develop policy recommendations on climate change in several states • Cap-and-trade program in California

LEGISLATIVE BRANCH**EXECUTIVE BRANCH****Uruguay**

- General Environmental Law (*Ley de medio ambiente*)

- Leading role in negotiations for multilateral environmental agreements and support to the Montevideo Program on Environmental Law (*Programa de Montevideo para el desarrollo y la revisión periódica del derecho ambiental*)
- National Climate Change Strategy (*Plan nacional de respuesta al cambio climático*)

Venezuela

- Organic Environmental Law (*Ley orgánica del ambiente*)
- Law of Socio-Natural and Technological Risks (*Ley de gestión integral de riesgos socionaturales y tecnológicos*), with a committee responsible for the National Adaptation to Climate Change Plan (*Plan nacional de adaptación al cambio climático*)

- Economic and Social Development Plan (*Plan nacional de desarrollo económico y social*)
- Strategies for climate change mitigation and adaptation

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