



# **HISTORICAL BACKGROUND OF CLIMATE CHANGE LAW IN UGANDA**

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# OUTLINE



**Introduction: What climate change is.**



**Historical development of climate change; international scene**



**Climate change at National Level – including the effects.**



**Contribution of Courts to Climate change law**



**Other key players in Climate change fight**



**Challenges and Way forward**



## S.2 Uganda NCC Act 2021; Art. 1 of UNFCCC

Means a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is, in addition to natural climate variability, observed over comparable time periods.

Some examples of Climate change effects include- floods, drought, changing seasons etc

# CLIMATE CHANGE - DEFINITION

# CONT'N

Climate Change is best understood within the concepts of greenhouse gas effect and global warming.

The greenhouse effect is the way in which heat is trapped close to Earth's surface by “greenhouse gases.” (GhGs) These heat-trapping gases are like a blanket wrapped around the Earth, keeping the planet warmer/hotter than it would be without them. On a positive note, without these heat-trapping gases, it would have been too cold for life to exist on the planet earth.

While global warming is a gradual increase in the overall temperature of the earth's atmosphere generally attributed to the greenhouse effect caused by increased levels of greenhouse gases (GhGs) such as carbon dioxide, chlorofluorocarbons (CFCs), methane (CH<sub>4</sub>), nitrous oxide, and other pollutants.

Notably, global warming is the main cause of climate change



# HISTORICAL DEVELOPMENT OF CLIMATE CHANGE; INTERNATIONAL SCENE

- The Kyoto Protocol, Paris Agreement, and UNFCCC are key int. Agreements aimed at addressing cc.
- 1992, UNFCCC adopted at the Earth Summit in Rio de Janeiro. Entered into force in 1994. Sets a framework for int. cooperation, but does not specify binding targets.
- 1997 Kyoto Protocol adopted in Japan established emissions targets for developed countries
- Paris Agreement of the UNFCCC in 2015. (NDCs) Adopted in Paris in 2015. Goal, limit global warming to well below 2 C and pursue efforts to 1.5 above pre-industrial levels. Countries submit NDCs for reduction of greenhouse gases
- **COPs.** These help make great strides. Here pacts are made and commitments (UAE, Egypt, Glasgow – Glasgow pact).

# CLIMATE CHANGE AT NATIONAL LEVEL

- 1995 constitution
- The National Environment Act 2019
- The National Climate Change Act 2021
- National Climate Change Policy 2015
- National (Environment) Air Quality Standards 2024

## **Institutional**

- National Environment Management Authority
- Climate Change Department – MWE
- Others in the offing.

# IMPACTS OF CLIMATE CHANGE

- In Uganda, the costs of inaction are estimated at between US\$273 -437 billion by 2050. (MWE, 2015.Economic Assessment of the Impacts of Climate Change in Uganda)
- Floods
- Drought and famine, food insecurity
- Health hazards
- Destruction to environment e.g mining activities (flora and fauna)
- Climate migrants (Kampala, and Nairobi Declarations)
- Infrastructure damage



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# EFFECTS OF CLIMATE CHANGE.

## Impacts of climate change



Landslides



Displacement of people



Effects of floods on Education



Storm effects on housing/settlement



Effects of hailstorm on agriculture



Effects of floods on roads and bridges



# CONT'N



**Ugandan soldiers and relatives search for victims of a landslide in Bududa in 2010.**  
(Peter Busomoke/AFP/Getty Images)

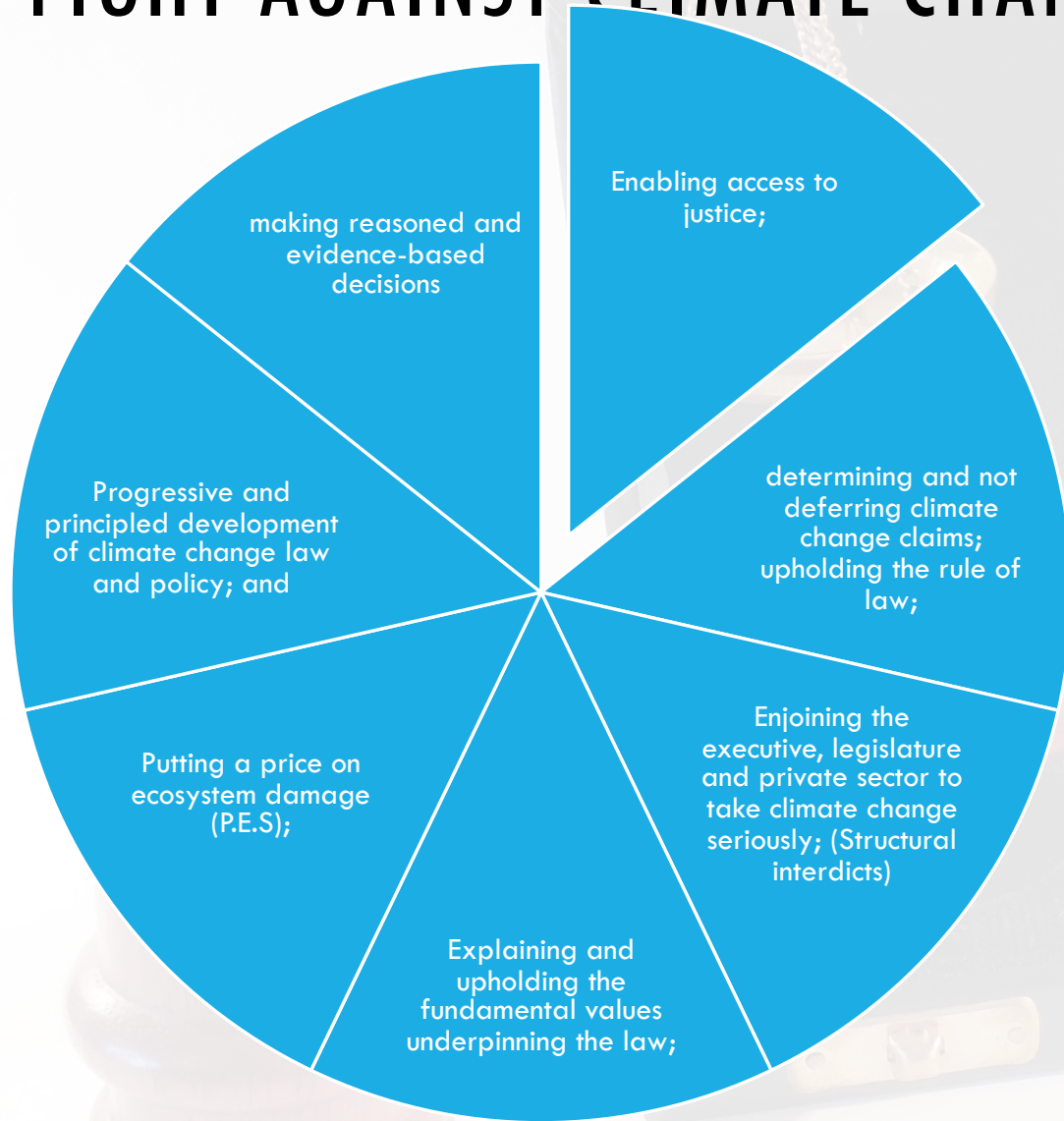
A result of a combination of natural and human beings negative interaction with the land resources; (GN June 2012)



"Never have we so hurt  
and mistreated our  
common home as we  
have in the last 200  
years..."

[Laudato si' \(24 May 2015\)](#)

# CONTRIBUTION OF COURTS IN THE FIGHT AGAINST CLIMATE CHANGE





# CONTRIBUTION OF COURTS TO CLIMATE CHANGE LAW

- Continue Providing a platform for Climate Justice. Courts continue to give a voice to vulnerable communities.
- Clarifying Climate Responsibilities .Courts have clarified the responsibilities of governments, corporations and individuals in addressing CC.(Shell case in Netherlands which ordered the company to reduce emissions)
- Protecting environmental rights; Courts have globally recognized and upheld a the right to a healthy environment.
- Enforcing Climate Legislation: Courts have ensured that Climate legislation is enforced( JulianaVersus United States) (2015) which challenged the US government's failure to address Climate Change

# ROLES OF OTHER KEY PLAYERS

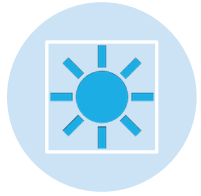
KEY PLAYERS	ROLE
Civil Society	Activism, research, mitigation efforts (tree planting), Court action,
Youth (Greta Thunberg, Tree hugging Ugandan) - Schools	Awareness,
Parliament	Law making, debates, resolutions on environment
Executive	Good will, financial appropriation,
Public	Demand for laws, implement existing laws, mitigation measures,
Companies/Operators/Private Sector	Reducing emissions,

# CHALLENGES TO MITIGATION OF C.C

- Limited Climate Change Financing (unfulfilled pledges)
- Limited Institutional Capacity(weak institutions, human resources and infrastructure)
- Lack of knowledge; information gap
- History of industrialized States- argument that less developed should be left to catch up.
- Political polarization.CC has become a politically divisive issue making it a challenge to implement effective policies.
- Lack of direct empirical data. (Use by many sceptics; Court also relies on evidence)



# PROPOSED SOLUTIONS



Adequate financial Resources.



Clean energy; cooking



Research (cases, literature, alternatives)



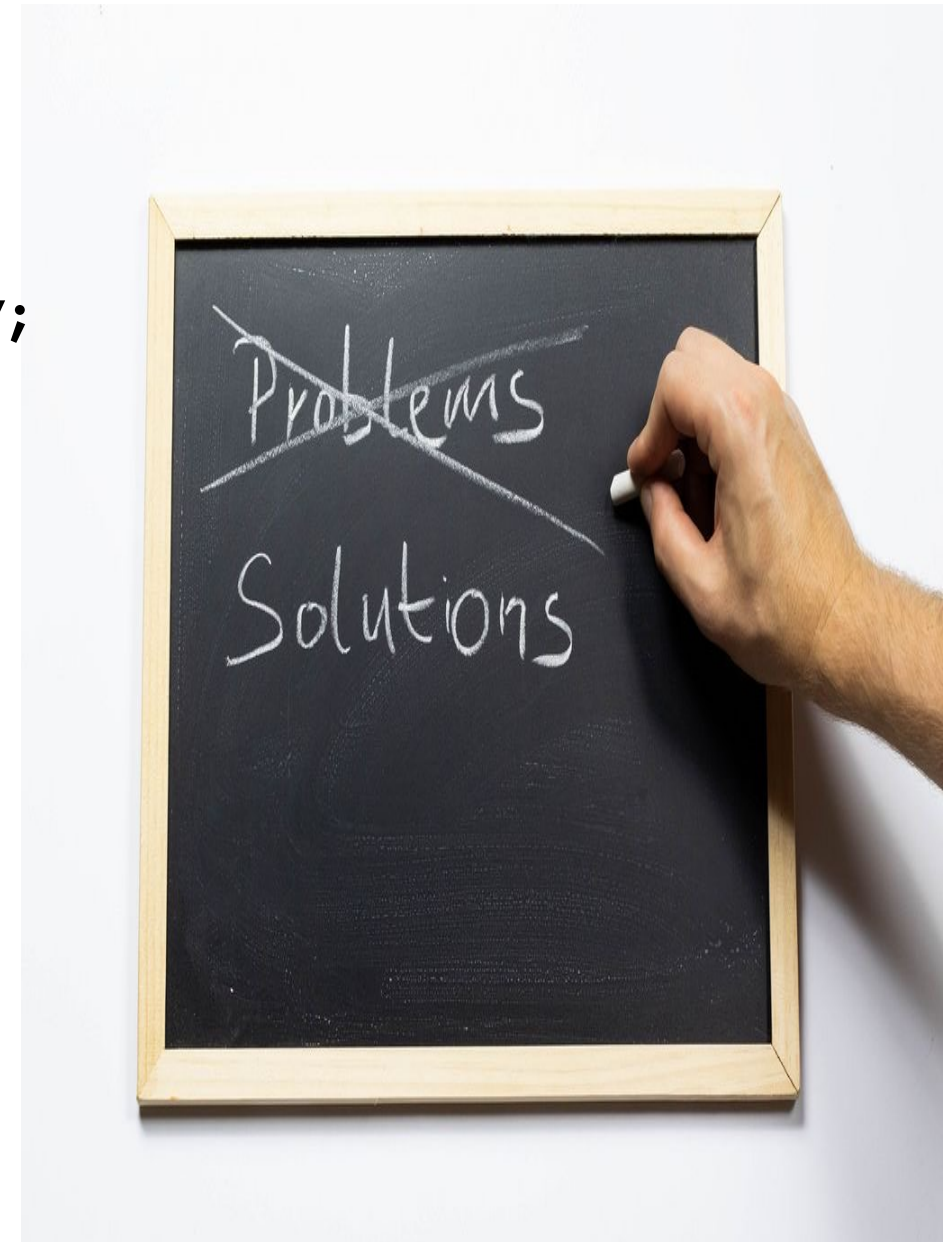
awareness raising

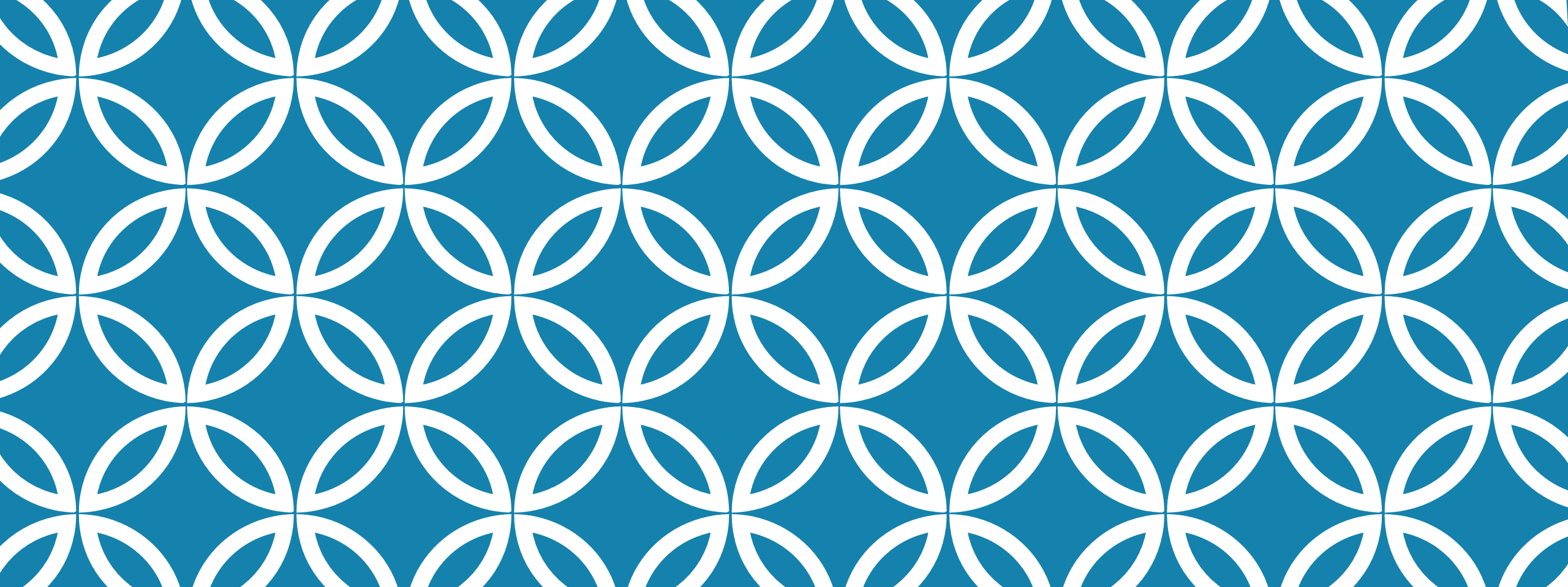


Development of laws



Political will





**THANK YOU**

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