

# A Climate Protection Law for Germany

## Project

## Duration

Jan - Apr 2009

Although climate change is one of the greatest challenges of our time, the time scale for climate change targets at the international, European, and national level has, until now, been confined to 2020. Great Britain, the first country to go beyond this time scale, passed a climate protection law at the end of 2008 with climate protection goals going until 2050, entailing government reporting obligations and an independent advisory committee. On behalf of WWF Germany, Ecologic Institute researched how middle and long term climate change goals could best be anchored in German law.

To take stock of German climate protection law, Ecologic first examined the requirements of international, European and national-level law. The main section of Ecologic's expert report analyzed four possibilities for committing climate protection goals to German law:

- A climate protection law similar to the Climate Change Act with broad regulations
- A climate protection book of statutes that brings together existing climate protection laws
- A self-contained climate protection chapter in an environmental statute book
- A self-contained inclusion of climate protection in the federal constitution

Ecologic came to the conclusion that, in the short term, the best of the above options would be a broad climate protection law similar to the British "Climate Change Act". No fundamental constitutional or European legal challenges would stand in the way of such a law. Most importantly, a climate act should contain middle and long term climate protection goals along with yearly interim goals. To achieve these goals, the federal government should be obligated to make regular reports to the Bundestag and sanctions should be provided for the case that goals are not met. Ecologic's report also recommends the appointment of an advisory board, similar to the British "Committee on Climate Change". This committee would advise the government on climate goals and policy actions and would regularly report to the Bundestag on implementation progress.

At a press conference on May 4, 2009 in Berlin, Ecologic and WWF presented the legal opinion [pdf, 528 KB, German], a policy paper [pdf, 101 KB, German] and a position paper [pdf, 61 KB, German].

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Ecologic Institute, Germany

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