

A Climate Protection Act for Germany

Presentation

[Speech](#)

Date

10 November 2009

Location

Berlin, Germany

Speech

Dr. Christiane Gerstetter

Christiane Gerstetter, Fellow Ecologic Legal, spoke on the legal feasibility of adopting a climate change act in Germany, modeled on the UK Climate Change Act. The presentation was a contribution to a seminar entitled "How legally-binding targets can promote more effective national climate change policy" held in the British Embassy. The presentation was based on an earlier legal expertise by Ecologic Legal on the topic, which the WWF had sponsored. It is available for download.

The seminar brought together policy-makers, environmental NGOs and business representatives to discuss the lessons learnt from the UK Climate Change Act. The latter was adopted in 2008 and sets binding emission reduction targets, stipulates reporting duties and provides for the establishment of a commission on climate change. In her contribution, Christiane Gerstetter discussed if a general climate change act could be adopted in Germany and which of the elements contained in the UK Climate Change Act could be transferred to the German legal order. She concluded that no fundamental constitutional or European legal obstacles stand in the way of such a law. Most importantly, a climate act should contain middle and long term emission reduction targets along with yearly interim targetes. To achieve these targets, the federal government should be obligated to regularly report to the Bundestag on the progress made. The law should also provide for sanctions for the case that the reduction targets are missed. Christiane Gerstetter also recommended the establishment of an advisory board, similar to the British "Committee on Climate Change".

In the discussion following the presentation by Christiane Gerstetter several speakers expressed the view that the main advantage of binding emission reduction targets would be keeping climate change on the political agenda and ensuring its continued political visibility.

The [presentation](#) [pdf, 80 kB, English] is available for download here. The full legal expertise (German only) is available for download from the [project website](#).

Organizer

[British Embassy, Berlin](#), Germany

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