

# Climate Legislation Advice Portal

Many developing country parties to the UNFCCC have indicated that to respond adequately to climate change and meet their nationally determined contributions (NDCs) under the Paris Agreement they will have to improve their national legal and institutional infrastructure.<sup>1</sup> In Bonn in May 2017, the Executive Secretary of the UNFCCC, Patricia Espinosa, stressed the need for effective legislation as well as other regulatory and institutional measures to implement the Paris Agreement. She called on governments to proactively address climate risks by reviewing and reforming existing laws and involve all ministries in this process.<sup>2</sup>

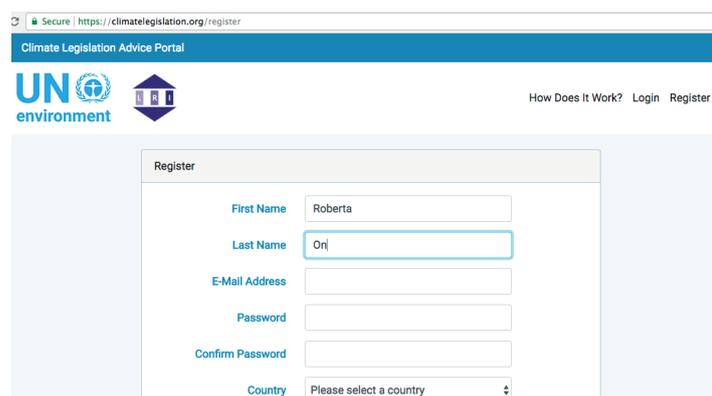
To assist countries in implementing the Paris Agreement and their NDCs, LRI, in collaboration with UN Environment, is, therefore, offering governments and parliamentarians from developing nations practical hands-on assistance in the development and review of climate and climate relevant

legislation. The service is free of charge and can be accessed via a new web-based climate legislation advice portal available throughout the year to individuals who represent a country's government, parliament or judiciary at <https://climatelegislation.org>. This paper outlines how the portal works and provides some additional explanations.

## The service comprises 5 simple stages

- 1. Registration
- 2. Submitting a question
- 3. Fine tuning the question
- 4. Receiving the advice
- 5. Providing some feedback

## Registration



Use of the portal is free of charge but we ask that all users register using a valid email address. Following registration, you will receive a verification link via email. If you do not – check your spam filter please. Otherwise, you can also request a new link.

Due to limited resources the service can currently only support government institutions and, unfortunately, not civil society at large.

At this point in time, we, therefore, only accept requests submitted by individuals who represent a country's government, parliament or judiciary.

LRI is a project funded by the UK Department for Business, Energy and Industrial Strategy (BEIS) for the benefit of developing countries. However, the views expressed and information contained in this paper are not necessarily those of or endorsed by BEIS, which can accept no responsibility for such views or information or for any reliance placed on them.

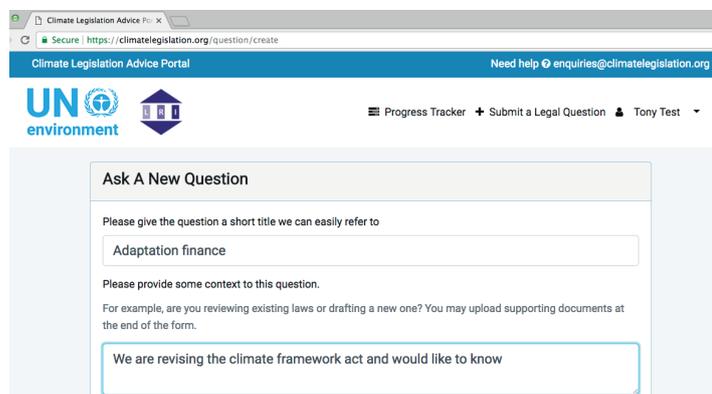
<sup>1</sup> Marie-Claire Cordonier Segger, Mirjam Reiner & Alexandra Scott, Countries stress the importance of legal and institutional capacity building in the iNDCs, Centre for International Sustainable Development Law (CISDL), Canada, 2016.

<sup>2</sup> See <http://thecommonwealth.org/media/news/commonwealth-forefront-new-climate-legislation-toolkit> and a webcast at [https://unfccc6.meta-fusion.com/bonn\\_may\\_2017/events/2017-05-09-12-00-lse-new-analysis-on-climate-change-laws-of-the-world](https://unfccc6.meta-fusion.com/bonn_may_2017/events/2017-05-09-12-00-lse-new-analysis-on-climate-change-laws-of-the-world).

## Your question

The portal has been created to assist with legal questions related to the review and development of climate or other climate relevant legislation. To fully understand your question and produce a targeted response we need you to provide some context and formulate the initial question that you have. At this point the more information we get from you about your wider concerns and the background to the query the better.

In the past, we have, for example, been asked: can you suggest a draft mandate for a new climate change body to fully comply with and benefit from the Paris Agreement? Can you review our draft climate change bill and advise on its consistency, language and – where necessary – suggest improvements? How can we modify the existing building regulations to respond adequately to the predicted sea level rise? These are just some examples and please describe your concerns in your own words.



The screenshot shows a web browser window with the URL <https://climatelegislation.org/question/create>. The page title is "Climate Legislation Advice Portal" and it includes a "Need help" link with the email [enquiries@climatelegislation.org](mailto:enquiries@climatelegislation.org). The UN Environment logo is visible. The main heading is "Ask A New Question". Below it, there is a prompt: "Please give the question a short title we can easily refer to" with a text input field containing "Adaptation finance". Another prompt asks for context: "Please provide some context to this question. For example, are you reviewing existing laws or drafting a new one? You may upload supporting documents at the end of the form." The text input field contains: "We are revising the climate framework act and would like to know".

## Fine-tuning the question and timelines

LRI works through a global network of lawyers from law firms, barrister chambers and universities who provide their advice on a 'pro bono' basis (free of charge). They are experts in their field who wish to contribute some of their time and expertise to the fight against climate change.

So while we will try to respond to your questions as soon as possible, our experts provide their advice on a voluntary basis and we cannot, therefore, commit to tight deadlines. Sound and comprehensive legal advice takes time. Please be realistic in your expectations and try to submit your question as early as possible.

To produce focused legal advice that adequately responds to your question it is key to formulate a clear question that our expert can address. If necessary, we will, therefore, work with you on the 'right' question or questions before we engage one of our advisers. After you have registered and sent your query, we will be in touch to either 'fine tune' the question or to let you know that we have already forwarded it.

## The advice

Once a question is submitted, you can check its status and track progress. The advice you receive is based on our advisers' best legal and technical knowledge. It will be peer reviewed and all reasonable efforts are made to ensure the accuracy of the information at the time it is produced. The materials, however, do not constitute formal legal advice or create a lawyer-client relationship. To the extent permitted by law any liability is excluded.

For the experts in our network, free legal advice 'for the public good' is part of their professional ethos. They benefit from new insights into emerging areas of law and the experience their junior lawyers gain in doing research and preparing the advice. Today the annual number of pro bono hours is also a criterion for the international ranking of law firms. If there is potentially a conflict of interest, experts will recuse themselves (and we will find another adviser).

As part of this service we only provide written advice and do not have the resources to support consultations, organise roundtables or hold workshops. We do not have a policy agenda and our advice is politically neutral and non-partisan. Legislative approaches will be dictated by the specificities of particular legal systems and cultures. The portal offers an additional source of legal support in this process but clearly does not and cannot replace the domestic experience and knowledge of local practitioners.

## Feedback

This is a new initiative by the legal community. To make this service as effective and demand driven as possible we need your comments, criticism and ideas at the end of the process. Please complete the electronic feedback form after you have read the advice. It will take less than two minutes. You are most welcome to submit follow-up questions and/or requests for clarification.

We respect the confidential nature of your request for assistance. To facilitate mutual learning and the dissemination of good practice, however, we may ask for your permission to share an anonymous version of the advice with others.

LRI is a UK based charity that provides legal assistance free of charge to delegates from poor and climate vulnerable developing countries as well as civil society observer organisations. LRI does this with the support of a global network of lawyers from law firms, barrister chambers and universities who produce legal opinions in response to specific queries raised in connection with the climate negotiations.

The opinions and legal briefing papers are available through LRI's database at <http://legalresponseinitiative.org/legal-assistance>.



### Legal Response International

c/o Simmons & Simmons, CityPoint, One Ropemaker Street, London EC2Y 9SS, UK

[enquiries@legalresponseinitiative.org](mailto:enquiries@legalresponseinitiative.org) [www.legalresponse.org](http://www.legalresponse.org)

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