

Don't bypass people

Tracing NDCs to (local) climate action

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List of abbreviations

4C – Scientific Council on Climate Change (Consejo Científico de Cambio Climático)

5C – Citizen's Advisory Council on Climate Change (Consejo Consultivo Ciudadano de Cambio Climático)

BUR – Biannual Update Report

CAE – External Advisory Council (Consejo Asesor Externo)

CELAR – Cooperativa de Provisión de Obras y Servicios Públicos Limitada y Crédito de Armstrong

CIDSE – International Cooperation for Development and Solidarity (Coopération Internationale pour le Développement et la Solidarité)

CODEFF - Comité Nacional Pro Defensa de la Flora y Fauna

COFEMA – Federal Environmental Council (Consejo Federal del Medio Ambiente)

CORECC – Regional Climate Change Committees (Comités Regionales de Cambio Climático)

CPI – Corruption Perception Index

CSO – Civil Society Organisation

DCC – Climate Change Directorate

EBRD – European Bank for Reconstruction and Development

ECLP – Estrategia Climática de Largo Plazo

EIA – Environmental Impact Assessment

ETICC – Interministerial Technical Team on Climate Change (Equipo Técnico Interministerial de Cambio Climático)

EU ETS – EU Emissions Trading Systems

EV – Electric Vehicle

GHG – Greenhouse Gas

GNCC – National Climate Change Cabinet (Gabinete Nacional del Cambio Climático)

INDC – Intended Nationally Determined Contribution

IPCC – Intergovernmental Panel on Climate Change

LEDP – Low Emission Development Programme

LEDS – Low Emission Development Strategy

LTS – Long Term Strategy

LULUCF – Land Use, Land-Use Change and Forestry

NAP – National Adaptation Plan

NDC – Nationally Determined Contributions

MIRD – Ministry of Regional Development and Infrastructure

MRV – Monitoring, Reporting and Verification

PAG – Plan of Actions of the Government

PNAyMCC – National Climate Change Adaptation and Mitigation Plan (Plan Nacional de Adaptación y Mitigación al Cambio Climático)

PANAyCC – National Action Plan for Agriculture and Climate Change (Plan de Acción Nacional de Agricultura y Cambio Climático)

PANlyCC – National Action Plan for Industry and Climate Change (Plan de Acción Nacional de Industria y Cambio Climático)

PANByCC – National Action Plan for Agriculture and Climate Change (Plan de Acción Nacional de Bosques y Cambio Climático)

PRIER – Renewable Energy Smart Grid Project (Proyecto de Redes Inteligentes con Energías Renovables)

RAMCC – Argentine Network of Municipalities Facing Climate Change (Red Argentina de Municipios Frente al Cambio Climático)

RES – Renewable Energy Sources

SEA – Strategic Environmental Assessment

SECAP – Sustainable Energy and Climate Action Plan

SEPLASA – Secretariat of Sectoral Planning for the Environment, Energy, Seas, and Land Use

SLAPP – Strategic Lawsuits against Public Participation

SNICC – National Climate Change Information System (Sistema Nacional de Información sobre el Cambio Climático)

SPP - Solar Photovoltaic Power Plant

UfU – Unabhängiges Institut für Umweltfragen (Independent Institute for Environmental Issues)

UNEP – United Nations Environment Programme

UNFCCC – United Nations Framework Convention on Climate Change

Executive Summary

2023 marks the year of the first Global Stocktake, focusing on assessing the overall progress made by the parties to the Paris Agreement in addressing the climate crisis and limiting global warming towards “well below 2°C above preindustrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels”¹.

The gap between the urgent need to drastically reduce emissions and the current implementation falls far short. The current policies² in place imply that the global temperature is expected to rise by 2.8°C by the end of this century. Even with the full implementation of the current pledges the temperature rise is projected to 2.4-2.6°C. Closing this massive gap requires a fair and rapid transformation of our systems from internationally agreed targets to concrete climate actions at all levels. The impacts of the climate crisis continue to escalate, faster and more severe than expected, disproportionately affecting the most vulnerable specifically in countries from the global South. It is crucial to fully address the gaps and the implementation of current policies to safeguard the well-being of all people and the planet. Within the framework of the Paris Agreement, Nationally Determined Contributions (NDCs) are a key tool to ratchet up climate protection. Therefore, this report assesses how NDCs are being implemented through national, provincial, and local programmes, plans, and strategies that lead to the development of local policies and projects. A range of structural barriers are identified that impede this process.

Additionally, the report evaluates the impact of locally implemented climate measures on both national and international commitments and assesses their social implications and effects on communities. The prerequisites for meaningful civil society involvement in climate policy are investigated, exploring factors like the presence of a participatory legal structure and tangible practices of inclusive policymaking. It highlights the significance of fostering these conditions to encourage active engagement and participation in climate-related decision-making.

In order to examine these guiding questions, the report draws on ten studies conducted by local research teams in Argentina, Chile, Costa Rica, Moldova and Kazakhstan between autumn 2022 and spring 2023.

They were commissioned by the German Federation for the Environment and Nature Conservation (BUND e.V./ Friends of Earth Germany) and the Independent Institute for Environmental Issues (UfU).

Across all countries, the following structural barriers **for implementation and reporting of international climate policy at national, regional and local level** are identified:

- (1) Lack of sufficient data

¹ Paris Agreement, article 2a, https://unfccc.int/sites/default/files/english_paris_agreement.pdf (last accessed 24 May 2023).

² United Nations Environment Programme (2022). Emissions Gap Report 2022: The Closing Window – Climate crisis calls for rapid transformation of societies. Nairobi, <https://www.unep.org/emissions-gap-report-2022>

- (2) Weak state institutions and/or lack of sufficient funding
- (3) Shift in government priorities
- (4) Vertical and horizontal incoherencies in governmental structures
- (5) Lack of knowledge and awareness

Furthermore, **structural barriers to meaningful civil society engagement** have been observed:

- (1) Violence against activists
- (2) Limited access to information
- (3) Missing legal frameworks
- (4) Corruption and lack of trust in the government

If political leaders around the world recognize the urgent need to address the climate crisis, especially in countries that have historically contributed to it, we can start overcoming the barriers to sound NDC implementation and civil society engagement mentioned here. Nevertheless, it's important to understand the different situations in various regions and communities worldwide. Conducting more research and involving the voices of those affected by climate policies at the local level is crucial for a global perspective and effective implementation of climate policy. This means setting priorities in all countries that avoid supporting false and risky solutions tied to a corrupt and profit-driven system. Instead, we should focus on creating a just future that prioritizes the well-being of everyone. Policymakers and decision-makers need to understand these issues and work towards transparency, inclusivity, and meaningful involvement in climate policy. This will help us take effective and fair action to tackle the climate crisis.

1. Introduction

In 2015, the parties of the United Nations Framework Convention on Climate Change (UNFCCC) agreed on the Paris Agreement. In order to contain the worst impacts of climate change, they agreed on the overall goal to limit global warming “well below 2°C above preindustrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels”³. This limit had long been championed by developing nations and small island states, who are most vulnerable to devastating impacts of the climate crisis while having contributed to it the least. The predecessor of the Paris Agreement, the Kyoto Protocol, had made a clear distinction between developed countries (Annex I) and developing countries (Annex II) and imposed the obligation of reducing emissions on the Annex I countries, following the principle of “common but differentiated responsibilities”. This distinction took into account the fact that the wealthy industrialised nations had emitted the majority of GHG emissions since the Industrial Revolution and thus bore greater responsibility for reducing emissions and limiting global warming. The Paris Agreement, however, set aside this clear distinction and stipulated that all signatory countries must set their own climate targets within the framework of the “Nationally Determined Contributions” (NDCs), which are to be updated regularly, every five years, with an eye to the setting of continually higher targets. Thus, the Paris Agreement follows a bottom-up approach instead of prescribing specific emission reduction targets to signatory states. This suggests that crucial equity principles such as historical responsibility are no longer prioritized anymore and the agreed-upon Common But Differentiated Responsibilities and Respective Capabilities are in danger to be undermined⁴.

Given this approach, it is important to ensure transparency and motivate countries to genuinely raise their targets and move forward with implementation at a pace consistent with achieving the 1,5 temperature limit set in the Paris Agreement. A key mechanism in this regard is that of Global Stocktakes, the first scheduled in 2023. These Global Stocktakes are meant to assess the collective progress of the parties to the Paris Agreement towards achieving their long-term goals while identifying shortfalls and laying out a new adequate pathway.

Even before the first Global Stocktake, it is evident there is a deficit in overall climate ambition as well as in the implementation of existing pledges and goals. The latest estimates by the 2022 UNEP Emissions Gap Report show that current policies set the world on a path to 2.8°C of global warming⁵. This estimate does not take into account that all too often climate policy is not only

³ Paris Agreement, article 2a, https://unfccc.int/sites/default/files/english_paris_agreement.pdf (last accessed 24 May 2023).

⁴ The principle of Common But Differentiated Responsibilities and Respective Capabilities (CBDR-RC) stated in the United Nations Framework Convention on Climate Change (UNFCCC) acknowledges that countries, referred to as Parties, have varying responsibilities and capacities to tackle the adverse effects of climate change. However, it emphasizes that all countries have a collective obligation to address climate change. <https://unfccc.int/resource/docs/convkp/conveng.pdf> (last accessed 03 July 2023).

⁵ United Nations Environment Programme (2022). Emissions Gap Report 2022: The Closing Window – Climate crisis calls for rapid transformation of societies. Nairobi, <https://www.unep.org/emissions-gap-report-2022>

insufficiently ambitious but also inadequately implemented. For example, Germany has failed to meet its own climate targets several years in a row⁶.

The aim of this paper is to summarize, the structural barriers that hinder the implementation of international climate commitments in several countries both vertically (from the national to the local level) and horizontally (between different policy sectors). However, this paper does not examine the overall climate ambitions or provide guidance on aligning the Nationally Determined Contributions (NDCs) with a just 1.5-degree Celsius temperature limit pathway.

For this purpose, local research teams conducted five case studies in Kazakhstan, Moldova, Argentina, Costa Rica and Chile. The case studies were commissioned by the German Federation for the Environment and Nature Conservation (BUND e.V./ Friends of Earth Germany) .They investigated both the implementation of international climate policy on the national, regional and local levels and the stringency of reporting under the UNFCCC.

Civil society participation in a democratic system is essential as it upholds democratic values, ensures accountability, promotes human rights, facilitates effective governance, and empowers citizens to actively shape decisions that impact their lives. A crucial aspect of designing and implementing successful climate policy is the participation of civil society. Civil society actors can provide valuable insights into the needs and opinions of their respective communities, thus ensuring that climate policy is rooted in local realities. Meaningfully engaging civil society in different stages of policymaking can also foster acceptance of the measures agreed to⁷. That is why local research teams in the respective countries conducted a second set of studies. The purpose of this second set of studies was to investigate the conditions for climate-related participation, such as the existence both of a legal framework for participation and of concrete practices of participatory policymaking. These studies were commissioned by the Independent Institute for Environmental Issues (UfU).

This paper serves as a comparative overview of the ten studies. First, the methodology of both sets of studies is explained. Key findings for every country are analysed and examples from the respective energy sectors are presented subsequently. The paper concludes with additional analysis of its guiding questions by highlighting common structural barriers to successful NDC implementation and climate action reporting as well as factors hindering meaningful civil society participation.

⁶ Umweltbundesamt. Treibhausgas-minderungsziele Deutschlands, <https://www.umweltbundesamt.de/daten/klima/treibhausgas-minderungsziele-deutschlands#internationale-vereinbarungen-weisen-den-weg> (last accessed 27.06.2023, 10:27)

⁷ BUND (2019). [Civil Society Engagement for Ambitious NDCs](#).

2. Methodology

This paper synthesises the findings of ten studies conducted in five countries: Argentina, Chile, Costa Rica, Kazakhstan, and Republic of Moldova. Five studies were commissioned by the German Federation for the Environment and Nature Conservation (BUND e.V./ Friends of Earth Germany) to identify the overlap between Nationally Determined Contributions (NDCs) and local just climate action in the respective countries. The other five studies were commissioned by the Independent Institute for Environmental Issues (UfU) in order to identify the roles of participation and civil society in climate action in the same countries. The studies were conducted between November 2022 and May 2023. What follows is an overview of the methodology used in the two different sets of studies.

2.1 Tracing NDCs to local climate action

The first set of studies focused on the link between NDCs and local climate action. The purpose of these studies was **(1)** to investigate whether international climate commitments translate into national plans of the five target countries and into strategies that result in local climate action (concrete policies and projects). The studies also aimed **(2)** to understand how locally implemented climate policies and actions inform national and international climate commitments. Finally **(3)**, the studies investigated the social implications of local climate action, especially in the energy sector, based on the guiding principles of climate justice developed by CIDSE⁸.

In order to ensure comparability, all studies followed the same research structure. It needs to be mentioned, however, that national contexts differ, so that minor adjustments had to be made to compensate for differences in the availability and quality of information.

The research was organised as follows:

- a) desk research of publicly available documents related to planning (NDC, national policies, plans, etc.) and reporting (official UNFCCC communications, Biannual Update Reports, etc.);
- b) obtainment of additional documents through “freedom of information” mechanisms ;
- c) interviews with government/public sector officials;
- d) in-depth case studies on two or more energy projects (desk research, interviews, site visits) and discussion of how the guiding principles of climate justice developed by CIDSE are implemented.

Thus, the methodology employed in this study uses three criteria by which to assess climate policies and actions:

Transparency: International climate commitments (NDCs) are tracked and analysed to assess their alignment with local climate policies, and the implementation of those policies both

⁸ See the RES guiding principles developed by CIDSE: The Climate Urgency, p. 9, <https://www.cidse.org/2018/09/19/the-climate-urgency-setting-sail-for-a-new-paradigm/> (last accessed 31 May 2023).

vertically (from the national to the local level) and horizontally (between different policy sectors). The focus is on understanding the mechanisms and the coherence of domestic climate policy across different levels and sectors. An overview of local implementation is provided, visualising existing plans or identifying their absence. A traffic light system is used to evaluate the coherence and consistency of NDC target implementation.

Reporting: The reporting of climate policy implementation is examined, considering both horizontal and vertical organisational lines. This includes evaluating how consistently countries report on their progress in implementing climate policies they have committed to. The extent to which reported progress can be traced back to implementation of climate policy at the local level are examined as well. A traffic light system is used to rate the consistency of reporting.

Action: The implementation of NDCs is examined, with a particular focus on the energy sector, in order to ascertain whether, and if so how, implementation is proceeding in a socially just manner. This involves detailed investigations of selected renewable energy projects that exemplify best practices according to CIDSE's RES principles. The findings are illustrated on a map to provide geographical context, and spreadsheets covering the RES principles' criteria are used to facilitate cross border comparison of best practices.

In summary, this methodology aims to comprehensively assess the transparency, reporting, and implementation of climate policies. It seeks to provide valuable insights into their coherence, consistency, and alignment with sustainable and socially just practices.

2.2 Participation analyses

The purpose of the second set of studies, commissioned by the UfU, is to investigate the conditions for climate-related participation, such as the existence both of a legal framework for participation and of concrete practices of participatory policymaking.

The study is based on:

- a) desk research: analysis of reports, scientific papers, reviews, and other secondary literature by local research teams.
- b) the results of focus group workshops and semi-structured interviews with various experts that took place in each country in the spring of 2023. Participants and interviewees were representatives of CSOs, ministries, scientific institutions, foundations, and international programmes and organisations.

The focus of both, the literature and documents review and the interviews and focus groups, was on assessing the framework and possibilities for CSO participation in national climate policy, discussing current obstacles to participation, and compiling ways of overcoming these obstacles.

The approach of these studies is based on a previously developed evaluation scheme. In earlier research (2020) that examined similar questions with regard to Colombia, Georgia and Ukraine,

the UfU developed a standardised evaluation scheme⁹. This scheme is based on international literature on civil society participation and civic space, as well as on the findings and conclusions of case studies. The evaluation scheme consists of 25 indicators by which to assess both general conditions for participation and concrete opportunities and practices in the countries examined. A score is given for each indicator, using a variety of methods including graduated answers, yes or no responses, and, in the case of some indicators, existing indices such as the Corruption Perception Index (CPI)¹⁰.

The studies involved a comprehensive review of relevant literature, examining ways for individuals to engage in climate-related initiatives, platforms for civic participation, and policies implemented by countries to tackle climate change. The evaluation scheme was used to assess participation conditions and specific opportunities in each country, providing the basis for country reports. These country reports, which adhere to a predetermined structure and are oriented towards a specific set of key questions, provide policy recommendations with regard to both the overall policy framework and institutions relevant to addressing climate change. Areas for improvement are identified in order to foster increased civil society involvement and enhance the willingness to address climate issues.

⁹ Civic space for participation in climate policies in Colombia, Georgia and Ukraine (2022), <https://www.ufu.de/en/civic-space-for-participation-in-climate-policies/> (last accessed 31 May 2023).

¹⁰ For more information on the scoring system and its development, see *ibid.*

3. Findings

3.1 Argentina

Argentina submitted its first NDC in 2015. This was replaced in 2021 by a more adequate proposal in the form of the updated Second Nationally Determined Contribution. In November 2022, Argentina submitted its long awaited Long Term Strategy (LTS), limiting emissions to 349 MtCO_{2e} in 2030 and confirming its 2050 net zero target. The success of this proposal, however, strongly depends on the funds allocated to climate action in the country's budget.

Argentina has developed a vast set of legal regulations and laws but has yet to make a concrete commitment to climate action. A lack of coherence between domestic policy and the government's international climate commitments is evident, especially with regard to the decision to expand exploitation of fossil fuels. While the structure for climate action seems to be in place, the degree of implementation varies considerably between provinces (Tierra Nativa, forthcoming).

3.1.1 Tracing NDCs to the local level

Argentina created the National Climate Change Cabinet (GNCC) as the national governance body for the coordinated and consensual development and implementation of the National Climate Change Adaptation and Mitigation Plan (PNAYMCC) and all related public policies and international commitments. Within this framework, several national climate response plans are developed. They are organised according to sectors and oriented towards six strategic goals: biodiversity conservation and common goods, sustainable management of food systems and forests, sustainable mobility, sustainable and resilient territories, energy transition, and productive transition.

Argentinian policy also stipulates the drafting of Jurisdictional (provincial) Response Plans. These are adaptation and mitigation plans that are to be drafted by the 23 provinces. The constitution acknowledges the federal nature of Argentina and grants the provinces initial ownership and governance of their natural resources. Thus, to secure coordination between the provinces and the federal government in the elaboration of integrated climate change policies, Argentina created the Federal Environmental Council (COFEMA) as a permanent body (Tierra Nativa, 2023). But while theoretically, a climate governance structure is in place, implementation of climate policy is lagging. There are several reasons for this.

While the PNAYMCC provides a holistic and comprehensive planning tool that defines concrete goals, these goals are not consistent with the economic and production policies announced in recent years. The priorities of regional governments are closely tied to their respective production structures, which is evident in both the degree of institutionalization of climate issues and the national emphasis on fossil fuel infrastructure development. Regarding climate change, only eight out of the 23 provinces have designated it as a ministerial responsibility, while in the remaining provinces, this responsibility falls under lower levels of administration. Additionally,

the National Energy Plan proposes expanding fossil fuels, indicating a national priority in this regard.

Furthermore, the implementation of more adequate climate policies in Argentina is highly dependent on international climate finance through which rich countries from the global North are required to fulfil part of their historical responsibility. For example, most of the measures set out in the PNAyMCC lack a budget for their implementation. The development of regional response plans is often stalled due to a lack of funding. This impairs the capacity to inform about national climate targets and implement them at the regional and local levels.

As a result, while the extractive sector (e.g. lithium production) is growing very fast due to private investment (both domestic and foreign) regulation is lagging. Thus, private investment is the driving force behind climate action, rather than climate governance. Unregulated private investment bears the problem of exclusion of voices. This is reflected in the general underrepresentation of civil society in the development of national plans such as the PANAyCC (Agriculture), the PANIyCC (Industry), or the PANByCC (Forests). Where citizen participation does occur, corporate representatives of the mining and agricultural sector are represented more strongly than civil society organisations. This can have serious consequences for the environment and the population (see Box 1: Argentina's energy sector).

Argentina's energy sector

With regard to the just implementation of climate action, in line with national regulations, the situation in Argentina's energy sector is ambiguous. In some cases, energy production is locally accepted and supported by local and regional governments through participatory measures and regulation, as in the PRIER Project. In other cases, it has severe negative impacts on local ecosystems and communities, without providing any benefits, while circumnavigating regulations (to the extent that these even exist).

In the town of Armstrong, in the Province of Santa Fe, the electric cooperative *Provisión de Obras y Servicios Públicos Limitada y Crédito de Armstrong (CELAR)* has embarked on a sustainable electricity production initiative called the PRIER Project (Renewable Energy Smart Grid Project). The town has constructed a wind farm and installed energy generating systems in fifty houses through a partnership with government agencies. PRIER serves as a pilot project for generating electricity using photovoltaic panels and distributed renewable energy generation, integrating wind and solar energy into the power grid. The initiative aims to promote citizen participation and energy sovereignty, allowing the local community to decide the type and purpose of energy production. The project involves the implementation of smart grids, combining conventional and intelligent networks to manage the use of renewable energy. Citizen engagement is a crucial aspect, with community members making their roofs available for solar panel installation. The cooperative seeks to share its knowledge and resources with other cooperatives so that they may replicate the project. The initiative also promotes public dialogue on utility management, provides training in renewable energy, and collaborates with local authorities in the area of urban energy planning.

An example of the opposite tendency is provided by the Chinese mining company *Zijing Mining's* lithium extraction project in the Catamarca region, known as 3Q. This project has significant environmental and social consequences. While Argentina possesses valuable natural resources for lithium battery production, manufacturing and use of electric vehicles (EVs) remain limited; both occur primarily in developed nations. Although Argentina's national climate plan includes promoting EVs for public transportation, many communities, such as *Fiambalá*, where the lithium company operates, still lack

access to electricity. These communities feel overlooked in an energy transition that sacrifices their land, health, and wellbeing. There is a growing sentiment that “Catamarca is becoming another sacrifice zone for the energy transition that is just planned and designed for countries in the North” (local testimony, April 2023).

Compliance with national environmental laws is limited as it is overseen by the provincial mining authority rather than the Secretariat of the Environment. This arrangement raises objectivity- and accountability-related concerns with regard to the monitoring process. Despite the government's responsibility to ensure effective oversight through independent mechanisms, the company is allowed to assess its own performance. This self-evaluation system relies on information provided by the company itself, casting doubt on the transparency and accuracy of the evaluation process. Local communities and residents living near lithium projects have complained about manipulation, lack of public information, and limited citizen participation. A first public hearing on Zijing Mining's 3Q project in Fiambalá was held in 2021. However, local assemblies alleged that they did not receive advance access to information for review and that the public hearings did not ensure meaningful citizen participation. According to a resident who attempted to participate, B.F., the hearings seemed like a collaboration between the government, the company (then called Liex), and their employees rather than a neutral forum.

Box 1: Argentina's energy sector

Another structural problem associated with the implementation of NDCs lies in the prioritisation of provincial governments. This has a direct impact at the local level. Municipalities are dependent on cooperation with provincial governments. Yet many provinces have no local climate change plans, and where such plans do exist, they are often not consistent with national climate response plans. Although there is a coalition of 285 municipalities, the Argentinian Network of Municipalities Facing Climate Change (RAMCC), it lacks governmental character. Its action plans for the local level – which in principle are already being implemented – are not coordinated with national climate change response plans.

This raises the question of the extent to which Argentina's climate action is actually based on the NDCs, especially at the local level. To put it another way: which climate actions are mentioned in the Argentine reports to the UNFCCC, and which are simply not included? Argentina has developed the National Climate Change Information System (SNICC) as a central tool by which to promote transparency and spread information. Furthermore, the PNAyMCC is currently developing a joint monitoring system for mitigation and adaptation. Argentina monitors the progress of its NDCs through GHG inventories, national communications, and Biannual Update Reports (BURs) (Tierra Nativa, forthcoming). It requires each province to establish a system for measuring GHG emissions. However, there is currently a lack of publicly available information on how this is progressing.

In addition to the obstacles to NDC implementation mentioned, Argentina's dependence on international funding and the international prioritisation of climate issues are evident. Follow-up and sectoral monitoring are impeded by budget shortfalls, as reflected in incomplete reporting to the UNFCCC. The lack of robust data for sectors and provinces is a key factor hindering diligent monitoring.

3.1.2 Civic space and civil society involvement

The absence of war or armed conflict with fundamental effects on daily life¹¹ and a principal guarantee of rights to expression, peaceful assembly, and association have resulted in relative security for activists in Argentina.¹² Nevertheless, civic space remains limited and there are occasional violations of civic rights¹³, in addition to a relatively high incidence of (perceived) corruption^{14 15} and the murder of an environmental activist in 2020.¹⁶ Environmental education for citizens and public officials at all levels and of all ages is supported by several national laws and strategies.

Recommendations to ensure civil society involvement in national climate policy in Argentina

- Ensure greater transparency in institutional spaces for citizen and CSO participation in climate policymaking.
- Achieve greater transversality through the active participation of ministries and governmental entities in participatory formats with CSOs.
- Ensure greater federalisation and the representation of the most vulnerable provinces, territories, and communities.
- Strengthen and increase environmental and climate education and training.
- Reform public hearing schemes, ensure that their results are adopted as binding, and expand (financial) resources for their implementation.

Box 2: Recommendations to ensure civil society involvement in national climate policy in Argentina

In Argentina, participation in environmental and climate issues is based on the Environmental Law (No. 25.675), the Law on Free Access to Environmental Public Information (No. 25.831) and Law No. 27.520 on Minimum Budgets for Climate Change Adaptation and Mitigation. Furthermore, the country signed and ratified the Escazú Agreement¹⁷, which is the first regional environmental human rights treaty in Latin America and the Caribbean. It was negotiated and approved in Escazú, Costa Rica in 2018, with civil society as well as human rights and environmental experts participating in this process and thus playing an essential role in the

¹¹ Heidelberg Institute for International Conflict Research (2020). Conflict Barometer 2021, <https://hiik.de/conflict-barometer/current-version/?lang=en> (last accessed 31 May 2023).

¹² CIVICUS Monitor (11 January 2023). Argentina, <https://monitor.civicus.org/country/argentina/> (last accessed 20 February 2023).

¹³ Ibid.

¹⁴ Transparency International (2019). Global Corruption Barometer, Latin America & The Caribbean, 2019. Citizens' views and experiences of corruption, <https://www.transparency.org/en/gcb/latin-america/latin-america-and-the-caribbean-x-edition-2019> (last accessed 31 May 2023).

¹⁵ Transparency International (2023). Corruption Perceptions Index 2022.

¹⁶ Global Witness (2021). Last line of defence: The industries causing the climate crisis and attacks against land and environmental defenders.

¹⁷ See (last accessed 31 May 2023).

treaty's adoption. It was incorporated into national law in 2019.¹⁸ The Consejo Asesor Externo (External Advisory Council, CAE) and the Mesa Ampliada (Enlarged Roundtable) are principal spaces for climate-related CSO participation. They are two out of four institutionalised working spaces. Other entry points for CSO and citizen participation in planning processes that affect the climate include obligatory consultation procedures within Environmental Impact Assessments (EIA) and the GNCC web form for citizen feedback.

The CAE is of a consultative and permanent nature and consists of 20 appointed representatives from civil society, academia, research centres, indigenous groups, and the private sector. Appointment is based on principles of transparency, gender balance, multidisciplinary, regional representation, and expertise.

The Mesa Ampliada or Extended Roundtable is open to the general public. There, policy proposals are presented and participants are given the opportunity to submit comments and suggest changes in thematic roundtable discussion. The results of discussions in these two participatory spaces, the CAE and the Mesa Ampliada, are non-binding. Experts point to various shortcomings of the CAE and the Mesa Ampliada, including the confidentiality of information made available within the CAE, the slow response to feedback, and the frequent absence of representatives of key ministries. There is also a perception that local organisations and active minorities have difficulty gaining access to these forums, and that there is a lack of financial resources to create broader and more inclusive spaces for participation.¹⁹

3.2 Chile

Chile became the first Latin American nation to present its long-term climate strategy (LTS, or ECLP in Spanish) to the UNFCCC during COP26 in Glasgow. In its updated NDC, Chile has set itself the unconditional goal to cap absolute emissions at 95 MtCO_{2e} (excluding LULUCF) in 2030. The more ambitious conditional goal of a 45% reduction in GHG emissions by 2030, with 2016 levels serving as the baseline, depends on international funding and support in a range of areas, e.g. technical support and capacity strengthening. While the country's climate targets are ambitious, their implementation is very much a matter of political will.

Chile's LTS encompasses more than 400 tangible actions aimed at decreasing emissions, a particularly noteworthy objective being that of sourcing 80% of the energy mix from renewables by 2030 and 65% by 2025. Additionally, Chile's LTS establishes targets for various sectors such as a 70% reduction in emissions from industry and mining, and a 40% reduction in emissions from transportation by 2050. Notably, the LTS includes explicit CO₂ emission targets and budgets for each sector, marking a significant milestone. All of these targets are now legally binding under

¹⁸ Independent Institute for Environmental Issues (UfU e.V.), Enrique Gabriel Maurtua Konstantinidis, Pablo Rodríguez Somoza, and Yasmín Tramannoni (2023). Civic Space for Participation in Climate Policies in Argentina. Berlin.

¹⁹ Independent Institute for Environmental Issues (UfU e.V.), Enrique Gabriel Maurtua Konstantinidis, Pablo Rodríguez Somoza, Yasmín Tramannoni (2023). Civic Space for Participation in Climate Policies in Argentina. Berlin

Chile's Framework Law. To this is added the more adequate goal of ensuring that GHG emissions peak by the year 2025.

3.2.1 Tracing NDCs to the local level

Chile institutionalises its climate policy in order to improve climate governance across all sectors and regions while also aiming to increase public participation.

However, this framework (**figure 1**) is still in the process of development and implementation and therefore it is not clear whether these goals can be met, especially given the existence of a range of structural barriers. In order to ensure horizontal coherence of national climate policies, Chile created the Interministerial Technical Team on Climate Change (ETICC), consisting of 16 ministerial focal points that focus on the design, development, implementation, updating, and monitoring of climate change instruments across all sectors. Furthermore, Regional Climate Change Committees (CORECC) have been charged with coordinating the development of climate change instruments and policies at the regional and local levels to ensure vertical coherence of national climate policies.

However, this process is still pending for the ETICC. Its funding has not yet been decided and hence no action is currently being taken. The interministerial streamlining of processes thus lacks coordination, indicating a stalling of the process itself. The divergent priorities of different sectors and an excessive number of new regulations, targets, and frameworks makes the reorganisation of Chile's climate response a challenging task. The need to establish a coherent Monitoring, Reporting and Verification System on a national scale is a case in point. Currently, each ministry works under its own system (Fuentes Pereira, forthcoming).

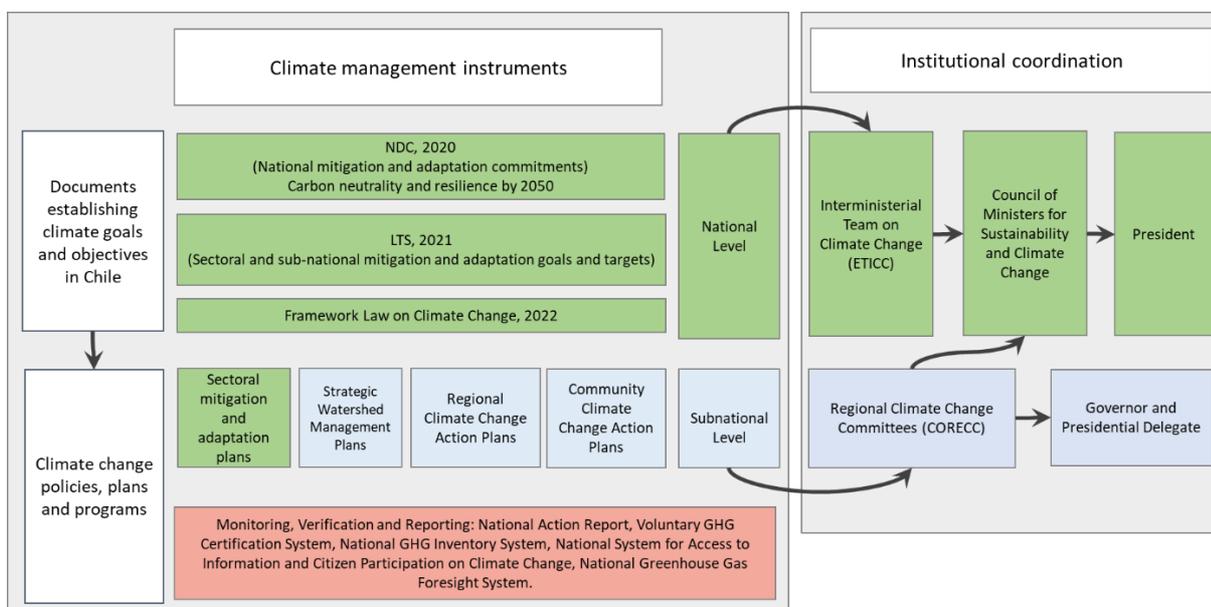


Figure 1: Climate Response Structure in Chile, source: Fuentes Pereira, (forthcoming)

The same inconsistencies between ambition and reality are evident in the CORECCs that are responsible for the development of regional Climate Change Action Plans. Currently, only five plans are in the process of being drafted and 11 lack funding by regional governments.

The discrepancy between aspiration and feasibility is also highly apparent at the local level. Major issues for the implementation of Climate Change Action Plans at communal level are financing and the capacity of local/municipal governments to develop and implement such plans. 346 Communal Action Plans are to be in place by 2025. That this will be achieved seems highly unlikely given that climate change awareness at the local government level is highly conditional on personal and subjective preferences. The relevant political bodies are also extremely understaffed.

The current lack of regulations by which to convert the theoretical climate framework into concrete climate action is also seen in the absence of territorial planning for renewable energy projects. This can be attributed to the fact that the national energy system is guided primarily by market signals and subject to minimal regulation in the relevant areas. The renewable energy and green hydrogen industries are becoming an attractive niche for both foreign and domestic investment. However, such investment may not align with the country's projected energy requirements. In the worst-case scenario, this may result in a lack of regulation and an increase in renewable projects that cannot be connected to the national electricity grid due to an inadequate number of new power lines. In addition to this, the absence of coordination between supply and centralised demand creates an environment in which energy developers embark on the design of energy projects that then remain unimplemented.

Research on Chile indicates that implementation of the NDCs at local level is highly uncertain. In short, Chilean climate policy is highly ambitious but considered unfeasible by many (Fuentes Pereira, 2023).

Missing links in Chile's energy sector

When examining energy projects in relation to the principles of a just transition it becomes apparent that despite legislative and regulatory modifications to promote renewable energy projects, the primary challenge for all such projects remains that of inadequate communication and integration with the specific territorial context and respective local governments (Fuentes Pereira, forthcoming).

A structural issue evident in the renewable energy matrix is the absence of territorial planning by the Chilean government. This can be attributed to the national energy system's significant orientation toward market signals, which is associated with minimal regulation. These conditions have made the renewable energy and green hydrogen industries highly attractive to foreign and national investment. However, the industries are not necessarily aligned with the country's anticipated energy requirements. In the worst-case scenario, that will result in deregulation and an abundance of renewable energy projects that cannot be linked to the national electricity grid due to a lack of new power lines.

One case study notes institutional compliance with national climate policies regarding wind energy projects in the commune of Renaico, but points out that there is no centralised planning with regard to how, where and when renewable energy projects can be carried out. The researchers attribute this mainly to the failure of the responsible agencies to engage in territorial planning. This leads to decisions being driven more by investment than by regulation.

Among the reports on Chilean climate action, a case study on the use of geothermal energy to heat a school is particularly noteworthy, as this project meets many criteria of social and environmental justice. Despite its numerous benefits, the project is not considered in regional or national mitigation budgets, which would involve measuring its contribution to achieving greenhouse gas mitigation goals at the national level. Consequently, such projects serve only as scalable pilot projects, and their impact cannot be adequately evaluated at the central level due to the absence of proper measurement, reporting, and monitoring mechanisms.

Box 3: Missing links in Chile's energy sector

3.2.2 Civic space and civil society involvement

Two internal conflicts²⁰, the relative vulnerability of environmental defenders^{21 22}, and corruption in resource extraction and infrastructure projects²³ result in mixed conditions for civil society participation in Chile. On the other hand, the status of Chile's civic space Chile was raised from "obstructed" to "narrowed" in 2022.²⁴ "Narrowed" is the second highest rating given by the CIVICUS Monitor. It indicates that individuals in Chile have the opportunity to exercise their civic rights, such as freedom of association, peaceful assembly, and expression. However, occasional instances of rights violations do occur.

Recommendations to ensure civil society involvement in national climate policy in Chile

- Improve the effectiveness and impact of participatory processes in decision-making.
- Improve the visibility of the inclusion of participation in decision-making.
- Increase the budget for climate change mitigation and adaptation in general and for participatory processes in particular.
- Extend deadlines for citizen participation in climate policy.

Box 4: Recommendations to ensure civil society involvement in national climate policy in Chile

Although they are not included in the 1980 constitution, there nevertheless exist some laws defining participation in environmental matters and proactive efforts to ensure citizen participation in decision-making, especially with regard to projects that require an Environmental Impact Assessment (EIA). Furthermore, the Ley Marco de Cambio Climático (Framework Law on Climate Change) establishes criteria for participation in environmental and climate matters.

²⁰ Heidelberg Institute for International Conflict Research (2020). Conflict Barometer 2021.

²¹ El Mostrador: Muertes, suicidios no esclarecidos y amenazas: los peligros que enfrentan los activistas medioambientales en Chile, <https://www.elmostrador.cl/noticias/pais/2019/02/06/muertes-suicidios-no-esclarecidos-y-amenazas-los-peligros-que-enfrentan-los-activistas-medioambientales-en-chile/> (last accessed 9 March 2023).

²² Interferencia: Escazú: Estos son los ambientalistas chilenos amenazados y muertos en extrañas circunstancias, <https://interferencia.cl/articulos/escazu-estos-son-los-ambientalistas-chilenos-amenazados-y-muertos-en-extranos> (last accessed 9 March 2023).

²³ Transparency International. Corruption Perceptions Index, <https://www.transparency.org/en/cpi/2021/index/chl> (last accessed 9 March 2023).

²⁴ CIVICUS Monitor: Chile. <https://monitor.civicus.org/country-rating-changes/chile/> (last accessed 23 March 2023).

However, the juridical framework for climate participation in Chile does not comply with international standards as outlined in the Escazú Agreement that the country signed in 2022.²⁵

The División de Educación Ambiental y Participación Ciudadana (Environmental Education and Citizen Participation Division), the Servicio de Evaluación Ambiental (Environmental Assessment Service) and the Comités de Recuperación Ambiental y Social (Environmental and Social Recovery Committees) are the most important institutions supporting climate-related participation in Chile. There are currently no institutional channels for transferring the results of local participation processes to national decision-making bodies.²⁵

The elaboration of the Framework Law on Climate Change was accompanied by a participatory process consisting of regional workshops with invited representatives and a citizen dialogue with face-to-face events and online components.²⁶

Shortcomings in climate policy participation processes, particularly regarding EIA projects, include late invitations and a frequent lack of proactivity and ambition in the dissemination of invitations to CSOs and citizens. Although documents and records related to participation processes are available, they often include formulations that are incomprehensible to the general public.²⁵ However, Chile is currently developing the Estrategia de Capacitación y Empoderamiento Climático (Climate Capacity Building and Empowerment Strategy), which will include instruments and mechanisms for climate-related empowerment. Its implementation will be planned and monitored by a permanent expert roundtable.²⁷

3.3 Costa Rica

Costa Rica's NDC sets out the country's vision of achieving a maximum of 9.11 million tons of net emissions of CO₂eq by 2030 and reaching net zero emissions in 2050. Costa Rica has long been perceived as a frontrunner with regard to its impressive advances in achieving its ambitious climate objectives.

Excursus: Carbon markets

The case studies from Costa Rica and Kazakhstan indicate strong reliance on carbon market systems. These systems transform emissions into commodities to be traded between countries or companies that are part of the respective market. The Paris Agreement establishes carbon markets in article 6, which was approved at COP26 in Glasgow.

Two examples of carbon market systems are emissions trading systems and offsetting. In order for GHG emissions to be reduced through an emissions trading system, a cap is introduced on the overall emissions

²⁵ UfU e.V. and FIMA (2023). Civic Space for Participation in Climate Policies in Chile. Berlin.

²⁶ Ministerio del Medio Ambiente de Chile: Proceso de Consulta Pública del anteproyecto de Consulta Pública de Ley Marco de Cambio Climático, <https://cambioclimatico.mma.gob.cl/proceso-de-consulta-publica-del-anteproyecto-de-ley-marco-de-cambio-climatico/> (last accessed 3 January 2023).

²⁷ Ministerio del Medio Ambiente de Chile (2020b). Proceso de elaboración: Estrategia de desarrollo de capacidades y empoderamiento climático.

allowed. If any actor within the system emits less than they are allowed, they can sell the remaining emission rights to other actors within the market. Vice versa, an actor who emits more carbon than allowed can compensate for this by buying further emission rights. The idea of carbon offsetting is that a reduction of carbon emissions in one place is used to compensate for an equivalent amount of GHG emissions that occur in another process or place.

Critics of the approach note that carbon market schemes are often a big distraction. Instead of actually committing to reducing GHG emissions, actors can choose to buy their way out of such a commitment. Contrary to lofty promises, the effectiveness of some of the largest offsetting programmes has been proven to be very limited at best and even harmful at worst. Furthermore, some of these mechanisms can incentivise land grabbing if a growing number of major actors wish to compensate for their carbon emissions by offsetting through afforestation and similar projects. For further information: <https://www.foei.org/publication/chasing-unicorns-carbon-markets-net-zero/>

Box 5: Excursus: Carbon markets

According to the Climate Action Tracker, Costa Rica's climate objectives and policies are “almost sufficient” to meet the Paris Agreements’ target of keeping the global temperature increase below 1.5°C.²⁸ However, Costa Rica has not presented a revised NDC since COP26, held in Glasgow in 2021. The country's GHG emissions have been rising steadily over the past decades. Costa Rica’s national carbon market system makes the LULUCF-sector the country's main contributor to lowering emissions and plays a key role in its climate policies.

3.3.1 Tracing NDCs to the local level

Costa Rica has implemented a strong climate policy structure. In theory, this structure allows for implementation of climate policies down to the local level and for reporting on them in connection with Costa Rica's NDCs. However, several issues prevent consistent implementation.

Costa Rica has introduced the Climate Change System (SCC) as a governance system to enable multisector implementation of national climate change goals. Operating in addition to many other bodies and councils, the Secretariat of Sectorial Planning of Environment and Energy (SEPLASA) is the central hub for inter-institutional and intersectoral connection. Furthermore, Costa Rica already developed its National Climate Strategy (ENCC) in 2009, with the goal of achieving carbon neutrality by 2021. This goal was not reached, in particular because funding could not be secured through the national carbon market. After the emission reductions scheduled for 2021 were not achieved, especially in high-emission sectors such as transportation and agriculture, the market system was expanded to include not only companies but also public structures such as municipalities, under the framework of the so-called Carbon Neutral Country Programme 2.0. While the participation of some municipalities in the programme has helped to compensate for deficient national structures of GHG inventories in terms of monitoring and reporting, the implementation of climate protection policy in Costa Rica is still lagging in some areas.

²⁸ Climate Action Tracker. <https://climateactiontracker.org/countries/costa-rica/> (last accessed 20 June 2023)

First, Costa Rica's climate action relies heavily on the national carbon market system. While its current NDC is not conditional on the availability of international resources, the country recognises that "it has significant needs for financial support, technology transfer and capacity building to achieve its goals, particularly in the conditions of health and economic crisis following the global pandemic caused by COVID-19" (COECOCEIBA, forthcoming, p. 20). However, there are significant concerns regarding carbon markets (see Box 3: Missing links in Chile's energy sector).

Costa Rica's transportation sector relies heavily on hydrocarbons and is failing to adopt cleaner technologies at an adequate pace. The vehicle fleet has grown from 862,008 units in 2005 to 1,788,800 in 2021, with clean technology vehicles representing only 0.5% of the total. Public transportation is primarily controlled by uncooperative companies.

One of Costa Rica's major environmental challenges is the lack of effective land use planning. Inadequate consideration of information, technical processes, and social participation makes it difficult to control pollution, protect natural resources, ensure quality of life, and manage disaster risks.

There is a notable delay in the introduction of renewable energy sources such as wind and solar in Costa Rica. Current projects focus mainly on increasing private electricity generation and expanding exports to the regional market. This approach raises environmental concerns and lacks mechanisms for community participation.

Despite claims of providing platforms for civil society empowerment in climate policy, Costa Rica faces several obstacles. These include a scarcity of spaces for participation, insufficient knowledge among political and social actors, insufficient political will to integrate climate issues comprehensively, and the limited accessibility of information to civil society. Transparency, accountability, and inclusion mechanisms are also lacking.

While opportunities for green finance are on the rise, it is crucial that there are clear investment plans and a government interlocutor for climate investments. Uncertainty persists regarding the availability and the costs of decarbonisation technologies. There is a risk that financial mechanisms may perpetuate polluting behaviours instead of offering genuine solutions.

While numerous climate change policies and strategies are in place, many of them fail to achieve their objectives due to insufficient political will, limited state financing, and a discontinuity between government administrations. Establishing spaces for expression and decision-making that involve civil society is necessary when local climate adaptation and mitigation priorities are identified. Such efforts should align with public policies of Costa Rican institutions.

3.3.2 Civic space and civil society involvement

Costa Rica's civic space rating deteriorated from "open" to "narrowed" in 2020.²⁹ Although the country is currently not undergoing any major violent conflict³⁰, the security of environmental

²⁹ CIVICUS Monitor: Civic Space in Numbers, <https://monitor.civicus.org/quickfacts/> (last accessed 13 March 2023).

³⁰ Heidelberg Institute for International Conflict Research (2020). Conflict Barometer 2021.

activists is poor^{31 32}, and lack of transparency is a major obstacle to policymaking^{33 34}. Environmental education is influenced by international organisations and underrepresents non-technical education at the local level, in rural areas, and for populations outside formal education systems³⁵.

Recommendations to ensure civil society involvement in national climate policy in Costa Rica

- Establish clear and standardised procedures for public participation on climate issues through adequate legislation.
- Carry out an independent evaluation of the work of the Consejo Consultivo Ciudadano de Cambio Climático (5C).
- Promote regular consultations and a coordinated decentralisation of participatory processes.
- Strengthen the participatory process capacities of employees of organisations working in communities.

Box 6: Recommendations to ensure civil society involvement in national climate policy in Costa Rica

In some climate policy guidelines such as the National Climate Change Strategy and the INDC, Costa Rica commits to promoting civil society participation.^{36 37} To this end, two permanent spaces for dialogue have been created: the Consultative Citizen Council on Climate Change (Consejo Consultivo Ciudadano de Cambio Climático, 5C) and the Scientific Council on Climate Change (Consejo Científico de Cambio Climático, 4C). The 5C consists of elected representatives from different sectors. It has a mandate to comment on the design, implementation, and evaluation of climate policy. It is responsible for improving coordination and communication between citizens and public authorities and carrying out activities that raise citizens' awareness of climate change. It has no budget with which to perform these tasks, nor is there any regular evaluation of its activity.³⁸ With the exception of indigenous communities, citizen participation in environmental matters is not clearly addressed in current legislation, and there are no regulations

³¹ Leão, D.; Narsee, A.; Mbataru, S.; van Severen, I.; Benedict, J.; Belalba, M. (2021). Defenders of Our Planet: Resilience in the Face of Constraints.

³² Álvarez, M.; Casa, A.; Pomareda, F. (2020). Una memoria que se transforma en lucha: 30 años de criminalización del movimiento ecologista en Costa Rica. San José: Federación Costarricense para la Conservación de la Naturaleza (FECON).

³³ Transparency International. 2022 Corruption Perceptions Index – Costa Rica, <https://www.transparency.org/en/cpi/2022/index/cr> (last accessed 13 March 2023).

³⁴ Independent Institute for Environmental Issues (UfU e.V.) and Asociación La Ruta del Clima (2023). Civic Space for Participation in Climate Policies in Costa Rica. Berlin.

³⁵ Marín-Cabrera, M. (2022). Characteristics and approaches of climate change projects in Costa Rica from 2011 to 2022. *Revista Tecnología en Marcha*, 35 (3).

³⁶ Government of Costa Rica (2015). Intended Nationally Determined Contribution. San José.

³⁷ Independent Institute for Environmental Issues (UfU e.V.) and Asociación La Ruta del Clima (2023). Civic Space for Participation in Climate Policies in Costa Rica. Berlin,

³⁸ Presidency of the Republic of Costa Rica (2017). Decree No. 40616-MINAE. Official Gazette La Gaceta.

defining how environmental consultation processes should be carried out.³⁹ Furthermore, in February 2023, the parliament suspended the ratification of the Escazú Agreement.⁴⁰ While the work of the National Environmental Technical Secretariat (Secretaría Técnica Nacional Ambiental) involves some degree of public consultation, the success and quality of participation processes outside the 5C are conditional on the availability of human and financial resources and the commitment of individuals in positions of responsibility. They therefore vary considerably.

3.4 Kazakhstan

Kazakhstan has set long-term climate goals, in particular with regard to the reduction of greenhouse gas emissions. The unconditional goal is to reduce emissions to 15% below 1990 levels by the end of 2030, while the conditional goal is to reduce emissions to 25% below 1990 levels by the same deadline, subject to the availability of international investment, grants, technology transfer, co-financing, and research projects. Kazakhstan intends to achieve carbon neutrality by 2060, and the targets it has set itself cover the entire economy.

3.4.1 Tracing NDCs to the local level

Tracking Kazakhstan's international climate pledges downstream to the national level reveals that the Carbon Neutrality Strategy and other policy documents do not provide benchmarks and indices for a more adequate conditional target.

Despite Kazakhstan setting conditional and unconditional targets specifically for the energy sector, in particular with regard to the share of various energy sources in electricity generation, several obstacles to the effective implementation of the 2030 NDC remain. While the share of coal in electricity production is to be reduced⁴¹ by 2030, targets for other IPCC sectors have yet to be established. Policymakers have failed to set such targets due to their lack of climate awareness (Ni, Vadim – forthcoming). In addition to this, certain long-term strategies such as the Kazakhstan 2050 Strategy and the Green Economy Transition Concept may not align with the 2030 NDC targets, leading to horizontal inconsistency. The Green Economy Transition Concept targets also differ fundamentally from those of the 2030 NDC and the 2060 Carbon Neutrality Strategy in terms of their definition and choice of base years, causing confusion and impeding transparency in climate policy. Furthermore, the Green Economy Transition Concept does not include the 2030 NDC's target of decreasing the share of coal-based electricity production to 41.57%, indicating a lack of coordination and cooperation within the policymaking apparatus. Kazakhstan needs to redefine its targets and overcome structural barriers to ensure transparency in climate policy and achieve its NDC goals effectively.

³⁹ Valerio, V. (2020). Local strategies to combat climate change with a participatory approach: Case study of the experience in Costa Rica, 2011–2018. Doctoral thesis, Universidad Politécnica de Valencia.

⁴⁰ Barra de Prensa – Delfino: Asamblea Legislativa: Votación expediente 21.245, <https://delfino.cr/asamblea/votacion/proyecto/202302011> (last accessed 13 March 2023).

⁴¹ From 68.89% in 2020 to 41.57% in 2030.

Kazakhstan has been submitting annual and biennial reports on its greenhouse gas emissions to the UNFCCC Secretariat since 2010. However, these reports only cover national policies and measures and do not include regional and local actions. Kazakhstan publishes annual reports on the state of the environment and natural resources that cover environmental issues in specific regions of the country, but these reports are not comprehensive enough to assess progress on regional climate policies and measures. Kazakhstan is also lagging behind with regard to regional climate change adaptation. The 2030 NDC specifies the process for obtaining information on the development and implementation of regional climate change adaptation policies and measures from regional and municipal executive bodies. The obligation to provide such information has been included in the 2021 Environmental Code. Though, these policies have yet to be implemented.

Furthermore, Kazakhstan's National Planning System lacks provisions for incorporating local climate and sustainable energy plans, which consequently leads to a lack of local climate targets and actions within the Territorial Development Plans. This is due to a low level of climate awareness among local authorities as well as to the highly centralised nature of political power in the country. The recent Strategy for Achieving Carbon Neutrality and Kazakhstan's NDC 2030 have linked national climate plans to renewable energy targets, but local authorities have limited influence on the planning and development of renewable energy projects. Climate policy in Kazakhstan is decided in a top-down manner, and that implementation of the unambitious 2030 NDC targets is limited to the national level. Several regions have copy-pasted renewable energy development targets from national programmes, indicating a lack of local climate policies.

Kazakhstan has implemented a greenhouse gas emission trading system since 2013 and has supported renewable energy sources since 2014. The emissions trading system covers 199 large facilities in various industries and regulates approximately 50% of national greenhouse gas emissions. Emissions from smaller companies, economic sectors, farmers, and households fall outside the scope of this system. Most renewable energy projects' contribution to reducing greenhouse gas emissions cannot be clearly estimated, and economic incentives for renewable energy development are not based on climate financing. The limited capacity of smaller businesses and organisations to reduce greenhouse gas emissions coupled with the absence of mechanisms to assess the role of renewable energy in emission reductions impede vigorous implementation of climate policy in Kazakhstan.

Kazakhstan has initiated local actions to achieve its climate targets, including supporting small renewable energy projects, increasing energy efficiency in buildings and street lighting, and promoting sustainable mobility in major cities. Since 2014, subsidies have been available for off-grid renewable energy sources with a capacity of up to 5 kW. Samruk-Energy JSC has been publishing reviews of the renewable energy market in Kazakhstan since 2021, although these reports do not yet cover small renewable energy projects operating with no grid connection. Owners of renewable energy installations with a capacity of up to 100 kW have been able to sell excess electricity to the grid since 2016.

Kazakhstan's progress in climate action is most evident in the energy sector. In fact this is the only sector in which such progress is being measured. The progress "in terms of [Kazakhstan's] contribution to achieving the country's climate goals and commitments" (Ni, forthcoming, p. 15)

Burnoye-1 Solar power plant

- Location: Zhambyl Region, South Kazakhstan
- Type of RE: Solar photovoltaic power plant (SPP)
- Name: Burnoye-1 (SPP1)
- Capacity: 50 MW



Figure 2: Burnoye-1 Solar Power Plant in the Zhambyl region, south Kazakhstan, source: <https://rodinaeg.com/projects/burnoye/>

Financing: Co-financed by the European Bank for Reconstruction and Development (EBRD) and other multilateral development banks

Objective: Provide renewable electrical energy for the region to overcome energy deficit

Social and Environmental Due Diligence: Undertaken by an independent consultant in 2015 as a Category B project for EBRD

Social Concern: Historical land use, with solar panels partially placed on pastures used by nearby villages

Social Impact: 15–30% reduction in pastureland, potentially leading to lower income for families involved in milk and meat trade

Mitigation: Livelihood restoration plan and grievance mechanism developed, and public consultations held with local community

The Burnoye-1 SPP1 project in Kazakhstan, co-financed by the European Bank for Reconstruction and Development (EBRD) and other multilateral development banks, serves as a good example of implementing renewable energy projects in a socially just manner. Although there were social concerns regarding historical land use and the project resulted in a reduction in pastureland, the mitigation measures and stakeholder engagement helped to address these concerns. The project also provided a model for further investment in renewable energy projects in Kazakhstan, helping to advance sustainable development in the country.

Box 7: Burnoye-1 Solar power plant, Kazakhstan

is virtually non-existent in, for example, the agricultural and waste sectors. The public debate on a just transition of Kazakhstan's economy is confronted with “the absence of clear time frames for phasing out coal, transitioning to electric transportation, and a clear vision for agriculture and waste management in a low-carbon and carbon-neutral economy” (ibid).

3.4.2 Civic space and civil society involvement

In 2021, Kazakhstan ranked 102nd out of 180 countries on the Corruption Perceptions Index.⁴² The environmental sector in particular was perceived as corrupt, especially given the role the former president's daughter played in it, who fled the country after mass protests in January

⁴² CPI Kazakhstan, <https://www.transparency.org/en/cpi/2021/index/kaz> (last accessed: 23 May 2023).

2022. The Global Witness Report documents two cases of state environmental inspectors being murdered in Kazakhstan. In general, the conditions for activism are problematic, as activists face harassment, criminal prosecution, and Strategic Lawsuits against Public Participation (SLAPPs)⁴³. On 16 March 2022, following mass protests, the President of Kazakhstan Kassym-Jomart Tokayev held a speech highlighting the role that civil society can play in the country's political modernisation. However, civil society leaders dispute that there has been any genuine progress in this area.

Recommendations to ensure civil society involvement in national climate policy in Kazakhstan

- Improve practical implementation of the Environmental Code with regard to public participation in strategies, plans, legal acts, and projects.
- Strengthen the mandate of public councils with regard to engagement with the wider public and provide guidance on how to review and consider proposals by civil societies.
- Spread the word about the website «Открытые НПА» (Otkrytye NPA, "Open Access Legislation") and train multipliers to work with it.
- The Academy of Public Administration should strengthen educational programmes to provide civil servants with advanced training on matters of climate change and public participation in decision-making.

Box 8: Recommendations to ensure civil society involvement in national climate policy in Kazakhstan

Kazakhstan is a party to the Aarhus Convention and its legislation provides for broad public participation rights. These rights include participation in various decision-making processes such as those related to strategic environmental assessments (SEA), environmental impact assessments (EIA), climate change adaptation, and the development of legislation, strategies, programmes, and plans. Public hearings and the submission of written statements are well-established participatory instruments in the case of EIAs. However, these practices are not common when it comes to SEAs and climate change adaptation at the regional level.

Public Councils are an effective forum for the representation of various legitimate interests. They can help civil society access information and participate in decision-making processes. The mandates of these established fora should be legally strengthened and expanded. For example, the debates conducted within Public Councils would benefit from engagement with the wider public. Moreover, the manner in which they review and consider proposals by civil society should be designed in such a way that citizens get feedback on how their suggestion will be followed up or why it is not considered.

Since 2020, the website «Открытые НПА» (Otkrytye NPA, "Open Access Legislation") provides information on strategies, programmes, plans, and legislation developed by central and local executive bodies. Among other things, the website documents national climate policy documents

⁴³ For more information on SLAPPs, see

[https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2022\)733668#:~:text=One%20of%20these%20techniques%20is,relation%20to%20matters%20of%20public](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2022)733668#:~:text=One%20of%20these%20techniques%20is,relation%20to%20matters%20of%20public) (last accessed: 20 June 2023)

that are still in the process of being drafted. However, only few people use this platform due to a lack both of awareness and of a tradition of public participation.

3.5 Republic of Moldova

The Republic of Moldova (hereafter: Moldova) has undertaken an upward revision of its unconditional goal of reducing emissions by 64% (base year: 1990) by 2030; it is now aiming for a 70% reduction. Conditionally to international support, Moldova is prepared to reduce GHG emissions by 88% (same base year). For these targets to have a genuine likelihood of being achieved, they need to be effectively transformed into concrete climate action.

3.5.1 Tracing NDCs to the local level

While Moldova has ratified the Paris Agreements in 2017 and updated its NDCs in 2020, its climate policy is characterised by a disparity between international commitments and national climate action. Moldova's Low Emission Developments Strategy (LEDS 2030) focuses primarily on meeting the commitments outlined in its 2015 Intended Nationally Determined Contributions (INDC). This discrepancy highlights the divergence between pledges made at the international level and actual policy objectives set at the national level, indicating a need for greater alignment between the two.

There is no horizontal mainstreaming of climate policy in Moldova. The government lacks a systemic vision for addressing climate change, and the line ministries lack a clear notion of how to achieve the NDC objectives. There are no figures for CO₂ emissions at the sectoral level, nor do the NDCs place clear obligations on sectors. However, there is some hope of improvement given the new government formed in February 2023. The current Minister for Energy, Victor Parlicov, seems highly aware of the problem of mainstreaming climate concerns. The Low Emission Development Programme (LEDP 2030) is a new plan being developed as a continuation of the previous Low Emission Development Strategy. While the earlier strategy considered only the INDC targets, the LEDP 2030 will take a more comprehensive approach. Additionally, the Plan of Actions of the Government (PAG 2023) is currently being finalized and is expected to be approved by the government in the second quarter of 2023. The PAG 2023 will include sectoral policies for energy, transportation, industry, land use, and forests.

The environmental ministry has essentially been left to engage with the tasks of mitigation and adaptation on its own. Interviews have shown that the institutions subordinated to it are weak and their staff poorly paid. This results in limited implementation of policies and capacity to absorb funds. Over the past decades, the environmental ministry has consistently been last in line in terms of the budget and importance assigned to it within the government more generally. Financial resources for the implementation of climate change policies have been insufficient. The issue of climate change was relegated to a weak, marginalised environmental ministry. Before Maia Sandu became president in 2020, no high-ranking Moldovan politician talked about climate change as it was not perceived as a topic worth addressing to get votes.

Another takeaway from the study in Moldova concerns the transparency of NDC implementation between the national and local levels. There are significant data coherence issues in Moldova. While the environment agency does collect data, emissions are not properly measured and documented at local level, making it challenging to assess the effectiveness of mitigation efforts. Policies tend to focus on enhancing local resilience to climate change, rather than accurately tracking and assessing emissions. Regrettably, there is a lack of communication between the national and local levels. This is a significant barrier to progress. National policy documents are usually drafted centrally, and the environmental ministry tends to be involved due to its association with the UNFCCC. Prior to the establishment of the energy ministry in February 2023, the Ministry of Regional Development and Infrastructure (MIRD) was responsible for developing energy sector objectives in cooperation with the energy community. It is important to note that the energy sector targets set by the MIRD differ from those outlined in the NDCs. Both the energy ministry and the MIRD have struggled with the unavailability of CO₂ measurements. The environmental ministry relies on statistical data when reporting to the UNFCCC.

The environmental ministry has established a working group to oversee the preparation of reports to the UNFCCC. This group brings together experts from a number of sectors, including specialists from various ministries. However, a significant challenge arises from the lack of both effective communication and evident data coherence between the national and local levels. This impedes the progress of climate action initiatives. It is crucial for the environmental ministry to expand its communication and cooperation with local authorities, thus ensuring the smooth implementation of climate policy. There is also a pressing need to improve data collection and the estimation of emission levels at the local level.

Another significant finding concerns the implementation of adaptation agendas. The government is developing new or updated policy documents, particularly the National Adaptation Plan for the period until 2030 (NAP 2), which will cover seven sectors, and the LEDP 2016–2030 (Low Emission Development Programme). Adaptation measures give priority to six sectors: water, forests, health, transportation, energy, and agriculture.

The actions outlined in the NAP align with the Nationally Determined Contributions. For each priority sector a sectoral working group sets targets. However, there is a lack of indicators for measuring the degree of successful adaptation, as most indicators describe the adaptation process rather than its impact. Climate change adaptation measures are integrated into the current 8 local development plans.

Recent developments in Ukraine and in energy markets have affected Moldova's priorities; security has been taking precedence over climate concerns. This has led to an emphasis on reducing dependence on Russian gas and increasing energy efficiency. Despite these challenges, Moldova has the opportunity to meet its targets in renewables, waste management, and forestry.

Cultural aspects and the disconnect between the capital Chisinau and rural Moldova have shaped the dynamics of development. Over the past 30 years, weak state institutions with poorly paid staff have increasingly relied on external aid, resulting in a focus on meeting the expectations of international donors rather than addressing the pressing needs of the population. To foster independence from foreign funding, it is crucial to prioritise higher salaries and capacity building

within ministries. Additionally, initiatives such as the Covenant of Mayors⁴⁴ provide valuable opportunities for local authorities to participate actively, make their voices heard, and contribute to effective climate action.

3.5.3 Civic space and civil society involvement

Moldova is perceived as corrupt, being ranked 105th out of 180 countries and scoring 36 of 100 points in Transparency International's Corruption Perception Index ⁴⁵. The safety of environmental defenders and the ability of activists to engage in free speech are satisfactory. Environmental activists do not report worrying levels of harassment or persecution. It is the administration's failure to implement effective participation processes and publish information on strategies, plans, and projects in the making that tends to obstruct the work of environmental activists.

Recommendations to ensure civil society involvement in national climate policy in Moldova

- Advocate for democratisation in Transnistria to resolve the conflict.
- Support efforts to strengthen the country's independence from international energy supplies.
- Promote effective participation processes in public institutions by providing resources and creating a community of practice.
- Work towards new climate change legislation and the integration of information systems.
- Encourage systematic public participation in climate-related decisions.
- Improve women's prospects and involve vulnerable groups in climate planning and policy implementation.

Box 9: Recommendations to ensure civil society involvement in national climate policy in Moldova

The Republic of Moldova was the first state to ratify the Aarhus Convention, whose provisions have been written into the Law on Environmental Protection and related laws such as those on Environmental Impact Assessment (EIA) and Strategic Environmental Assessments (SEA). This creates a favourable legal framework for political participation, including participation in climate policy. In practice, however, the publication of environmental data, information on participation procedures, and even the format of such procedures fail in many cases to meet the criteria outlined in the Aarhus Convention. Furthermore, the country fails to fulfil its reporting obligations under the Convention, which is indicative of the administrative burden it faces.

The Republic of Moldova has established a National Commission on Climate Change in order to coordinate activities related to climate change. The Commission consists of 17 members representing central and local public authorities, educational and scientific institutions, non-governmental organisations, and the private sector. Regrettably, it has convened only a single meeting since 2020. Environmental organisations have reported that coordination remains

⁴⁴ Covenant of Mayors, <https://eu-mayors.ec.europa.eu/en/home> (last accessed: 17 May 2023).

⁴⁵ CPI Kazakhstan, <https://www.transparency.org/en/cpi/2021/index/kaz> (last accessed: 23 May 2023).

inadequate at both the national and local levels. Authorities do not adequately inform the public of their activities; their websites are often not up to date and provide only limited information.

4. Conclusion

The comprehensive research carried out across five different countries allows a deeper understanding of assessing the implementation of NDCs and participation of civil society in climate policy. Climate policy situations in the countries analysed are unique and inherently complex, making direct comparisons difficult. Nevertheless, all country case studies reveal that NDCs are not implemented well. There are several structural barriers to implementation as well as shortfalls in transparency (e.g. incoherent planning documents, lack of disaggregated data). While the barriers do not always have the same causes, the studies do show commonalities. Results furthermore indicate deficits with regard to meaningful participation of civil society in national climate policy in nearly all countries analysed. The lives of climate and environmental activists may not be at risk in every country studied, but corruption and the failure to implement legal frameworks do prevent the development of inclusive climate policies.

4.1 Structural barriers to the implementation of NDCs

(1) Data

First, all case studies show that a lack of disaggregated data and data inconsistencies contribute to non-transparent climate policy reporting that could potentially lead to incorrect or misleading policies. The availability of robust GHG inventories and consistency of data between the national and local levels play a crucial role in ensuring both transparent implementation of NDCs and monitoring of climate action. The studies show massive inconsistencies between national and local data. In Kazakhstan, local and regional data is unavailable, a state of affairs that can be explained in terms of a “lack of relevant studies” that “hinders the inclusion of regional and local information and data in the national reporting on climate action” (Ni, forthcoming, p. 16). This illustrates a common problem also observed in Moldova, where researchers identified a lack of data cohesion between the national and local levels. Consequently, the government of Moldova is forced to rely on statistical data such as energy balances when reporting to the United Nations Framework Convention on Climate Change (UNFCCC). In Latin American countries such as Chile and Argentina, data availability and cohesion are no major issues; however, the monitoring, reporting, and verification (MRV) systems are lagging or, as in the case of Chile, each line ministry uses its own system.

(2) External or unavailable funding

Second, the studies found that the drafting of climate policy documents and implementation of climate action are very much dependent on international donors and external aid, because state institutions are relatively weak and poorly financed. The key question arises as to whether funding is available for drafting climate strategies or the achievement of conditional climate targets. In Moldova, for instance, there would be virtually no climate policy without external aid. Also in the case of Moldova, the Sustainable Energy and Climate Action Plans (SECAP), which

place certain obligations on cities and municipalities that have joined the Covenant of Mayors, rely on external funding by UNEP.

In contrast with this, local Kazakh authorities rely on national funding, which means that if they decide on targets or measures that are more adequate than national policy, they find themselves under pressure to justify it. Territorial development plans still do not include any reference to the climate crisis, as local authorities lacked the capacity to address it when drafting the plans.

While Chile's institutional framework is progressive, funding is not always available. “[A]lthough the country has been carrying out climate actions for many years, it is only with the existence of the Framework Law on Climate Change that the national climate policy is formalised (June 2022), which brings with it a series of conceptual and institutional adjustments and new regulations” (Fuentes Pereira, forthcoming, p. 11). The (re)formulation of regulations requires time and financing, and this has meant that many processes have come to a halt.

Territorial budget planning is currently poorly organised, yet energy projects are being carried out with external funding, primarily from private sources. The main challenge, however, lies in the unregulated nature of these projects leading to frequent failures to enhance local energy access or link up with the national grid.

(3) Shifting state priorities

Third, the research highlights a massive shift of state priorities away from climate action, leading to developments such as the expansion of the fossil fuel industry, as in the case of Argentina. There are many reasons why political priorities continue shifting away from climate issues. All studies indicate that political will plays a critical role in drafting adequate climate targets and setting out measures to implement them. Although the driving forces and conditions vary from country to country, all studies point to significant political shifts. In Moldova, energy efficiency and energy security became top priorities as Russia invaded Moldova's neighbour Ukraine. Climate action suffers under such changes in priorities. They also create opportunities for the fossil fuel industry and private stakeholders, which rush to fill the void left by inadequate climate policy. This is also observed in Argentina, where *realpolitik* diverges strongly from “planned” climate policy as fossil fuel infrastructure is being (re)built. “[T]hree political decisions can be pointed out that explain these contradictions: firstly, the support to fracking in Vaca Muerta, one of the world's gas and oil wells; secondly, the awarding of the Nestor Kirchner gas pipeline that will connect Neuquén-Vaca Muerta-with Buenos Aires; and thirdly, a controversial resolution of the National Ministry of Environment approving seismic exploration in the Argentinean Sea” (Tierra Nativa, forthcoming, p. 32). Furthermore, centralistic governments such as that of Kazakhstan may choose to neglect climate issues in favour of a model of economic development based on fossil fuel exploration. In Costa Rica, a lack of political will prevents the move beyond a system that is based on the commodification of nature (carbon markets). Profit-based solutions to the climate crisis are thereby locked in and real solutions for an energy transformation that are as well supported by marginalised sections of society can't be developed effectively, leaving exactly those people behind that suffer most.

(4) Vertical and horizontal incoherencies

Fourth, the analysis has revealed structural discrepancies between different national climate strategies as well as between national and local climate targets and measures, which might be attributed to communication issues. We also noted incoherencies between different line ministries.

The studies were not able to identify any climate policies that have transitioned seamlessly to climate action on the ground. Instead, it can be observed that sectors under the responsibility of different line ministries fail to synchronise their climate actions or even to set similar targets. In Kazakhstan, for instance, there is a lack of consistency even between overarching strategic documents. Notably, the Green Economy Transition differs significantly from both the 2030 NDC and the Carbon Neutrality Strategy as far as targets are concerned. As far as alignment of national and local climate policy is concerned, the omission of climate issues from Kazakhstan's territorial development plans further underscores a shift in priorities. It is worth noting that cities and municipalities participating in the Covenant of Mayors are taking a significant and essential step towards NDC implementation through the formulation of Sustainable Energy and Climate Action Plans (SECAPs). However, experiences in Moldova and Chile demonstrate that inadequate communication between local and national stakeholders results in ineffective local implementation of climate policy. In more or less every country examined, the regional and local levels lack clear climate strategies. In Argentina, provincial governments do not always comply with national policy. For example, only a handful of provinces have drafted climate change response plans. In some provinces, climate plans exist but no actions are reported, and in some provinces, there are no plans at all.

(5) Knowledge and awareness

Finally, for all countries, deficiencies in terms of climate knowledge and awareness are observed at all government levels. This often leads to the sheer absence of climate issues in development strategies and has therefore been identified as a fundamental problem of implementing NDCs.

Researchers in Moldova attributed this state of affairs to constant underpayment in the line ministries (national level) and lack of funding (local level). In Kazakhstan, a lack of climate awareness among decision-makers at the subnational level and deficiencies in interlevel communication have resulted in national line ministries failing to set climate targets. In fact, the energy sector is the only sector for which climate targets have been set. In Argentina, the unavailability of information regarding climate response actions often leads to a lack of transparency and limits civil society awareness of climate policy. Similarly, the research team in Costa Rica discovered knowledge gaps concerning the climate crisis among political and social actors. These gaps arise from the absence of mechanisms that facilitate knowledge generation and dissemination.

4.2 Participation and civic space

The research on climate policy in Chile, Argentina, Costa Rica, Kazakhstan, and Moldova led to the identification of four significant challenges that hinder the successful participation of civil society in climate policy. These challenges are outlined below.

(1) Violence against activists

Over the past years, numerous activists and organisations fighting for greater environmental protection and justice have faced acts of violence and intimidation. These acts include threats, physical assaults, and even unjust imprisonment. Disturbingly, the perpetrators often go unpunished due to the absence of adequate government measures by which to safeguard activists and ensure accountability. The resulting climate of fear not only suppresses the voices of those advocating for change but also discourages others from actively engaging in climate politics.

(2) Limited access to information

Non-transparent decision-making and limited access to education, particularly in rural areas, have significant implications. Specifically, there is a noticeable lack of environmental education at the local level, which hampers citizens' comprehension of climate change and their capacity to actively participate in meaningful discussions and decision-making processes. Moreover, the absence of translation services, inadequate promotion of online participation platforms, and the government's failure to provide financial support further marginalise those who cannot afford to attend meetings or engage in consultations. This limits their ability to contribute effectively.

(3) Absence of a legal framework

One amongst other challenges environmental defenders and organisations are confronted with in their work is the administration's limited ability to facilitate effective participation processes and provide information about ongoing strategies, plans, and projects. Even where legal frameworks supporting climate policy participation are in place, there may still be deficiencies with regard to the publication of environmental information, participation procedures, and participation formats used. Additionally, a lack of financial resources prevents organisations from creating more inclusive and comprehensive platforms.

(4) Corruption and lack of trust in government

Corruption exacerbates the issues mentioned, resulting in a significant erosion of trust in government and reduced citizen participation in climate decision-making processes. A lack of accountability, weak oversight regulations, and corruption in resource extraction and infrastructure projects further impede fair and transparent decision-making, thereby discouraging public engagement. Failure to address corruption and improve transparency has contributed to citizens losing faith in government action when it comes to climate policy.

5. Final remarks

If political leaders worldwide finally acknowledge the urgency of the climate crisis, starting within those countries who are historically responsible for the climate crisis, it becomes inevitable to overcome the barriers mentioned here. However, it is crucial to consider the diverse contexts of different regions and communities across the world. Conducting additional research and taking action while including the voices of those affected by climate policies at the local level is necessary to obtain a global perspective that allows adequate policies. This entails setting priorities in all countries that avoid endorsing false and dangerous solutions rooted in a corrupt, corporate and growth-driven system and instead foster a just future that prioritizes well-being for all. Policymakers and political decision-makers must recognize and understand these issues to promote transparency, inclusivity, and meaningful participation in climate policy, thereby enabling effective and equitable action to address the climate crisis.

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