Greening Laws and Policies

UGANDA
Introduction to Green Laws

- Laws and institutions provide the requisite basis for enabling action, granting authority, defining relations and triggering change
- It is possible to ingrain green economy tools in the law, and further that the legal approach is necessary to provide the normative and organizational underpinnings of green economy transition.
- This further demonstrates that for green economy to succeed, revamping our various national and regional laws and regulations is inevitable
Scope of Green Laws

- **National constitutions-sustainable development** as a concept in constitutions, usually included either as a policy objective or by instituting concrete constitutional rights for citizens

- **Framework laws** - focus on greening specific sector laws

- **Regulatory tools:** National policies, action plans and road maps - set out specific goals and quantitative targets for the promotion of green economy
**Greening Laws:**
- Legal reforms: laws, regulations, standards, guidelines to operationalise existing laws for green Business
- Compliance and Enforcement measures: restoration measures, compliance assistance measures, fines, penalties.

**Greening Fiscal policy**
Incentives and disincentives – Taxes, Feed in tariff, concessions, investment guarantees e.g. industrial parks, etc.
- Access to Finance - Green funds, concessional loans, etc.
- Internalise pollution costs

**Policy Interventions**

**Empowerment policies**
empowering tools:
- Knowledge, skills and methodologies
- Technology and linkages
- Strengthening collectiveness – cooperatives, associations
- Awareness creation
- capacity building, awareness creation,

**Strengthening policy**
- Strengthening sector policies, strategies and action plans.
- Strengthening Institutions: Regulators, green investors, private sector, associations, R and D, etc.
Country Policy Action Plan

Manufacturing
Develop a green manufacturing strategy by 2019

Tourism
Review and Green the Tourism Act 2008 by 2020
Formulate regulation on green tourism development by 2021.
Formulate guidelines for implementation of green growth tourism by 2020.
Scope of Sustainable Tourism

What is sustainable tourism?
Tourism conducted in a way that protects ecosystems and areas of cultural and historical heritage that could be vulnerable to damage through over-use as tourist sites.
sustainable tourism: tourism which is in a form which can maintain its viability in an area for an indefinite period of time.
Sustainable Tourism Development should accelerate not only national economic growth, but also regional and local economic growth.

I. **Green hotels and lodges**: green buildings (hotels and eco-resorts), energy efficient appliances, efficient water use, waste management, recycling, reuse and reduce.

II. **Sustainable products**: organic foods, organic products e.g. soaps, lotions, etc.

III. **Ecotourism**: eco-labels and standards, green supply chain, sustainable natural resource management.

IV. **Community tourism**: sourcing of products from local communities.
Some Aspects of Sustainable Tourism

- provide a wide range of fiscal and monetary incentives;
- use of state-owned land for tourism development;
- reduced bureaucratic formalities for tourism investors;
- vocational education and training development projects,
- management and regulation of the tourism industry:
  - determining the rights and obligations of the Government in terms of protecting natural and cultural resources and tourism development and management;
  - the rights and obligations of the industry suppliers; and
  - the rights and obligations of the consumers. tourists
Best Practice
Sustainable tourism

Laos Law on Tourism - central development of sustainable tourism

Puerto Rico Ecotourism Act promotes ecotourism from a commercial perspective, provides funding for eco-tourism ventures

- Honduras tourism Law - tourism development preserves natural, scenic, architectural, and historical values

- Tourism Licenses required to operate in sensitive wilderness areas
Scope of Sustainable Manufacturing

Aims to reduce amount of natural resources needed to produce finished goods through more energy efficient and material efficient manufacturing process that also reduces negative externalities associated with waste and pollution.

Focuses on life cycle approach - green processes, systems and products.

Largely based on Polluter pays principle:

I. **Green products**: products that can be Recycled, have a Low carbon footprint, Organic products

II. **Green business processes**: Value Chain-processing, packaging, transportation

III. **Resource efficiency**: reduce waste generation, water efficiency, energy efficiency, clean energy initiatives

IV. **Eco-innovation and labelling**: labels and standards, eco-industrial parks

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ASPECTS OF Sustainable Manufacturing

Develop **national strategies and frameworks** for greening manufacturing.

Foster **green public private partnerships.** promotion of environmentally sound policies and strategic cooperation between the business community and government **financial support** and loans geared to green manufacturers

Implement **market-based incentives** for green products- tax rebates for green products, while applying fees to products that do not meet the Standards and dis-incentives (**harmful subsidies**)

**green regulatory reforms-** systems for efficient and more responsible uptake of resources, waste recovery, recycling and distribution.

Integrate green manufacturing **training** in schools, training institutions
Best Practice Sustainable Manufacturing

Hong Kong’s producer responsibility schemes
1) product take-back scheme;
2) a deposit-refund scheme;
3) the imposition of a recycling fee
4) the imposition of an environmental levy to discourage certain products;
5) the restriction on the disposal of certain products at any designated waste disposal facility

South Africa's extended producer responsibility - the producer of certain products must carry out a life cycle assessment in relation to the product,

- Canada and Florida provide Tax credit for green energy equipment in manufacturing other incentives to promote the development of green manufacturing
- Costa Rica’s law regulates eco-labels on environmentally sound processes or products, following certification from the Ministry
How to reform (‘Green’) Laws and policies

Adoption Model approach:
This approach is to adopt in whole Green Legislation and create a new laws via acts of parliament.
It will entail setting out a new law that has exhaustive provisions and even those that specifically concern national institutions to implement the law, financial and other resources, dispute resolution, powers of the Minister, and the like.

Challenges—inherent difficulties of creating new legislation and considering the multi-faceted nature of the sectors.
It may also be more politically problematic to surmount support for new legislation.
Adaptive Model Approach
“repair and refurbishment” of existing laws, policies, institutions and other regulatory frameworks.
• This essentially entails detailed reviews, amendments, re-alignment and updating of existing frameworks, incorporating and integrating the ‘green’ provisions in various sector frameworks.
• Status quo remains while including and incorporating necessary changes to ‘green laws’
• challenge is complexity and cumbersome efforts at repairing and refurbishing so many different laws, institutions, policies and other regulatory framework

Middle-ground Approach
✓ A compromise between the adoption and adaptive model
✓ Some new green legislation is passed while some existing laws are greened-a mix of the two models
✓ It is a realistic approach to any challenges with either of the adoption or adaptive models
✓ politically friendly but expensive and cumbersome and lacks visibility
Key Question

What are elements / attributes of laws and policies that enable greening of the tourism and manufacturing sectors?