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# ARTICLE 6 MANDATE AND LEGAL FOUNDATION

These case studies delineate diverse strategies to enhance Article 6 readiness by specifying participation prerequisites through legal mandates. They showcase a range of approaches influenced by the existing legal structures in each specific nation. It is crucial to consider that establishing a robust national framework for Article 6 not only enhances accountability for entities operating under its purview but also serves as a safeguard for investors.

- **Ghana** has established a comprehensive framework for its approach to carbon-related initiatives extending to both international carbon markets and non-market mechanisms. This framework is built on a solid foundation, primarily the Environmental Protection Agency (EPA) Act 490 from 1994, making it legally binding on a national level. The [Ghana Carbon Market Framework](#), adopted by the parliament and cabinet not only provides the legal foundation for successful participation under Article 6 but also gives project entities guidance on how the cooperation will be pursued.
- **Kenya** has introduced three bills addressing benefit-sharing and resources use for all project developers within the country. Moreover, some provisions have been extended to project entities intending to engage under the framework of Article 6. Through these bills, the Parliament now possesses the authority to establish enforceable legislation for project entities, including provisions for benefit-sharing, stakeholder inclusion and resource usage. [These bills](#) mark a significant step towards establishing a robust legal framework not only for regulating project undertakings but also for ensuring equitable profit distribution and mandating the active participation of stakeholders.
- **Togo** has adopted a Decree, on the 16th of January 2023, empowering the Ministry of Environment and Forest Resources to oversee the application of the carbon credit management mechanism under Article 6.2, 6.4, and 6.8 in alignment with the Paris Agreement. As the Ministry already holds a mandate specifically formulated for establishing a legal and institutional framework for implementing Article 6 of the Paris Agreement, this marks the initial strides towards providing a national legal foundation for Article 6.



- **Zambia** implemented the [Environmental Management Act](#) in 2011, encompassing provisions addressing international cooperation. Notably, the legislation dictates that "the Government shall collaborate with other governments and local as well as international organizations to safeguard the regional and global environment". The Act also imposes a binding obligation to implement international environmental agreements domestically. By embedding these obligations into national law, Zambia demonstrates its dedication to upholding to global environmental commitments. Additionally, the Environmental Management Act includes provisions promoting public participation and mandates the involvement of local stakeholders in environmental projects. Zambia has further enacted the Environmental Impact Assessment Regulation (2013) and the [Environmental Management Regulation \(2021\)](#) based on this Act. Following a similar path to Ghana's strategy, the Ministry of Green Economy and Environment has published "[Guidelines for the Submission and Evaluation of Proposed Mitigation Activities under Article 6 of the Paris Agreement](#)".

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