

12 APRIL 2021

ENVIRONMENTAL LAW ALERT

IN THIS ISSUE

Proposed update to South Africa's First Nationally Determined Contribution (NDC)

South Africa's updated NDC in terms of the Paris Agreement sets out South Africa's contributions to the global climate effort. The purpose of this infographic is to provide a summary of the South Africa's greenhouse gas targets, climate change adaptation goals, finance support requirements and long term decarbonisation plans as set out in the updated NDC.



INCORPORATING
KIETI LAW LLP, KENYA

CLICK HERE 

**FOR MORE INSIGHT
INTO OUR EXPERTISE
AND SERVICES**

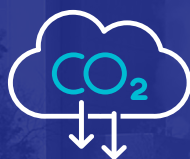
PROPOSED UPDATE TO SOUTH AFRICA'S FIRST NATIONALLY DETERMINED CONTRIBUTION (NDC)



INCORPORATING
KIETI LAW LLP, KENYA

Which greenhouse gases (GHG) are accounted for in the NDC?

- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous oxide (N₂O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)



(Sulphur hexafluoride (SF₆) is not included within the NDC due to lack of data, but included as priority air pollutant in terms of National Environmental Management: Air Quality Act 39 of 2004)

What is South Africa's NDC

South Africa as a party to the Paris Agreement (PA) is required to contribute to the global climate effort of limiting GHG emissions resulting in the global temperature increase. The central objective of the PA is to limit the temperature increase to well below 2°C above preindustrial levels, with pursuing efforts to limit the increase to 1,5°C.



The NDC sets out South Africa's contributions to the global temperature goal, along with the appropriate plans, policies, strategies and legislative framework to achieve its GHG targets.

Notes on South Africa's updated NDC



- South Africa shifted from its Business-As-Usual based targets to GHG emissions targets under the PA.
- The targets have been set on the assumption that support will be provided to South Africa as a developing country.
- Developing countries can rely on support from the NDC Support Facility, a multi-donor trust fund created to provide financial assistance and facilitate the implementation of NDCs.
- The target timeframes run from:
 - 1 January 2021 to 31 December 2025 and
 - 1 January 2026 to 31 December 2030.
- The upper range of South Africa's 2025 and 2030 targets have been reduced by 17% and 28% respectively.

Updated NDC Mitigation Targets

- **Annual GHG emissions** will range from 398-510 Mt CO₂-eq* for 2021-2025
- **Annual GHG emissions** will range from 398-440 Mt CO₂-eq for 2026-2030



**million tonnes (Mt) of carbon dioxide equivalent units (CO₂-eq)*



Climate Finance Requirements

One of South Africa's key goals for the updated first NDC is to access significantly higher levels of climate finance through government funding, loans, and private and commercial investors during the target periods for the adaptation and mitigation of climate change impacts.

Climate finance requirements:

- USD 4,5 billion per year by 2025
- USD 8 billion per year by 2030



Updated NDC Public Commenting Period

Written comments and input can be submitted to the Department of Forestry, Fisheries and the Environment on or before 30 April 2021.

All Parties to the UNFCCC are updating their NDC's in the runup to the 26th international climate change conference to be held in Glasgow, Scotland, in November 2021.

PROPOSED UPDATE TO SOUTH AFRICA'S FIRST NATIONALLY DETERMINED CONTRIBUTION (NDC)



INCORPORATING
KIETI LAW LLP, KENYA



To ensure a just transition towards a low-carbon economy, South Africa set Mitigation and Adaptive Goals:

- workforce reskilling and job absorption
- social protection and livelihood creation
- incentivising new green sectors of our economy
- diversifying coal dependent regional economies
- developing labour and social plans for ageing coal-fired power plants

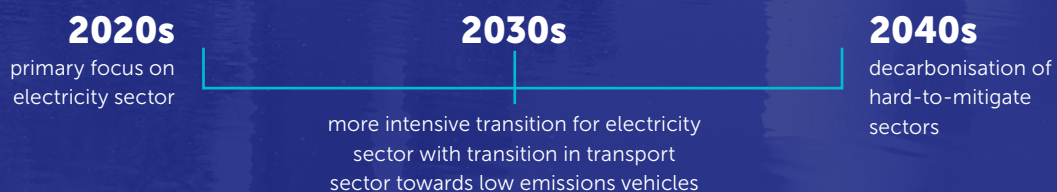
South Africa's NDC includes adaptation efforts to the effects of climate change and serves as South Africa's first Adaptation Communication in terms of the PA



South Africa's Adaptation Goals include:

- **Goal 1** - Enhance climate change adaptation governance and legal framework, including the promulgation the Climate Change Bill
- **Goal 2** - Develop an understanding of climate change impacts on South Africa and underlying global emissions pathways
- **Goal 3** - Implementation of the National Climate Change Adaptation Strategy adaptation interventions for the period 2021 to 2030
- **Goal 4** - Mobilise funding for adaptation implementation through multilateral funding mechanisms
- **Goal 5** - Quantification and acknowledgement of the national adaptation and resilience efforts

Long Term Decarbonisation of South African Economy



South Africa's Progress on Renewable Energy

(Information dated, March 2020)



Approved 112 renewable energy IPP projects



Contributed ZAR1,200 million in socio-economic development contributions



Total of 6422 MW procured



Reduced carbon emissions by 47,7 Mt CO²



4201 MW of electricity generating capacity connected to the grid



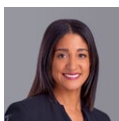
Saved 56,3 million litres of water

OUR TEAM

For more information about our Environmental Law practice and services in South Africa and Kenya, please contact:



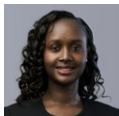
Allan Reid
Mining & Minerals Sector Head
Director
Corporate & Commercial
T +27 (0)11 562 1222
E allan.reid@cdhlegal.com



Margo-Ann Werner
Director
T +27 (0)11 562 1560
E margo-ann.werner@cdhlegal.com



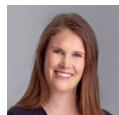
Alecia Pienaar
Senior Associate
Corporate & Commercial
T +27 (0)11 562 1017
E alecia.pienaar@cdhlegal.com



Clarice Wambua
Partner | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E clarice.wambua@cdhlegal.com



Anton Ackerman
Associate
Corporate & Commercial
T +27 (0)11 562 1895
E anton.ackerman@cdhlegal.com



Laura Wilson
Associate
Corporate & Commercial
T +27 (0)11 562 1563
E laura.wilson@cdhlegal.com

BBBEE STATUS: LEVEL TWO CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

JOHANNESBURG

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa. Dx 154 Randburg and Dx 42 Johannesburg.
T +27 (0)11 562 1000 F +27 (0)11 562 1111 E jhb@cdhlegal.com

CAPE TOWN

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.
T +27 (0)21 481 6300 F +27 (0)21 481 6388 E ctn@cdhlegal.com

NAIROBI

CVS Plaza, Lenana Road, Nairobi, Kenya. PO Box 22602-00505, Nairobi, Kenya.
T +254 731 086 649 | +254 204 409 918 | +254 710 560 114 E cdhkenya@cdhlegal.com

STELLENBOSCH

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.
T +27 (0)21 481 6400 E cdhstellenbosch@cdhlegal.com

©2021 9909/APR



INCORPORATING
KIETI LAW LLP, KENYA



ENVIRONMENTAL LAW | cliffedekkerhofmeyr.com