



# ***Policy and Regulatory Barriers in Kenya's National Climate Change Action Plan: Areas for Private Sector Action***

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Development***

***January 2014***

***A report delivered under the "Kenya - Communicating Climate Compatible  
Development with the Private Sector" project***

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The Communicating Climate Compatible Development Project was delivered by the partners listed below with support from the Climate Development and Knowledge Network.

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April 2014

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This document is an output from a project funded by the UK Department for International Development (DFID) and the Netherlands Directorate-General for International Cooperation (DGIS) for the benefit of developing countries. However, the views expressed and information contained in it are not necessarily those of or endorsed by DFID, DGIS or the entities managing the delivery of the Climate and Development Knowledge Network\*, which can accept no responsibility or liability for such views, completeness or accuracy of the information or for any reliance placed on them.

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The Climate and Development Knowledge Network ("CDKN") is a project funded by the UK Department for International Development (DFID) and the Netherlands Directorate-General for International Cooperation (DGIS) and is led and administered by PricewaterhouseCoopers LLP. Management of the delivery of CDKN is undertaken by PricewaterhouseCoopers LLP and an alliance of organisations including Fundacion Futuro Latinoamericano, INTRAC, LEAD International, the Overseas Development and SouthSouthNorth.

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## **Abbreviations**

CBIN	Climate Business Information Network
CCD	climate compatible development
FIT	feed-in tariff
KAM	Kenya Association of Manufacturers
KEPSA	Kenya Private Sector Association
NCCAP	National Climate Change Action Plan
PPA	power purchase agreement
TNA	Technology Needs Assessment
UNEP	United Nations Environment Programme

## Executive Summary

The Government of Kenya launched its *National Climate Change Action Plan 2013-2017 (NCCAP)* in March 2013. The action plan sets out adaptation and low-carbon actions that are aligned with the national development goals of *Kenya Vision 2030*. The action plan encourages climate compatible development (CCD), which includes people-centred development that identifies new business opportunities, reduces poverty and inequality, facilitates adaptation to climate change, and acts on feasible opportunities for avoiding emissions through low-carbon business measures. Implementing the NCCAP critically depends on the support and action of the private sector – through innovative technology, resilient infrastructure design, developing and implementing improved information systems, and business decisions that address climate risks and capitalize on opportunities.

The Kenyan private sector has some recognition that policy and regulatory barriers are impediments to effective action on climate change, although awareness of climate change is limited and climate-related action is driven by cost considerations. This report reviews the policy and regulatory barriers impacting the private sector identified in the NCCAP, and identifies priority policy and regulatory changes to address these barriers. The NCCAP and its background papers were reviewed to identify:

1. **Barriers** to private sector action on climate change by sector or across multiple sectors.
2. Suggested or recommended **policy, regulatory or programmatic actions** to address these barriers.
3. **Potential benefits** to the private sector from taking action, based on information in the action plan or expert advice drawn from the project team.

The methodology began with identifying those policy barriers mentioned most often in the NCCAP, and those noted in the NCCAP as in need of review or revision to incentivise private sector action. The aim was to identify priority areas where the Kenya Private Sector Alliance (KEPSA) and the Climate Business Information Network (CBIN) could work toward policy and regulatory change to enable the private sector to assist in meeting the goals of the NCCAP.

Six areas were identified as potential priorities for KEPSA and the CBIN to engage with the government to improve the regulatory and policy framework for action on climate change:

- **All Sectors** – Establishing a National Climate Fund or other financing instrument.
- **Energy (supply)** – Financial incentives to offset high front-end costs.
- **Energy (supply)** – Restructuring of the Feed in Tariff (FiT) policy to provide higher revenue certainty.
- **Energy (supply)** – Streamlining and expediting renewable energy approval processes.
- **Energy (demand)** – Energy efficiency regulations and standards for new technologies, as well as incentives for energy audits, efficiency and conservation.
- **Agriculture** – Coordinated programs to encourage adoption of climate-friendly practices.

Two other areas where KEPSA and the CBIN could play a role are:

- **Enhancing awareness and knowledge on climate change** and the private sector, including provision of *Climate Change and Your Business Briefing Note Series*. A specific need identified in the NCCAP adaptation report and the sector briefing notes developed for the Ministry of Planning to assist in mainstreaming climate change in Kenya's Second Medium Term Plan (2013-2018) is building resilience and climate proofing business practices (such as procurement and recruitment) and supply chains.
- **Provision of networking opportunities** for businesses interested in acting on climate change. The CBIN can serve as a forum for the private sector to share knowledge and to learn from businesses that have taken action.

## 1.0 Introduction

Kenya launched its National Climate Change Action Plan (NCCAP) in March 2013. This plan sets out adaptation and low-carbon actions that are aligned with the national development goals of *Kenya Vision 2030* – the long-term development blueprint for the country. The action plan encourages climate compatible development (CCD), which includes people-centred development that reduces poverty and inequality, identified new business opportunities, facilitates adaptation to climate change, and, where appropriate, acts on opportunities to avoid emissions by embarking on a low-carbon development path.

Implementing the NCCAP critically depends on the support and action of the private sector. The private sector has the dynamism and the financial and human resources to make a unique contribution to the implementation of the NCCAP – though innovative technology, design of resilient infrastructure, developing and implementing improved information systems, and the taking of business decisions that are informed by the risks and capitalize on the opportunities associated with climate change.

The Kenyan private sector recognizes that policy and regulatory barriers are impediments to effective action on climate change (Climate Business Information Network [CBIN], 2013). This report reviews policy and regulatory barriers impacting the private sector that were identified in the NCCAP, and prioritizes six areas for policy and regulatory change to remove the barriers. The findings of the research aim to help the Kenya Private Sector Alliance (KEPSA), the CBIN and other groups identify priority policy and regulatory barriers to action on climate change. KEPSA action to address the barriers could include research on policy alternatives, development of position papers, advocacy and participation in stakeholder groups.

The report contributes to the overall aim of the Communicating Compatible Development project by providing information that can: 1) Increase private sector understanding of the NCCAP and CCD, and its associated business opportunities and risks, and 2) enhance the ability of the private sector to encourage and support the Government in implementing the NCCAP.

## 2.0 Approach

The UNEP Risoe Centre (Boldt et al., 2012, page x) defines a barrier as “A reason why a target is adversely affected, including any failed or missing countermeasures that could or should have prevented the undesired effect(s).” In regard to the private sector’s role in the implementation of the NCCAP, barriers prevent the private sector from implementing or contributing to the implementation of recommended mitigation (such as increased geothermal and other renewable electricity development, improving energy efficiency in industrial processes) or adaptation (such as developing drought resistant crops) actions. Barriers are generally related to macroeconomic conditions, institutional capacity, research and technological capacity, social and cultural conditions, and information gaps. Examples of barriers to adaptation and mitigation action include:

- Lack of financing options, such as the high cost of capital and interest rates;

- Limited awareness of climate change impacts and coping measures;
- Lack of institutions to set standards;
- Absence of networks and communities of practice; and
- Resistance to change.

Identifying barriers and the needed actions to create an enabling business environment can help KEPSA and the CBIN determine where to focus their advocacy efforts, recognize where and on what issues to engage with the government as stakeholders, and identify key opportunities for the private sector to play an important role in implementing the action plan.

The NCCAP and its background papers in four research areas – finance, regulations and policy, mitigation and adaptation – were reviewed to identify barriers to action on climate change. The methodology included:

1. Reviewing the NCCAP and background papers (a list of chapters and background papers reviewed is included in Annex 1) to identify:
  - a. Barriers to private sector action on climate change.
  - b. Suggested or recommended policy, regulatory or programmatic action to address the barrier.
2. Identifying the potential impacts on the private sector of taking policy or regulatory action, based on information in the NCCAP or expert advice (drawn from the project team).
3. Categorising barriers by sector.
4. Referencing where in the NCCAP the barrier was cited.
5. Identifying barriers that were mentioned in more than one section of the NCCAP (for example, discussed as a barrier in both the mitigation and policy chapters), which were determined to be priority actions for KEPSA and the CBIN.

This information gathered in steps 1 to 4 is included in Annex 2.

### **3.0 Results: Policy and Regulatory Barriers**

This review of the NCCAP and its background papers resulted in a list of 33 barriers, which are included in Table 1. Five of these barriers, such as lack of information on how to build resilience and climate proof businesses, pertain to all sectors. The remaining 28 barriers were identified for specific sectors.



**Table 1: Barriers to private sector action on climate change, by sector**

Sector	Barrier
All Sectors	<ol style="list-style-type: none"> <li>1. Lack of information on building resilience and climate proofing business practices; assessments of climate risk are not guided by any policies or regulatory frameworks and can lead to poor adaptation outcomes and reduced business competitiveness.</li> <li>2. Insufficient legal framework to adequately address gaps and barriers that limit action on climate change.</li> <li>3. Lack of information on technical assistance programs focused on climate change.</li> <li>4. Limited access to carbon finance for project developers.</li> <li>5. Lack of finance to undertake low-carbon and climate resilience activities. Access to finance for the private sector operating in the low-carbon space is limited. The type of finance provided by Kenyan financial institutions is expensive and not particularly suited to low-carbon investment and there is little project finance. Banks are risk averse; have a limited understanding of private sector opportunities; rarely offer long-term, affordable credit; require high levels of collateral; and are reluctant to lend to small or medium-sized companies based upon past experience.</li> </ol>
Agriculture	<ol style="list-style-type: none"> <li>6. Low-carbon technologies can be more costly, which limits adoption by the private sector absent additional incentives. Smallholder farmers particularly lack information and access to financing. Insufficient funding is available for small- scale farmers to undertake adaptation and mitigation activities.</li> <li>7. Lack of awareness of alternatives and resistance to change long-standing practices results in continued burning of crop and grazing land.</li> <li>8. Lack of understanding of climate impacts and vulnerabilities in the sector.</li> <li>9. Lack of instruments to cushion farmers from impacts of climate change.</li> </ol>
Energy (demand)	<ol style="list-style-type: none"> <li>10. Lack of energy efficiency agencies and standards. Lack of compliance promotion and enforcement of existing standards.</li> <li>11. Energy efficiency improvements require upfront investment (although many have reasonable payback times).</li> <li>12. Local energy efficient production faces stiff competition from imports.</li> <li>13. Energy efficient buildings have higher front-end costs.</li> </ol>
Energy (supply)	<ol style="list-style-type: none"> <li>14. Geothermal electricity development requires large investments, and there are limits to public funding.</li> <li>15. High front-end costs for renewable energy technologies.</li> <li>16. Lack of revenue certainty for project developers limits market access for renewable energy technologies.</li> <li>17. Kenya’s renewable energy feed-in tariff (FiT) does not work as efficiently as it should and must be improved to afford greater revenue certainty.</li> <li>18. Inability to obtain project financing, often for developers with a Power Purchase Agreement (PPA) in place, is a key barrier to renewable energy deployment.</li> <li>19. Current regulatory framework does not allow firms and individual customers to sell unneeded electricity back to the grid.</li> <li>20. Slow approval processes - The regulatory process for renewable energy project development is overly long and complex, involving several government bodies, permits and licenses.</li> <li>21. Difficulties in accessing the grid - When energy developers do not know how long they will have to wait or how much it will cost before projects can be connected, the risk to investors is considerably higher.</li> </ol>

Sector	Barrier
Forestry and Land Use	22. Lack of clear sources of climate finance for conservation and sustainable forest management in the medium and long term. 23. Lack of quality information on forestry activities. 24. Lack of robust policy framework for encouraging and incentivising forest preservation and conservation. 25. Lack of finance and incentives (monetary or other) to maintain wetlands and riparian buffers.
Tourism	26. Insufficient provisions requiring actors in the tourist industry to develop effective planning for climate change adaptation and mitigation.
Transportation	27. High cost to replace vehicles with those of low fuel efficiency. 28. Lack of standards and organized resistance to change. 29. Lack of analysis and information limits biofuel production and use. 30. Insufficient provisions to mainstream climate change considerations into transport infrastructure.
Waste	30. Unorganized nature of the waste sector prevents capture and use of landfill gas. 31. High upfront costs to capture landfill gas from managed waste sites. 32. Lack of knowledge and technology in effective waste management. 33. Lack of awareness and lack of capital to encourage reuse and recycling of materials.
Water	33. Lack of policy and regulatory framework to encourage water conservation.

A review of the barriers indicates the following common themes across sectors:

- Lack of adequate information on climate change.
- Lack of funding for higher upfront costs of climate-friendly technologies.
- Limited access to finance for low-carbon actions.
- The energy supply sector demonstrates barriers related to the current regulatory framework.

The review also points out the barriers that are identified in more than one chapter or subcomponent of the NCCAP. These barriers are determined to be a high priority for KEPSA or the CBIN to examine in greater detail. These barriers are listed below in Table 2, which also includes the suggested or recommended policy and regulatory change, how the recommended policy or regulatory change can potentially impact Kenya’s private sector, and where in the NCCAP the information can be found.

**Table 2: Priority barriers requiring further analysis**

Barrier identified in NCCAP	Recommended/ Suggested Policy and Regulatory Change	Impact on the private sector	NCCAP Reference
<p><b>All sectors</b> - Lack of finance to undertake low-carbon and climate resilience activities.</p> <p>Private sector access to finance for low-carbon opportunities is limited. The kinds of finance provided by Kenyan financial institutions are expensive and not particularly suited to low-carbon investment and there is little project finance.</p> <p>Banks are risk averse; have a limited understanding of private sector opportunities; rarely offer long-term, affordable credit; require high levels of collateral; and are reluctant to lend to small or medium-sized companies based upon past experience.</p>	<ul style="list-style-type: none"> <li>Establish a National Climate Change Fund that will centrally oversee the mobilization and disbursement of climate finance according to the priorities and criteria identified in the Action Plan.</li> <li>Develop a public fund, possibly under the proposed Kenya National Climate Fund, with high-risk appetite in order to provide patient, long-term early stage finance to project developers, building on the model of the Geothermal Development Corporation and working alongside World Economic Forum.</li> <li>Liaise with banks and other financial institutions, and provide targeted communications materials to make clear the growth potential of climate change mitigation and adaptation measures and projects, including renewable energy and energy efficiency.</li> <li>Enhance awareness and build the technical capacity to access financing for Nationally Appropriate Mitigation Actions (NAMAs).</li> </ul>	<p>Improved access to funding for mitigation and adaptation activities would encourage private sector engagement.</p>	<p>Policy Chapter 3 page 20;</p> <p>Finance chapter 4 page 17; and Chapter 6 page 3</p>
<p><b>Energy (supply)</b> - High front-end costs for renewable energy technologies.</p>	<ul style="list-style-type: none"> <li>Deploy soft loans or loan guarantees to overcome the barrier of high-upfront capital costs.</li> <li>Support the implementation of tax breaks and other fiscal incentives (which exist in law but not in practice) for all renewable energy technologies and products.</li> </ul>	<p>Financial incentives for businesses engaged in the sector reduce risk for investment, and improve financial feasibility for undersubscribed technologies.</p>	<p>Mitigation Chapter 5: Electricity Generation page 27</p> <p>Finance Chapter 6 page 2</p>
<p><b>Energy (supply)</b> - Kenya's renewable energy feed-in tariff (FiT) does not work as efficiently in scaling up renewable energy deployment at it should and must be improved.</p>	<ul style="list-style-type: none"> <li>Revisit the current FiT system to ensure sufficient incentive to developers for 'undersubscribed' technologies.</li> <li>Consider restructuring the FiT policy, which currently defines a maximum, or ceiling, tariff for each technology. This introduces an element of revenue uncertainty since the ceiling is set but the floor is not.</li> <li>Implement a clear FiT tailored to power generation needs, rather than the current</li> </ul>	<p>Revising the FIT to provide greater revenue certainty to developers through a fixed price, or by creating a narrow margin between a 'floor' and 'ceiling' price would enable broader</p>	<p>Mitigation Chapter 5: Electricity Generation page 27</p> <p>Finance Chapter 6 page 2</p>

Barrier identified in NCCAP	Recommended/ Suggested Policy and Regulatory Change	Impact on the private sector	NCCAP Reference
	'negotiation and ceiling' model.	private sector involvement.	
<p><b>Energy (supply)</b> - Slow approval processes. The regulatory process for renewable energy project development is overly long and complex, involving several government bodies, permits and licenses.</p>	<ul style="list-style-type: none"> <li>• Improve regulatory harmonisation and reduced bureaucracy by supporting a planned one-stop shop within the Energy Regulatory Commission to gather all necessary information, permits and licenses for (renewable energy) project development.</li> <li>• Establish clearly defined guidelines for the authorization of environmental, construction and land permitting.</li> <li>• Establish well-defined roles and responsibilities within public consenting bodies.</li> </ul>	<p>More streamlined guidelines will help to expedite approvals for projects thus reducing cost and efforts for the private sector.</p>	<p>Mitigation Chapter 5: Electricity Generation Page 29</p> <p>Finance Chapter 6 page 2</p>
<p><b>Energy (demand)</b> - Lack of energy efficiency agencies and standards. Lack of compliance promotion and enforcement of existing standards.</p>	<ul style="list-style-type: none"> <li>• Improve energy efficiency regulations and their enforcement. Regulations should be made to phase out incandescent light bulbs, create a labeling scheme for electrical appliances, and provide standards and codes for the use of solar water heating.</li> <li>• Label end-user technologies such as lighting and refrigerators with minimum energy performance standards, working with the Standards and Labelling Programme at the Ministry of Industrialisation.</li> <li>• Establish dedicated energy efficiency agencies at the national level that could be used to promote compliance and take-up of technologies.</li> <li>• Provide greater support for energy auditing and improving the efficiency of business processes.</li> </ul>	<p>Significant opportunities for market expansion related to products that benefit from energy efficiency labeling and standards.</p>	<p>Mitigation Chapter 5: Energy Demand page 20</p> <p>Finance Chapter 6 page 3</p>
<p><b>Agriculture</b> - Low-carbon technologies can be more costly, which limits adoption by private sector.</p> <p>Insufficient funding for small- scale farmers to undertake adaptation and mitigation activities.</p> <p>Smallholders lack information and access to</p>	<ul style="list-style-type: none"> <li>• Provide assistance for climate project development and implementation, and measuring and monitoring of carbon.</li> <li>• Expand access to credit (guarantees/ loans) to ensure smallholders can obtain the up-front funds for mitigation and adaptation actions.</li> <li>• Support farmers to adopt new climate-friendly practices, such as subsidies for improved seeds, tools or irrigation; funding for soil preservation and</li> </ul>	<p>Private sector involvement in low-carbon project development would benefit from increased support.</p> <p>Access to loans or other incentives</p>	<p>Mitigation Chapter 3: Agriculture page 17</p> <p>Policy Chapter 3 page 21</p> <p>Adaptation page 32</p>

Barrier identified in NCCAP	Recommended/ Suggested Policy and Regulatory Change	Impact on the private sector	NCCAP Reference
financing.	agroforestry; provision of tree seedlings and fertilizer. <ul style="list-style-type: none"> <li>• Strengthen extension services and extend into underserved areas.</li> <li>• Introduce 0% interest loans to cover the costs of terrace construction, erosion control, and other soil conservation practices, with the support of the Minister for Finance. Consider subsidies or in-kind benefits as other potential instruments.</li> <li>• Review the Agriculture Act from a climate-smart agriculture perspective, and fast track it to allow full implementation of climate resilient activities.</li> <li>• Amend the Agriculture Act to include provisions on the Establishment of Agriculture Development Trust Fund.</li> </ul>	would increase number of farmers undertaking soil conservation practices. Improved funding for agricultural development activities would benefit farmers.	

#### 4.0 Suggested Areas for Private Sector Action

This report highlights the regulatory and policy barriers identified in the NCAAP and its background papers that could impact the private sector, and actions needed to address the barriers. Seven areas are identified as potential priorities for private sector groups to work with the government to improve the regulatory and policy framework:

- All Sectors – National Climate Fund.
- Energy (supply) – Financial incentives to offset high front-end costs, including revolving loan funds, access to low-interest loans,
- Energy (supply) – Restructuring of FiT policy to provide higher revenue certainty.
- Energy (supply) – Streamlining and expediting renewable energy approval processes.
- Energy (demand) – Energy efficiency regulations and standards for new technologies, as well as incentives for energy audits, efficiency and conservation for older infrastructure and technologies, and to improve efficiency of business processes.
- Agriculture – Coordinated programs to encourage adoption of climate-friendly practices.

Two further areas of potential action for KEPSA and the CBIN are:

- Enhancing awareness and knowledge on climate change and the private sector, including provision of *Climate Change and Your Business Briefing Note Series*. A specific need identified in the NCCAP adaptation report and the sector briefing notes developed for the Ministry of Planning to assist in mainstreaming climate change in Kenya’s Second Medium Term Plan (2013-2018) is building resilience and climate proofing business practices (such as procurement and recruitment) and supply chains. KEPSA
- Provision of networking opportunities for businesses interested in acting on climate change. The CBIN is a form for the private sector to share knowledge and to learn from businesses that have taken action.

Potential next steps for KEPSA and the CBIN to move forward on these priority policy and regulatory barriers are set out in Table 3.

**Table 3: Potential KEPSA / CBIN Actions to Address Priority Policy and Regulatory Barriers**

Barrier	Recommended Policy / Regulatory Change	Potential Next Step for KEPSA / CBIN
<b>All Sectors</b> – Lack of information on climate change, and the opportunities and risks for the private sector	Develop and provide information targeted at the private sector.	<ul style="list-style-type: none"> <li>• Compile information to allow KEPSA to be the “go to” repository of climate change information; and work closely with the Climate Innovation Centre to fulfil this need.</li> <li>• Distribute the <i>Climate Change and Your Business Briefing Note Series</i> as a first step in awareness raising.</li> </ul>
<b>All Sectors</b> – Lack of information on building resilience and climate proofing businesses.	Develop and provide “how to tools” for government and the private sector that show how firms can conduct risk and vulnerability assessments.	<ul style="list-style-type: none"> <li>• Distribute information developed through the Communicating CCD project to KEPSA’s membership, including the: <ul style="list-style-type: none"> <li>• Case studies on the Kenya Tea Development Agency and East African Breweries</li> <li>• Briefing note on climate proofing your business</li> </ul> </li> <li>• Report, <i>Tools and Frameworks to Assess Climate Risks</i></li> </ul>
<b>All Sectors</b> – Limited access to finance for the private sector in the climate change space.	Establish a National Climate Change Fund that will oversee the mobilization and disbursement of climate finance.	<ul style="list-style-type: none"> <li>• Ensure KEPSA is a key stakeholder work with the government in Fund design.</li> <li>• Undertake research to identify private sector priorities for the Fund.</li> <li>• Develop private sector positions that inform KEPSA’s input to process.</li> </ul>
<b>Energy (supply)</b> – High front-end costs for renewable energy technologies.	Implement fiscal incentives (which exist in law but not in practice) for renewable energy technologies.	<ul style="list-style-type: none"> <li>• Review current fiscal incentives and rates of use and application.</li> <li>• Develop KEPSA positions in regard to gaps in the application of existing fiscal incentives, and how these gaps could be addressed.</li> </ul>

Barrier	Recommended Policy / Regulatory Change	Potential Next Step for KEPSA / CBIN
<b>Energy (supply)</b> – Kenya’s renewable energy FiT does not work efficiently.	Restructure the FiT policy to provide greater revenue certainty.	<ul style="list-style-type: none"> <li>Engage with actors active in the area, for example the World Economic Forum.</li> <li>Undertake research to elaborate a revised FiT and its expected results and benefits.</li> </ul>
<b>Energy (supply)</b> – Slow approval processes for renewable energy that are overly long and complex.	Support a planned one-stop shop; and establish guidelines for land permitting, construction, environmental approvals, etc.	<ul style="list-style-type: none"> <li>Clearly delineate current process, setting out steps, costs, timelines, etc.</li> <li>Identify and elaborate areas for improved efficiency, such as a one-stop shop and defined guidelines, which would form the basis for informed discussions with the Government.</li> </ul>
<b>Energy (demand)</b> – Lack of energy efficiency standards, and institutional framework to develop, promote and enforce such standards	Improve energy efficiency regulations, including a standards and labeling programme.	<ul style="list-style-type: none"> <li>Compile an inventory of current energy efficiency regulations, and the state of compliance and enforcement.</li> <li>Identify Kenyan-manufactured goods that could benefit from energy efficiency labelling, and support required to promote such Kenyan-made goods.</li> <li>Request greater access to finance and funding for energy audits and advisory services on increasing energy efficiency of business processes.</li> </ul>
<b>Agriculture</b> – Farmers lack information on climate change and access to financing to adopt climate-friendly technologies.	Develop a program of support to help farmers introduce climate-friendly technologies.	<ul style="list-style-type: none"> <li>Share examples of how member companies have assessed risk and increased climate resilience.</li> <li>Ensure that input on the National Climate Change Fund addresses the unique needs of the agricultural sector.</li> </ul>

## 5.0 Conclusion

Policy making and regulatory development do not occur in a vacuum; rather, the processes take place amidst complex political and social environments in which different stakeholders, operating within a changing institutional context, interact strategically as they pursue conflicting agendas (World Bank, 2013). The private sector is a critical stakeholder role in the policy and regulatory process in light of their pivotal roles in promoting economic development and rolling out new practices and technologies.

The foreword to the NCCAP clearly indicates that the private sector is expected be a critical player in Kenya’s climate change response:

Finally, it must be clear that private sector will play a significant role in tackling climate change and supporting green economic growth. With this Action Plan we hope to work together to enhance our understanding of the risks and



opportunities and find innovative and effective ways to address the climate change challenge in a manner that will result in a climate resilient and a secured future for Kenya (Government of Kenya, 2013, page 5).

The private sector is expected to be the main driver of technology transfer and development for both low-carbon and climate resilient opportunities.<sup>1</sup> The role of the government is to remove barriers and create an enabling environment that will encourage technology deployment, diffusion and uptake, by:

- Providing information on business opportunities;
- Identifying and celebrating climate-smart business actions;
- Fostering networks and communities of practice; and
- Developing and implementing regulations, policies and programmes.

The intent of this research was to identify barriers and the recommended actions to overcome the barriers as set out in the NCCAP. While this report provides a rationale for further action to address barriers, additional research is needed to identify:

- Priority KEPSA and CBIN actions to overcome these barriers.
- Expected results for KEPSA, the CBIN and the private sector through these priority actions.
- Actions of other private sector advocacy groups, to enable KEPSA to identify gaps where it can play a strong role. For example, the Kenya Association of Manufacturers (KAM) has a strong and well-researched position on electricity pricing, suggesting that KEPSA and CBIN would be better positioned to undertake research and lead a different issue, while supporting the advocacy efforts of KAM.

This future research agenda should identify areas where KEPSA and CBIN can best play an advocacy role in addressing barriers to action on climate change. Using the analysis in this report as a starting point, KEPSA can work to clearly define one or two specific areas in which to engage with the government to address policy and regulatory barriers, and to undertake research to develop constructive positions and input that will further the policy and regulatory process.

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<sup>1</sup> Technology refers to hardware; know-how, experience and practices; and institutional frameworks or organisations involved in adopting and using the technologies.



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## **Annex 1: NCCAP Chapters and Background Papers**

The documents listed below were reviewed as background research in the development of this report. The documents can be found at <http://www.kccap.info>.

National Climate Change Action Plan 2013-2017

National Climate Change Action Plan 2013-2017: Executive Summary

Subcomponent 1: Long-term National Low-Carbon Climate Resilient Development Pathway

- Low Carbon Climate Resilient Development Pathway: Technical Report

Subcomponent 2: Enabling Policy and Regulatory Framework

- Legal Preparedness Assessment Report
- Legislative and Institutional Framework
- Issues Paper on Enabling Sectoral Legislative Amendments

Subcomponent 3: Adaptation

- Adaptation Technical Analysis Report

Subcomponent 4: Mitigation

- Chapter 3: Agriculture
- Chapter 4: Forestry
- Chapter 5: Electricity Generation
- Chapter 6: Energy Demand
- Chapter 7: Transportation
- Chapter 8: Industrial Processes
- Chapter 9: Waste

Subcomponent 8: Finance

- National Climate Fund
- Absorptive Capacity Development Plan
- Carbon Trading Platform
- Investment Climate for Climate Investment