

Climate Change and Biodiversity Legal and Policy Frameworks in Asia-Pacific Developing Countries: Synthesis Table*

(A detailed table follows on subsequent pages, indicating the status of each Asia-Pacific developing country.)

		Central and West Asia (8 countries)	East Asia (2 countries)	South Asia (8 countries)	Southeast Asia (11 countries)	Pacific (14 countries)	TOTAL (43 countries)
Constitution							
Life							
	Express constitutional right or obligation	8	1	7	10	13	39
	Express directive principle or state policy	5	1	6	7	0	19
	Court decision inferring the right as constitutional	0	0	1	0	0	1
	Express citizen obligation that the constitution characterizes as fundamental	0	0	1	0	0	1
Environment							
	Express constitutional right or obligation	4	1	2	5	1	13
	Express directive principle or state policy	5	2	6	6	3	22
	Court decision inferring the right as constitutional	0	0	3	1	0	4
	Express citizen obligation that the constitution characterizes as fundamental	4	1	3	4	1	13
Climate Change							
	Express constitutional right or obligation	0	0	0	0	0	0
	Express directive principle or state policy	0	0	0	2	0	2
	Court decision inferring the right as constitutional	0	0	0	0	0	0
	Express citizen obligation that the constitution characterizes as fundamental	0	0	0	0	0	0
Biodiversity							
	Express constitutional right or obligation	0	1	0	1	0	2
	Express directive principle or state policy	3	1	4	3	1	12
	Court decision inferring the right as constitutional	0	0	2	0	0	2
	Express citizen obligation that the constitution characterizes as fundamental	0	0	1	1	0	2
Treaties - Accepted or Acceded or Approved or Ratified							
	UNFCCC	8	2	8	11	14	43
	Kyoto Protocol	8	2	8	11	14	43
	Paris Agreement	8	2	8	11	14	43
	CBD	8	2	8	11	14	43
	2000 Cartagena Protocol	8	2	7	8	10	35
	2010 Nagoya Protocol	4	2	6	7	9	28
	Latest NDC specifically references biodiversity	6	1	7	11	7	33
	Latest NBSAP specifically references climate change	5	1	8	10	11	36
	Has a Framework Climate Change Law	1	0	2	3	5	11

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Climate Change and Biodiversity Legal and Policy Frameworks in Asia-Pacific Developing Countries: Granular Data Matrix**

Country	Constitutional Rights, Obligations, and State Directives				Treaty Status						Latest NDC specifically references biodiversity?	Latest NBSAP specifically references climate change?	Framework Climate Change Law?
	Life ^a	Environment	Climate Change	Biodiversity	UNFCCC	Kyoto Protocol	Paris Agreement	CBD	2000 Cartagena Protocol	2010 Nagoya Protocol			
CENTRAL AND WEST ASIA													
Armenia	✓	☐	-	-	14 May 1993 A	25 Apr 2003 a	23 Mar 2017 r	29 Dec 1993 e	29 Jul 2004 e	-	Yes—ecosystem-based approach to adaptation (updated first NDC, 2021)	Yes (2016)	No
Azerbaijan	✓☐	✓△	-	☐	16 May 1995 r	28 Sep 2000 a	9 Jan 2017 r	1 Nov 2000 e	30 Jun 2005 e	-	Yes—the role of forests in biodiversity conservation (updated NDC, 2023)	Yes (2016)	No
Georgia	✓	✓	-	-	29 Jul 1994 a	16 Jun 1999 a	8 May 2017 AA	31 Aug 1994 e	2 Feb 2009 e	-	Yes—adaptation in relation to ecosystem management and conservation of species that are endemic, protected under the Red List, as well as indigenous species with a significant importance for food and agriculture (updated first NDC, 2021)	Yes (2014)	No ^b
Kazakhstan	✓	☐	-	-	17 May 1995 r	19 Jun 2009 r	6 Dec 2016 r	5 Dec 1994 e	7 Dec 2008 e	15 Sep 2015 e	No (2016)	Yes (2001)	No
Kyrgyz Republic	✓☐	✓△	-	☐	25 May 2000 a	13 May 2003 a	18 Feb 2020 r	4 Nov 1994 e	3 Jan 2006 e	13 Sep 2015 e	Yes—adaptation measures with co-benefits to GHG emissions reduction (updated first NDC, 2021)	Yes (2016)	Yes (Law No. 71/2007 about state regulation and policy in the field of emission and absorption of greenhouse gases)

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	Life ^a	Environment	Climate Change	Biodiversity	UNFCCC	Kyoto Protocol	Paris Agreement	CBD	2000 Cartagena Protocol	2010 Nagoya Protocol			
Tajikistan	✓☐	☐	-	-	7 Jan 1998 a	29 Dec 2008 a	22 Mar 2017 r	27 Jan 1998 e	12 May 2004 e	12 Oct 2014 e	Yes—adaptation in relation to forestry and agriculture (updated first NDC, 2021)	Unknown (no English translation of the NBSAP available, Russian version in 2016)	No
Turkmenistan	✓☐	✓☐△	-	-	5 Jun 1995 a	11 Jan 1999 r	20 Oct 2016 r	17 Dec 1996 e	19 Nov 2008 e	2 Feb 2021 e	No (2016)	Unknown (no English translation of the NBSAP available, Russian version in 2018)	No
Uzbekistan	✓☐	☐△	-	☐	20 Jun 1993 a	12 Oct 1999 r	9 Nov 2018 r	17 Oct 1995 e	23 Jan 2020 e	-	Yes—ecosystem adaptation and agrobiodiversity (updated first NDC, 2021)	N/A (no NBSAP submitted)	No
Subregional Level											6 / 8 = 75%	5 / 8 = 62.5%	1 / 8 = 12.5%
EAST ASIA													
Mongolia	✓	✓☐△	-	✓	30 Sep 1993 r	15 Dec 1999 a	21 Sep 2016 r	29 Dec 1993 e	20 Oct 2003 e	12 Oct 2014 e	Yes—enabling adaptation opportunities and adaptive capacities (updated first NDC, 2020)	Yes (2015)	No
People's Republic of China	☐	☐	-	☐	5 Jan 1993 r	30 Aug 2002 AA	3 Sep 2016 r	29 Dec 1993 e	6 Sep 2005 e	6 Sep 2016 e	Yes—promotion of the integration of mitigation and adaptation measures with biodiversity conservation (updated first NDC, 2021)	Yes (2010)	No
Subregional Level											2 / 2 = 100.0%	2 / 2 = 100.0%	0 / 2 = 0.0%

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	Life ^a	Environment	Climate Change	Biodiversity	UNFCCC	Kyoto Protocol	Paris Agreement	CBD	2000 Cartagena Protocol	2010 Nagoya Protocol			
SOUTH ASIA													
Afghanistan	✓☐	☐	-	-	19 Sep 2002 r	25 Mar 2013 a	15 Feb 2017 r	18 Dec 2002 e	21 May 2013 e	4 Sep 2018 e	Yes—biodiversity as a key adaptation area (2016)	Yes (2014)	No
Bangladesh	✓☐	☐❖	-	☐	15 Apr 1994 r	22 Oct 2001 a	21 Sep 2016 r	1 Aug 1994 e	5 May 2004 e	6 Sep 2011 (signed but not yet ratified)	No (updated first NDC, 2021)	Yes (2016)	No ^c
Bhutan	✓☐△	☐△	-	☐	25 Aug 1995 r	26 Aug 2002 a	19 Sep 2017 r	23 Nov 1995 e	11 Sep 2003 e	12 Oct 2014 e	Yes—mitigation (forest conservation and management) and adaptation (second NDC, 2021)	Yes (2014)	No
India	✓☐	❖△	-	❖	1 Nov 1993 r	26 Aug 2002 a	2 Oct 2016 r	19 May 1994 e	11 Sep 2003 e	12 Oct 2014 e	Yes—protection of biodiversity and Himalayan ecosystem as an adaptation strategy (2016)	Yes (2014)	No ^d
Maldives	✓	✓☐	-	☐	9 Nov 1992 r	30 Dec 1998 r	22 Apr 2016 r	29 Dec 1993 e	11 Sep 2003 e	29 Sep 2019 e	Yes—safeguarding coral reef biodiversity and marine ecosystems as an adaptation measure (updated first NDC, 2020)	Yes (2016)	No
Nepal	✓	✓☐	-	☐	2 May 1994 r	16 Sep 2005 a	5 Oct 2016 r	21 Feb 1994 e	2 Mar 2001 (signed but not yet ratified)	28 Mar 2019 e	Yes—forest management, watershed management, and biodiversity conservation as a priority adaptation area (second NDC, 2020)	Yes (2014)	Yes (The Environment Protection Act 9/2019 and The Forests Act 12/2019) ^e

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	Life ^a	Environment	Climate Change	Biodiversity	UNFCCC	Kyoto Protocol	Paris Agreement	CBD	2000 Cartagena Protocol	2010 Nagoya Protocol			
Pakistan	✓☐	❖	-	-	1 Jun 1994 r	11 Jan 2005 a	10 Nov 2016 r	24 Oct 1994 e	31 May 2009 e	21 Feb 2016 e	Yes—biodiversity loss as a climate impact driver; building resilience through nature-based solutions and protection of ecosystems and biodiversity as an adaptation measure with co-benefits for mitigation (updated first NDC, 2021)	Yes (2018)	Yes (Pakistan Climate Change Act, 2017)
Sri Lanka	☐❖	☐❖△	-	❖△	23 Nov 1993 r	3 Sep 2002 a	21 Sep 2016 r	21 Jun 1994 e	26 Jul 2004 e	-	Yes—strengthening the biodiversity sector as a key adaptation measure, with mitigation co-benefits in relation to the forestry sector (updated first NDC, 2021)	Yes (2016)	No
Subregional Level											7 / 8 = 87.5%	8 / 8 = 100.0%	2 / 8 = 25.0%
SOUTHEAST ASIA													
Brunei	-	-	-	-	7 Aug 2007 a	20 Aug 2009 a	21 Sep 2016 r	27 Jul 2008 e	-	-	Yes—mitigation (increasing forest cover has positive effects on habitats, biodiversity, and ecosystems) (2020)	No (2015)	No

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	Life ^a	Environment	Climate Change	Biodiversity	UNFCCC	Kyoto Protocol	Paris Agreement	CBD	2000 Cartagena Protocol	2010 Nagoya Protocol			
Cambodia	✓☐	☐	-	-	18 Dec 1995 a	22 Aug 2002 a	6 Feb 2017 r	10 May 1995 e	16 Dec 2003 e	19 Apr 2015 e	Yes—biodiversity sector as a key adaptation sector; improving sustainability of charcoal production as a mitigation measure, with co-benefits to biodiversity conservation (updated first NDC, 2020)	Yes (2016)	No
Indonesia	✓☐	✓	-	-	23 Aug 1994 r	3 Dec 2004 r	31 Oct 2016 r	21 Nov 1994 e	3 Mar 2005 e	12 Oct 2014 e	Yes—ecosystem conservation and restoration as a key adaptation program (updated first NDC, 2021)	Yes (2017)	Yes (Law on Meteorology, Climatology, and Geophysics [No. 31 of 2009])
Lao People's Democratic Republic	✓☐	☐	-	-	4 Jan 1995 a	6 Feb 2003 a	7 Sep 2016 r	19 Dec 1996 e	1 Nov 2004 e	12 Oct 2014 e	Yes—as context for adaptation measures, but no specific objective on biodiversity (updated first NDC, 2021)	Yes (2016)	Yes (Government Decree No. 321 of 2019, Decree on Climate Change) ^f
Malaysia	✓	❖	-	-	13 Jul 1994 r	4 Sep 2002 r	16 Nov 2016 r	22 Sep 1994 e	2 Dec 2003 e	3 Feb 2019 e	Yes—key adaptation strategies include preservation of vulnerable terrestrial and marine ecosystem and expanding protected areas, including fisheries zones within the marine and coastal protection corridors (updated first NDC, 2021)	Yes (2016)	No

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	Life ^a	Environment	Climate Change	Biodiversity	UNFCCC	Kyoto Protocol	Paris Agreement	CBD	2000 Cartagena Protocol	2010 Nagoya Protocol			
Myanmar	✓☐	☐△	-	-	25 Nov 1994 r	13 Aug 2003 a	19 Sep 2017 r	23 Feb 1995 e	13 May 2008 e	12 Oct 2014 e	Yes—sustainable management of natural resources for healthy ecosystems identified as a key adaptation strategy, noting Myanmar’s long coastline as invaluable natural infrastructure critical to mitigation and adaptation (updated first NDC, 2021)	Yes (revised NBSAP 2015)	No
Philippines	✓☐	✓	-	-	2 Aug 1994 r	20 Nov 2003 r	23 Mar 2017 r	6 Jan 1994 e	3 Jan 2007 e	28 Dec 2015 e	Yes—coastal and marine ecosystems and biodiversity identified as a key adaption area, but no specific objective or plan mentioned (2021)	Yes (2016)	Yes (Republic Act No. 9729, Climate Change Act of 2009)
Singapore	✓	-	-	-	29 May 1997 r	12 Apr 2006 a	21 Sep 2016 r	20 Mar 1996 e	-	-	Yes—biodiversity adaptation measures include tree management, conservation of native plants and animals, and enhancement and restoration of ecological habitats (updated first NDC, 2020)	Yes (2019)	No

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	Life ^a	Environment	Climate Change	Biodiversity	UNFCCC	Kyoto Protocol	Paris Agreement	CBD	2000 Cartagena Protocol	2010 Nagoya Protocol			
Thailand	✓☐	✓☐△	☐	✓☐△	28 Dec 1994 r	28 Aug 2002 r	21 Sep 2016 r	29 Jan 2004 e	8 Feb 2006 e	31 Jan 2012 (signed but not yet ratified)	Yes—conservation, rehabilitation, and sustainable use of natural resources and biodiversity identified as a key adaptation area (updated first NDC, 2020)	Yes (2016)	No ⁸
Timor-Leste	✓	✓☐△	-	☐	10 Oct 2006 a	14 Oct 2008 a	16 Aug 2017 r	8 Jan 2007 e	-	-	Yes—forests, biodiversity, and coastal ecosystem resilience identified as a key adaptation area (2017)	Yes (2015)	No
Viet Nam	✓☐	✓☐△	☐	☐	16 Nov 1994 r	25 Sep 2002 r	3 Nov 2016 AA	14 Feb 1995 e	20 Apr 2004 e	12 Oct 2014 e	Yes—mitigation (sustainable forests) and adaptation (specifically in relation to delta areas, coastal areas, and mountainous areas) (updated first NDC, 2020)	Yes (2015)	No
Subregional Level											11 / 11 = 100.0%	10 / 11 = 90.9%	3 / 11 = 27.3%
THE PACIFIC													
Cook Islands	✓	-	-	-	20 Apr 1993 r	27 Aug 2001 r	1 Sep 2016 r	29 Dec 1993 e	21 May 2001 (signed but not yet ratified)	-	No (2016)	N/A	No
Federated States of Micronesia	✓	-	-	-	18 Nov 1993 r	21 Jun 1999 r	15 Sep 2016 r	18 Sep 1994 e	-	12 Oct 2014 e	No (2016)	Yes (2018)	Yes (Climate Change Act, 2013)

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Fiji	✓	✓☐	-	-	25 Feb 1993 r	17 Sep 1998 r	22 Apr 2016 r	29 Dec 1993 e	11 Sep 2003 e	12 Oct 2014 e	Yes— conservation of the natural environment and biodiversity wealth to enable sustainable long-term provision of ecosystem services, including carbon sequestration potential, is a key adaptation area (updated first NDC, 2020)	Yes (2020)	Yes (Climate Change Act, 2021)
Kiribati	✓	-	-	-	7 Feb 1995 r	7 Sep 2000 a	21 Sep 2016 r	14 Nov 1994 e	19 Jul 2004 e	-	Yes—in the context of adaptation policy (2016)	Yes (2017)	No
Marshall Islands	✓	-	-	-	8 Oct 1992 r	11 Aug 2003 r	22 Apr 2016 r	29 Dec 1993 e	11 Sep 2003 e	8 Jan 2015 e	No (updated second NDC, 2020)	N/A	No
Nauru	✓	-	-	-	11 Nov 1993 r	16 Aug 2001 a	22 Apr 2016 r	8 Feb 1994 e	11 Sep 2003 e	-	Yes— ecosystem restoration and sustainable land management to improve livelihoods and protect biodiversity one of eight detailed national contributions (updated first NDC, 2021)	Yes (2016)	Yes (Environmental Management and Climate Change Act 2020)
Niue	-	-	-	-	28 Feb 1996 a	6 May 1999 r	28 Oct 2016 r	28 May 1996 e	11 Sep 2003 e	-	No (2016)	Yes (2015)	No
Palau	✓	☐	-	-	10 Dec 1999 a	10 Dec 1999 a	22 Apr 2016 r	6 Apr 1999 e	11 Sep 2003 e	11 Sep 2018 e	No (2016)	Yes (2018)	No

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Papua New Guinea	✓	☒	–	☒	16 Mar 1993 r	28 Mar 2002 r	21 Sep 2016 r	29 Dec 1993 e	12 Jan 2006 e	–	Yes—biodiversity is a key priority area under the four priority development sectors (agriculture, health, transport and infrastructure) (second NDC, 2020)	Yes (2021)	Yes (Climate Change (Management) Act 2015 [No. 19 of 2015] and United Nations Paris Agreement (Implementation) Act 2016 [No. 4 of 2016])
Samoa	✓	–	–	–	29 Nov 1994 r	27 Nov 2000 r	22 Apr 2016 r	10 May 1994 e	11 Sep 2003 e	12 Oct 2014 e	Yes—biodiversity not mentioned specifically but protection of ecosystems and enhancement of ecosystem services were mentioned as NDC targets (second NDC, 2021)	Yes (2016)	No ^d
Solomon Islands	✓	–	–	–	28 Dec 1994 r	13 Mar 2003 r	21 Sep 2016 r	1 Jan 1996 e	26 Oct 2004 e	22 Jan 2020 e	Yes—in the context of carbon sequestration (mitigation) (updated first NDC, 2021)	Yes (2016)	No
Tonga	✓	–	–	–	20 Jul 1998 a	14 Jan 2008 a	21 Sep 2016 r	17 Aug 1998 e	17 Dec 2003 e	1 Jan 2020 e	Yes—biodiversity as a whole was not mentioned, but maintenance of the existing stocks of fish and other marine species was identified as a key adaptation area (second NDC, 2020)	N/A	No ^c

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Tuvalu	✓	-	-	-	26 Oct 1993 r	16 Nov 1998 r	22 Apr 2016 r	20 Mar 2003 e	-	26 Nov 2018 e	No (2016)	Yes (2014)	Yes
Vanuatu	✓	△	-	-	25 Mar 1993 r	17 Jul 2001 a	21 Sep 2016 r	29 Dec 1993 e	-	12 Oct 2014 e	No (updated first NDC, 2021)	Yes (2018)	Yes (Meteorology, Geological Hazards, and Climate Change Act [Act No. 25 of 2016])
Subregional Level											7 / 14 = 50.0%	11 / 14 = 78.6%	5 / 14 = 35.7%
REGIONAL LEVEL											33 / 43 = 76.7%	36 / 43 = 83.7%	11 / 43 = 25.6%

CBD = Convention on Biological Diversity, NBSAP = National Biodiversity Strategies and Action Plan, NDC = nationally determined contributions, UNFCCC = United Nations Framework Convention on Climate Change.

Legend:

- ✓ indicates there is an express constitutional right or obligation that (i) is found under the bill of rights, and (ii) may not need implementing legislation
- ▣ indicates there is an express directive principle or state policy
- ❖ indicates there has been a court decision inferring the right
- △ indicates that there is an express citizen obligation that the constitution characterizes as fundamental

Notes:

1. Most entries in this table are based on available information as of 20 February 2022, unless the source stated comes from a subsequent year (e.g., see entry for Azerbaijan under the NDC column, which references its 2023 NDC). The table is being updated periodically, resources permitting.
 2. The entries for South Asia, Southeast Asia, and the Pacific under the Constitutional Rights, Obligations, and State Directives section were sourced from the [National Legal Frameworks volume](#) of the Asian Development Bank's [Climate Change, Coming Soon to a Court Near You series](#).
 3. The Constitution of the People's Republic of China is not justiciable. See F. Hualing and Z. Xiaobo. 2018. What Makes the Chinese Constitution Socialist? *International Journal of Constitutional Law*. 16 (2). p. 56.
 4. The entries for South Asia, Southeast Asia, and the Pacific under the Treaty Status section were sourced from the [International Legal Frameworks volume](#) of the Asian Development Bank's [Climate Change, Coming Soon to a Court Near You series](#), authored by the same individual who created this table.
- ^a Constitutional provisions on quality of life and/or standard of living not framed as express constitutional rights or obligations are considered directive principles.
- ^b Decree 54/2020 Establishing the Climate Change Council contains institutional arrangements for climate change governance in Georgia. However, as the decree is an executive issuance, the authors do not consider it framework legislation.
- ^c Bangladesh and Tonga passed the Climate Change Trust Fund Act (2010) and the Climate Change Fund Act (2021), respectively. As these laws only established funds and did not set forth institutional arrangements, they are not considered framework legislation.
- ^d In 2020, India issued Notification S.O. 4259(E) creating the Apex Committee for Implementation of Paris Agreement. A notification is treated as subordinate, delegated or secondary legislation. The authors therefore do not consider it framework legislation.
- ^e In *Advocate Padam Bahadur Shrestha vs Prime Minister and Office of Council of Ministers and Others* (Case No. 074-WO-0283, 25 December 2018), the Supreme Court of Nepal issued a writ of mandamus ordering the government to enact a climate change law. The Environment Protection Act 9/2019 and The Forests Act 12/2019 were promulgated in 2019 in response to the Supreme Court decision.
- ^f Government Decree No. 321 of 2019 was approved by the Prime Minister and has the force of a law (art. 4, Law on Making Legislation).
- ^g A draft climate change bill is being prepared and/or under consideration.

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