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Original Article

## Implementation Challenges of Kenya's Climate Change Act (2016) at the **Urban County Level: Case Studies from Counties in Kenya**

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Climate, Counties. Urban, Policies.

Kenya's Climate Change Act (2016) was a landmark legislative step toward mainstreaming climate resilience across all levels of governance. However, its implementation at the urban county level has faced significant challenges. This paper investigates these challenges through case studies of Nairobi, Mombasa, and Kisumu counties. Using a qualitative methodology that includes policy analysis and stakeholder interviews, the study identifies key barriers such as inadequate funding, limited technical capacity, and weak intergovernmental coordination. Findings reveal that while counties have made efforts to integrate climate actions into their development plans, the level of implementation varies significantly. For instance, delayed disbursement of funds from the national government hampers timely execution of climate programs (IPF, 2023). Moreover, the lack of robust legal frameworks and technical expertise at the county level impedes progress. The study recommends enhancing capacitybuilding initiatives, ensuring timely financial transfers, and fostering better coordination between national and county governments. By addressing these challenges, Kenya can strengthen its climate governance and enhance urban county-level resilience.

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#### INTRODUCTION

Climate change poses a significant threat to Kenya, manifesting in increased frequency and intensity of extreme weather events such as floods and droughts. Recent years have seen unprecedented flooding, resulting in loss of lives and displacement of communities (Financial Times, 2024). Urban areas, in particular, are vulnerable due to high population densities and inadequate infrastructure.

In response to these challenges, Kenya enacted the Climate Change Act in 2016, aiming to provide a comprehensive legal framework for climate change governance. The Act emphasizes the integration of climate change considerations into all levels of government planning and decision-making. It establishes institutional arrangements, including the National Climate Change Council and the Climate Change Directorate, to oversee implementation (Naeku, 2020; Bastos et al., 2024).

Urban counties play a pivotal role in climate action due to their proximity to the grassroots and their mandate under the devolved governance structure. They are strategically positioned to develop and execute localized climate strategies tailored to their specific environmental and socioeconomic contexts (The Standard, 2023). However, the implementation of the Climate Change Act at the county level faces several obstacles.

This paper seeks to explore the implementation challenges of the Climate Change Act (2016) at the urban county level in Kenya, focusing on Nairobi, Mombasa, and Kisumu. It aims to identify the barriers hindering effective implementation and propose recommendations to enhance climate governance at the county level.

The paper is structured as follows: the next section reviews relevant literature on climate change policy implementation, both globally and within Kenya. This is followed by the methodology section, outlining the research design and data collection methods. Subsequent sections present the case studies of the three counties, analyze the

findings, and discuss the implications. The paper concludes with recommendations for improving the implementation of the Climate Change Act at the urban county level.

#### LITERATURE REVIEW

#### **Theoretical Framework**

Implementation theory provides a lens understand the complexities involved translating policy into practice. It emphasizes the importance capacity, resources, intergovernmental coordination in successful policy implementation. In the context of climate change, environmental governance frameworks highlight the need for multi-level governance structures that facilitate collaboration between national and subnational entities (Transparency Partnership, 2020).

## **Climate Change Policy in Kenya**

Kenya has made significant strides in climate policy, with the Climate Change Act (2016) serving as a cornerstone. The Act mandates the integration of climate considerations into national and county development plans and establishes mechanisms for monitoring and reporting. However, challenges persist in operationalizing these mandates at the county level. Counties often lack the necessary resources and technical expertise to effectively implement climate actions (IPF, 2023). Moreover, delays disbursement from the national government further hinder progress.

The establishment of County Climate Change Funds (CCCFs) has been a positive development, enabling counties to finance climate projects identified and prioritized by local communities. However, only a few counties have successfully operationalized these funds, and the allocation remains below the recommended 2% of development budgets (Council of Governors, 2024). Additionally, public participation in climate planning processes is limited, reducing the effectiveness of implemented strategies.

# **Global Examples of Subnational Climate Policy Implementation**

Globally, subnational governments have played a crucial role in climate action. For instance, California in the United States and São Paulo in Brazil have implemented robust climate policies at the state level, demonstrating the potential of subnational entities in driving climate action (Barbi & Fereira, 2013). These examples underscore the importance of political will, adequate funding, and stakeholder engagement in successful policy implementation.

In Africa, countries like South Africa have developed frameworks to support climate action at the municipal level, emphasizing the need for capacity building and financial support. These global experiences offer valuable lessons for Kenya as it seeks to enhance climate governance at the county level.

## **Gaps in Literature**

While there is a growing body of literature on climate policy in Kenya, studies focusing specifically on the implementation challenges at the urban county level are limited. Most research tends to concentrate on national-level policies or rural counties, leaving a gap in understanding the unique challenges faced by urban counties. This paper aims to fill this gap by providing an in-depth analysis of the implementation challenges of the Climate Change Act (2016) in Nairobi, Mombasa, and Kisumu.

## **METHODOLOGY**

#### Research Design

This study adopts a qualitative case study approach to examine the implementation challenges of Kenya's Climate Change Act (2016) at the urban county level. The case study method facilitates an in-depth exploration of complex governance processes within real-life contexts (Yin, 2014).

### **Study Area**

The research focuses on Nairobi, Mombasa, and Kisumu counties—Kenya's three largest urban centres—selected for their diverse geographic

locations, varying levels of climate vulnerability, and differing stages of climate policy implementation. Nairobi, as the capital city, serves as the national policy hub; Mombasa, a coastal city, faces threats from sea-level rise; and Kisumu, located near Lake Victoria, contends with frequent flooding and water resource management challenges (Oluchiri, 2025).

#### **Data Sources**

Data collection involved a comprehensive review of policy documents, including county climate change acts and action plans, reports from governmental and non-governmental organizations, and recent news articles. Additionally, semi-structured interviews were conducted with key stakeholders, such as county officials, environmental officers, representatives from civil society organizations involved in climate change initiatives. This triangulated approach ensured credibility and depth (Mulwa et al, 2024).

#### Limitations

The study acknowledges certain limitations. Firstly, reliance on secondary data may not capture the most recent developments in each county. Secondly, the scope of interviews was limited by time constraints and the availability of respondents, potentially affecting the comprehensiveness of perspectives gathered. Lastly, the dynamic nature of climate policy implementation means that findings represent a snapshot in time and may evolve with ongoing policy and institutional changes (Brackel, 2021, Kalogiannidis et al., 2024).

## **CASE STUDIES & FINDINGS**

### **Nairobi County**

## Implementation Structures

Nairobi County, as Kenya's capital, plays a pivotal role in national climate change efforts. However, its implementation of the Climate Change Act (2016) has faced structural challenges. The county lacks a dedicated climate change unit, resulting in fragmented efforts across departments. While the Department of

Environment and Natural Resources oversees environmental matters, climate change initiatives are often integrated into broader environmental programs without a specific focus (Standard Media, 2023). This structural ambiguity hampers coordinated climate action.

#### Successes and Barriers

Despite structural challenges, Nairobi has initiated several climate-related projects. The county has engaged in tree-planting campaigns, aligning with the national goal of increasing forest cover to 10% by 2032 (AP News, 2023). Additionally, Nairobi has participated in the Financing Locally-Led Climate Action (FLLoCA) program, aiming to enhance community resilience to climate change (World Bank, 2023).

However, barriers persist. Rapid urbanization has led to the proliferation of informal settlements, which are highly vulnerable to climate-induced hazards like flooding. Inadequate infrastructure and poor waste management exacerbate these vulnerabilities (FT, 2024). Moreover, limited public awareness and engagement hinder the effectiveness of climate initiatives. The absence of a county-specific climate change policy further complicates implementation efforts, leading to reliance on national frameworks that may not address local nuances (Transparency Partnership, 2020).

## **Mombasa County**

## **Institutional Capacity**

Mombasa County has recognized the importance of addressing climate change, particularly given its coastal location and susceptibility to sea-level rise. The county developed the Mombasa City County Climate Action Plan 2023-2050, outlining strategies for climate resilience (County Government of Mombasa, 2023). However, institutional capacity remains a significant challenge. The county lacks a dedicated climate change department, and responsibilities are dispersed across various departments, leading to coordination difficulties. Limited technical expertise and insufficient funding further impede the implementation of climate initiatives.

## Stakeholder Engagement Challenges

Stakeholder engagement in Mombasa's climate initiatives has been limited. While the Climate Action Plan emphasizes the need for inclusive participation, mechanisms for effective community involvement are underdeveloped. Public awareness of climate change issues is low, and there is minimal engagement with civil society organizations and local communities in planning and decision-making processes (Mutinda, & Abok, 2022). This lack of engagement undermines the legitimacy and effectiveness of climate policies.

Furthermore, the absence of clear communication channels between the county government and stakeholders hampers collaborative efforts. There is a need for structured platforms that facilitate dialogue, knowledge sharing, and joint action among government agencies, communities, and other stakeholders. Enhancing stakeholder engagement is crucial for the successful implementation of climate initiatives in Mombasa.

#### **Kisumu County**

#### Funding and Technical Capacity

Kisumu County has made significant strides in climate change governance. The county enacted the Kisumu County Climate Change Act No. 7 of 2020, establishing a legal framework for climate action (Kisumu County Government, 2020). In the 2023-2024 financial year, Kisumu allocated KSh100 million, representing 2% development budget, to climate change mitigation projects (The Star, 2024). These funds support six community-driven projects, including water infrastructure development and waste management initiatives.

Despite these efforts, technical capacity remains a concern. The county faces challenges in project implementation due to limited technical expertise and inadequate monitoring and evaluation mechanisms. There is a need for capacity-building programs to enhance the skills of county officials and stakeholders involved in climate action planning and execution. Strengthening technical capacity will ensure the effective utilization of

allocated funds and the successful implementation of climate initiatives.

## Community Involvement

Kisumu has prioritized community involvement in its climate change strategies. The county established Ward Climate Change Planning Committees (WCCPCs) across all 35 wards, ensuring representation from various community groups, including youth, women, and persons with disabilities (Kisumu County Government, 2023). These committees facilitate participatory planning, budgeting, and implementation of local climate projects.

Additionally, Kisumu conducted Participatory Climate Risk Assessments (PCRA) to identify climate risks and prioritize resilience actions at the community level (Kisumu County Government, 2023). The county also organized public participation forums to develop the Kisumu County Climate Change Fund Regulations 2023, emphasizing transparency and inclusivity in resource mobilization and utilization (Kisumu County Government, 2023).

These initiatives demonstrate Kisumu's commitment to community-driven climate action. By involving local communities in decision-making processes, the county ensures that climate initiatives are responsive to local needs and contexts, enhancing their effectiveness and sustainability.

## **DISCUSSION**

## **Cross-County Comparison of Implementation Challenges**

The implementation of Kenya's Climate Change Act (2016) across Nairobi, Mombasa, and Kisumu counties reveals both shared and unique challenges.

Nairobi County: As the nation's capital,
 Nairobi possesses significant administrative
 capacity. However, the county has yet to enact
 a specific climate change act, hindering access
 to climate finance mechanisms like the
 Financing Locally-Led Climate Action
 (FLLoCA) program. Additionally, inter

- departmental coordination remains fragmented, impeding cohesive climate action (Standard Media, 2023).
- Mombasa County: Mombasa faces institutional challenges, including the absence of a dedicated climate change unit and limited stakeholder engagement. The lack of structured public participation frameworks has resulted in low community awareness and involvement in climate initiatives (Mutinda, & Abok, 2022).
- Kisumu County: Kisumu stands out for its proactive approach, having enacted the Kisumu County Climate Change Act No. 7 of 2020 and allocating 2% of its development budget to climate action. The establishment of Ward Climate Change Planning Committees has enhanced community involvement. However, the county still grapples with technical capacity constraints and the need for robust monitoring and evaluation frameworks (Mbugua, 2025, County Government of Kisumu, 2020).

## Common Themes: Capacity Gaps, Funding, and Coordination

Across the three counties, several common challenges emerge:

- shortage of skilled personnel to design, implement, and monitor climate adaptation projects. This deficit hampers the effective translation of policies into actionable programs (Creswell, & Poth, 2018).
- Funding Constraints: Limited financial resources impede the execution of climate initiatives. Counties often allocate less than 2% of their budgets to climate-related activities, falling short of the investment needed to address climate challenges effectively (CSIS, 2025).
- Coordination Issues: Poor coordination among county departments and between national and county governments leads to duplication of efforts and inefficient use of

resources. The absence of clear communication channels exacerbates these issues (Transparency Partnership, 2020).

### **Role of National vs. County Governments**

The Climate Change Act (2016) delineates responsibilities between national and county governments. The national government is tasked with policy formulation, capacity building, and resource mobilization, while counties are responsible for implementing climate actions at the local level (Republic of Kenya, 2016).

However, the effectiveness of this division is hindered by several factors:

- Resource Allocation: Counties often lack adequate financial and technical support from the national government, limiting their ability to implement climate initiatives (IPF Global, 2024).
- Policy Guidance: Insufficient guidance and support from national authorities leave counties without clear frameworks for action, leading to inconsistent implementation across regions (PACJA, 2025).
- Monitoring and Evaluation: The absence of standardized monitoring and evaluation mechanisms complicates the assessment of progress and accountability at both levels of government (NAP Global Network, 2022).

# Policy Coherence and Decentralization Challenges

Decentralization aims to bring governance closer to the people, enhancing responsiveness and accountability. However, in the context of climate change policy, decentralization presents several challenges:

- Inconsistent Policy Implementation: Variations in capacity and resources among counties lead to uneven implementation of climate policies, undermining national objectives (World Bank, 2023).
- Fragmented Legal Frameworks: The absence of harmonized legislation across counties results in a patchwork of policies that

may conflict or overlap, causing confusion and inefficiency (Transparency Partnership, 2020).

Limited Stakeholder Engagement: Decentralization has not uniformly enhanced public participation in climate governance. In some counties, mechanisms for community involvement remain underdeveloped, limiting the inclusivity and effectiveness of climate actions (PACJA, 2025).

## **Climate Change Policy in Kenya**

Kenya has established a robust climate change policy framework, anchored in the Climate Change Act of 2016, which marked a milestone as the first such legislation in sub-Saharan Africa. The Act provides a legal and institutional framework for climate change response, aligning with Kenya's Vision 2030 and its international obligations under the Paris Agreement. It defines the roles of national and county governments, establishes the National Climate Change Council (NCCC), and mandates the development of fiveyear National Climate Change Action Plans (NCCAPs). These action plans prioritize mitigation and adaptation strategies across sectors such as energy, water, agriculture, and urban development (Kiremu et al., 2022).

Counties, as the primary units of devolved governance, are expected to develop and implement County Climate Change Plans (CCCPs) in alignment with national policy. The Financing Locally-Led Climate Action (FLLoCA) program has been pivotal in supporting counties with financial and technical assistance to implement local climate actions. However, implementation has been uneven, with only a few counties—like Kisumu and Makueni—enacting county-specific climate legislation (Mbugua, 2025).

Despite progress, Kenya faces several challenges. These include limited technical capacity at the county level, insufficient funding, and fragmented coordination between national and subnational actors. Furthermore, enforcement mechanisms are weak, and community participation varies

significantly across counties. Still, Kenya's policy environment shows promise, particularly with increased integration of climate considerations into development planning and budget processes. The establishment of climate change units in various ministries and the mainstreaming of climate actions into the Medium-Term Plans (MTPs) reflects growing institutional commitment (Mbugua, 2025). Moving forward, enhancing intergovernmental collaboration, expanding climate finance access, and strengthening monitoring and evaluation frameworks will be critical for realizing Kenya's climate goals.

# **Global Example of Subnational Climate Change Policy Implementation**

A relevant global example of subnational climate change policy implementation is California, USA, a leading case of proactive climate governance at the state level. Despite the absence of comprehensive federal climate legislation, California has positioned itself as a global leader in environmental policy through robust laws, innovative programs, and stakeholder engagement (Jorgensen et al, 2018).

The state's climate action is anchored in the Global Warming Solutions Act (AB 32) of 2006, which mandated the reduction of greenhouse gas emissions to 1990 levels by 2020. This was later extended through Senate Bill 32, targeting a 40% reduction below 1990 levels by 2030. California also implemented a cap-and-trade program, creating an economic incentive for industries to reduce emissions (Biesbroek et al., 2022). The revenues from this program fund projects in renewable energy, public transit, and environmental justice.

Local governments within California, including cities like Los Angeles and San Francisco, have developed their climate action plans, tailored to urban needs and community priorities. These plans incorporate energy efficiency mandates, green building codes, waste reduction programs, and urban forest initiatives (Jorgensen et al, 2018). A critical element of California's success is the integration of science-based targets and strong

institutional frameworks, such as the California Air Resources Board (CARB), which monitors and enforces compliance.

California also emphasizes public participation and equity in its climate strategy. The Environmental Justice Advisory Committee ensures that disadvantaged communities benefit from climate investments. Moreover, extensive partnerships with private sector stakeholders and academic institutions foster innovation in climate technologies and policy research (Biesbroek *et al.*, 2022).

California's experience demonstrates that subnational governments can lead climate action through legal innovation, institutional strength, and inclusive policy design. For Kenya, California offers valuable lessons in decentralized implementation, stakeholder engagement, and integrating climate action across sectors and governance levels.

## CONCLUSION AND RECOMMENDATIONS

The implementation of Kenya's Climate Change Act (2016) at the urban county level reveals a complex interplay of successes and challenges. While counties like Kisumu have made commendable strides in legislating and funding climate initiatives, others like Nairobi and Mombasa face significant hurdles, including legislative gaps, limited institutional capacity, and inadequate stakeholder engagement. Common challenges across counties include capacity deficits, funding constraints, coordination issues, and the complexities of decentralized governance.

# **Practical Recommendations for Improving Implementation**

- Enhance Capacity Building: Invest in training programs to develop the technical skills of county officials and stakeholders involved in climate action planning and implementation.
- Secure Sustainable Funding: Establish dedicated climate funds at the county level and streamline access to national and

- international climate finance mechanisms to ensure consistent funding for climate initiatives.
- Strengthen Coordination Mechanisms:

  Develop clear frameworks for collaboration
  between national and county governments, as
  well as among county departments, to enhance
  policy coherence and resource efficiency.
- Harmonize Legal Frameworks: Encourage counties to enact climate change legislation aligned with national policies to create a cohesive legal environment that facilitates effective implementation.
- Promote Inclusive Stakeholder Engagement: Establish and strengthen platforms for community participation in climate governance to ensure that local knowledge and needs inform policy and action.

#### **Areas for Further Research**

Future studies should explore the long-term impacts of county-level climate policies on community resilience and environmental outcomes. Additionally, research into the effectiveness of different stakeholder engagement models could provide insights into best practices for inclusive climate governance.

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