



**Submission to**

**Oireachtas Joint Committee on Environment, Culture and the Gaeltacht**

**on**

**Outline Heads of the Climate Action and Low Carbon Development Bill**

30<sup>th</sup> April 2013

**Oxfam Ireland**

Oxfam Ireland's vision is a just world without poverty. Our mission is to increase the numbers of people in developing countries having a sustainable livelihood, access to essential services, equal rights and status, and physical security.

We are a member of Oxfam International, a confederation of 17 organisations operating together in over 90 countries. Working with thousands of local partner organizations, we work with people living in poverty striving to exercise their human rights, assert their dignity as full citizens and take control of their lives.

**Introduction**

Climate change threatens to reverse many of the gains made in developing countries and indeed developed countries as well. The unequal nature of the impacts of climate change and the different levels of responsibility for causing it make it one of the greatest global ethical issues of our age.

The challenge which climate change poses to food and nutrition security is particularly worrying. Agencies like Oxfam have emphasised the connection between climate change, food security and nutrition. We strongly welcome the Irish government's deep engagement in this policy area. We share the government's analysis that these interlinked challenges demand a response based on climate justice, a point to which we will return below.

Real strides towards the low-carbon economy are being made in many different countries, both developed and developing, and in different economic sectors. But that progress is being slowed by a lack

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of certainty about the depth of the commitment to a low-carbon future both at national and international levels.

### **A strong Act for effective national climate policy**

In many countries, including Ireland, elements of rapid transition to a green economy are taking place alongside business as usual, and even alongside initiatives in sectors such as transport and agriculture which worsen the problem. The need for a coherent framework for climate change policy is stronger than ever. A strong Climate Change Act will provide that framework at national level.

### **A strong Act for effective international climate policy**

Equally importantly strong legislation will give a powerful signal at the international level at a time when it is needed.

Global climate change policy and negotiations are in a state of flux. The non-achievement of the planned global agreement at Copenhagen in 2009 has been followed by a renewed commitment of the international community to reach a meaningful agreement in 2015. But that agreement is still to be worked out.

Countries like Ireland with high levels of emissions and a high capacity for emissions reductions have the opportunity to shape the international debate about climate change. We have obligations under two key headings:

- a) reducing our emissions and
- b) providing finance to enable developing countries to enable them to adapt to climate change and to reduce their emissions.

While the first has been to the forefront of public debate in recent times, the second obligation has received far less attention. It is equally important to reaching an agreement in practice and as part of the climate justice response. One vital aspect is that climate finance must be additional to existing transfers such as overseas development aid, not simply a book-keeping exercise.

Adopting a Climate Change Act which is fit for the climate challenge will make a real difference to climate change negotiations and politics at EU and international levels. The act should address both domestic emissions reductions and climate finance.

This submission set outs our recommendations for the content of the Climate Action and Low Carbon Development Bill. We believe these recommendations will lead to an Act which will see Ireland playing its part in the global response to the challenge of protecting our climate.

## **Recommendations**

1. The Bill should establish the principle of climate justice as a basis for Ireland's engagement with climate change.
2. The Bill should establish as targets the emissions reductions which we know scientifically are necessary for countries such as Ireland in order to drive policy implementation and create confidence for business.
3. The Bill should establish strong implementation, support, monitoring and reporting mechanisms which will ensure that the targets are met.
4. The Bill should provide for the establishment of a Climate Fund within or alongside the Environment Fund to receive money from carbon tax, Emissions Trading System auctioning and similar sources and to use that money to support climate mitigation and adaptation (50/50) in developing countries.
5. The Bill should mandate policy coherence for development in the area(s) it covers.

## **Submission**

- 1. The Bill should establish the principle of climate justice as a basis for Ireland's engagement with climate change.**

As the Tánaiste, Eamon Gilmore TD, recently told the Irish Government's High-Level Event on Hunger Nutrition and Climate Justice in Dublin:

“Although climate change threatens all countries, it is the world's poorest and most vulnerable that suffer most and can cope least. And they are the people who have contributed least to its cause.

“This is an injustice, pure and simple. It is morally wrong that the poorest in the world pay in some cases with their lives for the centrally-heated and air-conditioned comfort of the better off. It is not sustainable in a world more interconnected than at any other time in history. It must be addressed – for reasons of morality and of self-interest. Because in our world today, the common interest is our self-interest.”<sup>1</sup>

Ireland’s policy on climate change is based on principles of justice and common interest. The purpose of the proposed Climate Action and Low Carbon Development Bill is to make our policy effective. Therefore the principle of climate justice, already part of our national policy, should be explicitly included in the Bill.

**We recommend that Head 4 should provide for the inclusion of text establishing climate justice as a principle guiding policy and implementation.** In considering what wording might be included, we suggest the Committee might have regard to concepts in the United Nations Framework Convention on Climate Change in particular the following from Article 3.1:

“The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities.”<sup>2</sup>

Our commitment to climate justice requires us to address both domestic emissions reductions and the needs of developing countries for finance for preventing and adapting to climate change, points we return to below.

- 2. The Bill should establish as targets the emissions reductions which we know scientifically are necessary for countries such as Ireland in order to drive policy implementation and create confidence for business.**

Without strong targets the Bill is fundamentally lacking. The Minister for the Environment, Phil Hogan TD, is reported as setting out the case for targets at an EU level in advance of an EU Council meeting last week:

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<sup>1</sup> <http://www.dfa.ie/home/index.aspx?id=89544>

<sup>2</sup> [http://unfccc.int/essential\\_background/convention/background/items/1349.php](http://unfccc.int/essential_background/convention/background/items/1349.php)

“Mr Hogan said the EU needed to make a decision soon, as certainty was needed by governments, utilities and business on what the targets and political environment was before committing to long-term investments.”<sup>3</sup>

**The target for 2050 should be a reduction of 80 to 95% of emissions**, in line with the scientific evidence and EU policy.

**Targets are needed for 2030 and 2040**, setting the milestones for the transition to a low-carbon economy.

Given the ongoing development of our scientific understanding of climate change, the bill should include provisions for the revision of targets in line with the state of scientific knowledge.

**3. The Bill should establish strong implementation, support, monitoring and reporting mechanisms which will ensure that the targets are met.**

The role and status of the Expert Advisory Body to be established by the Bill needs to be upgraded.

The Body should have a specific name such as Climate Change Commission (the name of the comparable body in the UK), Climate Change Council, Climate Advisory Council, or similar.

Its functions should explicitly include inputting into the process of Transition reporting under Head 10. The references in Head 5(14) to consultation with the Expert Advisory Body should be mandatory, subject for example to considerations of urgency. Consultation with the Body should similarly be required in relation to Head 10(3). The Body should have the power and the duty to publish its own reports.

**4. The Bill should provide for the establishment of a Climate Fund within or alongside the Environment Fund to receive money from carbon tax, Emissions Trading System auctioning and**

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<sup>3</sup> <http://www.irishtimes.com/news/environment-ministers-to-thrash-out-deal-on-eu-carbon-targets-for-2030-1.1367753>

**similar sources and to use that money to support climate mitigation and adaptation (50/50) in developing countries.**

Global agreement on climate change requires that developing countries get the funding they need to adapt to climate change and to limit their own emissions. That funding has to be reliable, and additional to existing transfers such as overseas development aid. Therefore it makes sense for it to come from a dedicated fund. This will demonstrate both the long-term nature and the additionality of the financing. It also provides an important boost to the public credibility of any other climate-related funding sources which contribute to the fund. Having the money earmarked for climate action in developing countries would give an important legitimacy to increases in the carbon tax, for example. The fund would be used to support the Green Climate Fund being established through the UNFCCC as well as for bilateral climate financing.

Responding to the real needs of people in developing countries requires that half of climate finance goes to adaptation. The need to adapt to the climate change already in the system is now undeniable. Therefore funding must be guaranteed for that adaptation. Initiatives and policies like those discussed at the recent High-Level Event on Hunger Nutrition and Climate Change in Dublin need large amounts of funding if they are to be scaled up or reproduced around the world. Climate finance is required for this purpose. **A Climate Fund with 50% earmarked for adaptation** would be a powerful demonstration from Ireland of solidarity with developing countries facing the challenges of climate change and a real commitment to play our part in an adequate international agreement.

##### **5. The Bill should mandate policy coherence for development in the area(s) it covers.**

Policy Coherence for Development is an established principle of EU law (Art. 208 of TFEU) and of Irish development policy. Climate change is an area of policy where it is particularly relevant. Climate change itself is a major threat to development and needs to be tackled in order to protect and build on development gains. In addition, certain policies aimed at addressing climate change risk having negative impacts on development in developing countries.

Biofuels policies in the EU, Ireland and other developed countries are an example of interventions aimed at climate change which have negative impacts in developing countries. The United Nations Special

Rapporteur on the Right to Food has recently called for an end to the EU's biofuels policy due to "the considerable negative impacts this policy is having on the enjoyment of the right to food in a number of developing countries."<sup>4</sup>

**We suggest that policy coherence for development should be one of the considerations listed in Head 5(10).** The Committee might usefully hear from Irish Aid in this regard.

We welcome the positive and open manner in which the Committee has initiated this consultation. We know from recent discussions that the members of the Committee are aware of the great importance of the climate change challenge and of the important role you play in legislating to meet that challenge. Oxfam Ireland is available to offer any assistance the Committee might request in your deliberations.

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<sup>4</sup> <http://www.srfood.org/index.php/en/component/content/article/1-latest-news/2813-special-rapporteur-urges-phase-out-of-eu-biofuel-incentives>