

EVIDENCE AND VIEWS ON THE CLIMATE CHANGE (NO 2) BILL

8 November 2021

About us

Sustainable NI is principally concerned with the pursuit of sustainable development in Northern Ireland. We provide practical support to help organisations become more sustainable and climate-friendly and we work closely with government to embed the principles of sustainable development into policy and decision making. We currently provide the secretariat for the All Party Group on Climate Action.

Principles of sustainability

Sustainability is usually defined as the processes and actions through which we avoid the depletion of natural resources, to keep an ecological balance that doesn't allow the quality of life of modern societies to decrease. By adding the concept of 'development', sustainable development means that humankind should satisfy its current needs without compromising the ability of future generations to do the same.

It is a paradigm underpinned by an acknowledgement that environmental and social needs should be on a par with economic needs. It acknowledges that a functioning economy and society depend on a functioning, stable biosphere. Should our economic systems leave the planet unliveable, they are neither viable nor sustainable.

Summary

Sustainable NI would like to see the amalgamation of the Climate Change No. 1 and No. 2 Bills into a single comprehensive Climate Change Bill underpinned by an ambitious Net Zero target. We recommend the adoption of a science-based target that will reduce Northern Ireland's greenhouse gas emissions at a rate consistent with the requirements of the UN Paris Agreement, to limit global warming to no more than 1.5 degrees above pre-industrial temperatures.

This is underpinned by the IPCC, the UN's scientific advisory body, which said that all governments should legislate for Net Zero by 2050, to keep the goals of the Paris Agreement within reach. Net Zero should therefore be achieved by 2045, or 2050 at the latest.

If the target proposed in the Climate Change (No. 2) Bill were to be adopted, the Bill will quickly become out of date and an amendment to the legislation will be required soon after to 'upgrade it' as has been the case in both the Republic of Ireland and the UK, due to increasing public demand for stronger government ambition around climate change.

Most businesses and civil society support a Net Zero target. There is a shared understanding in society that failure to act now by legislating for Net Zero, would be a death sentence for future generations. Those in power must take a long term perspective, and ensure the needs of future generations are level with the needs of current generations.

The Climate Change (No. 2) Bill should be informed by an independent economic impact assessment of the costs and benefits of action versus no action. These assessments should look at:

- The impact of a Net Zero by 2045 target on the NI Economy – setting out the net costs of decarbonisation relative to the projected costs of global warming locally (under a +1.5°C 'best case' warming scenario, i.e., if every country were to adopt targets aligned to the goals of the UN Paris Climate Agreement)
- The impact of an 82% cut in GHG emissions by 2050 on the NI Economy – setting out the net costs of decarbonisation compared to the projected costs of global warming locally (under a 2 - 3°C global warming scenario, i.e., if every country were to adopt targets that are not aligned to the goals of the UN Paris Climate Agreement)

- The economic impact of doing nothing (under a business-as-usual global warming scenario, without any mitigation measures)

We believe a local economic impact assessment will come to the same conclusions as the Stern Report (2008)¹. The Stern Review's main conclusion was that the benefits of strong, early action on climate change far outweigh the costs of not acting. According to the Review, without action, the overall costs of climate change will be equivalent to losing at least 5% of global gross domestic product (GDP) each year, now and forever.

The Committee on Climate Change has also been clear on the significant economic benefits that will be created by achieving net zero GHG emissions, stating that: “the costs of the transition (including upfront investment, ongoing running costs and costs of financing) will be less than 1% of GDP over the entirety of 2020-2050, with a net boost to GDP overall.”

It is imperative that our politicians show strong decisive leadership in this time of crisis. The arguments in favour of an ambitious Northern Ireland Climate Change Bill are supported by the most up-to-date science, economics, and ethics. Strong climate legislation is good for people, good for the economy, and good for the planet.

Naturally there are concerns about the short-term impacts of the net-zero transition, in particular on the manufacturing and agri-food sectors as mitigation of greenhouse gases in these sectors will be particularly challenging. However economic studies show that unmitigated global warming will be harmful for all sectors, in particular the farming sector which depends heavily on a consistent and moderate climate. It would therefore be counterintuitive to set weaker carbon emission targets based on protecting the economy if the result of this action will be harmful to the economy long term.

The Climate Institute's latest in-depth analysis² of expected global GDP impact by 2050 under different scenarios compared to a world without climate change revealed:

- -18% GDP if no mitigating actions are taken (3.2°C increase)
- -14% GDP if some mitigating actions are taken (2.6°C increase)
- -11% GDP if further mitigating actions are taken (2°C increase)
- -4% GDP if Paris Agreement targets are met (below 2°C increase)

Policy makers must evaluate the economic risks to Northern Ireland of delayed or weak climate action on the local economy and on society as a whole, not just the short-term economic impacts on ‘hard to abate’ sectors.

Summary of the arguments for and against 82% carbon reduction target

Argument in favour of 82% reduction in GHG Emissions	Argument in favour of Net Zero target
<p>The costs to the economy, particularly the rural economy, are too high to allow a Net Zero target to be legislated for</p>	<p>The Belfast Climate Commission, UK Committee on Climate Change, Stern Report, and IPCC all conclude that the long-term benefits of decarbonisation to the economy outweigh any short-term costs. The same should hold true for Northern Ireland, even though agri-food and manufacturing make up a large part of the economy here.</p> <p>Farmers are at the front line when it comes to the changing climate, relying heavily on stable and predictable weather patterns for crops, grazing and fodder production. The economic damages to this sector are likely to be higher than in other economic sectors, making the case for diversification and decarbonisation even stronger.</p> <p>An economic impact assessment should be carried out to provide policy makers with the evidence they need to confidently move forward with a Net Zero target. The CCC say that the resource costs of meeting the 82% target are less than 1% of 2018 GDP in Northern Ireland in every year from now through to 2050. The costs of a Net Zero have not been accurately calculated and compared with the cost of inaction or delayed action. We would be particularly interested in economic modelling for the agri-food sector, comparing a range of diversification scenarios alongside a shift in diets that result in greater than a 50% fall in meat and dairy production by 2050. This may be</p>

¹ Stern, N. H. 2007. The economics of climate change: the Stern review. Cambridge, UK: Cambridge University Press.

² <https://www.swissre.com/media/news-releases/nr-20210422-economics-of-climate-change-risks.html>

	<p>achieved through, for example, the acceleration of unconventional farming models such as: Agri-tourism, Agri-forestry, arable farming, and farms becoming net energy producers.</p>
<p>The 82% carbon reduction target follows scientific evidence having been recommended by the UK Government's Committee on Climate Change, a scientific advisory body.</p>	<p>A climate target is considered 'science based' if it aligns with the goals of the UN Paris Agreement to limit global GHG emissions to a manageable level. The IPCC, the UN's scientific advisory body, said that all governments should legislate for Net Zero by 2050, to keep the goals of the Paris Agreement within reach.</p> <p>Assumptions used in the UK CCC modelling are challengeable. A more ambitious climate target is possible when policy parameters are varied. The Committee selected a scenario based on no significant reduction in the livestock farming sector. All policy decisions are choices. Scenarios are created to guide these choices, but they are governed by the parameters that are set in the algorithms. The NI Government is at liberty to make a choice that exceeds the selected scenario, in fact the Committee recommended this, highlighting that there was no purely technical reason why Northern Ireland couldn't achieve net zero, but that it would require substantial cuts in agri-food production.</p> <p>Taking a recommendation from a scientific body and using it as <i>de facto</i> science to undermine the possibility of a more ambitious target, is concerning. The policy recommendation has been used to fit an economic and political narrative centred on continued growth in exports of agri-food products, which, due to the inequitable distribution of wealth in this sector, mostly benefits agri-food companies and government through VAT charged on exports.</p>
<p>NI has a strong record of food production. If we don't produce it, another country will and NI will end up importing cheap, low-quality beef and dairy products from overseas creating even more environmental damage.</p>	<p>NI produces enough food for a population of around 9 million people. This is an order of magnitude larger than what is considered necessary, given most of our exports are meat and dairy which are not staple foods. Northern Ireland has become a net-exporter of agri-food products as a direct result of sustained government support for the industry over the years through generous government subsidies in combination with weak environmental regulation. This may have generated 'wealth' for the country, but wealth does not always translate to better wages.</p> <p>Large multi-national companies that process and export agri-food products have an undeniable vested interest in delaying climate action, as does the government which benefits financially from exports. Farmers, on the other hand, are heavily reliant on government subsidies to make a decent living. They are also on the front line of climate change and are most likely to require government support when climate risks turn into reality.</p> <p>'Going for Growth' has taken a huge environmental toll on Northern Ireland, leading to rapid decline of our water quality, air quality, biodiversity not to mention the acceleration of climate change. NI is responsible for 14% of the UK's ammonia emissions and we have the highest carbon footprint per head of population in the UK. There is a myriad of reasons why the current system of food production needs radical reform, not least because of climate change.</p> <p>Being a responsible global citizen involves eating less red meat and dairy. There is a growing trend towards plant-based diets, particularly among younger people and in developed nations overall, over which we have very little control over. It would be better to get ahead of this trend and encourage farms to 'adapt and survive' by taking measures to futureproof their businesses against falling demand for meat and dairy products.</p> <p>The government should be subsidising farmers to be part of the solution to climate change – not the problem.</p>
<p>An 82% target represents our fair share of the UK Net Zero target</p>	<p>The CCC's recommendation is based on a fair share of UK target, but that is not a fair share of global emissions reductions. In a global context, NI's fair contribution to the Paris Agreement would be to set a net zero target by 2050.</p>

	<p>At the current rate of emissions Northern Ireland would exceed its fair share of emissions globally before the end of this decade (by 2030). If every country took a similar approach to the target proposed in the No. 2 Bill, the goals of the Paris Agreement would not be reached.</p> <p>Furthermore, the 82% target relies on negative emissions delivered elsewhere in the United Kingdom, with the other three nations effectively having to pick up the burden of delayed decarbonisation in Northern Ireland, which is unfair. NI emissions are not determined by nature, they are determined by policy choices.</p> <p>There is a moral and ethical argument that says NI shouldn't be given special compensation because of our policy mistakes in the past.</p> <p>Climate change is a transboundary issue. We must consider the global impacts of our actions. Emission reductions must be based on a global fair share contribution. Anything less simply isn't good enough.</p>
--	--

Summary of Features of Climate [Bill no. 2](#) (DAERA Bill)

Key Features	Bill no. 2	Notes
Climate Emergency	✗	The government response to climate change must be commensurate with the level of risk that climate change presents. Declaring that the issue is an emergency ensures resources are deployed at the speed and scale commensurate with a state of emergency.
Science-based Net-Zero target	✗	<p>CO2 reduction targets: By 2050 at least 82% By 2040 at least 69% By 2030 at least 48%</p> <p>Note: Science based targets ensure emission reductions are on a trajectory consistent with the goals of the UN Paris Agreement i.e., to keep global warming below 2C from pre-industrial levels. The targets proposed in the No. 2 Bill are therefore not science based.</p>
Carbon Budget	✓	Bill includes emissions from shipping and aviation within the scope of carbon budgets.
Nitrogen Budget	✗	A carbon budget is the most basic measure that can be put in place. The effects of climate change are seen through other measurable indicators (soil, air, water quality and biodiversity loss). Excess nitrogen from fertilizer and manure pollutes water and air, depletes atmospheric ozone, and harms plants and animals. Excess nitrogen can also react to become nitrous oxide, a greenhouse gas that is <u>300 times more potent</u> than carbon dioxide.
Climate Action Plan	✗	This is important to ensure an appropriate coordination of action across all government departments in response to the climate emergency.
Sectoral Plans	✓	Department (DAERA) report comprising other Department's proposals and policies for Carbon Budget Period.
Annual Reporting	✗	No independent scrutiny. DAERA must produce: a) Interim report within five-year budgetary period b) Respond to points raised by the Climate Change Committee
Public Body Climate Change Duty	✓	Provision for climate change reporting by public bodies, but the Duty could be extended to include other environmental sustainability metrics
Climate Commissioner / NI Climate Office	✗	No independent oversight at NI level. No powers to penalise government.

Just Transition Principals	✗	See Section 8 of no. 1 Bill
Transboundary Considerations	✗	Only considers NI contribution to UK target, not what a fair contribution to global carbon budget would look like. Does not consider cross-border issues or policy alignment with Ireland / the EU.
UK Climate Change Committee as sole advisory body	✓	
Non-regression principals	✗	No clause to prevent regression of performance on greenhouse gas emissions
Sectoral Targets	✗	Sectoral targets ensure that the burden of decarbonization is fairly distributed across all economic sectors (fair carbon budgets).
Climate change adaptation targets and plans	✗	Bill no.2 includes adaptation in scope of public body reporting duty, however no sectoral targets or reporting requirements on adaptation. Lead department must prepare a response to CCC adaptation programme. No further adaptation requirements above what is already required of NI government under Section 60 of UK Climate Change Act (2008).
Delivery body to oversee and support the climate transition	✗	
Dedicated Minister and Department to oversee the climate transition	✗	Northern Ireland is the only part of the UK and Ireland not to have combined energy and climate change policy portfolios.
Citizen's Assembly on Climate Change	✗	The needs and interests of carbon-intensive industries could prevail over the interests of ordinary citizens.
Targets to protect and restore nature	✗	Separate Nature and Environment Restoration Bill sponsored by Dolores Kelly MLA.
Considers NI's ecological footprint overseas (e.g. investments, supply chains)	✗	One of the provisions of the Climate and Ecological Emergency Bill that has been proposed at Westminster.
Financial provisions	✗	

There is therefore scope to strengthen the Bill as follows:

- (1) A net zero target for GHG emissions, preferably by 2045 or earlier but no later than 2050
- (2) A requirement for Climate Action Plans (CAPs) and carbon budgets for all sectors to ensure carbon budgets are administered fairly
- (3) A mechanism for independent scrutiny based in Northern Ireland through a Climate Office and Climate Commissioner (or equivalent)
- (4) Provision for a just transition to guide the way sectors move to net zero
- (5) A Climate Change Duty on Public Authorities equivalent to Scotland's Climate Change Act (2019)
- (6) A dedicated Minister and new Department for Climate and Energy Transition to ensure effective co-ordination of climate-related policies and plans
- (7) A delivery body to oversee and support the climate and energy transition
- (8) Annual statistics on Northern Ireland's overseas consumption carbon footprint.

Consultation Questions

1. The Bill Objectives

To have a good chance of staying below a 2°C temperature rise, the planet is limited to around 800 GtCO_{2e}. If we are to stay below 1.5°C, the preferred target in the Paris Agreement, we cannot emit more than about 400 GtCO_{2e}. Northern Ireland's fair share of this limit is around 92 MtCO_{2e}. According to the most recent greenhouse gas statistics (2019) Northern Ireland is emitting over 21 MtCO_{2e} per year. At the current rate Northern Ireland would exceed its fair share of emissions before the end of this decade (by 2030).

Northern Ireland's per capita emissions are higher than the UK average at 11.2 tCO_{2e}. In addition, our emissions are falling significantly more slowly than the UK average, achieving just 18% reduction compared to the UK's 44%. If Northern Ireland is to do its fair share in tackling climate change, there is no room in the carbon budget for new fossil fuel exploration, investment, or infrastructure. The IPCC is very clear that we must make a rapid transition to a zero-carbon, or nearly zero-carbon, society as soon as possible. If we do not, the human and economic costs of inaction (i.e., from extreme weather caused here and around the world) will far exceed the costs of mitigation (i.e., eliminating greenhouse gas emissions).

It is important to get the trajectory of emissions reductions right. That means making rapid and steep cuts early. When cuts in emissions are delayed, they become less effective at halting global warming due to complex feedback loops in the climate system. The inclusion in the Bill of a series of emissions reductions targets, 2030, 2040, and 2050, is a useful mechanism for ensuring a phased reduction in emissions. However, the targets are inadequate and fall short of a fair contribution to the UK-wide or indeed international effort to tackle climate change.

Based on the most up to date scientific evidence, the UK Government's target of net zero by 2050 falls short of the level of deep emission cuts that are going to be necessary by developed countries to limit global warming by 1.5 degrees. At a minimum, Northern Ireland must have its own net zero target and because of its failure to bring forward climate legislation years ago, it must make up for lost time. The Tyndall Centre at Manchester University has recommended that Northern Ireland should aim for net zero emissions by 2042 and an annual reduction rate in greenhouse gas emissions of 13.1% to deliver a carbon budget aligned with the Paris Agreement.

The IPCC's 6th Assessment Report made it clear that the highest possible ambition must be implemented by every country to avoid catastrophic climate breakdown. Northern Ireland must recognise its role as a key emitter of greenhouse gas emissions and adopt the same level of climate ambition that is required by the most up-to-date science, as set out in the IPCC report. A net zero target by 2045 is consistent with the best science. Anything less will not suffice.

This provision references use of the CCC as the sole advisory body on matters pertaining to the legislation. While CCC advice is welcome, it cannot be the only determining advisory body. The CCC is limited to considering Northern Ireland's contribution to UK targets only. There is a strong argument that Northern Ireland urgently requires an independent oversight body capable of auditing compliance with climate legislation and in doing so assimilating a wide variety of climate advice into stand-alone guidance for Northern Ireland - considering our unique biogeographical and economic circumstances, relative to the island of Ireland, Europe, and the UK. Northern Ireland is a small country, with a small population. It should be possible to be flexible, agile, and ambitious in this regard.

2. Emissions targets

The Bill sets greenhouse gas emissions reduction targets for 2030, 2040, and 2050. This is a useful mechanism for ensuring a phased reduction in emissions over time. The specified targets, however, do not reflect Northern Ireland's historic or current contribution to global greenhouse gas concentrations.

The caveat "at least" provides flexibility to go beyond the specified targets, but it does not represent the strongest possible ambition that is demonstrated in comparative jurisdictions globally, in the rest of the UK or relative to the Republic of Ireland. Net Zero based on the most up-to-date climate science is the only long-term target acceptable, and it follows that if a devolved government has the competency to set a Net Zero target, then it should.

Scientifically, the greenhouse gas emissions reduction trajectory is the most important element of any national climate plan. A net zero target, however, will provide the policy impetus for all policies and plans that follow. Politically, a net-zero target based on the best science is important, as it leaves no room for doubt about the Government's commitment to tackling climate change head on.

It is unlikely that a weak, caveated target of "at least 82%" will encourage the transformation of technology, policy and behaviour at the scale and speed necessary to protect citizens from catastrophic climate change.

Northern Ireland has been without climate legislation for many years while other countries are now increasing their climate ambition based on the success of their existing climate policies. If we do not set the same pace, we will be left behind. There are many economic and social opportunities from the green economy that Northern Ireland can capitalise on if we embrace the change. The terminology "at least" does not stir up ambition and transformation. If anything, it might reduce investor confidence in zero-carbon solutions as it shows a lack of government commitment.

Much of Northern Ireland's economic policies are based on exploiting global markets by exporting goods and attracting international tourism. This has an ecological cost. Despite our modest population, in terms of emissions per capita Northern Ireland produces 11.3 tonnes of CO₂ per person compared with a UK figure of 6.8 tonnes of CO₂ per person and the worldwide average of 4.79 tonnes of CO₂ per person. As a result, Northern Ireland is ranked as one of most carbon intensive countries in the world. If Northern Ireland is serious about being a global player, then it must consider its global impact. Basing carbon reduction targets on the contribution to UK emissions alone while simultaneously positioning itself as a global economy is somewhat contradictory. Either Northern Ireland is a small subset of the UK, or it is a global economy. If Northern Ireland is a global economy, then emissions reductions must be based on a global fair share contribution.

3. Power to Amend Targets

The mitigation of climate change is everyone's responsibility. As such, every climate related decision must be as accountable as possible. This ability to amend legislative ambition depends too much on "affirmative resolution". Only the Department may propose a change, and this may only be ratified by the Assembly. Under this regime, the Assembly does not get any wider forms of scrutiny to propose its own changes - it can only ratify what is put before it. This undermines democratic accountability which should underpin climate legislation.

4. Carbon Budgets

The proposed Carbon Budgets are a key element of the Bill. The targets establish the direction of travel, but the Carbon Budgets set out the precise route. If we are to keep global temperatures below dangerous levels, we must make rapid cuts in emissions based on strict carbon budgets.

However, Carbon Budgets alone don't provide enough detail. Climate Action Plans would provide the details necessary to set sectoral emissions targets. Without the guidance set by the Climate Action Plans there is a risk Northern Ireland's response to the climate emergency will remain disparate, unfocused, and inadequate.

Also, Carbon Budgets are just one mechanism for ensuring a just transition. Other mechanisms must be provided.

5. Progress Reporting

While regular reporting is crucial, accurate scrutiny of progress reports is equally vital. Northern Ireland needs a comparative independent watchdog report running in parallel, commenting on the validity of any Executive report and its compliance with overarching climate objectives to allow independent assessment of its merits. Climate change is a problem defined and quantified by science. It is crucial that science provides oversight of the policy response as well.

6. Independent Oversight

The Bill proposes that independent oversight can be achieved through the Climate Change Committee (CCC). The CCC is an internationally respected expert body. There are, however, several problems in relying on advice from the Climate Change Committee alone.

i) The question asked

The Climate Change Committee responds to the question asked of it. For example, the Committee was asked by the Minister for advice on how Northern Ireland could make an equitable contribution to the UK's net-zero target. The Committee was not asked to layout a pathway to net-zero for Northern Ireland, nor asked how Northern Ireland could make an equitable contribution to the UN Paris Agreement. There is a built-in assumption in the question that Northern Ireland can only, or will only, contribute what is its 'fair share' to the UK's target and that NI would not be able to reduce output from the livestock farming sector. In other words, the response was constrained by the parameters of the question and premised on business as usual in the agricultural sector. As both Scotland and Wales have demonstrated, Northern Ireland can choose to set its own target. Responsibility for all the policy areas central to climate action are devolved. Northern Ireland does not have to simply tag along behind UK Government policy.

ii) Assumptions underpinning the UK target

There are several assumptions underpinning the rationale behind the UK net-zero target that need to be challenged. Analysis by the Tyndall Centre for Climate Research showed that net-zero by 2045 is achievable, even given the underpinning assumptions. Furthermore, assumptions used in CCC modelling are challengeable, and a more ambitious target is possible when policy parameters are varied. For example, there is no technical reason why Northern Ireland couldn't invest in the electricity grid to facilitate a rapid, wholesale shift to electric heat fuelled by 100% green energy. There is no technical reason why a programme of public works to increase energy efficiency in homes and public buildings can't be implemented at speed. Indeed, the Assembly already endorsed such a programme in the Green New Deal. It was never implemented though, and the funds were used for a boiler replacement scheme instead.

Research by the Tyndall Centre for Climate Change Research presents an argument that Northern Ireland's fair contribution to the UK's commitments under the Paris Agreement is net-zero by 2042. The report further lays out a trajectory to zero-carbon for all energy use within devolved responsibility. Energy use (electricity generation, heating, cooking, industry, and transport) accounts for most of Northern Ireland's CO₂ emissions. If this ambitious carbon budget was adopted a target of net-zero by 2045 would become more achievable.

iii) Fair share

Both the target recommended by the Climate Change Committee and the target recommended by the Tyndall Centre are based on a fair share principle. However, the CCC's recommendation is based on a fair share of UK target that is not a fair share of global emissions reductions, whereas the Tyndall Centre's target is based on a fair share of what is required globally under the Paris Agreement. Furthermore, Northern Ireland contributes more carbon emissions on a per capita basis, than the UK average. The Tyndall report points out that at current emission rates Northern Ireland will expend its entire fair share budget before 2030. It is not fair, therefore, to allow Northern Ireland to reduce its emissions at a slower rate than the rest of the UK, if our contribution to climate change is disproportionately higher on a per capita basis.

Through the proposed use of Negative Emissions Technologies and carbon offsets, the CCC effectively inflates the size of the UK carbon budget, thereby giving the UK more leeway but in doing so increasing the risk of missing the Paris Agreement target as negative emission technologies do not currently exist. By basing the Northern Ireland target on an inflated carbon budget, but without having access to the offset technologies that this is based on, the recommended target for Northern Ireland is significantly less equitable than the Tyndall Centre target.

iv) Other scenarios

Although the CCC recommends an 82% reduction in greenhouse gas emissions by 2050 for Northern Ireland, the report for the 6th Carbon Budget does include a range of scenarios. The Widespread Engagement, Widespread Innovation, and Tailwinds scenarios achieve better emissions reductions than the recommended scenario, with the Tailwinds achieving a 94% reduction by 2050. These scenarios also suffer from the same controversial underlying assumptions as the recommended scenario, as explained above.

Rather than relying on advice from the CCC alone, an independent Climate Commissioner should be established. The Climate Commissioner would ensure Ministers and Departments introduce policies and plans to reduce carbon emissions and would provide regular, independent scrutiny reports on Northern Ireland's progress and compliance with the legislation. It would keep Northern Ireland on track to do the most it can, in the quickest time, in a way that is fair to all.

It is important that the Climate Commissioner is independent and free to be critical of Government. The Commissioner must be able to speak freely without fear of funding cuts, ministerial gags, or political interference.

v) Responsibility on Government Departments and Public Bodies

Public bodies must play a leading role to ensure the required greenhouse gas emissions reductions are achieved. Public bodies often have large estates that could be used for the benefit of the public, for example for renewable energy generation, allotments, community tree nurseries, or community transport hubs. Public bodies also have large budgets, borrowing power and purchasing power that can be used to stimulate the low-carbon economy, or directly fund low-carbon projects.

Climate change is an overarching issue that affects all sectors. The responsibility shouldn't lie with just one department. To reflect this, we would like to see the creation of a dedicated Department for Energy and Climate Change, to ensure proper resourcing and more efficient programme delivery. Failing this, climate responsibility should lie with the Executive which is better placed to ensure a co-ordinated response.

We also need a clear mechanism of enforcement that allows for straight forward action when a government department does not meet its obligations. The provisions as drafted raise questions around identifying

causality, in other words pin-pointing which department is at fault. The absence of independent scrutiny reports assessing compliance with climate legislation make taking legal proceedings against a specific department challenging since proof of a breach of responsibilities must be ascertained first. This pursuit of legal remedy may take too long without an independent expert report. Therefore, an efficient mechanism to enforce breach of compliance must be put in place.

vi) Resource implications

Any legislation and government policy will have resource implications. Given the severe implications of business as usual such as flooding, drought, displacement of people, ill-health, and negative impacts on well-being, doing nothing is not an option. The shift to a low-carbon society has multiple positive implications such as job creation, reductions in fuel poverty, improved air quality and overall quality of life, and environmental regeneration.

There is a lack of data currently on the costs and benefits of a just transition to net zero, versus the impact of 2+ degrees of warming on the Northern Ireland economy. We recommend this evaluation is carried out as part of the deliberation of the two Bills, to assess the economic implications of the proposed targets fairly and accurately.

vii) Access to specialist advice

The Climate Change Committee is a recognized expert body, and its advice should be sought and considered. The advice and recommendations from the Committee may be limited by UK Government policy, however, so consideration should also be given to scientific research, technical and technological developments, and policies of other countries, particularly Ireland, Scotland, and Wales.

Northern Ireland is a devolved nation with responsibility for climate change policy and action. We should not be fettered by the current Government in Westminster. Northern Ireland should assimilate advice not only from the CCC, but also from the Intergovernmental Panel on Climate Change, and the Climate Change Advisory Council. It should also be able to consult other relevant advisory bodies on as it sees fit, as the science develops. It's important that this advice is assimilated, assessed, and translated for Northern Ireland to ensure compliance with Northern Ireland climate change legislation. A newly created Climate Office and Climate Commissioner for Northern Ireland should be established to undertake this role.

viii) Transboundary considerations

Climate change and environmental damage don't respect borders. Northern Ireland shares an island with the Republic of Ireland. Transboundary impacts must be included if our move to a low-carbon society is to be fair.

The Bill does not address transboundary issues sufficiently. Its oversight mechanism is overly reliant on the CCC which has confirmed that it does not concern itself with the Republic of Ireland's efforts. This is entirely justified given that it is an institution set up under a UK Climate Change Act. However, the efforts of the ROI and the wider EU are crucial to understanding what will work and what will not work in the future. Northern Ireland must do its part in the global battle against climate change and to look inwardly and be isolationist will not work in these circumstances.

ix) Additional information

A Northern Ireland Climate Change Bill has widespread support among the NGO sector, the business community, and the Northern Ireland Assembly. Northern Ireland must have a just transition to a low-carbon future. We have an imperative to make swift and dramatic greenhouse gas emissions cuts due both to our current emissions and the legacy of our historic emissions. We can no longer prevaricate. Introducing a Northern Ireland Climate Change Bill, with strong greenhouse gas reduction targets based on the most up-to-date science, is the right thing to do.

The proposed Number 2 Bill falls short in some crucial areas:

- I. It is not underpinned by the principle of a just transition. Just transition principles enable an efficient, fair, and co-ordinated change process. It would help to reduce the human and economic costs of climate disruption. It can also generate new jobs and a sustainable, inclusive economy now and into the future. However, these benefits will not happen automatically, particularly if decision-makers fail to adequately tackle the questions of fairness and equity in the transition. Scotland has established its own Just Transition mechanism as has the European Union, and Wales through the Well-being of Future Generations Act. Recognition of this concept is crucial to address the climate crisis and any legislation which is devoid of reference to a just transition will be outdated before it is even passed.

- II. It does not include a science-based net-zero target. A net-zero target wields significant political power. It would establish a clear, unambiguous intent to transition to a climate compatible society.
- III. The Bill does not include Climate Action Plans (CAPs). While a net-zero target would set the necessary direction of travel, the CAPs would establish how we get there. Without CAPs there is a danger climate policy will be unfocused, contradictory, and ineffective. Care should be taken, however, to avoid some sectors being given a de facto immunity from greenhouse gas reduction requirements, while others are forced to carry an unreasonably disproportionate burden. Policies and plans may offer transitional support to some sectors less able to make early cuts, but it would be wholly unjust to allow some sectors to continue to grow and produce increasing emissions while others must make dramatic cuts.
- IV. Advice should be sought from all relevant scientific advisory bodies, not just the CCC, to ensure the fullest possible information is drawn upon when devising policy, amending targets, and assessing overall compliance with the legislation.