

National Climate Laws

Entrenching National Climate Policy and Exploring the UK Experience

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Post Paris: The Common National Governance Challenge

- Paris Agreement: preparing, maintaining and accounting for nationally determined contributions, and pursuing domestic measures, in aid of the Article 2 long-term temperature goal
 1. Assessing existing legal and regulatory measures
 - Mitigation and adaption policies cover a wide array of policy areas
 - UNFCCC/UNE/Commonwealth Secretariat 'Toolkit' project: review process
 2. Developing new national climate governance frameworks
 - Embedding climate change planning nationally – long term mitigation targets, planning and reporting requirements, new institutions to support climate policy

National Legal Cultures

- Different experiences of climate laws globally
 - Varying legal cultures and doctrines, constitutional and administrative traditions
 - Existing regulation provides different starting points
 - Vulnerability to climate impacts, GDP, level of emissions influences regulatory priorities
 - Legislative processes and political fortunes

The UK Experience

- National leadership through Climate Change Act 2008
 - Long term emissions reduction target, carbon budgets, carbon plans, annual reporting to Parliament, adaptation planning
- 10 years on - remarkable resilience in changing political and economic times and governmental reconfiguration
- Challenges:
 - Joining up government policy with carbon plans
 - Public engagement
 - Difficult policy choices ahead eg on transport
 - Legal enforceability – the wrong question?

UK Committee on Climate Change

- Role of the Committee on Climate Change
 - 5-8 members, appointed for expertise, independent/apolitical
 - Advice required on: 2050 target, levels of carbon budgets, sectoral analysis of economy in meeting budgets
 - Advice must be published and taken into account by government
- Unique administrative role and highly respected
- What has the Committee done?

Meeting Carbon Budgets: Closing the policy gap

2017 Report to Parliament

Committee on Climate Change
June 2017



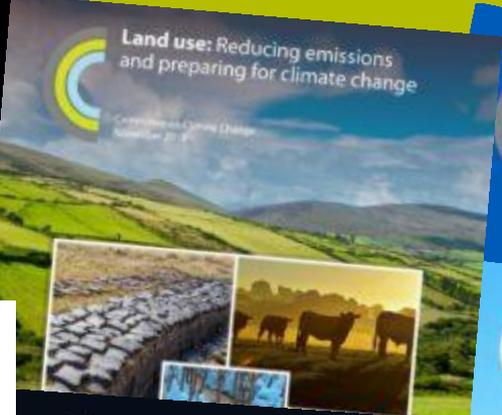
The Fifth Carbon Budget

The next step towards a low-carbon economy

November 2015

Land use: Reducing emissions and preparing for climate change

Committee on Climate Change
November 2017



Reducing emissions in Scotland

2017 Report to Parliament

Committee on Climate Change
September 2017



Intelligence advice to government
on building a low-carbon economy
and preparing for climate change

The Rt Hon. Chris Grayling MP
Secretary of State for Transport
Great Minster House, 33 Horseferry Road
London SW1P 4DR

18 June 2018

Airports National Policy Statement

Dear Secretary of State,

The UK has a legally binding commitment to reduce greenhouse gas emissions under the Climate Change Act. The Government has also committed, through the Paris Agreement, to limit the rise in global temperature to well below 2°C and to pursue efforts to limit it to 1.5°C.

We were surprised that your statement to the House of Commons on the National Policy Statement on 5 June 2018¹ made no mention of either of these commitments. It is essential that aviation's place in the overall strategy for UK emissions reduction is considered and planned fully by your Department.

The Committee on Climate Change (CCC) does not have a view on the location of airport capacity, as long as total UK aviation emissions are compatible with meeting the 2050 climate objectives.

In its projections, the Committee has made a relatively generous provision for aviation emissions compared to other sectors:

- Our analysis has illustrated how a 30% economy-wide reduction in emissions could be achieved with aviation emissions at 2020 levels in 2050. Relative to 1990 levels this is a doubling of emissions, and an increase in its share of total emissions from 2% to around 23%. We estimate that this would allow for around 60% growth in aviation demand, dependent on the delivery of technological and operational improvements and wider use of sustainable aviation.
- Aviation emissions at 2025 levels in 2050 means other sectors must reduce emissions by more than 80%, and in many cases will likely need to reach zero.
- Higher levels of aviation emissions in 2050 must not be planned for, since this would place an unreasonably large burden on other sectors.

¹ <https://www.parliament.uk/commons/2018-06-05/debates/2018-06-05-1480-4910-0416-847376050000/transportation-public-Statement>

An independent assessment of the UK's Clean Growth Strategy

From ambition to action

Committee on Climate Change
January 2018



UK climate action following the Paris Agreement

Committee on Climate Change
October 2016



Advice on the design of Welsh carbon targets

Committee on Climate Change
April 2017



Supplementary Devolved Legislation

- Compatible but varying ambition and approaches, whilst consistent with long-term UK trajectory
- Scotland
 - Climate Change (Scotland) Act 2009: ‘world-leading legislation’
 - Annual targets, interim target 2020 (42% lower than baseline), ‘domestic effort target’, annual reporting, duty on public bodies to contribute to delivering targets, provision for a separate climate body (CCC as default)

Supplementary Devolved Legislation

- Wales
 - Well-being of Future Generations (Wales) Act 2015
Promotion of 'well-being goals' including climate resilience – focus on promoting sustainable development, includes a duty on all public bodies
 - Environment (Wales) Act 2016: interim targets each decade, separate carbon budgeting and planning cycle, CCC as default body

Australian Experience

- Failure to agree overarching national climate law
- Climate Change Act 2017 (Victoria), building on Climate Change Act 2010
 - Net zero emissions by 2050 (allows offsets)
 - 5 yearly interim targets
 - Plans and strategies required, plus reporting
 - Requirements and principles for embedding climate change in government decision-making
 - Emissions reductions ‘pledges’, forest carbon rights