



Stop Climate Chaos Scotland

Written submission for the Environment, Climate Change and Land Reform Committee session with Bill Team officials on the Climate Change (Emissions Reduction Targets) (Scotland) Bill.

19th June 2018

Stop Climate Chaos Scotland (SCCS) is a civil society coalition campaigning for action on climate change. Members include environment and international development organisations, student and trade unions, community groups and faith groups. We believe that the Scottish Government should take bold action to tackle climate change, with Scotland delivering our fair share of the Paris Agreement and supporting climate justice around the world.

Reaction to Climate Change Bill

Stop Climate Chaos Scotland responded to the publication of the Climate Change (Emissions Reduction Targets) (Scotland) Bill by **describing it as ‘hugely disappointing’**¹.

The coalition’s view is that the Climate Bill can only deliver Scotland’s fair contribution to the Paris Agreement if it:

- sets a target of net-zero emissions by 2050 at the latest,
- increases the 2030 target to 77%, and
- delivers the necessary related increase in policy delivery.

The Bill as introduced does not diverge significantly from the proposals consulted on in summer 2017. Apart from adjusting the 2050 target from 80% to 90%, which was signaled in the consultation paper, most of what the Bill does is make technical changes to the underpinning framework. Whilst our initial analysis is that these technical changes do take us forward, **they do not make for a Paris-compliant Bill that is likely to contribute to global climate leadership.**

Purpose of climate change targets

In our view, the **Bill appears to make a significant departure from the Climate Change (Scotland) Act 2009 on the purpose of climate change targets.** Rather than setting targets in response to scientific evidence, moral and long-term economic need, and seeing them as a clear market signaling tool to drive innovation and behavior change; this new Bill sets climate targets based merely on a future we can predict, with known feasible pathways, and today’s technology.

2050 is still 32 years away. Could we have predicted 32 years ago, in 1986, that we’d be driving electric vehicles or carrying phones in our pockets that connect us with the world via the (yet to be invented) world wide web?

In 2009, the long-term targets in the Climate Change Act were set on what international agreements and climate change science were indicating was a significant contribution from Scotland to tackling global climate change. Debates focussed on aspects of climate justice, and Scotland’s responsibilities as a more industrialised economy that had benefited significantly from the fossil fuel age. The 42%

¹ <http://www.stopclimatechaos.org/news/2018/05/24/scottish-governments-climate-change-bill-hugely-disappointing>

reduction target for 2020 and the 80% target for 2050 were both passed without clear roadmaps for their achievability.

Yet now Scotland has already achieved a 45% emission reduction against the 1990 baseline using adjusted figures, and a 49% reduction against the baseline using 'gross' or 'total' emissions, which is the new measure under the proposed Bill.

This was fully acknowledged by the Scottish Government, and their consultation document in 2008 said that **the 2050 target needs to be “more ambitious than what current technologies can deliver in order to help provide an incentive to develop new technologies”²**.

In contrast, the new Bill places a heavy emphasis on feasibility. The main focus of the advice commissioned from the UK Committee on Climate Change (UKCCC) is on known feasibility, based on today's technology and modest assumptions about technological development and replacement rates.

Similarly, key parts of the new Bill place increased emphasis on ideas of feasibility and achievability over other considerations – for example Section 6, 2C(3) gives priority to ‘*whether the net-zero emissions target is achievable*’ over other target-setting criteria. This is particularly worrying as feasibility is a subjective concept, depending on a host of socio-political assumptions alongside technical and economic assumptions, which may change rapidly over time. As the CCC themselves highlighted in their December letter to the Cabinet Secretary, “*At the time of the [original] advice [on the Bill], this reduction [90% by 2050] was at the limit of known options to reduce Scottish emissions. Our assessment of feasible emissions reductions can change when scientific methods change or when the evidence base improves*”.

Moreover, we have concerns about inconsistencies in the Bill, where primacy is given to feasibility for long-term targets, but does not apply the same logic to other interim targets, where feasibility is just one criterion weighed against many.

Additional evidence

Whilst we have not yet fully completed our in-depth analysis of all documents published alongside the Bill, **we are concerned that the Scottish Government appears not to have commissioned significant additional evidence beyond the UKCCC advice.**

For example, we have not yet found that additional evidence has been sought on:

- what Scotland's fair and safe budget for 1.5°C might be, under different assumptions about the global sharing of effort;
- what Scotland's climate targets might need to look like if we are not to rely on 'overshoot' scenarios³;
- how reasonable the CCC assumptions are on technological feasibility, and the extent to which other countries are scaling up policy development and sectoral roadmaps in response to their net zero commitments; or
- advice about what role Scotland could play in additional technological development.

² Page 48 <http://www.gov.scot/Resource/Doc/210419/0055642.pdf>

³ The CCC advice assumes an overshoot scenario where global average temperature rises by more than 1.5°C, then negative emissions help to stabilise temperatures at 1.5°C at a later date. There is a growing body of evidence that most natural systems do not have the resilience to survive these changes, and so these overshoot scenarios may be as damaging for nature, and society's reliance on nature, as scenarios with higher average temperature change.

It appears from the Bill documentation that the Scottish Government has done some modelling of what net-zero might mean - in effect they appeared to have defined a pathway to deliver net zero by 2050 so that they can say they do not like it. However, if this analysis and the assumptions behind it are publicly available, we have not yet found them. This is unhelpful when the Scottish Government is challenging SCCS, other stakeholders, and members of Parliament to come forward with answers as to how more ambitious targets might be delivered. It is also unclear whether the Scottish Government has done any modelling to determine the earliest 'achievable' date for net-zero (to use the Government's own terms).

UKCCC advice

The CCC advice shows that a fair contribution to a global effort to limit the global average temperature rise to 1.5°C (assuming equal per capita emissions) would be an 89-97% reduction from 1990 levels by 2045 to 2050. However, the CCC then opt for the lower end of this range based on feasibility and assumptions around technology replacement rates.

Stop Climate Chaos Scotland has a number of concerns about the CCC approach to calculating Scotland's contribution to the Paris Agreement:

- The CCC analysis is based on a simple division of international effort (i.e. global equal per capita emissions), which does not make sufficient allowance for differentiation for poorer countries that have contributed less to climate change and have less capability to change their emissions trajectory.
- It is not clear what risk of breaching 2°C is built into the CCC advice. In some places the advice notes a 50% likelihood of keeping below 2°C, elsewhere it notes a 66% likelihood.
- The CCC also assumes a 'return to 1.5 °C' scenario, which allows global average temperatures to overshoot the 1.5 °C mark to a greater average temperature rise and then return to 1.5 °C later. There is growing scientific evidence about the damage that overshoot is likely to cause to natural systems and biodiversity, and our social and economic reliance on these systems.

Stop Climate Chaos Scotland has written to, and met with, the CCC regarding these concerns and is awaiting a formal written response. We are not clear whether the Scottish Government either understands or shares these concerns about the CCC advice, or whether they have requested any additional evidence on what implications different assumptions might carry.

The CCC advice was inevitably provided ahead of the IPCC Special Report on 1.5°C, due in October, which aims to give greater clarity on what the Paris commitments mean globally and to explore a number of scenarios. The CCC may update its findings on the basis of the IPCC report when it provides advice to the UK Government on Paris compatibility and a net-zero target for the UK. It would be helpful to understand how the Scottish Government will respond to the IPCC findings and any updated CCC evidence when these become available.

Consultation on Bill

Over 19,000 responses calling for stronger targets than were proposed, and for a net-zero target by 2050 at the latest, were submitted to the Scottish Government's consultation in summer 2017. SCCS analysis of the total consultation responses made publicly available suggests that 99% of consultation responses were in favour of a net-zero target by 2050 at the latest. Against that backdrop, we are of course disappointed that there has been no movement from the Government between the proposals that they consulted on, and the Bill as introduced. In the Policy

Memorandum the Government cites the inclusion of future net-zero date setting powers as a response to this swell of opinion⁴, but this was included in the public consultation proposals.

Some members of SCCS were invited to join the Scottish Government's technical working group that met several times in winter 2017/18. However, as the Policy Memorandum notes, the subject matter of this working group was limited to matters of detail in relation to the operation of the Scottish climate change framework, and that meant that the level of targets was not discussed in this group. In our view, there were no public consultation or discussion events held about the level of the targets arranged by Government in response to the swell of public support for more ambitious targets in the consultation, which is the core purpose of the Bill. This means that there has not yet been the opportunity for stakeholders to test the CCC advice on long-term targets, or the Government's interpretation of it, until the Bill was recently published.

We feel this therefore places an important responsibility on the Committee's Stage 1 process to discuss more widely with civic Scotland the scientific and moral argument for ambitious targets, the CCC advice, the levels of targets that the Bill should set, and the Scottish Government's reservations about higher targets.

Issues of detail and technical drafting

SCCS has not yet fully completed our in-depth analysis of the Bill as introduced. However, there are already some aspects of the Bill which are unclear:

- Section 1: Net-Zero – This section on net-zero appears to replicate many of the functions of other ministerial powers created by the Bill to amend targets in future. We'd like to understand further how this section differs from other sections, how Ministers using the powers in this section would interact with other parts of the Bill, and the rationale about creating these separate Ministerial powers.
- Section 5: Target-Setting Criteria – It is welcome that this section preserves the "objective of not exceeding the fair and safe Scottish emissions budget" which the consultation last year proposed removing. The Bill contains a definition of the "fair and safe budget", but we have already suggested an improved definition more in line with the UN climate conventions and agreements, and it is unclear whether the CCC will be required to recalculate this budget when they provide updated 5-yearly advice.
- Section 6: Duty to Seek Advice – This section gives additional precedence to seeking the CCC's advice on whether net-zero is 'achievable', despite the target setting criteria including 'technology relevant to climate change'. We'd like to understand better the rationale behind this decision and how the Scottish Government would propose to define 'achievability', which is a subjective concept.
- Section 13: Restriction on Use of Carbon Units – This section allows Ministers to gain the Parliament's permission for using carbon credits. In publishing the Bill, the Government made a commitment to achieving emission targets without the use of credits. We'd like to understand better whether this commitment is based on this section of the Bill, or how they interact.
- Section 19: Climate Change Plan – this section maintains a requirement for the plan to include the contribution of four particular sectors (energy efficiency, energy generation, land use and transport), as well as creating a new requirement for Ministers to break down the Plan into chapters as they see fit. We'd like to understand how these requirements relate to each other, and why these four sectors have been particularly selected.

⁴ See page 12

[http://www.parliament.scot/Climate%20Change%20\(Emissions%20Reduction%20Targets\)%20\(Scotland\)%20Bill/SPBill30PMS052018.pdf](http://www.parliament.scot/Climate%20Change%20(Emissions%20Reduction%20Targets)%20(Scotland)%20Bill/SPBill30PMS052018.pdf)

- Section 19: Climate Change Plan – this section makes a welcome new requirement for annual progress reports on the Plan. We'd like to understand more what shape these annual reports would take, how the Parliament might be able to use them, and whether Ministers would be required to report against any of the numerical targets in the Climate Change Plan – whether e.g. the sectoral 'envelope' for agriculture (a 9% reduction between now and 2032), the policy outcome targets (e.g. 100% of car sales are non-fossil fuel, with intervening numbers for between now and 2032), or the milestones for the introduction of new policies.

Any queries regarding this evidence should be directed to the SCCS Campaigns Manager, Gail Wilson via gail@stopclimatechaosscotland.org or by calling 0131 243 2701