

# Unit 14: The Role of Parliament and Climate Change

## Learning Objectives

### What Can Parliament Do for Climate Change?

After studying this unit, you should be able to:

- Understand the relevance of Parliament to climate change reform;
- Appreciate the importance of clear organizational structures and responsibilities in government in climate change efforts;
- Recognize how the different functions of Parliament can address climate change adaptation and mitigation;
- Understand certain challenges Parliament faces that are unique to climate change.

## **Introduction**

Parliaments can engage in the climate change agenda at national, regional, and global levels. This Unit will focus on the role of parliament and *domestic* policies and programs as understanding parliament's role in oversight, representation and legislation with regards to climate change will allow for examination of the relationship between parliament, climate change, and international stakeholders. Engagement in climate change reform is integral to parliament's objectives to fight corruption and promote good governance. Climate change is a cross-cutting issue, affecting not only the environment, but society, food supply, socioeconomics, natural resources, and disaster risk reduction and responses. With development efforts linked to climate change, and climate change a significant barrier to

sustainable development, parliament can address climate change through existing mechanisms of scrutiny and legislative processes. However, it is important to note that climate change is a unique issue since reform requires public acceptance and behavior change to succeed. Ultimately the power to mitigate and adapt to climate change lies with the public, but parliament plays an essential role in representing short and long-term interests, leading the public in change, promoting green policies, and holding the Executive accountable.

### **Why Parliament?**

Parliament's job is to manage and maximize the capacity of government to utilize financial resources, ensure the provision of public goods, control externalities, and put security measures in place. Climate change affects all of these roles, including parliament's leadership role. Its costs will increase government costs, particularly in the short-term. It is estimated that hundreds of billions of dollars are required annually for global adaptation and mitigation efforts.

As recently as June 2009, initiated by a proposal from the Pacific small island developing states, the UN General Assembly unanimously passed a resolution acknowledging that climate change is an issue for international security. This action is the inaugural effort that will allow all UN organizations, in particular the UN Security Council, to address and react to security risks linked to climate change. It is one of the first resolutions that unequivocally ties climate change and its security implications. Ultimately, parliament must ensure long-term change that will last beyond changing governments; as discussed in previous units, climate change is a reality now and will continue to be in the future, requiring parliament's consistent attention.

### **Institutional Structure**

How is the responsibility for climate change reform assigned? Currently, governments have organized both the legislature and the executive to address climate change. But should certain entities be designated to develop, implement, or scrutinize climate change policies and programs? Such possibilities include forming intra-governmental commissions, parliamentary select committees or standing committees, and particular ministries or departments. Oversight

responsibility, can include consolidated agencies with independent sources of funds, skilled staff, and the power to make and enforce policy, or independent advisory boards that make recommendations to and advise parliament. These can be in the form of Legislative Budget Offices (LBOs), Public Accounts Committees (PACs), and Supreme Audit Institutions (SAIs). It is important to ensure that there is a well-functioning organizational structure in place to facilitate adaptation and mitigation policies and programs at the national level as well as in decentralization efforts. Looking at the structure of other countries in this respect can provide some insight on systems that have and have not worked. Please refer to Box 34 for a brief model of the UK system.

### **Box 34: Enhancing Government Accountability for Climate Change in the United Kingdom**

By restructuring and establishing the institutional machinery for climate action, the United Kingdom has also deployed measures that increase the government's accountability for delivering results. The United Kingdom:

- Passed a climate change bill that provided a statutory foundation for the official UK CO<sub>2</sub> emissions targets in the short, medium and long term, through five year carbon budgets that set annual levels for permissible emissions. Three budgets spanning 15 years will be active at any given time, presenting a medium-term perspective for the evolution of carbon emissions throughout the economy.
- Designated a lead agency for climate change—the Department of Energy and Climate Change.
- Formalized in Public Sector Agreement 27 the accountability of the Department of Energy and Climate Change to the Treasury for various policy objectives and set delivery targets to measure performance in implementing them. The targets include specific steps to reduce the total UK emissions, increase the sustainable withdrawal of water, reduce the CO<sub>2</sub> intensity of the UK economy.
- Established a committee on climate change as an independent expert advisory body that can recommend to government ways to achieve targets. The committee reports annually to parliament and government is required to reply formally. Every five years the committee will offer a comprehensive assessment of the country's overall progress toward the long term targets.

*Source: 2010 World Development Report*

## **The Functions of Parliament and Climate Change Reform**

## *Oversight*

In the distribution of public funds, international aid, or resources for investment in renewable energy, resources for programs that address climate change adaptation and mitigation efforts both nationally and internationally, parliaments are in a powerful position to affect results. There are a number of mechanisms parliament can employ to scrutinize the Executive regarding budgets, procurement, programs, and policy implementation. Scrutiny of climate-related financing can be done either ex-ante or ex-post through parliamentary select or standing committees, - particularly PACs, enquiries requiring a government response, question periods, debates, and hearings. Independent information can be obtained through Legislative Budget Offices. Most significantly, however, is the effort amongst SAIs to conduct environmental audits.

Environmental auditing conducted by SAIs are non-political, independent evaluations of government's response to various environmental concerns. Environmental auditing has been attracting increasing attention from the world's SAI community since the 1970s in concert with increased government awareness and concern for a deteriorating environment and corresponding influence of human behavior. Under the auspices of the International Organization of Supreme Audit Institutions (INTOSAI), a Working Group on Environmental Auditing (WGEA) was launched in 1992. With over 70 member SAIs, it seeks to improve the use of audit mandate and policy instruments related to environmental protection, facilitate joint auditing as well as knowledge sharing between SAIs, collect a comprehensive database of over 2,000 environmental audits conducted globally, and promote the audit of international environmental agreements.

There are different types of audits, including financial, compliance, performance, and priori (in some cases), which focuses on the legality of the transactions. However environmental auditing requires special skills that auditors, and in turn parliament, should possess in order to develop and understand an effective audit. The information provided in the previous units of this module would classify as such information. Specific regional and national information on current and projected impacts of climate change are of course crucial to understand.

Environmental audits can utilize a sector-oriented, all-sector, or policy-based approach and can address mitigation or adaptation to climate change. Mitigation audits can employ all forms of auditing, including financial, compliance, and performance audits. All reflect the response of government towards reducing the level of GHG emissions as indicated in the UNFCCC and corresponding Kyoto Protocol. Criterion for mitigation audits may include these international accords depending on which category the SAI's country falls; Annex I Parties have more responsibilities than the non-Annex 1 Parties, as described in Unit 8. The UNFCCC is mostly non-binding and focuses on more long-term goals. It delineates agreed-upon mitigation programs and policies aimed at reducing anthropogenic emissions of GHG and the improvement and maintenance of carbon sinks. The Kyoto Protocol has legally binding emission reduction targets for Annex-1 Parties for the period of 2008 – 2012 and although commitments aren't country-specific, it is still helpful for an SAI to identify which category of Parties its government belongs to in order to hold the government accountable to its commitments.

Adaptation audits, on the other hand, are still in the nascent phase in most countries and do not have clear cut targets. They can measure a country's adaptive capacity and the current and projected climate change impacts on the country, at a national and local level. Understanding the baseline and formulating targets for adaptation methods may stem from the SAI conducting an assessment of the current situation including collaboration from civil society organizations and other SAIs in the region. Moreover, adaptation applies to the level of government disaster preparedness as related to climate change and extreme weather events in which livelihoods, health, sanitation, agriculture, natural resources, and the economy are all threatened. Although the UNFCCC encourages LDCs to formulate NAPAs as well as address particularly vulnerable communities and sectors in adaptation activities, standards by which to audit adaptation are difficult to find. Organizations such as INTOSAI's WGEA have developed suggested standards in many of their publications, particularly specific guidelines to follow in an upcoming publication "Auditing Government Response to Climate Change".<sup>1</sup>

There are clear advantages to utilizing environmental audits in oversight activities. If a government has signed an international climate change agreement including the UNFCCC and Kyoto Protocol, Parliament can ensure signatories comply with the commitments and targets whether they regard reporting, mitigation, adaptation, technology, or funding and research.

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<sup>1</sup> Currently in draft form

Parliament can also oversee the government by scrutinizing climate change-related budgets for corruption or fraud and examining whether resources are being used effectively, efficiently, and in accordance with relevant laws, regulations, and standards. A particular subset of this effort is the scrutiny of financial allocations and expenditures as they relate to efficient and effective use of climate change-related aid.

### *Lawmaking*

The legislative process allows parliament to have a significant influence on climate-related policies, particularly climate-smart development policies, by inscribing targets and objectives into law. Passing bills can affect mitigation by reducing the instituting legislation that reduces greenhouse gas emission and increasing and maintaining carbon sinks. Adaptation policies can encompass risk analysis and communication, disaster risk reduction, climate migration, and coordination with relevant Millennium Development Goals.

Policy design is an important part of climate change related legislation. Should policies be sector based? Are they based on the country's NAPA? Policymakers should also strive to include co-benefits in climate change-related policies in order for the public to see that not only the climate, but the society will benefit. Green fiscal policies can incorporate laws that require some level of carbon and energy taxes or revenue from the auctioning of emissions permits to go towards social protection programs. Legislators can also ensure that short-term climate change-related policies yield other benefits to the public, such as job creation or improved health (air or water quality) so the public can see a return on their "investment".

Climate change policies can include the promotion or development of energy-efficient projects, the transfer of energy from fossil fuel-based or renewable sources, and investment in the public sector or subsidies provided to the public sector in order to promote climate-friendly research and technology (low-emission cars, solar powered electricity or wind technology, for example). Refer to Box 35 for examples of national policy priorities related to climate change innovation. Parliaments can also strengthen public or private insurance schemes to improve disaster preparedness in the case of extreme weather events.

### Box 35: Key National Policy Priorities for Innovation

Countries	Main Policies
Low-income	<ul style="list-style-type: none"> <li>Invest in engineering, design and management skills;</li> <li>Increase funding to research institutions for adaptation research, development, demonstration and diffusion;</li> <li>Increase links between academic and research institutions, the private sector and public planning agencies;</li> <li>Introduce subsidies for adopting adaptation technologies;</li> <li>Improve the business environment;</li> <li>Import outside knowledge and technology whenever possible.</li> </ul>
Middle-income	<ul style="list-style-type: none"> <li>Introduce climate smart standards;</li> <li>Create incentives for imports of mitigation technologies and, in rapidly industrializing countries, create long-term conditions for local production;</li> <li>Improve the business environment;</li> <li>Strengthen the intellectual property rights regime;</li> <li>Facilitate climate-smart foreign direct investment;</li> <li>Increase links between academic and research institutions, the private sector, and public planning agencies.</li> </ul>
High Income	<ul style="list-style-type: none"> <li>Introduce climate-smart performance standards and carbon pricing;</li> <li>Increase mitigation and adaptation innovation and diffusion through subsidies, prizes, venture capital incentives, and policies to encourage collaboration among firms and other sources and users of climate-smart innovation;</li> <li>Assist developing countries in enhancing their technological absorptive and innovative capacities;</li> <li>Support transfers of know-how and technologies to developing countries;</li> <li>Support middle-income country participation in long term energy RDD&amp;D projects;</li> <li>Share climate change-related data with developing countries.</li> </ul>
All Countries	<ul style="list-style-type: none"> <li>Remove barriers to trade in climate-smart technologies;</li> <li>Remove subsidies to high carbon technologies</li> <li>Redefine knowledge-based institutions, especially universities, as loci of the diffusion of low-carbon practices.</li> </ul>
<p><i>Source: World Development Report 2010</i></p>	

#### Representation

Although there may be a significant number of constituents who are green-minded, there are likely many who are not particularly interested in climate-change policies that utilize government resources that do not apparently affect their lives. Part of parliament's representation function is to raise awareness of relevant issues, in this case the impacts of climate change on the environment and society as well as the effects of human behavior on the climate. Communication and information dissemination can educate the public in the reasoning

of investing in climate change reform as efforts in the short-term are worth the costs for the long-term.

One controversial topic is the question of whether the public needs to fully understand the technicalities of climate change adaptation and mitigation. They do not necessarily know about other topics addressed by parliament, such as financial or trade policies. They may not need to know all the details, but that doesn't mean parliament should ignore this important role and not promote awareness as much as possible, collaborating with civil society organizations, the media, and even the private sector.

Parliament can also make policy formulation as participatory as possible by consulting their constituents and encouraging community-based self-assessments regarding the risks and projected impacts of climate change mitigation and adaptation.

Finally, parliament should lead by example, facilitating climate change-friendly activities in its functioning and individual members' and staff's behavior.

## **Challenges**

Parliament's response to climate change is fairly recent and standards, best practices, and lessons learned are gradually being developed. In the meantime, parliament faces a number of challenges that are important to acknowledge and address. For example, the interest of a constituency in climate-related policies may not exist. Is it not the role of parliament to accurately represent the priorities of the public? As mentioned above, there are various ways to make short-term benefits evident to the public as well as promote awareness of long-term concerns. Ultimately, MPs are concerned about political support, yet even public awareness of climate change and its continuing threats does not translate into action. Organizational norms, societal values, and political traditions can all impede the progress of climate-change related legislation and corresponding financial resource availability. Possible solutions for this challenge include providing political incentives, developing clear organizational responsibilities within government, marketing of climate change policies, and providing financial incentives to the public in response to behavior change.

The multi-dimensionality of climate changes may make Parliament's effort to mitigate or adapt more difficult than other issues addressed through policy or oversight. Various stakeholders are affected differently based on observed and projected climate changes. For example, Parliament may put disaster risk reduction policies in place which facilitate the resettlement of coastal communities threatened by sea level rise. The community may not view the benefit of avoiding floods as outweighing their loss of livelihoods if they are involved in fishing or aquaculture activities. Particularly with regard to adaptation, the issue of overestimating climate change related risks can cause the various parties required to pass climate change legislation or implement and abide by such policies to disagree and not comply.

Of course an important concern is the enforcement of climate change adaptation and mitigation policies. Moreover, Parliament faces the difficulty of conveying both the longevity of climate change while at the same time emphasizing the urgency of action.

## **Conclusion**

This unit touched the surface on the intersection of climate change and parliaments, but makes evident the significant responsibility and opportunity parliament has in climate change reform, particularly on the national level. Building the knowledge-base and capacity of MPs and parliamentary staff to engage in the climate change agenda is the first step towards appropriate responses. As the interest in parliament's role in climate change grows, additional case studies and guidelines will be developed, subsequently making such engagement easier and more prevalent.

## Unit 14 Questions

Please answer each of the following questions. If you are taking this course in a group you may then meet to discuss your answers.

1. Why should or shouldn't Parliament participate in climate change reform?
2. Is it the role of Parliament to change individuals' behavior which increases the level of greenhouse gasses?
3. What are two of the ways Parliament can be involved in climate change management/facilitation on the national level?
4. Describe a current climate change issue affecting your country and how you would propose Parliament tackle it through the functions of oversight, representation, and legislation?

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## Internet Resources

Association of European Parliamentarians with Africa: [www.awepa.org](http://www.awepa.org)

Commonwealth Parliamentary Association: [www.cpahq.org](http://www.cpahq.org) or [www.cpaukbranch.org](http://www.cpaukbranch.org)

Global Legislators' Organization for a Balanced Environment: [www.globeinternational.org](http://www.globeinternational.org)

Inter-Parliamentary Union: [www.ipu.org](http://www.ipu.org)

INTOSAI's Working Group on Environmental Auditing: [www.environmental-auditing.org](http://www.environmental-auditing.org)

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