

Trócaire Submission to Consultation on Development of Ireland's first National Low Carbon Transition & Mitigation Plan, 31st July 2015.

Trócaire welcomes this Consultation on the development of the National Low Carbon Transition & Mitigation Plan and looks forward to engaging constructively in this process in the coming months.

Over the past four decades Trócaire has worked in countries across Africa, Asia and Latin America to support and assist poor, vulnerable and marginalised people. Our mandate has also involved a commitment to increasing awareness of the causes of global poverty and injustice and to address those causes which originate in Ireland. Our own research with partner organisations in programme countries, combined with the overwhelming scientific evidence, has highlighted the profound detrimental effects of increasing emissions for global development and poverty eradication both now and into the future.¹ Most recently Trócaire's 2014 report *Feeling the Heat* comprised a comprehensive review of observed changes in climate, climate change projections and impacts in five of Trócaire's programme countries.² The report's case studies provide detailed evidence of the range of adverse effects of climate change, most notably on small scale farming which the majority of poor communities depend on for their livelihoods. These effects have also served to raise income inequality, reduce household wealth, undermine food security and have affected women disproportionately.

The 2011 National Climate Policy Review concluded that 'In terms of a long-term national vision of a carbon-constrained world, Ireland is faced with both the challenge of addressing a unique greenhouse gas emissions profile and the opportunity to position itself as an enlightened society with an environmentally sustainable and competitive, low-carbon economy. Developing the policies to put Ireland on a clear and definite path to achieve that vision is the immediate priority.' It is striking and regrettable that the stated priority of a concrete pathway towards concrete emissions reductions remains outstanding four years later. Despite legal obligations to limit and reduce harmful emissions, Ireland has been without a climate policy since the expiry of the National Climate Change Strategy in 2012.

While it may be possible for the state to meet its emission reduction obligations for the period 2013-2020 (as part of the EU Effort Sharing Decision), analysis by the Environmental Protection Agency (EPA) has repeatedly highlighted the insufficiency of Ireland's longer term approach. In its most recent analysis the

¹ See for example [Changing Lives: Climate Change in the Developing World](#), 2008; [Climate change: Trócaire's policy recommendations](#), 2011; [Shaping Strategies: factors and actors in climate change adaptation](#), 2012.

² Trocaire, [Feeling the Heat, How climate change is driving extreme weather in the developing world](#), 2014.

EPA has underlined that ‘Ireland is not on track towards decarbonising the economy in the long term in line with the Climate Action and Low Carbon Development Bill 2015 and will face steep challenges post-2020 unless further policies and measures are put in place over and above those envisaged between now and 2020.’³

In short, Ireland is failing to respond to the injustice of climate change and the development of the National Low Carbon Transition & Mitigation Plan must be expedited as a matter of urgency. The following elements must inform the analysis and implementation of the first Plan:

Summary of Recommendations

- The preparation of the Low Carbon Transition & Mitigation Plan, including development and assessment of sectoral mitigation measures, must be informed by the principle of climate justice, in accordance with the latest amendments to the Climate Bill. This requires:
 - i. An equitable implementation framework based on clear measurement, accountability, reporting and compliance procedures for current and proposed emissions reductions to ensure Ireland is doing its fair share.
 - ii. Review mechanisms to ensure mitigation measures are compliant with obligations under Policy Coherence for Development and in line with commitments in Ireland's Policy for International Development.
 - iii. The establishment of a Climate Justice Fund to provide secure and additional financing for adaptation among vulnerable people in developing countries.
- The draft Low Carbon Transition & Mitigation Plan must be published for consultation prior to COP21 negotiations and all stakeholders immediately engaged to ensure the Government adopts the Plan during its term.
- Existing national and EU requirements must be seen against the need for greater emissions reductions towards 2050 in line with international commitments and a 1.5°C maximum of global warming.
- The Low Carbon Transition & Mitigation Plan must take account of, but must not be constrained by, questions of potential short-term competitiveness of business areas within individual sectors.
- Analysis of costs and savings as part of Sectoral Action Plans must be carried out in relation to Ireland's low-carbon transition to 2050 and not merely in the context of short-term objectives. This analysis must factor in all relevant costs based on the ‘polluter pays’ principle such that all costs of action or inaction are incorporated.

³ Ireland's Greenhouse Gas Emission Projections 2014-2035 18th May 2015 EPA

- Current and proposed departmental policies must be reviewed and brought into line with objectives under the Low Carbon Transition & Mitigation Plan.
- The Low Carbon Transition & Mitigation Plan Current must drive effective, equitable and efficient emission reductions across all sectors. The proposed sectoral mitigation measures must be the subject of further consultation in line with the Ireland's low-carbon transition under the Climate Bill.
- The Sectoral Action Plans must stem from integrated analysis, assessment and review of submitted mitigation measures. The Advisory Council should play a key role in this process.

Development of Ireland's first National Low Carbon Transition & Mitigation Plan

The Low Carbon Transition & Mitigation Plan represents an opportunity to establish an effective policy cycle based on climate justice and comprising proper accountability and monitoring to support the needed transition to a truly sustainable economy and society. The Plan and accompanying sectoral measures must not be simplistically interpreted as constraints to be imposed on sectors. As Pope Francis has emphasised in his recent Encyclical, 'political and institutional frameworks do not exist simply to avoid bad practice, but also to promote best practice, to stimulate creativity in seeking new solutions and to encourage individual or group initiatives'.⁴ In this way, the Low Carbon Transition & Mitigation Plan must stem from a fundamental and farsighted rethink of Irish policy-making and provide a constructive framework in which all sectors reduce emissions in a way that is effective, equitable and efficient. A failure to do so will see Ireland hindering global poverty eradication with inequalities spiralling as a result.

1. Climate Justice

- Trócaire notes the reference in the Consultation Paper to the need to ensure that Ireland contributes equitably to global mitigation efforts as part of a low carbon development strategy for the period to 2050. The established principle under the UNFCCC of common but differentiated responsibility and respective capacity is particularly pertinent in this regard. Ireland, together with its EU counterparts, must increase ambition and action so that it does its fair share in the global effort based on responsibility and capacity. There must also be a recognition of the responsibility on Ireland to vulnerable communities in developing countries. As detailed in case studies in Trócaire's 2014 report *Feeling the Heat*, allowing emissions to rise undermines livelihoods, and limits the development of economies in poorer countries.

- This responsibility is also linked to the Minister's latest amendments to the Climate Bill, such that the preparation of the Low Carbon Transition & Mitigation Plan must be informed by the principle of climate

⁴ [Encyclical Letter of Laudato Si' of the Holy Father Francis on Care for our Common Home](#), (177).

justice.⁵ A climate justice approach entails placing human rights at the centre of policy development and implementation. In developed and developing countries alike, people living in poverty who are already vulnerable will be those most impacted both by climate change and, potentially, by the responses to it. Climate justice ensures clarity of responsibility and must be a central focus in assessing and in developing policy responses.

- This principle is also a key facet of the recent Encyclical by Pope's Encyclical which provides an in-depth examination of society's relationship with the environment, including detailed statements on the strengths and weaknesses of current policy-making in the face of climate change. It includes the important clarification that the impetus for emissions reductions does not only stem from scientific and economic considerations. It is also necessitated by intergenerational solidarity such that it is incumbent on policy-makers to take substantive steps now in order to maintain and protect our environment for future generations.⁶

Climate justice must underpin the preparation, assessment and development of current and future sectoral mitigation measures. More specifically, a climate justice approach constitutes a safeguard to ensure that:

- A range of integrated actions are implemented as a matter of urgency based on immediate and transparent domestic emission reductions across all sectors in line with established international commitments and scientific evidence.
- The most vulnerable people, domestically as well as internationally, are not disproportionately burdened in the response.
- Those impacted by a problem they did not contribute to are adequately and reliably supported to cope with the impacts and are given an equitable share of the opportunities that climate action and sustainable development presents.

In order to operationalise these 3 core elements of climate justice, corresponding policy responses must be developed. These are addressed in turn below:

(i) Implementation framework for mitigation measures

- A key element in ensuring that all sectors implement sufficient reductions in line with Ireland's responsibilities and commitments is an overarching implementation framework based on equity. As noted in the NESC final 2012 report, a transparent process for periodic review of Ireland's progress must be

⁵ See <http://www.labour.ie/press/2015/07/02/minister-kelly-proposes-significant-amendments-to/>

⁶ 'Intergenerational solidarity is not optional, but rather a basic question of justice, since the world we have received also belongs to those who will follow us.' (159).

developed. This requires clear measurement, accountability, reporting and compliance procedures. Projected cumulative emissions over defined periods and corresponding proposed reduction figures for such periods must also be included. These mechanisms should also align with reporting and rolling mitigation reduction frameworks under UNFCCC agreements. The Advisory Council should play a role in assessing the adequacy of proposed reductions; equity should form part of such assessments in order to ensure Ireland is doing its fair share both in terms of existing and proposed measures under the Low Carbon Transition & Mitigation Plan.

- It is important to note that, while Ireland's emissions output is relatively small compared to some of the world's largest economies, the ambition and implementation of sectoral mitigation measures are not immaterial. As similarly detailed in the recent court ruling in the case of Urgenda against the Dutch government, while national emissions are limited on a global scale, this does not alter the fact that such emissions have contributed to climate change and will continue to do so.⁷ As a developed country with one of the highest ratios of carbon emissions per capita, Ireland's responsibility to take equitable action is not negated by the comparative output of other countries.

- Given the objective of the Low Carbon Transition & Mitigation Plan to implement concrete emissions reductions, it is also essential that emissions production figures and their corresponding assessment are based on actual amounts of emissions released. It is not possible to adequately track Ireland's progress towards 2050 using information based on relative efficiency of production.

- While this response does not seek to provide a comprehensive analysis of appropriate mitigation measures, it should be noted that credits bought overseas do not ensure credible emissions reductions.⁸ The NESC final 2012 report notes that, while credits may provide some limited short-term flexibility, '...the considerable disadvantage of extensive purchasing of credits or allowances is that it does not contribute to the long-run transition...' Furthermore, it is questionable whether credits bought overseas make a positive contribution to sustainable development in the developing countries in which they are purchased.⁹

⁷ [The Urgenda Foundation vs the State of the Netherlands](#). C/09/456689 / HA ZA 13-1396 Judgment of 24 June 2015.

⁸ This point was most recently emphasised in the recent Encyclical of Pope Francis: 'This system seems to provide a quick and easy solution under the guise of a certain commitment to the environment, but in no way does it allow for the radical change which present circumstances require. Rather, it may simply become a ploy which permits maintaining the excessive consumption of some countries and sectors.' (171)

⁹ This weakness of credits and offsets have been previously addressed in detail in Trócaire's submission to the public consultation on the 2010 Climate Response Bill.

- It should also be recognised that the relative effectiveness of mitigation strategies may change over the period to 2050. It is therefore important that mitigation measures within sectors are not substantively based on a single action but involve a range of known complementary approaches. These should include demand-side measures such as actions to tackle or shift consumption and usage. These measures (e.g. to reduce food waste) can offer significant co-benefits both in terms of health and environmental protection.

- Meeting the 2050 policy objective and delivering on our international commitments will require the complete phase out of fossil fuels, and significant increases in renewable energy penetration at national and community level. In line with this large-scale decarbonisation, existing and upcoming state investments should be reviewed and brought into line with Ireland's climate mitigation objectives.

(ii) Policy Coherence for Development

- Justice, global and domestic, must be a priority and a guiding principle of Ireland's mitigation action. It is essential that developing countries are not adversely impacted by the choices that we make around Irish emissions. However, obligations related to Policy Coherence for Development (PCD) are not noted in the Consultation Paper. Mechanisms to ensure that measures to reduce emissions are compliant with national and EU PCD commitments must be incorporated. An assessment of the impact of proposed mitigation measures should be carried out by the Inter-Departmental Committee on Development (or Sub-Committee for Sustainable Development Goals as appropriate) prior to the completion of the Low Carbon Transition & Mitigation Plan. There is a risk that major policy decisions may be made which could undermine the priority work of Irish Aid, in particular food security commitments set out in Ireland's Policy for International Development *One World, One future*.

- For example, biofuels usage risks being implemented without proper analysis of the potential detrimental social and environmental effects and impact on Ireland's development cooperation. First generation biofuels can have particularly devastating consequences including biodiversity loss, deforestation, increased emissions and displacement of communities.¹⁰ Similar concerns apply to other forms of bioenergy, which are foreseen as major forms of renewable energy in Ireland. Therefore, analysis should also be carried out by Irish Aid or other development specialists to assist in ensuring PCD.

¹⁰ See Trócaire Briefing Paper, [Biofuels: fuelling poverty and environmental degradation](#), 2013

(iii) Establishment of a Climate Justice Fund

Trócaire has previously highlighted that the impacts of climate change will be felt in the coming decades even with immediate action to reduce emissions.¹¹ It is therefore essential that the most vulnerable people communities around the world are assisted so that they can adapt to these impacts. Trócaire supports the establishment of new national climate fund as recommended in the 2013 report of the Joint Oireachtas Committee on the draft Climate Bill. As per the Climate Justice Fund established in Scotland, it is noted that a fund ring-fenced within, or separate to, the Environment Fund should be developed in order to ensure secure and additional financing for adaptation among vulnerable people in developing countries.¹² The Fund could be based on ETS and carbon tax revenues streams and managed under the Department for the Environment, Community and Local Government. These monies could then be linked to UNFCCC funding commitments such as the Green Climate Fund. The Department of the Environment should engage with all relevant stakeholders to develop plans for the establishment of a Climate Justice Fund prior to international negotiations at Paris.

2. Procedure and Timeline for Publication

- It is to be welcomed that the Department has launched the consultation process on the Low Carbon Transition & Mitigation Plan prior to the finalisation of the Climate Bill, which has been the subject of repeated and ongoing delays. As noted in the paper, various Departments and relevant Oireachtas Committees, have also produced Consultation Papers related to emissions mitigation and there is therefore a wealth of responses and considerable analysis already undertaken. This information and accompanying conclusions should be taken into account as part of the preparation of the Low Carbon Transition & Mitigation Plan.

- It is evident that the Consultation Paper is a summary document with relatively little new information. While this Paper includes helpful background information, it is difficult for respondents to provide much in the way of useful additional analysis to assist the Department in the preparation of the Low Carbon Transition & Mitigation Plan. This is particularly the case when the Consultation Paper contains no detailed proposals and no specific questions.

- It is also disappointing that there is no timescale for the production of the first Low Carbon Transition & Mitigation Plan set out in the Consultation Paper. While the repeated delays to the finalisation of the Bill

¹¹ As detailed in case studies detailed in Trócaire's 2014 *Feeling the Heat* report.

¹² [Joint Committee on the Environment, Culture and the Gaeltacht, Report on the Outline Heads of the Climate Action and Low Carbon Development Bill 2013, November 2013.](#)

may have previously precluded a definitive timeline, it is regrettable that this Paper does not contain any indicative dates for the development and adoption of the Plan. Trócaire recommends that all relevant government departments and the Advisory Council are engaged in the development process immediately such that a draft Low Carbon Transition & Mitigation Plan is published for public consultation prior to COP21 negotiations in Paris in December 2015. This should allow for the adoption of the Plan in early 2016.

- It is understood that the timely production of the plan must be balanced against the needs for proper stakeholder engagement and comprehensive analysis. However, Trócaire remains concerned that the development process may be delayed into the second-half 2016. The upcoming general election may result in further delays with the result that substantive mitigation measures would only be adopted at the end of 2016 or later. Therefore, initiatives to expedite the process should be implemented as a matter of urgency in order to ensure the Government adopts the Low Carbon Transition & Mitigation Plan during its term.

3. Objectives and Cost-Effectiveness

- Trócaire welcomes the clarity in the Consultation Paper that the Bill and the National Policy Position towards 2050 are complementary pillars. However, there are a range of statements in the Paper on objectives of the Low Carbon Transition & Mitigation Plan and it is worth underlining that the central purpose of the Plan is to set out how Ireland will achieve the national transition objective.

- This transition is to be based on the respective emissions reduction levels to be reached in the various sectors by 2050 as detailed in the National Policy Position and in accordance with international commitments. It should be taken into account that emission reduction requirements will not remain static, given the pressing demand not to exceed a 1.5°C maximum of global warming. Existing national and EU requirements must be seen against the need for greater emissions reductions towards 2050. It is in this context that increasing emissions and limited or delayed mitigation measures should not be deemed acceptable.

- It is noted that maintaining competitiveness will be a key consideration in the Plan's development and that it will hopefully spur economic growth. Naturally, ensuring that the Low Carbon Transition & Mitigation Plan does not result in excessive or undue costs over the long-term must form part of the Plan's preparation. However, it is important to be clear that emissions reductions are not simply a short-term economic exercise. As emphasised in the Encyclical of Pope Francis, 'environmental protection cannot be assured solely on the basis of financial calculations of costs and benefits'.¹³ The preparation and

¹³ [Encyclical Letter of Laudato Si' of the Holy Father Francis on Care for our Common Home](#), (190).

implementation of the Low Carbon Transition & Mitigation Plan must be based on a climate justice approach taking account of both the social, human rights and environmental impacts of delayed action.

- Mitigation measures can bring significant co-benefits where climate policy towards 2050 is clearly monitored, assessed and adhered to, which can provide significant certainty for investors. However, it is essential that the Low Carbon Transition & Mitigation Plan does not take as its guiding focus the promotion or expansion of individual industries. Such an approach may serve to politicise and delay climate policy implementation by preventing an independent cross-sectoral approach and counteracting efforts towards the 2050 transition objective. In essence, the Low Carbon Transition & Mitigation Plan must take account of, but must not be constrained by, questions of potential short-term competitiveness of business areas within individual sectors.

- The prioritisation of suitable mitigation options must factor in significantly increased costs for the Irish economy where sufficient and timely preventative action is not taken. The conclusions of the Stern Report on the cost-savings of prompt action in contrast with significant adaptation costs should be taken into account in this regard.¹⁴ It is equally important that analysis of costs and savings as part of Sectoral Action Plans is carried out in relation to Ireland's low-carbon transition to 2050. Ineffective or delayed action will undermine economic growth and ensuring least cost should not merely be assessed in the context of individual years or merely within the 5-year periods of Low Carbon Transition & Mitigation Plans. Cost effectiveness must also not be interpreted as imposing no additional short-term costs within sectors.

- Concerns that Ireland will suffer a comparative disadvantage as other countries may not carry out equivalent mitigation measures or environmental protections should not be accepted as a justification for not implementing immediate emission reductions. Such an outlook imbues a race to the bottom approach. Clear evidence for possible disadvantage should rather be used to ensure collective global action, in particular as part of an international binding agreement on climate change and subsequent global climate policy frameworks.

- The Low Carbon Transition & Mitigation Plan must also factor in all relevant costs based on the 'polluter pays' principle such that cost analyses reflect all costs of action or inaction. As noted in the Encyclical, it is necessary that 'the economic and social costs of using up shared environmental resources are recognized

¹⁴ Stern Review on The Economics of Climate Change, HM Treasury, 2006.

with transparency and fully borne by those who incur them, not by other peoples or future generations’.¹⁵ The Oireachtas Committee Report on the draft Climate Bill points to the significant additional compliance costs and fines (not counting damage costs) which would fall on the state should Ireland fail to achieve EU legislative objectives.¹⁶

4. Role of the Low Carbon Transition & Mitigation Plan

- It is essential that the Low Carbon Transition & Mitigation Plan is not simply developed as an overview document of pre-prepared sectoral measures. The Plan must drive emissions reductions across all sectors such that integrated mitigation planning is developed and enhanced in light of analysis of departmental submissions.

- Current and proposed sectoral policies must be reviewed and brought into line with objectives under the Low Carbon Transition & Mitigation Plan, including recent departmental strategies such as the draft Food Wise 2025. A failure to revise existing sectoral policies in accordance with objectives under the Low Carbon Transition & Mitigation Plan, in particular those which would result in actual increases in emissions, would constitute a damaging ‘business as usual’ approach.

- The Consultation Paper refers to separate public participatory initiatives previously undertaken across the four sectors. Various departmental consultations have included useful information on mitigation and such inclusive processes are very much welcomed. However, these initiatives have not included a detailed analysis of planned emissions reductions associated with necessary mitigation measures in line with 2050 objectives and international commitments. Therefore, they should not be regarded as a sufficient consultation of sectoral mitigation measures under the Low Carbon Transition & Mitigation Plan.

- These sectoral measures to be submitted by Departments should equally not be interpreted as completed mitigation plans. Analysis of projected cumulative emissions for defined periods, and corresponding proposed reductions, must be undertaken taking into account that delayed or insufficient reductions in one sector will result in the need for more radical measures in other sectors. The Advisory Council should play a key role in these analyses.

¹⁵ Benedict XVI, Encyclical Letter Caritas in Veritate (29 June 2009), 50: AAS 101 (2009), 686. As quoted in Encyclical of Pope Francis (195).

¹⁶ Joint Committee on the Environment, Culture and the Gaeltacht, Report on the Outline Heads of the Climate Action and Low Carbon Development Bill 2013, November 2013

- The Consultation Paper also refers to the production of Sectoral Action Plans in the context of the 2020 and 2030 targets which will form part of the Low Carbon Transition & Mitigation Plan. These plans should not amount to a reiteration of existing or already proposed policies or departmental submissions. These Plans must stem from Low Carbon Transition & Mitigation Plan analysis in working towards the 2050 objective and international commitments based on the principle of climate justice.

Trócaire looks forward to engaging further with the development of the first National Low Carbon Transition & Mitigation Plan. For further information please contact Jerry Mac Evilly at jerry.macevilly@trocaire.org