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Why a revised climate law?

- The law should create a legally binding envelope for Ireland's GHGs emissions that is consistent with our obligations under the Paris Agreement and EU directives
- Legislation – as opposed to policies – creates a long-term signal to the wider economy
- Legislation establishes duties and responsibilities of Government, ministers and key state agencies
- Establishes justiciability/ mechanism for legal accountability
- Other miscellaneous provisions

The Climate Action and Low Carbon Development Act 2015

The 2015 Climate Action Act contained important features. It:

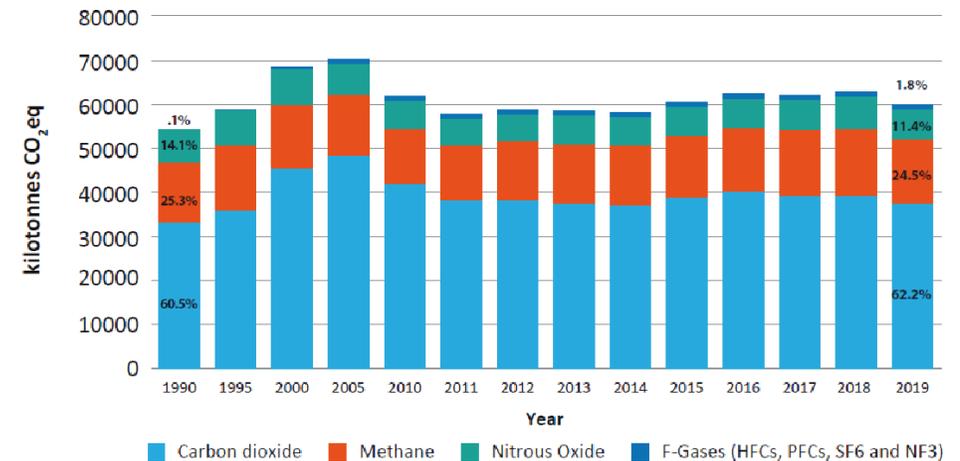
- Defines the National Transition Objective (sec.3(1))
- Requires the Minister to make the National Mitigation Plan and National Adaptation Plan (sec.3(1))
- Establishes the Climate Change Advisory Council (sec.8(2))
- Sets out the reporting mechanism between the Minister and the Oireachtas (ATS)
(sec.14(1))
- Requires the Minister and the Government to take account of various matters in performing their functions under this Act (sec.7(1))

Why revise the existing Climate Act?

(What is wrong with the 2015 Act)

- The National Transition Objective (NTO) is weakly defined and is not Paris Aligned,
- The 2015 Act refers to the need to have regard to the policy of the government. But the targets in the policy are not sufficient to meet the NTO;
- The fact that the target for 2050 is ‘descriptive’ rather than numerical
- Does not make it clear that it is the duty of the Minister and the Government to ensure that the target is reached;
- No (carbon) budgetary cycle with interim emissions reductions targets;
- No clarity on what net zero means (what supplementary measures would offset residual emissions or the scope/ limit on offshore mitigation efforts);
- No reference to the mandates of public bodies that play a role in climate policy and their obligations to adhere to the NTO.
- The NMP was quashed the Supreme Court in 2020.

Figure 15. GHG Emissions by Gas 1990-2019



Source: EPA (2020) https://www.epa.ie/pubs/reports/air/airemissions/ghgprojections2019-2040/2020-EPA-Greenhouse-Gas-Emissions-Projections_final.pdf

Climate Action in the Programme for Government July 2020

We are committed to an average 7% per annum reduction in overall greenhouse gas emissions from 2021 to 2030 (a 51% reduction over the decade) and to achieving net zero emissions by 2050. The 2050 target will be set in law by the Climate Action Bill which will be introduced in the Dáil within the first 100 days of government alongside a newly established Climate Action Council. The Bill will define how five-year carbon budgets will be set. Every sector will contribute to meeting this target by implementing policy changes as outlined throughout this Programme for Government. The special economic and social role of agriculture and the distinct characteristics of biogenic methane as described by the Intergovernmental Panel on Climate Change will be fully recognised in plans to achieve these targets. We will continue to work to achieve a broad political and societal consensus on a Just Transition to a sustainable future for all communities.

National climate objective

National climate objective

5. The Principal Act is amended by the substitution of the following section for section 3: 30

“National climate objective

3. (1) The State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy (in this Act referred to as the 35 ‘national climate objective’).

- Note pursue and achieve
- By no later than
- Reference to ‘environmentally sustainable’ added back in, also ‘biodiversity rich’

Obligations of Minister and the Government

Sec.5

(3) The Minister and the Government shall carry out their respective functions under sections 4, 5, 6, 6B, 6C and 6D in a manner— 10

(a) that is consistent with the ultimate objective specified in Article 2 of the United Nations Framework Convention on Climate Change done at New York on 9 May 1992, and:

(i) any mitigation or adaptation commitments entered into by the European Union in response or otherwise in relation to that objective; 15

(ii) the steps specified in Articles 2 and 4(1) of the Agreement done at Paris on 12 December 2015 to achieve that objective,

UNFCCC objective – prevent dangerous climate change; aim to bring GHGs back to below 1990 levels
Art 2 of PA: temperature goals & CDBRRC
Art 4 of PA: net zero in 2nd half of century

Sec.6

(11) A Minister of the Government, shall, in so far as practicable, perform his or her functions in a manner consistent with the most recent approved climate action plan and the most recent approved national long term climate action strategy. 5

Annual climate action plan

- (2) The Minister shall, when preparing a climate action plan under subsection (1)(a)— 5
- (a) ensure that the plan is consistent with the carbon budget programme, 
 - (b) set out a roadmap of actions, to include—
 - (i) sector specific actions that are required to comply with the carbon budget and sectoral emissions ceiling for the period to which the plan relates, 10
 - (ii) sector specific actions that are required to address any failure, or projected failure, to comply with the carbon budget and sectoral emissions ceiling for the period to which the plan relates, and
 - (iii) other actions and measures that are reasonably necessary to support Government policy on climate change, including measures to inform, and promote dialogue with, the public regarding the challenges and opportunities in the transition to a climate neutral economy, and  15

Carbon Budgets

Carbon budgets

9. The Principal Act is amended by the insertion of the following sections after section 6:

“Preparation of carbon budgets

6A. (1) A carbon budget, consistent with furthering the achievement of the national climate objective, shall be proposed by the Advisory Council, finalised by the Minister and approved by the Government for the period of 5 years commencing on 1 January 2021 and ending on 31 December 2025 and for each subsequent period of 5 years (in this Act referred to as a ‘budget period’).

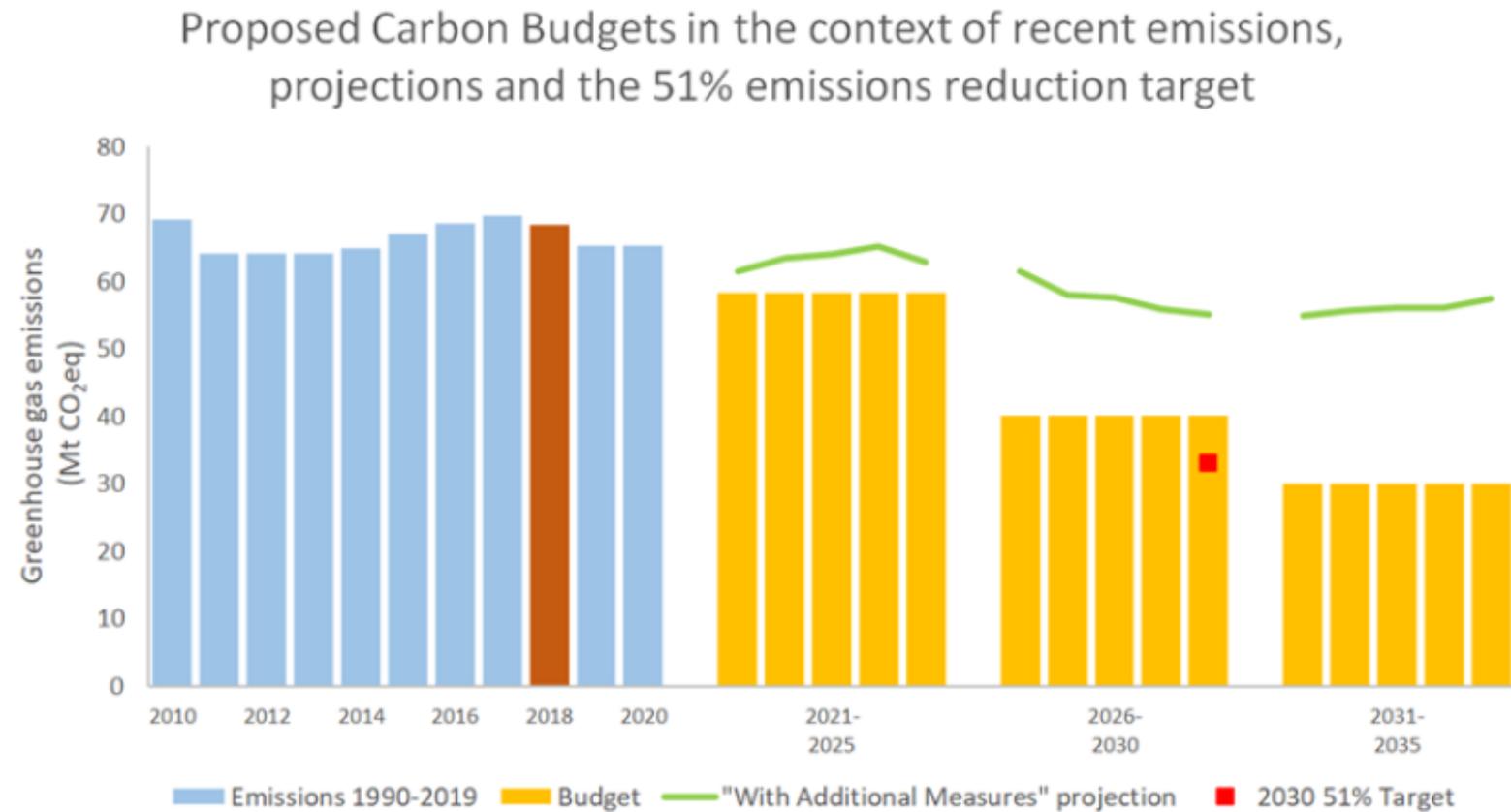
(5) The first 2 carbon budgets proposed by the Advisory Council shall provide for a reduction of 51% in the total amount of greenhouse gas emissions over the course of the first 2 budget periods ending on 31 December 2030, from the annual greenhouse gas emissions reported

Climate change advisory council

- Proposed carbon budgets

	2021 – 2025 CB1	2026 – 2030 CB2	2031 – 2035 (provisional) CB3
	All Gases		
Carbon Budget (MtCO ₂ eq.)	295	200	151
Annual Average Percentage Change in Emissions	-4.8%	-8.3%	-3.5%
The above figures are consistent with emissions in 2018 of 68.3Mt CO ₂ eq reducing to 33.5Mt CO ₂ eq in 2030 thus allowing compliance with the 51% emission reduction target.			

What this means for emissions



Have regard to's

Sec.
6

- (8) For the purposes of performing their respective functions under this section, the Minister and the Government shall have regard to the following matters:
- (a) the need to deliver the best possible value for money consistent with the sustainable management of the public finances and to maximise, as far as practicable, the net benefits to society taking into account the impact of greenhouse gas emissions;
 - (b) the need to promote sustainable development and restore, and protect, biodiversity;
 - (c) relevant scientific or technical advice;
 - (d) climate justice;
 - (e) any recommendations or advice of the Advisory Council;
 - (f) the social and economic imperative for early and cost-effective action in relation to climate change;
 - (g) in so far as practicable, the need to maximise employment, the attractiveness of the State for investment and the long term competitiveness of the economy;

- (h) the fact that the means of achieving a climate neutral economy and other measures to enable the State to pursue the national climate objective may not yet be fully identified and may evolve over time through innovation, evolving scientific consensus and emerging technologies;
- (i) the role of behavioural change on the part of individuals and different sectors of society in supporting the Government to pursue the national climate objective and the policies and measures required to effect such change;
- (j) the risk of substantial and unreasonable carbon leakage as a consequence of measures implemented by the State to pursue the national climate objective;
- (k) the requirement for a just transition to a climate neutral economy which endeavours, in so far as is practicable, to—
 - (i) maximise employment opportunities, and
 - (ii) support persons and communities that may be negatively affected by the transition;
- (l) the protection of public health;
- (m) the National Planning Framework (or, where appropriate, the National Spatial Strategy);
- (n) the special economic and social role of agriculture, including with regard to the distinct characteristics of biogenic methane;
- (o) where a national long term climate action strategy has been approved under this section, the most recent approved national long term climate action strategy;
- (p) the 2019 Climate Action Plan or, where a climate action plan has been approved under this section, the most recent approved climate action plan;
- (q) where a national adaptation framework has been approved under section 5, the most recent approved national adaptation framework;
- (r) where sectoral adaptation plans have been approved under section 6, the most recent approved sectoral adaptation plans.

Strengthened climate governance?

- Strengthened expert advisory council?
 - Marie Donnelly (Chair)
 - Prof. Peter Thorne (Maynooth)
 - Ms Patricia King (ICTU)
 - Julie Sinnamon (ex Enterprise Ireland)
 - Andrew Murphy T&E (European NGO)
 - Dr. Cara Augustenborg (UCD)
 - Prof. Morgan Brazilian
 - Sinead O'Brien (SWAN)
 - Prof. John FitzGerald
 - Prof. Ottmar Edenhoffer
 - Jillian Mahon (risk management)
 - Met Eireann, Teagasc, EPA
- Annual updates to Climate Action Plan – a roadmap of sector-specific actions
- At least once every 10 years, a Long-Term Climate Action Strategy
- The LTS and CAPs must be consistent with the carbon budget programme
- Carbon budgets proposed by CCAC, 3 at a time, 5 years each.

Observations

- Laws, by themselves, won't make emissions go down
- There needs to be sustained political will, strong institutions and enforcement all guided by science – just like with COVID-19
- Many bold decisions will be required by government, by companies and by local authorities
- Households and individuals need to be supported
- We need high profile visible examples of a zero carbon future
- Society needs to step up too – via ENGOS, local citizen action, education, media and public engagement
- But government consultation processes need a re-think

Questions?

Just transition

- Potential for economic & social disruption due to climate change and climate action policies
- ‘Sunset industries’ – what happens to workers in the fossil fuel sectors?
- Local economic effects cf coal mining closures in Wales, Spain
- Multiple drivers of change – automation/ digitalisation in an increasingly globalised world
- Wider issue of the distributive implications of climate policies e.g. regressive taxes and ‘perverse’ or redundant subsidies

Just Transition

The International Labour Organisation defines Just Transition as follows:

A “just transition to a climate resilient and climate neutral economy” means a transition that ensures that the economic, environmental and social consequences of the ecological transformation of economies and societies are managed in ways that maximize opportunities of decent work for all, reduce inequalities, promote social justice, and support industries, workers and communities negatively affected, in accordance with nationally defined priorities, and based on effective social dialogue.

Just Transition

NESC – Dr. Jeanne Moore’s evidence to JOCECA pre-legislative scrutiny of climate bill recommended the following approach:

- (1) proactive planning and national, regional and local areas
- (2) participative social dialogue which considers costs and benefits
- (3) decent jobs, training and social protection for those at risk
- (4) place-based regeneration facilitating bottom-up local action, and
- (5) fair, inclusive and equitable outcomes.

“A just transition is one which seeks to ensure transition is fair, equitable, and inclusive in terms of processes and outcomes”.

Just transition commissioner

- The Minister appointed Kieran Mulvey as Just Transition Commissioner in November 2019 to engage with stakeholders in the Midlands region and recommend the essential elements of a just transition.
- The first progress report from the Just Transition Commissioner was published on the 22 May 2020 and the government published their initial response the same day.
- The second progress report was published on the 25 November 2020, providing a further update on progress on just transition in the Midlands.
- The third progress report was published in July 2021 along with an update on the implementation of the Just Transition across the Midlands.
- <https://assets.gov.ie/140490/ccdd2f70-9866-4f79-8863-3d3d2c58a81d.pdf>

Funding for JT activities from carbon tax receipts

- €108 million for Bord na Móna's large-scale peatlands restoration project which is now underway. The plan will protect the storage of 100 million tonnes of carbon dioxide (CO₂) emissions, sequester 3.2 million tonnes of carbon to 2050, enhance biodiversity, support approximately 350 jobs and contribute to Ireland's target of being carbon-neutral by 2050
- ☐ The National Parks and Wildlife Peatlands Restoration Scheme has been allocated €19 million in 2020 and 2021 for peatland restoration measures on almost 1,900 hectares of protected raised bogs in the Midlands region, along with the development of drainage management plans and other peatland management and conservation measures
- ☐ The National Just Transition Fund is supporting innovative and employment generating projects in the Midlands. 35 projects are now in delivery with a total grant value of €10 million. The majority of remaining projects are due to receive final funding contracts by the end of July
- ☐ An allocation of €20 million has been provided to the Midlands Retrofitting Programme. While Covid has caused some delays, local authorities are on course to retrofit 750 homes in 2021
- ☐ The ESB has announced plans to re-develop its two power stations at Lough Ree and Shannonbridge into centres for renewable energy to support the delivery of the Government's renewable energy and climate targets
- ☐ €10 million is being provided under the EU LIFE Programme to the Peatlands and People consortium, being led by Bord na Móna

Just Transition in the 2021 Climate Action Plan

The just transition framework is made up of four principles:

1. An **integrated, structured, and evidence-based approach** to identify and plan our response to just transition requirements
2. People are **equipped with the right skills to be able to participate in and benefit from** the future net zero economy
3. The **costs are shared so that the impact is equitable** and existing inequalities are not exacerbated
4. **Social dialogue to ensure impacted citizens and communities are empowered and are core** to the transition process

Climate Action Plan ctd

- We will establish a Just Transition Commission supported by a secretariat to ensure policy is developed and closely aligned with the Climate Action Plan. The Just Transition Commission will make recommendations to Government, building on research, engagement through the National Dialogue on Climate Action, and the annual review from the CCAC, on how Government policy can further the Just Transition
- However recycling other previously announced initiatives as JT initiatives... (e.g. dialogue promised under AgClimatise)

Climate Action Plan list of actions re JT

- Questions for GCCN
- What sectors/industries are vulnerable?
- Where are there opportunities for new green jobs?
- Engagement with local trade unions?
- Skills and training in Galway?
- Stakeholder consultation?
- Measures to tackle fuel & energy poverty in Galway?

6.4 Actions

The detailed implementation maps for actions, including timelines and responsible organisations, are set out in the accompanying Annex.

Action Number	Action
10	Establish a Just Transition Commission
11	Integrate just transition considerations into sectoral policy development through the Climate Action Plan
12	Support the provision of strategic advice and research on just transition in Ireland, including future priorities and spatial and sectoral impacts
13	Deliver the Programme for Government commitment to develop a Green Further Education and Skills Development Plan
14	Promote the implementation of the study "Skills for Zero Carbon - The Demand for Renewable Energy, Residential Retrofit and Electric Vehicle Deployment Skills to 2030"
15	Include climate action and just transition as themes for stakeholder consultation as part of the refresh of the nine Regional Enterprise Plans
16	Promote timely and tailored activation and training responses for workers whose jobs are at risk by the decarbonisation process
17	Create additional community workplaces and supported workplaces in green sectors for people who are economically inactive, long-term unemployed, and/or with severe needs
18	In line with the Programme for Government, ensure that targeted social welfare measures are put in place to prevent fuel poverty and support a just transition

Questions?

Emission reduction ranges

Table 3.1 *Proposed Emissions Reductions by Sector*

Sector	2018 emissions (MtCO ₂ eq.)	2030 target emissions (MtCO ₂ eq.)	% reduction relative to 2018 ³
Electricity	10.5	2-4	62-81%
Transport	12	6-7	42-50%
Buildings	9	4-5	44-56%
Industry	8.5	5-6	29-41%
Agriculture	23 ⁴	16-18	22-30%
LULUCF	4.8	2-3	37-58%
Unallocated Savings	N/A	4 ⁵	N/A

Climate Action Plan 2021

	Core measures	Technology	KPI 2030	
			Climate Action Plan 2019	Climate Action Plan 2021
Electricity 	E1 Build-out renewable generation capacity	Total RES in generation mix, % ¹	70	80
		Onshore wind, GW ¹	~8.2	Up to ~8
		Offshore wind, GW ¹	~3.5	~5
		Solar PV, GW ¹	~0.4	~1.5-2.5
Transport 	T1 Electrify road transport	Passenger EVs, #	840k BEVs and PHEVs	845k with a focus on BEVs
		Zero emissions vans and heavy goods vehicles, #	~95k	~95k vans and ~3.5k heavy goods vehicles
	T2 Increase biodiesel blend-rates	Bioethanol blend, Vol%	E10	E10
		Biodiesel blend, Vol%	B12	B20
	T3 Transition to zero emission mass transportation	Transport modes transitioned to low-carbon	Electrification of bus transport (~1.2k low-emission buses)	1.5k EV buses and expanding electrified rail services
	T4 Sustainable Transport Journeys and Demand Management Measures	Demand shifts		500,000 (14%) additional public transport and active travel journeys per day
Buildings 	Retrofit residential dwellings	Retrofitted homes ² , # dwellings	← 500,000 (B2 BER /cost optimal equivalent or carbon equivalent) →	
	Deploy zero-emission heating in existing homes	Existing homes with zero-emission heating ¹ , # dwellings	← 400,000 →	
	B1 Continue to phase out fossil fuels in new homes	New homes with zero-emission heating, # dwellings	200,000	250,000-280,000
	B2 Ramp-up zero-emission heat in commercial buildings	Commercial buildings with zero-emission heating ¹ , # buildings	25,000	50,000-55,000
	B3 Increase targets for roll-out of district heating	District heating demand, TWh	~0.1	~2.7 TWh
	B4 Increase targets for public sector buildings	Emission abatement from public buildings, %	30	50

1. RESS competitive auctions will determine the final generation mix
 2. Only additional installments, excluding existing building stock with applied technology
 Source: Climate Action Plan 2019; Programme for Government 2020

Climate Action Plan ctd

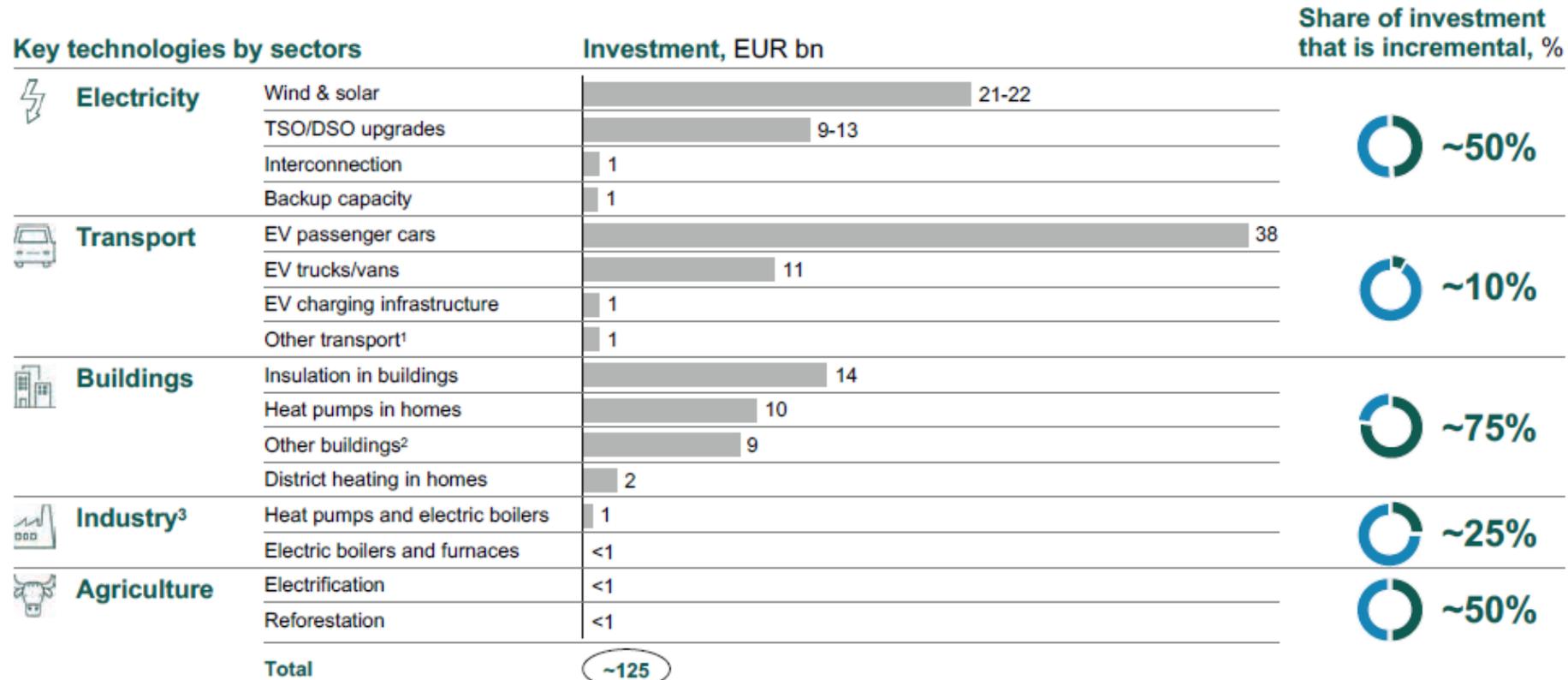
Industry	Core measures	Technology	KPI 2030	
			Climate Action Plan 2019	Climate Action Plan 2021
	Switch to alternative fuels in cement	Share of energy mix from zero-emission fuels, %	80	80
	I1 Accelerate uptake of carbon-neutral heating in industry	Share of carbon neutral heating in total fuel demand, %	Food industry ¹ : 80	All industries: ~50-60 ²
	I2 Phase-out high-GWP F-Gases	Emission reduction vs 2014, %	No target	80
	I3 Decrease embodied carbon in construction materials	Emissions from non-metallic mineral products by 2030	No target	N/A
	I4 Enable electrification of high-temperature heat generation	Emission reduction of non-ferrous metals manufacturing vs 2018	No target	N/A
	A1 Increase adoption of GHG-efficient farming practices	Implementation of GHG-efficient farming practices	Deliver GHG-efficient farming practices	Increase adoption of GHG-efficient farming practices
	A2 Diversify farm activities (e.g., through forestry, bioenergy)	Area impacted by diversified farm activities, kha	No target	TBD
	A3 Create new biomethane business opportunities	Biomethane production, TWh	No target	TBD ³
	L1 Increase sequestration through forestry (afforestation, extended rotations, improved forest management)	Yearly planting rate, ha/yr	8,000	8,000
	L2 Limit deforestation trends	Yearly deforestation rate, ha/yr	No target	<900
	L3 Reduced peatlands and wetlands management intensity	Area of peatlands and wetlands rewetted, kha	No target	-44-77
	L4 Increase mineral grassland carbon sequestration	Area of grassland better managed, kha	-250	-450
	L5 Manage organic grasslands better (farmed peatlands)	Area of organic grassland soils rewetted, kha	-40	-80
	L6 Increase use of cover crops	Area of cover crops planted, kha	No target	-50
	L7 Incorporate excess straw into tillage	Share of cereal area directly incorporating straw into soil, %	No target	10

1. Food industry represents ~15% of total industry fuel demand (in TJ) in 2018

2. Excluding measures I3, I4 and I6

3. Subject to the outcome of SEAI study

It's going to be expensive!



1. Includes for example buses, trains, 2- and 3-wheelers

2. Includes for example, heat pumps and insulation in commercial buildings, electrical cooking

3. Additional investments of ~2bn EUR in industry if selecting CCS as an alternative

Source: McKinsey DSE (2021)

Questions?