



Stop Climate Chaos Cymru

Response to the Welsh Government White Paper on the Sustainable Development Bill

March 2013

Introduction

Stop Climate Chaos Cymru is a coalition of 14 influential Welsh organisations drawn from across civil society - environment and development groups, faith groups, women's groups, trade unions and many others - which is working to mobilise public concern and necessary political action, to stop climate chaos.

Our mandate is simple: to take socially beneficial action to prevent global temperature rises exceeding the two degrees C threshold above which the likelihood of irreversible and devastating climate change becomes unacceptable.

New research from the Climate Change Consortium of Wales shows that 73% of people in Wales believe that Wales should aim to set an example to the outside world when it comes to addressing climate change, 80% are concerned about the effects of climate change in developing countries and 90% were concerned about the effects on wildlife and the natural world [1]. There is clear support in Wales for taking ambitious action on climate change and taking responsibility for our impacts on the world and its people.

This can only be achieved within the context of sustainable development and we welcome the Welsh Government's plan for a Sustainable Development Bill. A sustainable Wales can only be achieved if there's a step-change in decision-making and implementation of policies and services in Wales.

This Bill is a once in a lifetime opportunity to set us on a path towards achieving sustainable development, with a clear and relevant definition of sustainable development, clear legal duties for public bodies and a powerful Commissioner to respond when things go wrong. We owe it to present and future generations, in Wales and throughout the world, to get this Bill right and create a sustainable Wales.

The Welsh Government's commitment to the Rio+20 process is a clear indication of the political will to set ourselves at the forefront of this international context and we fully support the Minister's aim of achieving "*ground breaking legislation on Sustainable Development*" and to "*make our legislation as strong and effective as possible*" [2]. The UN document 'The Future We Want' that takes this process forward emphasises the importance of a strengthened institutional framework on Sustainable Development and "*an action- and result-orientated approach*" [3] and we urge the Welsh Government to follow through on their international commitment with this Bill.

We share the government's aspirations to be ground breaking and introduce strong legislation and welcome the opportunity for civil society to play its part in shaping this legislation.

A Sustainable Development Bill

We are part of an Alliance of third sector organisations representing a broad range of social, cultural, environmental and international development issues, who are working collaboratively to support the development of a draft Bill which, we believe through the application of such simple

and clear legislation, can deliver policy outcomes to achieve that ambition. We will continue to work on drafting the elements of the Bill and hope this will assist the Welsh Government in its progress and open further dialogue with civil society.

Here are the key clauses and outline structure prepared as a starting point for discussing a Sustainable Development Bill with decision-makers and civil society in Wales.

A Sustainable Development Bill for Wales

Preamble/Recital/Long title
<i>Recognising that sustainable development means achieving a way of life capable of being continued indefinitely by all of earth's people while respecting environmental limits and-</i>
<i>Sustaining and promoting the Welsh language, culture and heritage.</i>
1 Duty to achieve sustainable development
<p>(1) Every public authority must exercise their functions so as to achieve sustainable development.</p> <p>(2) The Welsh Ministers may publish guidance on how to comply with the duty in subsection (1).</p> <p>(3) A public authority must have regard to any guidance published under subsection (2) when complying with the duty in subsection (1).</p>
2 Meaning of sustainable development
<p>(1) Sustainable development means meeting the economic, social, cultural and environmental needs of people and communities without compromising the ability of future generations to meet their own needs and includes the application of the following principles:</p> <ul style="list-style-type: none"> (a) living within environmental limits; (b) using natural resources prudently; (b) ensuring a strong, healthy and just society; (c) achieving a sustainable economy; (d) applying the preventative, precautionary and polluter pays principles; (e) using sound science responsibly; (f) promoting good governance; (g) avoiding adverse international impacts; (h) ensuring that the people of Wales use only their fair share of the world's resources; (i) sustaining and promoting Welsh language and heritage.
3 Sustainable Development Commissioner for Wales
(1) The National Assembly for Wales shall appoint a Sustainable Development Commissioner for Wales.

- (2) The Sustainable Development Commissioner for Wales may—
- (a) provide and publish advice on matters relating to the implementation and enforcement of the Sustainable Development Duty;
 - (b) conduct research and inquiries into matters which the Commissioner considers relevant to sustainable development or the Sustainable Development Duty;
 - (c) make recommendations to public bodies, including Ministers and the National Assembly for Wales in respect of the discharge of their duties under this Act;
- (3) Eligible persons may make complaints to the Commissioner in relation to any matter concerning discharge of the Sustainable Development Duty by public authorities.
- (4) The Minister may make regulations concerning complaints which may be made to the Commissioner.
- (5) The regulations may contain provision concerning (but not limited to)—
- (a) persons who are eligible to make complaints;
 - (b) the time frame within which complaints must be made;
 - (c) the procedure which the Commissioner must follow when handling and determining complaints; and
 - (d) the sanctions which the Commissioner may impose following determination.

4 Resource use – monitoring and review

- (1) The Commissioner must publish no later than 31 January each year a report setting out the use of resources in Wales during the relevant period.
- (2) The reference to the use of resources in subsection (1) includes the use of resources in connection with goods and services imported into Wales during the relevant period.
- (3) Each report must address use of the following resources —
- (a) land;
 - (b) materials;
 - (c) water; and
 - (d) climate.
- (4) The use of land shall be measured by reference to the total number of hectares.
- (5) The use of materials shall be measured in tonnage, including sub-totals of the tonnage of biological and mineral materials used.
- (6) The use of water shall be measured in litres.
- (7) The use of the climate shall be measured in tonnes of CO₂ equivalent.

5. Interpretation

“public authority” means an authority that has functions of a public nature;

“public function” means a function, which is a function of a public nature for the purposes of

the Human Rights Act 1998;

“relevant period” means the year ending on 31 December immediately preceding the date on which the report under section 4 is required to be published;

“sustainable development” has the meaning given in section 2;

“Sustainable Development Duty” means the duty set out in section 1(1).

We look forward to working with the Welsh Government and others in developing this proposal and shaping a sustainable Wales.

Notes

[1] Capstick, S.B., Pidgeon, N.F., and Whitehead, M.S. (2013). *Public perceptions of climate change in Wales: Summary findings of a survey of the Welsh public conducted during November and December 2012*. Climate Change Consortium of Wales, Cardiff.

[2] Written Statement by the Welsh Government, ‘Visit to Rio+20’, Minister for Environment and Sustainable Development, 29 June 2012.

[3] UN (2012). *The Future We Want*, <http://sustainabledevelopment.un.org/futurewewant.html>

Stop Climate Chaos Cymru member organisations are: National Federation of Women’s Institutes Wales, National Union of Students, Unison, Christian Aid Wales, CAFOD, Oxfam Cymru, Tearfund, Coed Cadw – The Woodland Trust, Friends of the Earth Cymru, RSPB Cymru, Sustrans Cymru, WWF Cymru, Wildlife Trusts Wales, The Centre for Alternative Technology.

www.stopclimatechaoscymru.org



@SCCCymru



/SCCCymru