

Climate and Ecological Emergency Bill

Executive summary

This document acts as a summary of the key aims and themes of the Climate and Ecological Emergency Bill ('the Bill').

It has been prepared by the CEE Bill Alliance, which is a team of scientists, academics, lawyers and campaigners working together—and guided by current science—to call for urgent, far-reaching and necessary actions from the UK Government to tackle the climate and ecological emergency.

The full text of the Bill may be found here, online - [here](#). To contact the CEE Bill Alliance, email info@ceebill.uk and visit ceebill.uk for further information.



Aims

What will the CEE Bill do in law?

1. *Ensure that the UK contributes fairly to climate mitigation consistent with limiting global temperatures increase to 1.5°C (compared to average pre-industrial levels).*
2. *Ensure that the UK takes full responsibility in accounting for its entire greenhouse gas footprint (consumption emissions, passenger international shipping, flights and land-based transport) domestically and internationally.*
3. *Ensure that the UK first and foremost reduces its anthropogenic greenhouse gas emissions, to the point of cessation (zero), at energy sources.*
4. *Ensure that any negative emissions technologies may only be considered with proven efficacy and stringent safeguarding against any negative impacts on any ecosystems.*
5. *Ensure the restricted conditions for proposed negative emissions' technologies for the purpose of carbon offsetting only when all alternative carbon neutral approaches have been primarily pursued. Negative emissions technologies must not be factored into prospective mitigation pathways as a substitute for societal decarbonisation.*
6. *Ensure that the UK abides by annual national carbon budgets and in enacting the transition to a carbon neutral economy the burden must not fall on the poorest in society.*
7. *Ensure that the UK restores and regenerates its habitats by implementing robust measures to protect and enhance the variety, abundance and health of soils and biodiversity in both rural and urban/human-modified ecosystems and in so doing, enriches natural carbon sinks.*
8. *Ensure that the UK implements conditions that protect health and resilience of ecosystems along both domestic and UK global supply chains (incl. extraction of natural resources, land degradation, pollution and waste), and thus mitigate the UK's ecological footprint.*
9. *Ensure that independent bodies create benchmark standards to robustly evaluate the progress of the UK's climate mitigation and ecological protection and restoration pathways*
10. *Ensure that the strategy and solutions to enact this law are thoroughly democratic: a citizens' assembly - randomly selected but representative sample of the UK population- to work alongside Government, under the scrutiny of Parliament.*

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Context

What is the climate emergency and why does it matter?

In 2015, the historic [Paris Agreement](#) was signed, holding world governments to keeping a global temperature rise this century well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5°C. As a [report](#) from the Intergovernmental Panel on Climate Change (IPCC) in 2018 showed, just that extra [half a degree](#) of heating could:

‘...expose tens of millions more people worldwide to life-threatening heat waves, water shortages and coastal flooding. Half a degree may mean the difference between a world with coral reefs and Arctic summer sea ice and a world without them.’

Alarming, we are not even on track to limit temperature increases to 2°C. According to the UN, current policies will lead to [around 3°C of warming](#) by the end of the century - but it could easily be [4°C or more](#). These levels of global heating would open us up to [unacceptable risks](#), including the loss of the [Amazon rainforest](#), [simultaneous failures](#) of staple crops and multimeter [sea level rise](#). [Many scientists](#) believe 4°C would be ‘incompatible with any reasonable characterisation of an organised, equitable and civilised global community’.

There is still time to prevent these catastrophic levels of heating, but only if we are prepared to take unprecedented action now.



What is the ecological emergency and why does it matter?

There has been a massive erosion of biodiversity and of the ecosystem services, such as pollination, food, water resources, flood prevention and decomposition, all essential to civilization and human wellbeing. This [‘biological annihilation’](#) underlines the crisis for humanity. Indeed, the consequences of human activity outstripping its planetary boundaries have resulted in what scientists now define as the arrival of the [sixth mass extinction](#). The scientific evidence is irrefutable as [scientists have warned of looming ecological collapse](#) if policy-makers fail to take emergency action.

Whilst this is the global perspective, the [State of Nature report, 2019](#) on the UK’s biodiversity states:

- 41% of all UK’s species have declined since the 70s (hedgehogs have declined by 95%)
- 26% of the UK’s mammals are at a very real risk of becoming extinct
- A third of the wild bees and hoverfly species have sustained losses, likely due to pesticides, habitat loss and climate change
- 97% of the UK’s wildflower meadows have been lost in the last century

Why ecological collapse matters is captured in the single reality that our biodiversity is [the steward of our life support systems](#).



Isn't the UK already taking steps to address the crises? Why is 2050 too late?

According to the UN IPCC's 2018 report, 'rapid, far-reaching and unprecedented changes in all aspects of society' are needed if we are to stand a chance at limiting global warming to 1.5°C.

If global emissions of carbon dioxide are halved by 2030 and reach net zero by 2050, it gives us a roughly 50:50 chance of limiting warming to 1.5°C, according to the IPCC. The Climate Change Committee (CCC), which advises the UK Government, has taken this recommendation and applied 2050 as an appropriate net zero target for greenhouse gas emissions in the UK. However, any serious consideration of equity, as enshrined in the Paris agreement, shows that the UK needs to reduce emissions faster, by at [least a factor of two](#).

In May last year, MPs passed a motion declaring a climate emergency. This, along with the Climate Change Act 2008 (2050 Target Amendment) Order, seemingly calls for urgent action, yet this took place over a year ago.

Since then, the CCC's 2020 Government [progress report](#) has said that "policy implementation has not yet met the required ambition". Hence, we are not even on track for the current 2050 Net zero target.



A new approach

How the Bill could be groundbreaking

This section demonstrates how the Bill responds to the present governmental status quo in order to drive for a more rigorous and ambitious approach.

Global fairness

- ***What's new in the bill?*** The bill enshrines in law, specific conditions for the UK related to equity in relation to the principle of "Common but Differentiated Responsibilities and Respective Capabilities" (CBDR-RC) in accordance with the [Paris Agreement](#). Through the Bill's 'objectives' for new targets in climate mitigation and ecological repair, the UK will reduce its fair and real share of emissions through direct decarbonisation based on the accounting of the UK's total carbon footprint. The UK must also implement measures to mitigate the impact of its ecological footprint, both in the UK and as a consequence of its outsourced supply chains. The Bill's 'strategy' to meet its objectives, is set within a framework of stipulations and a specific timeframe, effectively hastening the UK's path to net zero emissions along with implementing robust measures to protect and restore the natural world.
- ***Why?*** The principle of CBDR-RC, enshrined in the Paris Agreement, acknowledges the fact that whilst all nations have a common responsibility to combat global heating, there is a distinction of those fully industrialised countries that have a historical responsibility for global greenhouse gas emissions. These countries are in an advantaged, socially-economic position to respond with greater capacity to the climate emergency. However, [the CBDR-RC](#) remains ambiguous as an international environmental legal principle, which means that the UK's Paris Agreement commitments to global fairness are but pledges and not legal requirements. The CEE bill will

enshrine in law the UK's pledges on global fairness and in so doing, demonstrate the UK's position as the standard-bearer on climate and ecological global fairness.

Consumption emissions

- *What's new in the Bill?* The strategy will include the UK's full greenhouse gas footprint, comprising emissions from the production and distribution of all goods and services consumed in the UK (whether these are produced in the UK, or produced abroad and imported into the UK) as well as emissions from UK citizens' international travel-i.e. international aviation, passenger shipping and land-based transport. This approach, also referred to as consumption-based emissions accounting, allocates emissions to consumers and hence to the material beneficiaries of consumption (rather than the financial beneficiaries of production). As such, it reflects more accurately the emissions that underpin our quality of life and standard of living which are closely linked to consumption and only indirectly linked to production: were this system to be replicated as a standard emissions-based accounting globally then it would redress the inequity of the Minority World net consuming countries' not accounting for their fair share of global emissions and significantly larger carbon footprint.
- *Why?* Currently, the UK counts only its territorial emissions through the CCC's 5-yearly budgets and hence omits nearly half (46%) of its actual greenhouse gas footprint associated with the outsourced production and distribution of the goods and services of UK imports.

Natural climate solutions

- *What's new in the Bill?* Natural climate solutions (NCS) — ie. the capture and storage of carbon dioxide from the atmosphere by flora and the earth — are listed as the only method for removing carbon dioxide from the atmosphere that can be used in all categories identified in the strategy to meet the objectives of the bill. However, the application of carbon sequestration via NCS will be subject to stringent standards and evaluation of carbon sink quality to ensure that no form of greenwashing occurs including the practice of land grabs abroad to offset the UK's carbon emissions. NCS include the conservation and restoration of soils, forests, peat bogs, and coastal ecosystems; the Bill calls for active management of these natural systems to optimise their carbon dioxide uptake and maintain their equilibrium.
- *Why?* The Bill's focus on NCS has a dual purpose: to optimise the natural carbon sink capacity: this occurs through the natural carbon cycle which includes the dynamic uptake of carbon dioxide by plants during photosynthesis and via the substantial soil carbon pool that when protected from human-induced- degradation, acts as a [net sink of greenhouse gases through carbon storage](#). Secondly, terrestrial carbon sinks are fertile ground for biodiversity and the Bill sets out to ensure these ecosystems are optimised. The CCC Net Zero report does include certain aspects of NCS, such as afforestation, land-management practices and peatland restoration, as part of its strategy, but these are included alongside methods of carbon dioxide removal via negative emissions technologies

Negative emissions technologies

- *What's new in the Bill?* The Bill does not allow for the use of unproven negative emissions technologies (NETs)-i.e. technologies of carbon dioxide capture such as direct air capture (a chemical process that extracts carbon dioxide out of the air), hybrid technologies, such as bioenergy with carbon capture and storage, burying of biochar in soils and geoengineering approaches, such as ocean iron fertilization or enhanced weathering- to meet the objectives of the Bill in regard to negative emissions, the bulk of which is related to [the energy systems](#)- the

largest contributor to global greenhouse gas emissions. The bill does contain caveats whereby NETs **may be proposed** for offsetting some critical sectors such as in compensating for currently unavoidable emissions from agricultural and the cement and steel industries and to compensate for the UK's historical carbon debt and in the case of global overshooting 1.5C. However, such considerations would be contingent on the following condition: that their deployment would cause no critical impacts to any ecosystem on proof of independent assessment based on rigorous scientific evidence that their environmental safety and effectiveness were guaranteed.

- **Why?** Current CCC plans for a pathway to net zero set at 2050 require NETs to account for '33 to 45 MtCO₂e of additional emission savings' (CCC Net Zero, 2019). However, that same report says these technologies are speculative and 'have very low levels of technology readiness, very high costs, and significant barriers to social acceptability'. Unlike the current CCC approach, the use of NETs in the Bill is strictly circumscribed to sectors where currently, emissions cannot be completely eliminated by direct emissions cuts and the capacity of natural carbon sinks. Furthermore, NETs may only be used where their deployment does not lead to critical impacts on biodiverse habitats, natural and human-modified ecosystems and their soils, food production or water availability and that would cause any other deleterious ecological or social impacts. The bill calls for the interpretation of 'critical impacts' to be determined by independent expert bodies. By stringently restricting the use of NETs to meet the Bill's objectives, the Bill prioritises proven mechanisms to reduce net emissions rather than allowing the arbitrary and prospective use of speculative technologies that may never become practical or safe.

Abundance and health of ecosystems

- **What's new in the Bill?** The Bill calls for restoring the variety, abundance and health of the UK's biodiversity and its ecosystems-both natural and human-modified - and the enhancement of the ecosystem services they generate.
- **Why?** The CCC lists biodiversity enhancement as a benefit of the land use and agriculture measures (hedgerow planting, peat restoration etc.) required to achieve net zero - but nothing on the active expansion and enrichment of biodiversity, nor a comprehensive set of metrics to ensure best practice. In contrast, the Bill calls for the active restoration of ecosystems, and the minimisation of the adverse impacts of domestic consumption and production for the intrinsic benefits afforded by biodiversity, not just as a side benefit of land use allocation in relation to farming and the active management of carbon sinks- which are nature's mechanism of storing carbon. The call for robust and benchmarked standards to calculate ecosystemic health is a core demand in the Bill.

Protecting ecological systems damaged by supply chains

- **What's new in the Bill?** The Bill introduces measures to account for the UK's impact of its ecological footprint through its consumption demands. Those companies and individuals whose commercial activities come under the jurisdiction of UK law should be held accountable for the mitigation and remediation of any ecologically harmful supply system. Alternative, ecologically-sustainable and socially-ethical supply chains should be sourced where it is not possible to oblige all international commercial actors to detoxify any one supply chain.
- **Why?** It is critical that the impact on ecosystems and biodiversity is considered in terms of the full life cycle of consumption. This includes raw material extraction in the form of mining; land appropriation and the intensive utilisation of water and energy; the processes of manufacturing

and distribution that require excessive energy use and the perpetuation of pollution and waste. A landmark [report](#) commissioned by WWF and RSPB, revealed that for seven commodities alone, more than 40% of the UK's overseas land footprint (nearly 6 million hectares) is in countries at high or very high risk of deforestation, weak governance and poor labour standards. This is not a current consideration of the CCC. Where the Bill takes a 'full picture' approach to emissions, it takes the same approach with the protection of ecosystems and overseas habitats, recognising the impact that the UK creates through the full cycle of its (often outsourced) supply chains.

A Citizens' Assembly to determine a just transition

- **What's new in the Bill?** An emergency citizens' assembly (CA) will be convened to help both the UK Government and Parliament create and review the strategy to achieve the bill's objectives. The CA will empower MPs to take bold decisions and allow people to have a real say in the pathway of, not only a fair and just transition to a zero carbon society but of one leading to a thriving natural world.
- **Why?** Fundamental societal changes are required if we are to tackle the climate and ecological crisis, head on. In order to prevent a 'yellow vest' effect, it is essential that citizens are involved in decisions that will significantly change their lifestyles. Citizens' Assemblies are a tried and tested route to engaging citizens in the democratic process. CAs empower politicians to arrive at recommendations that will address very difficult decisions -decisions that will have a profound impact on society. Whilst six-cross-party select committees did commission the Climate Assembly, UK, (CA,UK), the CA,UK's remit fell well short of the scale and scope required to address the climate and ecological emergency: recommendations were advisory only, members were tasked with identifying a pathway to the UK's 2050 net zero emissions target with no mandate to question the target itself, and the assembly was not called upon to consider adaptation or biodiversity.
- The CEE bill's integration of an emergency CA means that the assembly members will be tasked to fully contribute to the [recommendations](#) for and the review of, the bill's 'strategy' to meet the 'objectives', alongside both government and parliament. In this, the most exceptional of times- this dual-edged crisis facing humanity- the engagement of CA in collaborating in emergency policy-making will allow the government and parliament the public mandate to implement the necessary fundamental societal changes.



Looking ahead

The Bill sets both a blueprint and a benchmark to drive ambitions ahead of COP26. In the light of the UK co-hosting the UN Climate Change Conference (COP26) in November 2021—and the imperative for a robust and profound green recovery from the COVID-19 pandemic—the UK Government must become the standard-bearer for serious climate and ecological action on the international stage. Indeed, it has a responsibility to lead by example by addressing the climate and ecological crisis with groundbreaking policies to avert the deepening of our planetary emergency.

"The urgency and scale of the response required to tackle the emergency facing life on Earth is in this Bill. Those who are vulnerable are already suffering, the Bill provides a route for these communities to define the actions needed to protect them and all that they cherish. The Bill defines the path needed to avoid the catastrophe

outlined by the UN Secretary-General António Guterres in 2018. Based on the accepted science of the IPCC, it is farsighted, aiming to protect those at risk now and in the future".

Kumi Naidoo

(former Executive Director, Greenpeace International and Secretary General, Amnesty International;
chair, Africans Rising for Justice, Peace and Dignity)