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PUTTING DEMOCRACY BACK INTO CLIMATE ACTION

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Nick Mabey CEO, E3G

Thank you for inviting me to give some remarks on an issue that has been close to my heart throughout my thirty years of work on environmental protection.

I began working on environmental democracy at WWF in the 1990's looking at community control of resources like forests, national parks and mangroves around the world. Wherever we worked livelihoods and ecosystems were being systemically undermined by poor governance, local corruption and global economic forces all of which excluded local communities and undermined traditional management systems.

My journey continued to the Foreign Office where I worked on supporting implementation of the Aarhus Convention, established an FCO Fund on Environmental Democracy and created a - regrettably short-lived – international Partnership for Principle 10 at the World Summit on Sustainable Development in Johannesburg in 2002.

The UK government then had a very mixed attitude to environmental democracy.

It did pathbreaking work linking bans on trade in illegal timber to strengthening of community rights in exporting countries. But the FCO Human Rights Department were also strongly against promoting of environmental rights at the UN - seeing it as a dilution of the focus on political rights.



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Other jobs in the UK government, including at the Prime Minister's Strategy Unit, exposed me to the realities of international environmental crime and corruption both of which were central to my work on the complexities of UK fisheries management; where accountability and rule of law seemed to be largely absent.

Finally, my work at E3G over the last 16 years has involved deep analysis of climate politics in over 35 countries and creating coalitions of action to drive change in energy systems, infrastructure priorities, resilience governance and financial systems.

In all these areas the critical issue to solve has not been the technicalities of climate policies – though these of course matter – but the accountability of governments to their populations, the transparency of decision making and the ability of individuals and communities to have effective access to justice and preservation of their rights.

Without these elements of environmental democracy - so succinctly spelt out in Principle 10 of the Rio Convention - any climate policies will be incapable of surviving the opposition and turbulence which is inevitable in the transition to net zero, climate resilient societies.

The core point I want to make today is that we need to put democratic values, institutional strengthening, and governance innovation back at the heart of climate action if we are serious about protecting everyone from catastrophic climate damage.

We also need to constantly remind people that we need to get serious about climate action if we want to protect our fragile democratic systems and human rights. A world of extreme climate change would undermine national and international legal systems as shocks and shortages turn people and societies inwards and elevate the politics of fear and power over rules and cooperation.

Tackling climate change is not just an environmental issue it is a democratic civilisation issue.



We need to spell out these threats in order to motivate the cross-society coalitions of action needed to limit climate change to safe (enough) levels and build resilience to unavoidable impacts. It's not enough "to follow the science". Anyone seriously concerned with climate change must also work to rewrite the way societies make critical collective decisions.

This also has to go far beyond narrow climate, energy & transport policy to tackle fundamental issues of rights, control, devolution, compensation and accountability.

My concern is that these vital issues are currently not as high in the priorities of climate actors – whether governments, businesses or activists – as they need to be. Despite the recent rise in climate mobilisation there is still a tendency to focus on technocratic responses and "stakeholderism"; ignoring more fundamental issues of accountability and representation. Indeed, while the "Glasgow Pact" calls for engagement with youth and indigenous peoples it fails to even mention elected legislators – the constitutional backbone of democracies.

When issues of democracy & accountability are raised they mainly seem to focus on stopping the influence of fossil fuel companies on government policy. This is important but its impact is slightly blunted by the fact that Governments themselves actually own over 80% of global fossil reserves. Governments are the largest fossil companies in most parts of the world.

My remarks today will cover four main points:

- 1. Environmental Democracy is in retreat across the world driven by a broad rise in authoritarianism and specific environmental factors.** This requires urgent work to support and defend remaining rights and environmental defenders who are often at risk.
- 2. Strengthening environmental democracy is mission critical for solving climate change.** More accountability, transparency and



access to justice will be needed to shape the deep reforms needed for rapid decarbonisation and preserve political support for climate transformation.

3. **Climate change is also an opportunity to build alliances with broader groups focused on accountability, anti-corruption etc.** The global changes driven by climate action open the door to powerful new alliances for democratic change.
4. **To build a reliable basis for climate action there is a need to properly integrate environmental democracy approaches** across climate policy, governance and financing and to have much franker discussions about the system conditions needed for change.

Environmental Democracy is in Retreat Globally

The retreat of democracy and closure of civil society space has been well-documented over the past 15 years. What is less well known is that environmental defenders have now become the largest group of rights activists being attacked and losing their lives.

Partly this is due to a normalisation of repression, but it is also driven specifically by tensions over the use of increasing scarce productive land for industrial agriculture, access to minerals and delivery of development projects. These tensions all arise from the same economic and demographic forces that have driven the acceleration of climate change.

There has been a rise in disinformation, legal attacks and information operations – by countries and companies – against climate activists. Anti-coal campaigners in particular have faced government surveillance and intimidation in countries from Poland to India.

As decarbonisation deepens, and incumbents face significant write downs in the value of their fossil-based assets, its only to be expected that these attacks will increase.



It is critical that protections are increased before these stresses hit; keeping space for civil society and citizen action open. This also means prioritising environmental democracy inside diplomatic relations - both climate and human rights - and within political party families, city to city relationships and broad non-governmental diplomacy networks.

Current international norms needed to reaffirmed and supported much more explicitly. Not least because the proportion of greenhouse gases from countries with closed civil society space and low levels of democratic governance will rise by 2030 to over 80% of global GHG emissions.

Environmental Democracy is Critical for delivering Climate Security

Strengthening environmental democracy isn't just the right thing to do it is mission critical for delivering the climate transitions we need.

Keeping climate change to 1.5C requires the fundamental transformation of all global energy, industrial, transport, infrastructure and agricultural systems in the next three decades. Climate analysis often talks about the material and financial conditions needed for this – how many trillions of dollars or GW of solar panels – but rarely about the changes needed to governance, regulatory, administrative, legal and business systems.

That is a critical mistake. Many of the current systems that decide on infrastructure, energy and urban planning are controlled by small groups of entrenched incumbents often with tacit or openly corrupt relationships. Without reforms to deliver responsive, adaptive, innovative and public-interest focused governance it will be impossible to achieve change at the pace needed.

Put simply: if we can't make good decisions about the present, how will we be able to make good decisions about the future?



So, seriously delivering on the net zero promises made in Glasgow needs to start by asking if national and sub-national governance systems are fit for purpose and if not then what reforms are needed?

This change needs to happen immediately as governance reforms require patient and relentless work. It took over a decade to reform the EU's gas network planning system – controlled by incumbent operators – to make its future gas demand forecasts and financing consistent with the EU's legal climate targets.

It took years of Freedom of Information requests and forensic analysis to uncover that the energy models being used by the European Commission were systematically undervaluing the potential of household energy efficiency. Making higher GHG targets look more expensive and less achievable. Even the Commission hadn't really understood these assumptions until it was made publicly transparent.

I use these examples not because the EU is badly governed compared to other systems – it isn't - but because even in a sophisticated and open system like the EU there are deeply entrenched interests and assumptions that need reform to meet the hugely ambitious pace of change.

With no disrespect to my friends in the UK Climate Change Committee secretariat the most important aspect to their work is not their - often brilliant – analysis but the fact that they report to Parliament and the burden of proof is on the Executive to justify changing their recommendations. This represents a quasi-constitutional change to the UK system creating a new space for public debate with full transparency for legislators and the public.

The fact that similar institutions have been created in over 40 countries shows that there is beginning to be an understanding of the need for permanent governance reform to drive the climate transition. Important as climate assemblies have been in some



jurisdictions - especially to set target levels - permanent bodies are what is needed to support the long arc of change.

It is not that countries with poor democratic systems or low levels of transparency can't make some good technical decisions; that is the easy part. It is that all governments make mistakes or have to respond to unexpected changes while being beholden to incumbent interests, ideas and assumptions.

Climate change is full of ‘known unknowns’ as Don Rumsfeld put it. We know we will be surprised by technologies, delivery failure, public attitudes and resistance, and the complex, interlinked and emerging impacts of a changing climate.

Climate change cannot afford to solve these problems by slowly “muddling through” or waiting for incumbents to retire or be outcompeted. Winning slow on climate is losing. Only open, accountable and transparent governance can help institutions – public and private - adjust to a pace of change far faster than they “naturally” want to move.

Countries with responsive and flexible governance will be best placed to win the net zero competitiveness race and build effective resilience to unavoidable climate impacts.

Environmental democracy is vital to delivering the **quality** of governance needed to reach net zero in time. Even basically authoritarian governments or those deeply entangled with fossil fuel interests will face internal pressures to adjust and adapt to this reality over time.

But improving environmental democracy is also vital to maintain political support for deep decarbonisation over the coming decades.

Whatever you may hear in the media, achieving net zero by 2050 is remarkably cheap for most countries who are not large oil and gas producers. As clean technologies have dropped in price the gross cost



has fallen to well under 1% of GDP. Overall public spending is 40-60% in most advanced economies so compared to funding health care, social services and pensions tackling climate change is relatively cheap and great value for money.

But this doesn't tell the whole story. Beneath the small additional costs are huge transitions which will create winners and losers across societies:

- From shifting industries as coal miners will rarely be well placed to build wind turbines and electric cars are so reliable 2/3rds of car mechanics will lose their jobs.
- From shifting consumption patterns as people are asked to change eating, transport, and other behaviours leading to very unequal levels of disruption and costs.
- From climate impacts as floods, droughts, heatwaves and storms increase and access to affordable insurance shrinks even further.

At a societal level these transitions can theoretically be managed fairly but will they be?

Who wins and who loses? Who is protected and who pays? Who is deciding and who is consulted?

Every country will need to define a new social contract that is seen as fair in principle and practice by its population. Without such clarity - and especially if groups feel their interests are ignored – climate action will face public backlashes; often encouraged by politically hostile or partisan forces.

- Some analysts suggest that 70% of the Gillet Jaune social media reach was generated by Russian state information operations.
- Failure to build support for UK onshore wind farms - and hostile industry lobbying – halted construction of the UK's cheapest form of clean energy for over a decade. A decision only now being revisited due to the Ukraine crisis.



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The biggest barrier to the next stage of European decarbonisation is public consent: to major power grid expansion; roll out of smart technology and use of personal data; radical changes in home heating and building efficiency.

Sustainable support for these big changes requires trust in government and open consultation. This is not an issue of whether people support climate policy in general but this imperative being overridden by other more direct concerns about economic impacts and unfairness.

Similar considerations must be addressed is needed when supporting industries in transition. Analysis of past industrial transition in Europe shows the most unpopular outcomes happen when support is given late in the transition and focused on specific firms and workers. Much better outcomes come from early intervention involving consultation and devolution to whole communities and regions; including potential future workforces.

Better environmental democracy is the “how” of just transition.

Issues of procedural and legal fairness become particularly stark when dealing with adaptation and recovery from climate impacts.

Governance systems for climate resilience are weak and fragmented even across advanced and middle-income countries; resulting in entrenched vulnerabilities that were cruelly exposed in 2021 in China, Japan, the US, Canada and Germany.

This is often in contrast with poorer disaster-wracked countries like Bangladesh which have radically increased social and economic resilience to climate disasters over the past decade. **Resilience is a result of good governance not just wealth.**



These governance failures stem from three failures of environmental democracy:

- **Lack of fundamental rights to protection and compensation:** many countries (e.g. UK, US, Germany) explicitly will not compensate for climate damage. Compensation only happens for exceptional disasters – or loudest stakeholders – and comes from emergency budgets. For example, federal allocations of €40bn for the 2021 German floods and \$80bn after Super Storm Sandy. People impacted by slow onset or distributed impacts are often denied support; particularly those without formal title to land or critical resource rights for water, forests, fisheries etc.
- **Lack of transparency of climate risk data:** in many countries climate risk data is unavailable not just because of technical limitations but because some data is considered national security issue e.g. water flows. Often authorities do not want to release impacts data as they fear it will impact inward investment or real estate prices.
- **Lack of consultation with climate impacted groups:** climate impacted groups are scattered and diverse compared to traditional lobbies and often have no organising structure. Different national hazards are often dealt with at different governance levels and agencies. In all the countries E3G has studied the voice of climate impacted groups is underrepresented in national climate debates compared to incumbent fossil-based interests.

The democratic & legal asymmetry between climate impacted and fossil fuel groups in defining national policy is one of the most critical barriers to effective rapid climate action.



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Climate Change is an Opportunity to drive Better Governance

If stronger governance and accountability is critical for climate action then the flip side is also true. The existential nature of climate change, and the huge changes it is driving through economic, political and social systems, opens the door to major advances in democratic accountability and new “big tent” coalitions for change.

In many countries people understand the role of corruption in big infrastructure projects but if this results in 10-15% higher costs it doesn't generate huge resistance. Only when corruption impacts directly the services going to people do you see a public backlash across society.

Failure to account for climate change in infrastructure planning potentially reaches this threshold. Poor decisions will lead to a generation of polluting, potentially stranded and vulnerable assets which will need to be replaced before the end of their working life.

The failure of South Africa's Eskom utility after investing in - never completed - coal plants is a case in point. In Costa Rica an innovative political movement was formed to protest against vested interests blocking the electrification and improvement of public transport; Costa Rica Limpia – Clean Costa Rica.

Beyond animating public protest climate change also gives the potential to leverage the power of financial actors to scrutinise the quality of decisions and how they align with climate goals and impacts. Most major investors and regulators are now committed to reporting on climate risk exposure and integrating it into investment decisions. Blackrock reportedly has 100 climate impact analysts assessing its huge investment portfolio.

Corporate directors & public sector managers already have a requirement to consider material risks in their decision making. Increasingly guidance from national financial regulators explicitly



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gives practical steps on how this duty should be delivered for climate risk. Lawsuits by public interest minded shareholders are giving legal teeth to these requirements.

As rating agencies and investors start to scrutinise national and municipal climate governance and risk management this will be a strong driver to improve current public management systems.

There is huge potential for synergies between climate and governance actors - groups who currently have few connections. This would avoid the climate movement trying to reinvent the governance wheel and help to build the broad coalitions needed for major governance reforms.

Priorities for Democratic Climate Transition

This is not a policy speech but I can't resist finishing without putting out some ideas for how tackle these issues in a practical manner.

There is good work going on but there is a need for a step change in action to drive effective delivery and change the political equation at national level.

On my top wish list would be:

Incorporating the principles of environmental democracy into all NDC process and assessments of delivery governance.

1. Establish independent oversight institutions reporting to legislatures like the CCC in all countries, with explicit mandates for public engagement and transparency
2. Establish “Super-committees” in all legislatures to scrutinise cross-government infrastructure system spending and regulation for consistency with national climate goals and impact projections.



3. Establish a legal “right to know climate risk” and clear responsible authorities at national level for defining acceptable climate risk exposure and explicit principles for protection and compensation.
4. Requirement to ensure explicit resource rights and tenure as a condition of receiving international adaptation support
5. Establishment of intergenerational ombudspersons to transparently assess the impact of legislation, spending & climate impacts on future generations

These types of actions should become priorities for international climate cooperation and the development assistance; including from the MDB system.

We have ended the first stage of climate action - setting targets and objectives - and now getting into the difficult delivery stage where opposition, competing priorities and institutional inertia will need to be overcome against a backdrop of increased climate damage and broader geopolitical turbulence.

A credible and politically resilient transition requires the buffers, checks and balances provided by democratic and accountable systems. Stronger environmental democracy is not an optional extra - it is the only way to deliver a safe climate for everyone.