

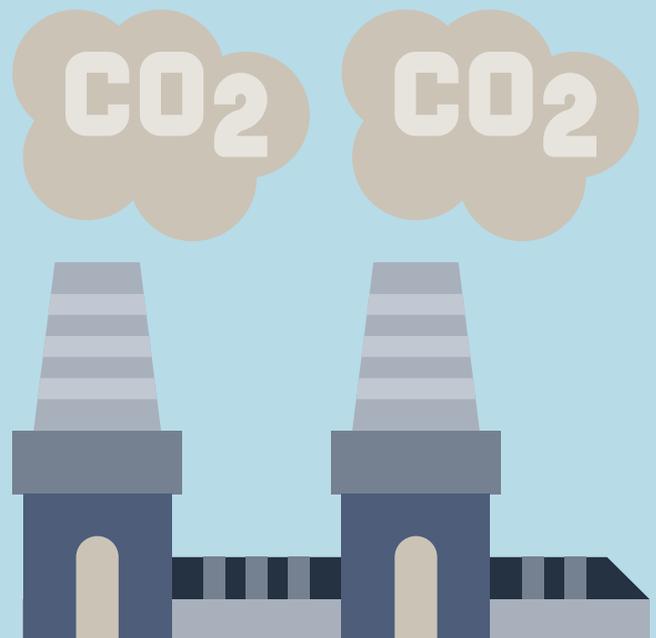
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Climate Change and Parliament



Table of Contents

- Climate Change and Parliament
- Engagement and interaction on climate change issues in Parliament
- Parliamentary Committees and Scrutiny
- Legislation
- The Public
- Scaling up Parliamentary action and recommendations



Climate Change and Parliament

Climate change is one of the most serious threats facing the world. It poses physical risks to people, infrastructure, the environment and the production of critical goods. Legislatures and Parliamentarians have a crucial role in addressing this challenge.

Parliaments and parliamentarians can elevate the importance of climate change through debates, developing and strengthening laws, allocating budgets and resources to specific programmes, and holding the government to account for its actions and performance in relation to domestic programmes, laws and international commitments. Additionally, parliamentarians bridge the gap between constituents, governments and decisions made at the global level (IPU, 2016).

“Since climate change is a rising existential threat to our country, Parliament is therefore obligated to ensure that it takes all necessary measures to institutionally capacitate itself to ensure our country and our constitutional order will endure”. – African Climate Alliance

In this short review, we examine the actions and effectiveness of the South African Parliament in achieving outcomes in relation to the climate change agenda. We also highlight the observations, comments and recommendations of key stakeholders.

Read their full interview responses

[The African Climate Alliance](#)

[Centre for Environmental Rights](#)

[Environmental Monitoring Group](#)

[Hon Cedrick Frolick \(ANC\) – NA House Chairperson: Committees, Oversight and ICT](#)

Engagement and interaction on climate change issues in Parliament

Civil society believes that there is not enough engagement on the subject and that there is room for improvement. They highlight that climate change has not received the appropriate recognition as being the highly impactful and cross-cutting issue that it is. In their analysis, they indicate that the quality of debate in the legislature is sometimes limited and needs improvement, particularly in relation to understanding how any effective response must be mainstreamed across all policies and departments.

“Climate change will have an impact on every single aspect of our lives, from access to water, to gender, health, education, migration... everything. If every department does not understand this, understand the implications and plan for challenges the solutions will not be effective”. – African Climate Alliance

“Our engagements tend to have to include climate change fundamentals, as the understanding of the issues remains rudimentary. This uses up valuable time and limits exploration of the deeper issues. The material we present does seem to be responded to with the necessary concern in cases, but the fact that climate harming choices (such as continued fossil fuel extraction and combustion) continue to be debated and made, suggests that the response is not adequate”. – Centre for Environmental Rights

Parliament says that the institution is doing well in focusing on climate change issues. Amongst others, it points out, that the relevant committees conducted public hearings on both the Green and White Paper on Climate Change and Parliament held public hearings in provinces, soliciting public views on South Africa’s negotiating mandate at the 21st Conference of the Parties (COP21) to the United Nations Framework Convention on Climate Change (UNFCCC) in Paris. Climate change is also discussed under several other topics in Parliament, such as water and food security issue, inter alia.

“The quality of these debates is actually enhanced by the depth of climate change science, as those South Africans who present climate change data/information at our parliamentary forums are some of the best in their fields, and are members of Intergovernmental Panel on Climate Change (IPCC) Working Groups, providing such useful inputs to the reports of the IPCC on behalf of our country. What perhaps tends to be missing is the proper understanding that climate change is a broader sustainable development issue, not narrowly an environmental matter. This is not only among some of our members in Parliament, but a broader reflection of society”. – Hon Cedrick Frolick (ANC) – NA House Chairperson: Committees, Oversight and ICT

Parliamentary Committees and Scrutiny

The Portfolio Committee on Forestry, Fisheries and the Environment (and its counterpart in the National Council of Provinces) is responsible for holding the Department and its entities (the iSimangaliso Wetland Park Authority, South African National Parks [SANParks], South African National Biodiversity Institute [SANBI] and the South African Weather Service [SAWS]) as well as other relevant organs of State, insofar as environmental sustainability is concerned, accountable. Further, its mandate includes passing legislation, monitoring and evaluation of the implementation of legislation and programmes that affect the environment; and influencing, lobbying, mobilising, monitoring and ensuring that appropriate budgets are allocated for the implementation of legislation, policies and programmes that seek to promote and ensure environmental sustainability. Parliamentary scrutiny and monitoring of the implementation process of existing climate change-related instruments, are ongoing.

The key issue is whether the legislature is using the full range of parliamentary procedures and tools available, including maximizing the effectiveness of Committees, to ensure the government is fulfilling its obligations.

An example of this is the use of Written Questions to get information about the government's climate mitigation and adaptation plans: ([Hon Yako, Y NW1360](#)).

Notwithstanding the role of portfolio committees, the Environmental Monitoring Group highlights that they are not conducive to learning and sharing and suggested more informal indabas that feed into the more formal processes.

To its credit, Parliament has arranged multiple roundtable discussion sessions to explore the impact of climate change on various sectors of society and measures adopted by the country to respond to the climate emergency. Further, these sessions explore the contribution of Parliament, as the elected representative of the people, to the climate change response ([RSA parliament, 2022](#)).

In a departure from recent years, the Portfolio Committee made observations in its recent Budgetary Review and Recommendations Report on climate change:

- The Committee noted the slow progress on the auditing of municipal infrastructure resilience and readiness for climate change disasters.
- On the issue of "Just Transition" and industrialisation, the Committee noted that there are five Climate Sector Adaptation Plans have been developed to reduce vulnerability to risks associated with climate change even though there is no evidence on the extent of implementation and associated impacts on emission reduction, economic contributions, and industrialisation and localisation.
- The Committee noted with concern what appeared to be the Department dumping more climate change mitigation and adaptation responsibilities on under-resourced municipalities without financial and human resource support to aid implementation ([PC Envirobrrrr, 2022](#)).

In June 2022, Parliament announced the establishment of a Steering Committee.

"The Climate Change Steering Committee aims to bring together all parliamentary committees who's law-making and oversight responsibilities affect our climate under the same roof to discuss climate change and related matters. Furthermore, we wouldn't like climate change to be seen narrowly as an issue for a 'specialised' parliamentary committee because it is not. That's why we are not interested in establishing such a permanent climate change committee in Parliament now". - Hon Cedrick Frolick (ANC) – NA House Chairperson: Committees, Oversight and ICT

Civil society has welcomed the initiative:

“Potentially a powerful and necessary oversight body to ensure the necessary mainstreaming and prioritisation. Must also be science led and understand all considerations deeply”. – Centre for Environmental Rights

Committees can also create awareness. In 2022, a clean-up initiative to raise awareness about the negative impact of single-use plastics on the environment in South Africa was led by the Chairperson of the committee accompanied a delegation of Members of Parliament from the National Assembly to Hazendal in Cape Town.

Legislation

South Africa has a number of laws relating to the protection and management of the environment. However, the formulation and finalisation of a National Climate Change Law is necessary to give effect to existing climate change policy frameworks in government.

The Climate Change Bill was introduced in Parliament in February 2022. The Bill acknowledges the urgent threat that climate change presents and emphasizes the need for an effective, progressive, and incremental response.

The Bill aims to provide for a coordinated and integrated response to climate change, provide for the effective management of climate change impacts, make a fair contribution to the global effort to stabilize greenhouse gas concentrations, ensure a just transition towards a low carbon economy and society, give effect to South Africa's international commitments and obligations in relation to climate change, and protect and preserve the planet for the benefit of present and future generations of humankind.

The Bill is undergoing extensive public consultation and generated wide interest, with approximately 13 200 written submissions received by Parliament.

Civil society has urged Parliament to fast track the bill and address the shortcomings in the proposed law.

“It is now over four years since a first draft Climate Change Bill was published for comment, and almost eleven years since the adoption of the Climate Change Response White Paper. In the meantime, the urgency for decisive action has escalated and continues to do so. Processes to adopt bills have been too slow and creates the impression that the bill is not taken seriously”. – Environmental Monitoring Group

“Provisions around penalties, targets, transparency among others must be strengthened”. – Centre for Environmental Rights

Further, Parliament has been advised to support the inclusion of robust accountability measures and transparency into national climate change legislation. The Joint Ad-Hoc Committee on Flood Disaster and Relief recommended that the Portfolio Committee on Forestry, Fisheries and the Environment must utilise the flood disaster in all three provinces and the subsequent response, as a case study when considering the Climate Change Bill.

Track the Climate Change Bill [here](#)

The Public

The HSRC Climate Change Awareness Survey reported that SA had very poor levels of climate awareness when one was looking for voluntary behavioural change. Only nine percent saw climate change as a top national concern and 16% believed that the climate was not changing while 28% believed that the climate was changing but not because of human processes. In total 44% of South Africans were climate change denialists. There is a unique role for lawmakers to play in building public awareness. Legislators have an important role to play in changing the way how local communities see and respond to climate change. For unless a critical number of constituents are reached and awakened to the need for climate action, climate change would remain fundamentally a government problem, rather than every citizen's.

Scaling up Parliamentary action and recommendations

The observations and recommendations of the [South African Parliamentary delegation COP22](#) is worth highlighting:

Costing and financing of domestic climate law: legislative Acts and policy initiatives most often produce costs and benefits for society as a whole, and hence the need to have a sound analysis of new legislative Acts and measures to determine whether benefits typically coincide with the reasons why they were formulated. It is therefore imperative that Parliament should ensure that the cost of a climate change law is estimated and budgeted for, to ensure effective implementation. It must ensure that targets contained in the law are worked into deliverable programmes for government departments with precise targets to ensure effective oversight of government departments and entities in terms of budget for those programmes, timeframes, and obvious results on the ground. Relevant parliamentary committees need to be scientific in their thinking and work, precise and deliberate in deepening the culture of accountability and transparency in the nation.

Need for a coordinated approach to climate change oversight: the crosscutting impact of climate change requires mainstreaming of climate change across a range of sectors and departments, which in turn requires considerable coordination to ensure effective oversight of climate change implementation. There is a need to do things in an unorthodox manner, for example, the parliamentary Portfolio Committee on Environmental Affairs monitors the Department, but it should also consider monitoring the relevant budget lines and climate activities housed in other departments. It is in this respect that we appreciate this kind of parliamentary engagement that is aimed at getting all parliamentary committees whose law-making and oversight responsibilities affect our climate together under the same roof to discuss climate change and related matters.

We thank the African Climate Alliance, Centre for Environmental Rights, Environmental Monitoring Group and Hon Cedrick Frolick (ANC) – NA House Chairperson: Committees, Oversight and ICT for their responses to our questionnaire.

