



01 November 2022

Hon CT Frolick's response to PMG's Questions on the Role of the South African Parliament in Climate Change

1) As you gear up to attend COP27 Summit 2022 in Egypt, how would you contextualize South Africa's global position on climate change?

South Africa's negotiating position at COP27 in Egypt is very clear on what we need to be achieved. In fact, it is what we have been saying all along that developed countries must honour their climate funding promises, as articulated by the Minister of Forestry, Fisheries and Environment, Hon Creecy during her national stakeholder consultation on South Africa's position for the climate change negotiations at COP27 on Monday, 24th October 2022. We would, for instance, like to know when the 100-billion target would be met, as the matter of honouring pledges is a fundamental issue of trust and rebuilding trust between developed and developing countries. We are saying that this climate financing must be quantifiable and predictable and should not increase the indebtedness of developing countries, especially those of us on the African Continent who collectively account for about *four* per cent of the total global emissions of greenhouse gases, yet we stand to bear the full brunt of the impact of the warming climate.

It is in this regard that South Africa would use COP27 as a platform to call for a greater support for just transitions in Africa as a whole, beginning with energy transitions. For us, a key outcome for COP27 at Sharm el-Sheikh should be the establishment of a *Just Energy Transition Financing Framework* that is people-centred. This is important for us as a country, seeing the havoc of climate-related floods in KwaZulu-Natal. South Africa would also fight for funds for "loss and damage" at COP27 - we see the Conference as an opportunity to finalise agreements on the governance of *loss and damage* under the Convention. You would also recall that South Africa had called for increased funding for

adaptation under the Global Goal on adaptation. This goal caters for adjustment to current and projected impacts of climate change and includes measures such as flood and drought management; water and energy conservation and resilient infrastructure for changing weather conditions.

Since COP27 is taking place on the African Continent, in the Arab Republic of Egypt, it presents a unique opportunity to advance African priority issues such as: raise ambitions on mitigation, adaptation and support to developing countries; advance financing arrangements for *loss and damage*; build on progress made at Glasgow (COP26) on the importance of Just Transitions; and advance discussions on the special needs and circumstance of Africa.

I would like to reiterate that although our legislators are part of the South African delegation, we do not actively participate in climate change negotiations. It is the colleagues in the executive that do the negotiations, although we also amplify our country's negotiating position in our different parliamentary forums, such as the GLOBE International and Inter-Parliamentary Union (IPU), which organise events on the occasion of the Conference of the Parties (COP) meetings. These events, especially the IPU produce excellent consensus-based "*Outcome Documents*" on climate change, which is often transmitted to COP presidents with the aim of providing impetus to ongoing negotiations under their auspices. These parliamentary forums provide legislators unique capacity building opportunities, as senior legislators and world-renowned climate scientists and/or economists present their work at these events. We also hold bilateral engagements with other parliaments (e.g., The European Parliament) where we discuss matters of common interest and share experiences. For example, we would like to pick on the experiences of parliaments out there that have successfully processed their climate change legislation, while we have just stated with our *Climate Change Bill*. Finally, there are several side events that legislators attend, which are of direct interest for their work in committees here in Parliament.

**2) Is there enough engagement and interaction on climate change issues?
(excluding the current climate change bill)**

Climate change manifests in South Africa through increased incidents of natural disasters, especially droughts, floods and veldfires. The most recent natural disaster is the floods that wreaked havoc in KwaZulu-Natal, resulting in loss of hundreds of human lives and property as well as public infrastructure. Parliament has established an *Ad Hoc Joint Committee on Flood Disaster Relief & Recovery*. This Committee was constituted with the understanding that climate change was responsible for those destructive

floods, the affected communities on the ground knew it as climate change, and Parliament debated the KwaZulu-Natal floods as a consequence of climate change. In 2018, Cape Town's 'Day Zero' became the focus for South Africa's climate-induced water crisis. You would also recall the fires that raged in the Knysna and Plettenberg Bay area, which claimed the lives of *seven* people, devastated 16,000 hectares of plantations, fynbos, and urban areas, and caused billions of rands of damage to infrastructure and property. We attributed those fires and many others to the warming climate. Besides these natural disasters, Parliament through the then Portfolio Committee on Environmental Affairs conducted public hearings on both the Green and White Paper on Climate Change in the lead to COP17 in Durban in 2011. Subsequently, 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*. We therefore believe our Parliament is doing well in focusing on climate change issues.

3) What are your thoughts on the quality of debates, discussions, input, and evidence in Parliament relating to this topic? What tends to be missing in the conversation?

I believe climate change debates (discussions, inputs and evidence being presented in Parliament) are sound, based on our experience of interacting with other regional parliaments on the continent as well as those in Europe, South and North Americas and South-East Asia, among others. 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.

4) Do MPs and committees have good access to information on the topic and are they open to external expert views?

Yes, of course. We have highly skilled Content Advisers who assist committees to understand climate manifestations and policy levers that legislators could use in their oversight functions to optimise and sharpen our national response to climate change

challenges. Content Advisers actually have a current, up-to-date data base for “*Who is Who*” on different aspects of climate science that are often invited on a short notice to present at committees. We also have a cohort of Researchers that assist committees to better engage with climate change issues and discussions. So, we have both internal and external capacity.

5) Have parliamentary committees and MPs done a good job to scrutinise, monitor existing legal instruments and influence the government? (what are current instruments and are these being adhered to) Elaborate. Examples

Parliamentary scrutiny and monitoring of the implementation process of existing climate change-related instruments, are ongoing. South Africa currently uses a plethora of interventions, consisting of policies, strategies, programmes and an assortment of legislation for managing the threats of climate change. These various instruments sit in various national government departments whose activities either involve or affect climate change management. A variety of fiscal instruments is administered by the National Treasury; the Department of Energy has a significant number of tools that it administers, as the issue of climate change mitigation and adaptation is fundamentally an energy problem, considering the fact that coal accounts for three-quarters of primary energy supply and for more than 80 per cent of electricity generation in the country; the Department of Transport also administers climate change-related policies; and the Department of Agriculture, Land Reform and Rural Development addresses climate mitigation through conservation agriculture, including methane emission reduction from livestock, *inter alia*. It is thus impossible for me to conduct an inventory of all policy interventions that Parliament oversees on climate change and to report on compliance with these tools, on such a short notice.

6) How can parliamentary action contribute to the improvement of national climate resilience?

Parliament contributes to enhance national climate resilience through law-making and oversight. For example, South Africa’s Climate Change Bill is currently before Parliament. This offers a unique opportunity for legislators to interrogate certain assumptions or proposals in the Bill with the aim of providing alternatives, in the spirit of an *Activist Parliament*. The era of only asking executive colleagues questions and satisfying ourselves that we have done our work is over. We must scrutinise every policy proposal and provide workable alternatives based on best practices elsewhere. The work of the *Ad Hoc Joint Committee on Flood Disaster Relief & Recovery* once completed, will assist

Parliament in this regard, as we would have gotten a better feel of the climate change challenge we are dealing with.

7) What can MPs and Parliament do to influence and inform their constituents - of climate change opportunities and challenges

If you read the reports of previous international parliamentary delegations to COP, you would realise that we have stressed this point. Legislators have a crucial role to play in shaping people's perception of climate change and in building the political will needed to tackle it. They can help inform people by supporting public information campaigns and by reporting on the issue through personal statements and communications. Legislators can also encourage their respective committees to share findings and reports with the public, and push for greater openness and direct consultation with citizens and key stakeholders. Strong and consistent communication on climate change is indeed crucial for citizens to see and accept the need for urgent action. 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. We have been saying that legislators should talk about climate change in their constituencies and distribute fliers/pamphlets on climate change in locally relevant languages. This is ongoing work.

8) What is the aim of the new Climate Change Steering Committee that was announced earlier this year? When will it start its work? Should there not be a permanent committee climate change?

We have always stressed the need for a coordinated approach to climate change oversight due to the crosscutting impact of climate change, which 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 Environment, Forestry and Fisheries (PCEFF) monitors the Department of Forestry, Fisheries and Environment (DFFE), which is the Department responsible for climate change, but there is also a need to monitor the relevant budget lines and climate activities housed in other national government departments. It is in this respect that the *Climate Change Steering Committee* comes to bring together all parliamentary committees whose 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.

9) Climate change is a thread that weaves across much parliamentary business and due to its cross-cutting nature has an impact on a number of Parliament's Committees. Does Parliament have the capacity to coordinate its monitoring and oversight over such a complex sector?

That is the thinking behind the establishment of the *Climate Change Steering Committee* that brings chairpersons of relevant committees together to report on climate change oversight and law-making activities taking place in their respective committees.

10) On the Climate Change bill: what are your thoughts on the process, and if and when the bill is likely to be passed.

Parliament is a law-making institution with a well-established tradition, in this regard. I have no doubt that the process will be fair and transparent, as mandated by our Constitution. However, I cannot at this stage predict exactly when the Bill will be passed by the National Assembly, as the relevant committee (i.e., PCEFF) received about 13,200 written submissions, some of which are for oral presentations, and then again we have the public hearings in provinces, sometimes in multiple places within a province and also in Parliament. Notwithstanding, climate change is a big issue in our country, and many people would like their voices to be heard.

11) The Act will likely provide for a number of reporting provisions, many of which are annual, within a statutory framework. Does Parliament have the capacity to process these and how is managing with existing statutory requirements?

Parliament does not only make laws, but also adheres to all statutory obligations that these laws might place on it. Parliament will oblige, if there are requirements for it to do certain things. Capacity cannot and has not been an issue in constraining Parliament from fulfilling its statutory duties and responsibilities. From experience, we often innovate and do things smarter when faced with challenges.

Thank You

Submitted on behalf of Hon CT Frolick, MP