

## **INTERNATIONAL DEVELOPMENT COMMITTEE INQUIRY ON CLIMATE CHANGE, DEVELOPMENT AND COP26**

Westminster Foundation for Democracy is the UK government's democracy support agency. WFD was established in 1992 as an Arm's Length Body of the (now) FCDO, has offices in 32 developing countries and, in total, donor-funded programmes in 40 countries. Our funding includes an annual grant-in-aid allocation from the FCDO<sup>1</sup>.

This evidence focuses on two elements of the Terms of Reference for this inquiry:

- The extent to which the Government's work to date on climate change and development has taken the sustainable development goals and the needs of low-to-middle income countries and vulnerable groups into account;
- The potential of COP26 to address these remaining challenges effectively and the steps the Government needs to take if COP26 is to succeed in tackling them.

### **1. Extent to which the Government's work to date on climate change and development has taken the sustainable development goals and the needs of low-to-middle income countries and vulnerable groups into account**

WFD welcomes the conclusion of the predecessor Committee's report *UK aid for combating climate change*, agreed by the Government, that in order to ensure coherence on climate change, all UK aid spending, regardless of which department or fund administers it, should be screened to ensure it is pursuing low carbon, climate resilient sustainable development. This would ensure that climate change is at the heart of government policy, alongside the commitment in the Government's Green Finance Strategy to align all UK ODA (Official Development Assistance) with the Paris Agreement.

However, WFD is of the opinion that this effort would be significantly bolstered by paying additional attention to the **democratic governance challenges** of ODA-eligible countries, which hinder the effectiveness of environmental diplomacy, international climate finance (ICF) and ODA.

Sustainable development goal (SDG) 16 acknowledged that '*conflict, insecurity, weak institutions, and limited access to justice remain a great threat to sustainable development*'. Strong environmental governance and rule of law is crucial to supporting sustainable development and inclusive democratic governance more broadly.

There is ample evidence of the extent to which most national political systems have failed to address adequately climate and other environmental crises; this

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<sup>1</sup> WFD is an arms-length body of the FCDO but has operational independence – [www.wfd.org](http://www.wfd.org). This evidence has not been discussed with the FCDO.

applies to autocracies as well as many democracies. The United Nations Environment Programme (UNEP)'s first Environmental Rule of Law report of 2019 found weak enforcement to be a global trend that is exacerbating environmental threats, despite prolific growth in environmental laws and agencies worldwide over the last four decades. Accordingly, the latest scientific stocktakes on the pace of climate change and the decline of ecosystems and biodiversity, reveal a disastrous picture of missed deadlines and targets, with dire implications for sustainable development.

In the meantime, democracy is in crisis: Freedom House talks of 2020 as "*the 15th consecutive year of decline in global freedom*". Environmental degradation and catastrophic climate change now rank among the main concerns of informed citizens all over the world and contribute to fuel their disaffection towards governments unable or unwilling to manage the environmental crisis. This governance failure has given rise to claims of democracy's inherent inferiority and inability to respond to the needs of people – particularly in solving complex, long term challenges requiring unpopular reforms to solve problems that have yet to fully emerge. Some environmentalists have even suggested that democracy should be put "on hold" until the climate crisis is solved.<sup>2</sup>

However, while there is certainly significant variation in the environmental policies of democratic countries, there is growing evidence that democracies significantly outperform autocracies on the environment.<sup>3</sup> The record of transitioning democracies, however, is less positive than that of more consolidated democracies – this applies not only to environmental and climate action but also conflict, human rights, and economic growth. This points to the practical value of supporting both democracy assistance and climate and environmental support simultaneously; progress on one issue can reinforce progress on the other.

It is also important to note that huge and rapid changes will be required across all levels of society, politics and businesses to avoid the most devastating effects of climate change. A business-as-usual approach to climate and development assistance is not going to deliver a shift of the scale required to avoid a catastrophic climate scenario. However, these types of changes can only happen under two conditions: harsh repression or widespread consent. To achieve this transformation consensually, stable, effective, responsive, accountable and trusted democratic institutions will be required, and this needs politicians with the requisite political incentives to act, driven by an informed and engaged populace.

While heads of state and the executive branch are both critical to driving environmental action, the effectiveness of the Paris Agreement hinges on the capacity of legislatures to drive the implementation of the Nationally Determined

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<sup>2</sup> <https://www.theguardian.com/science/2010/mar/29/james-lovelock-climate-change>

<sup>3</sup> <https://foreignpolicy.com/2016/06/01/democracy-is-the-answer-to-climate-change/>;  
<https://core.ac.uk/download/pdf/29237289.pdf#:~:text=Some%20scientists%20%E2%81%BD%20that%20democracy%20has%20a%20positive,right.%20Our%20quantitative%20analysis%20has%20three%20important%20outcomes>; <https://www.e-ir.info/2019/06/24/improving-democracy-for-the-future-why-democracy-can-handle-climate-change/>

Contributions (NDCs), to provide domestic monitoring, reporting and verification (MRV) on delivery, and on their acting as the guardians of the principle of additionality of future climate pledges, the 'ratchet mechanism' for accelerated climate action.

However, in WFD's experience very few parliaments in ODA-eligible countries have the institutional capacity or the political strength to exert their statutory powers of law-making, oversight and budgeting to ensure the delivery of their NDCs. With very few exceptions, they were not involved in the formulation of the updated NDCs due by December 2020. Similarly, although they are the institutions representing the people, they are not involved in the implementation of national work plans under Article 12 of the Paris Agreement regarding action for climate empowerment (ACE), which will be increasingly necessary to strengthen the legitimacy and political feasibility of disruptive climate policies.

More broadly, parliaments in ODA-eligible countries are unable to exert democratic scrutiny of ICF or ODA, as resources do not become part of the national budget (unless if designed as budget support), and they also lack the capacity to evaluate the effectiveness of the ICF and ODA received.

This overall lack of capacity greatly hinders their ability to drive climate action on the ground in the decisive way that the UK Parliament does, and the effectiveness of climate and wider aid spending. The Green Climate Fund (GFC) has recognised this gap in their readiness portfolio, as well as the potential of supporting legislative action to anchor climate ambition and environmental and social safeguards of climate action and identified this as an area where readiness support could be transformational. WFD's own experience working with the Parliaments of Indonesia, Georgia, Kenya, DRC and Pakistan have shown that dividends can be remarkably quick in building capacity, as the latent interest of many MPs on environmental issues can turn into action with limited but well targeted assistance.

Meanwhile, civil society organisations (CSOs) dedicated to climate advocacy and representing climate vulnerable groups in ODA-eligible countries are generally weak and operate in a challenging civic space. The number of environmental activists assassinated every year is on the rise. Also, in Africa and Asia CSOs do not benefit from the protection provided by regional environmental democracy agreements like the Aarhus Convention in Europe and the Escazu Agreement in Latin America and the Caribbean. This hinders their capacity as leaders of coalitions for change.

WFD is of the opinion that a holistic approach to climate change and development finance, addressing the root causes of these governance failures, is needed, and recommends an environmental democracy approach<sup>4</sup> to future spending on climate and development finance. The relevance of this approach is underlined by the urgency to accelerate climate action on the ground in ODA countries, which, in democratic regimes, only the existing democratic institutions of government can drive.

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<sup>4</sup> <https://www.wfd.org/approach/environmental-democracy/>

### *An Environmental Democracy Approach to Climate and Development*

Given that the climate crisis is, ultimately, a governance failure, there are strong linkages between action to address the climate crisis and action to strengthen democratic practice. Mainstreaming environmental democracy objectives into climate finance and Paris-aligned ODA would in turn strengthen the alignment of UK aid spending with the vision of the UK leading the world as a force for good. By making democracy deliver in ODA countries, such an approach would drive the attainment of the UK strategic objectives related to the strengthening of democracy around the world articulated in the Integrated Review of Security, Development, Defence and Foreign Policy.

Intervening at the nexus of climate action and the democratic process in a systematic way requires working with four key democratic institutions – parliaments, political parties, civil society, and electoral bodies – with a distinct focus on supporting those institutions that hold the government to account through horizontal (parliaments and independent bodies), vertical (citizens), and mixed (political parties and electoral bodies) mechanisms operating at sub-national and national levels.

WFD believes that there is a need to rethink investment in climate capacity building, which is often absorbed by international consultancies providing advisory services to the governments of ODA countries, and include the strengthening of national parliamentary capacity in particular, which would result in cost-effective and transformative outcomes, in terms of: climate-consistent budgeting and law-making, including the passing of all necessary legislation to deliver NDC objectives; oversight of climate policy enforcement, including the post-legislative scrutiny of climate legislation; and the building of the additional political space indispensable for the advancement of ambitious climate action through innovative engagement with the people. These outcomes are indispensable for the delivery of accelerated climate action in a democracy.

WFD is aware of the interest of parliamentarians from a number of ODA countries to advance deliberative democracy exercises like the UK Citizens' Assembly on climate to understand societal preferences on low-carbon development options, and to implement other innovative approaches to Action for Climate Empowerment (ACE) under Article 12 of the Paris Agreement to make possible more democratic and politically viable ambition towards a net-zero target.

In most ODA countries CSOs active on climate focus their lobbying efforts on the government. However, stronger, better-informed parliaments could establish productive synergies with climate CSOs that benefit from ICF and climate-aligned ODA, providing them with a critical, yet often under-utilised entry point for policy impact and thus multiplying the impact of CSO funding.

Finally, many political parties around the world have an underwhelming record of addressing environmental issues in their policies, manifestos, and campaign messages, and once in power rarely deliver substantive change. It is necessary to enhance their knowledge of environmental issues, help them develop and deliver more progressive environmental policies, build coalitions with climate CSOs to improve their evidence base for policy development, and encourage them to place environmental issues higher up in their campaign priorities.

### *Towards a Holistic UK Environmental Democracy Strategy on Climate and Development*

While not the policy lead in Whitehall, the FCDO's ability to galvanise climate action at national, regional and international levels in coordination with BEIS and Defra is indispensable to the UK's climate, peace and security, and development objectives in ODA-eligible countries. We see the FCDO's environmental diplomacy strategy as having entry points at three levels: national, regional, and international.

At national level, the FCDO can do two things. First, the FCDO should deploy their network's well-established capacity to supply analysis of the local political context and tactics to secure commitments to specific processes – e.g. a decision-making conference on implementation of previous commitments. This work is usually focused on a relatively short period of time in the form of a campaign directed at a single outcome.

The second contribution is more programmatic and long-term, namely addressing the domestic political conditions that will support meaningful national commitments to climate objectives. Many of today's environmental concerns are, at their core, political issues, and failures of governance. For the FCDO, a long-term approach could look partly at supporting citizen movements that address environment policy and partly at the political mechanisms for amplifying their impact on policymaking. The political mechanisms can include policy positions of political parties, scrutiny and debate by parliaments, legal enforcement, constructive research, and journalism to draw out the national policy trade-offs. Countries would still need to make their own political judgements but FCDO programmes could share relevant UK and international knowledge and build relationships with UK counterparts.

At regional level, there is scope for engaging with a range of organisations that can play a significant role in shifting political and policy norms. These include organisations which have had a primarily economic focus but have the capacity to address climate and environment policy as well, including ASEAN and the African regional organisations. These organisations could provide the institutional home of regional environmental democracy agreements which would help empower local climate CSOs.

At international level, the UK's expertise and capabilities within the multilateral climate process are well established. On climate policy issues, the UK's leadership can build on our extensive domestic experience and innovations, highlighting UK practices in climate governance, such as our Climate Change

Act, our legislating on the net-zero target by 2050 and the use of deliberative democracy interventions to guide climate policy and strengthen societal buy-in.

Across these three levels, we believe that the FCDO should coordinate the mainstreaming of an environmental democracy approach to IFC and ODA, with its three pillars of transparency, participation and access to justice, enshrined in Article 10 of the Rio Declaration on Environment and Development of 1992, which provided the conceptual framework for the Rio Conventions – including the UNFCCC:

- **Transparency** The right to freely access information on climate data. Openness and transparency are required to help citizens, civil society, media, businesses, the courts, and the international community understand what is happening in relation to climate change and how their governments are responding.
- **Participation** The right for citizens to participate meaningfully in climate decision-making. Citizens – particularly those most affected by climate change and environmental degradation – need to be able to voice their concerns and influence policymaking for the right decisions to be made, and for these choices to have legitimacy.
- **Justice** Access to justice to enforce climate laws as well as secure redress or compensation for wrongdoing. If enforcement of climate legislation and treaties is to have meaning, and people’s human rights are to be respected, then there must be effective mechanisms for challenging the action – or inaction – of governments in acting as climate stewards for current and future generations.

If applied effectively, the environmental democracy approach has the potential to generate the political will to implement the international climate commitments.

This environmental democracy approach would require FCDO, BEIS and Defra to:

- Adopt a set of principles and multi-annual frameworks for action aligned to the three pillars of environmental democracy, informed by its strong skills in political analysis, with the aim of bringing climate actors together in a coherent long-term effort to influence government decision-making on climate. This includes supporting institutions that hold the government accountable, strengthening civil society and climate coalitions, increasing awareness of environmental rights and climate justice, and encouraging the free flow of accurate, updated climate information.
- Put in place grant and contracting arrangements allowing environmental democracy grants to be awarded; at this stage, most funding is stove-piped into either open societies/governance grants or environmental

funding frameworks, leaving few opportunities to implement programmes that cross over both themes.

## **2. The potential of COP26 to address these remaining challenges effectively and the steps the Government needs to take if COP26 is to succeed in tackling them**

COP26 provides a major opportunity to embed the environmental democracy approach in climate governance at global and national level, in that the COP is expected to adopt a new multi-annual Work Programme on Action for Climate Empowerment (ACE), the 'Glasgow Work Plan', after the lapse of the Doha Work Plan for ACE 2012-2020. The COP26 UK Presidency ought to broker a high-ambition agreement on ACE and prepare a strategy to this end.

The over-arching goal of ACE as a voluntary workstream under the UNFCCC is to empower all members of society to engage in climate action, through six focus areas: education, training, public awareness, public participation, public access to information, and international cooperation on these issues. Therefore, its scope encompasses two of the three pillars of environmental democracy, namely access to environmental information and access to decision-making.

Climate empowerment, engagement and enhancing capacity are mutually reinforcing, and are a requirement for stepping up climate ambition. Also, empowering stakeholders, including democratic institutions, will enable actions that would not be possible if left only to governments to take forward mitigation and adaptation ambitions.

Evidence from UNFCCC's review of the implementation of the Doha Work Programme since 2012 indicates that Doha lacked sufficient ambition and commitment from the Parties, that it is not being implemented strategically by Parties to formulate nor deliver NDC commitments. It also appears that this climate empowerment agenda is practically unknown among national decision-makers, which means that it is not being exploited to create the much-needed political space to advance ever accelerating climate ambition required under the "ratchet mechanism" of the Paris Agreement.

The Glasgow Work Plan needs to address the challenges that have prevented ACE from being fully implemented in many countries, so that it is placed strategically at the heart of national action plans on climate and integrated across the Convention and as a delivery mechanism of the Paris Agreement.

Funding and practical implementation also remain critical challenges for ACE as an active process, instead of a set of unevenly implemented principles.

International donors should provide resources that directly support the implementation of ACE and other related protocols such as Aarhus and Escazu, capture and drive the mainstreaming of ACE components across their environmental, education, and climate programming, so that these contribute to the delivery of national ACE work programmes, and encourage the development of additional regional agreements on environmental democracy.

### **Conclusion**

Efforts to address the UK's climate and development objectives would be strengthened by addressing the underlying political debates at country level, supplemented by engagement at regional and international levels. An environmental democracy approach would provide an internationally accepted framework for this engagement.