

19 July 2018

James Shaw MP
Climate Change Minister
Ministry for the Environment
PO Box 10362
Wellington, 6143

Tēnā koe te Minita,

Congratulations on your work towards a Zero Carbon Bill for Aotearoa New Zealand. It is unfortunate however that the proposals contained in the Discussion Document are not up to the job of tackling climate change.

This seems like an obvious point to make, but from much of the communication surrounding the Bill one would be forgiven for conflating net-zero with zero emissions. It is not difficult to see the political advantage of such conflation; however it will not ultimately help you achieve your lifelong ambition of tackling climate change. The Bill you are proposing is not a Zero Carbon Bill, as its name suggests - it is a *Net-Zero* Carbon Bill. Zero and net-zero are a long way from being the same thing, therefore *all* future communications regarding the Bill should be absolutely clear about what net-zero actually means.

Adding “net” to the text of legislation titled in such a way that suggests you have a goal of “zero emissions” could prove to be a trap that actually delays real climate action. Notwithstanding the obvious political constraints you face, it appears from the Discussion Document that your goal is to reach net-zero by targeting comparatively simple emission reductions. By taking this approach, any remaining emissions could be balanced by sequestration, unproven negative emissions technologies, or much worse still carbon markets. Instead of requiring *real* emissions cuts, “net” counting could allow for business-as-usual greenhouse gas emissions in many areas, offset by massive-scale mitigation, perhaps through the land sector. As others have noted, this could lead to land grabs that target the most vulnerable. When the time comes to realise that net-zero was not the way to go, and that actual emission cuts are required in areas that were *hitherto* ignored because of the protection afforded to these areas by adding net to a goal of zero emissions, you will need strong public backing – not only to win an election but to win support for the types of drastic climate action that will be required. Put simply, framing net-zero as a victory for climate change is a mistake.

Another reason why you need to stop conflating net-zero with zero is because your use of language has the potential to influence policy discourse and frame climate change as something that can be tackled through a net target. What you are at risk of creating is a situation whereby this Government's commitment to tackling climate change is seen as being of an 'averaged' or 'flexible' nature. This is not a positive message to send and could actually undermine the certainty you claim a 2050 target will provide. It is often suggested that a long-term target of net-zero is a good way of telling business that it has to act to survive in a low carbon world. However, net-zero does imply there is a degree of flexibility in how to meet these targets; therefore the message to business is not nearly as strong as it needs to be. Questions surrounding what counts towards meeting an emissions target, what technologies are allowed to continue being in use, what parts of the economy are to be covered etc. are all deeply political. You do not want to end up in a situation where the debate is focused on how flexible 'net-zero' is (which will be dictated by the politics of the day), rather than how to make actual emission cuts now.

There is also a danger you will bring into being what Hajer (1993) refers to as a 'discourse coalition'. In the context of a Zero Carbon Bill, a 'discourse coalition' could be understood as a coalition made up of various interests that share a view of the world where net-zero – and the means for achieving it, including through emissions trading - is the most desirable course of action. This is already evident from the voices that have so far dominated the debate about the Zero Carbon Bill. My concern is that some of these interests privilege a certain way of looking at the world, which may hinder climate action. Moreover, you are currently at risk of shaping what is considered policy-relevant knowledge when it comes to tackling climate change. This may close off policy spaces where alternative approaches could emerge.

Climate Change Commission

The establishment of a Climate Change Commission is a positive step. However, to further develop the point above, you will need to bear in mind the dangers of establishing a 'discourse coalition' when appointing a climate change commission. In other words, do not trap yourself in a situation where the opportunity to shape climate change policy exists only insofar as actors are willing to accept the benefits of net-zero, or ways to achieve it. This will happen if, for example, you appoint someone with expertise in emissions trading over and above someone with expertise in why such markets do not work. Favouring politically palatable appointments will play a significant role in reconstituting what is considered acceptable evidence in climate change policymaking. You need to consider carefully how power can be exercised through the design, implementation and

interpretation of climate change policy and in turn its prioritisation of some interests over others. These points are important because the Commission will have a decisive role in setting the overall terms of the policy debate around climate change. Depending on what the Commission recommends, groups of smaller organisations are likely to emerge that reproduce the dominant discourse. As a result a powerful set of beliefs and values consistent with net-zero will embed itself and dismiss alternative knowledge claims as minority views on the fringes of the debate.

On another note, and similar to the UK, the Climate Change Commission must be required to report on the implications of its recommendations for fuel poverty.

Government's Role

Your proposal for the Bill includes a requirement that the government of the day respond to the reports of the Climate Change Commission. This requirement needs to be strengthened to align more closely with legislation in the UK and Sweden. Every year the government should be mandated to present a progress report to parliament, and every four years it must make a new set of policies that deliver ever-greater emission cuts.

In closing, I would like to make a few broad points:

- The introduction of a legally binding emissions reduction target is welcome
- The target should include all greenhouse gases
- Emission reductions from overseas should not be permitted – not least because of the risk of land grabs associated with the points made above
- Adaptation must be a core part of the Bill. You will also need to take steps to ensure the poorest are not hit by the inevitable rise in insurance premiums as the impacts of climate change continue to hit
- Alongside the Bill you should publish legislation that will allow for community renewable energy projects. Legislation should also be introduced enshrining in law a target to eliminate fuel poverty by 2025. Both pieces of legislation would complement a Zero Carbon Bill

Nāku noa,

Danny Stevens