



Stop Climate Chaos Scotland

How the Scottish Climate Change Act can make a difference in Copenhagen

The Scottish Climate Change Act is one of the first pieces of domestic climate change legislation to be passed in the world. Thanks to campaigners and many parliamentarians, it is also, to date, the most progressive climate change legislation in a number of key areas.

The 2020 target

The Act contains an interim target that commits Scotland to reducing its greenhouse gas emissions by **at least 42%** on 1990 levels by 2020. This target is not only the highest emissions reduction target proposed or legislated by any developed country, it is also in line with what the science calls for. Scotland is now committed to cutting its emissions deeply and quickly, exactly what is needed if we are to prevent dangerous climate change.

The Scottish Climate Change Act also commits Scotland to reducing its emissions by **80%** by 2050, equal to the 2050 target contained in the UK's Climate Change Act.

Annual targets

The Scottish Climate Change Act is built around a regime of legally-binding annual targets, which are set by ministers with reference to a number of specified criteria and the 2020 and 2050 targets. From 2020, the Act states that Scotland must reduce its emissions by **at least 3%** per year. Further, because the Act requires Ministers to set annual targets at levels which will deliver a 42% reduction by 2020, annual emissions reductions targets prior to 2020 will also have to be around 3% or higher.

Domestic effort target

The Act contains a domestic effort target that ensures **at least 80%** of each year's emissions reductions **are real reductions from sources in Scotland**. Only 20% of Scotland's emissions reductions can come from the use of international carbon credits each year. Although EU Emissions Trading Scheme credits are exempted from this limit, it demonstrates a vital principle that countries should, as far as possible, avoid buying their way out of their climate responsibilities.

The domestic effort target is also strongly supported by the UK's biggest generator of renewable energy, and Scotland's second largest company, Scottish and Southern Energy.

Reporting consumption-based emissions

While the legally-binding targets at the heart of the Act refer to emissions produced in Scotland, the Act also requires the Government to calculate and **report on emissions produced anywhere in the world that result from Scotland's consumption of goods and services**. This is a significant step forward in helping rich countries understand their responsibility for climate change. It demonstrates that justifying inaction by blaming countries such as China is untenable, as a huge portion of China's emissions result from the production of goods for developed country markets.

This measure will also make it harder to 'hide' emissions overseas by closing Scottish businesses and outsourcing their work, which would make little difference to Scotland's overall carbon footprint.

A 'fair and safe' emissions budget

The Act enshrines in law the principle that all annual emissions reductions targets should be set with a view to not exceeding the 'fair and safe' Scottish emissions budget, which is defined as **the amount that would prevent dangerous climate change**. This approach is necessary because it is

cumulative emissions, the build up of year on year emissions in the atmosphere, not emissions in any one target year that cause dangerous climate change.

Also, by requiring Scotland to reduce its emissions within a 'fair' budget, the Scottish Act recognises in law that rich nations like Scotland are bound by a moral duty to make deeper cuts than less wealthy countries, many of which are already suffering the worst effects of climate change despite doing the least to cause it.

Inclusion of international aviation and shipping emissions

Scotland's emissions reductions targets also include Scotland's share of emissions from international aviation and shipping. Although it has been announced that the UK plans to include such emissions in its accounts and targets, the Scottish Act is the first law to require their inclusion from the start. In addition, the Government will be required to take advice on, and then apply, appropriate multipliers to greenhouse gas emissions from aviation. This recognises in law that emissions at altitude have a more damaging impact than the same gases at ground level.

A sustainable approach

Scottish Ministers must act in a way that contributes to the achievement of **sustainable development** when delivering on their climate change commitments. This recognises that how we respond to climate change is also important. The duties will ensure that the best options are taken to deliver mitigation and adaptation, in ways that maintain natural environments and deliver fair social outcomes in Scotland and worldwide.

Delivery mechanisms

In addition to the legal framework issues outlined above, the Act also includes some radical measures which will deliver the required emissions cuts. For example, on **energy efficiency** of buildings, the Scottish Act sets a European precedent in giving Ministers powers to require building owners to carry out the recommendations contained in a building's energy performance certificate.

The Road to Copenhagen

Combined, these key requirements ensure that Scotland has a robust and progressive Climate Change Act that commits Scotland to doing its fair share to reducing global greenhouse gas emissions. While Scotland's overall contribution to global emissions may be small, the Act can have a positive impact on the UN climate change negotiations to agree the successor to the Kyoto Protocol, which culminate in Copenhagen later this year.

The Scottish Act demonstrates that a developed country, responsible for climate change, is willing to reduce its emissions in line with science and not bow to political expediency. Scotland's targets are also not contingent on the targets of other countries, like so many developed countries' targets are. The challenge is now for other developed countries to match Scotland's ambition so that we can break the deadlock that currently pervades the UN climate change negotiations.

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Stop Climate Chaos Scotland (SCCS) is a growing coalition of organisations campaigning on climate change. SCCS brings together environment, faith and development organisations, trade unions, community activists, and women's and students' groups.

Stop Climate Chaos Scotland is a charity, registered in Scotland, no SC039643

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