

Submission to the Review of the *Climate Change (State Action) Act 2008*

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Introduction

While in my professional life I am an academic who researches the global political economy of anthropogenic global warming and its implications for climate justice, I make this submission in my personal capacity as a member of the Tasmanian community, as a mother and grandmother, and as a human being who is extremely concerned about the rapidly unfolding global climate change crisis. I write this submission in the context of a world beset with 'extreme' weather events that are usually described in superlatives such as 'unprecedented', 'exceptional', and 'remarkable', with weather attribution scientists consistently reporting that anthropogenic global warming partially contributes to the 'extreme' nature of many of the droughts, hurricanes, heatwaves and rainfall events we have witnessed around the globe in recent years (refer to <https://www.worldweatherattribution.org/> for some of these analyses). Anthropogenic global warming caused by fossil fuel use, land use changes, and damaging agricultural practices (among other activities) presents a clear and present danger that must be addressed, not only for future generations but also for the current generations and the other life forms sharing our planet, and it is in this context that I respond to the questions framing the review.

Question 1: Do you support the proposed revised objects of the Act? If not, what other objects should be considered?

No, I do not support the proposed revised objects of the Act, which are far too vague and weak and will clearly fail to address the monumental challenges we currently face in drastically and rapidly reducing global greenhouse gas (GHG) emissions as the science tells us we must. While after every scientific report that is published it seems impossible that news about the damaging effects of anthropogenic global warming can get any worse, it usually does. Most recently, this bad news has culminated in the 8 October 2018 release of the Intergovernmental Panel on Climate Change (IPCC) *Special Report on Global Warming of 1.5°C* (SR15). The SR15 (IPCC 2018) states that, as a global community, we have until 2030 - which is only **twelve years** from now - to reduce GHG emissions by 45% below 2010 levels if we are to have a reasonable chance of limiting anthropogenic global warming to 1.5°C above pre-industrial levels.

Limiting the rise of the average global temperature to 1.5°C above pre-industrial levels is much less damaging and dangerous than the Paris Agreement's 'maximum' target of 2°C (*ibid.*). While global warming of 1.5°C will still cause much environmental damage (including ocean acidification, the loss of up to 90% of coral reefs, and unacceptable levels of species extinction) and will result in many human deaths, food insecurity, widespread suffering and misery, and a large number of climate refugees, these effects will be even more severe at 2°C warming (*ibid.*). Even the approximately 1°C of warming above pre-industrial

average global temperatures that has occurred to date is contributing to the severity of an increasing number of 'extreme' weather events that damage ecosystems and cause many untimely deaths and much human suffering and misery. Anthropogenic global warming is a problem that cannot wait: it is of the utmost urgency that we reduce global GHG emissions drastically and rapidly. It is thus imperative that scientists' warnings are taken seriously, and that policymakers at all levels (international, national, state, and local) focus on what they can do to contribute to global efforts to reduce GHG emissions by at least 45% of 2010 levels by 2030. To contribute significantly to the achievement of this target, the Tasmanian Government will need to adopt a very different set of objects, as discussed in detail in the *UTAS Climate Change Group Submission (2018)* to this review (which I co-authored) and as summarised here.

In contrast to the proposed revised objects, amended objects of the Act should establish:

- an ambitious overall GHG emissions reduction target that is distributed appropriately across all sectors;
- targets to drastically reduce fossil fuel use in all sectors;
- ambitious interim sectoral GHG emission reduction targets that are explicit, legally binding, and enforceable and that aim to reduce GHG emissions by at least 45% below 2010 levels by 2030;
- enforceable, meaningful and significant penalties for entities that fail to achieve their sectoral GHG emissions reduction targets;
- legislative requirements that all government departments prioritise mitigating global warming and adapting to the effects of climate change in all their decision-making;
- consultation mechanisms that enable and promote meaningful, regular community participation and actionable community-informed decision making regarding measures to mitigate and adapt to climate change; and
- an independent climate change authority to guide climate action over the crucial 12-year period that we have left to limit average global temperature increases to 1.5°C above pre-industrial levels.

Question 2: Do you support the proposed principles to guide decision making? Are there other principles that should be included? If so, why?

No, I do not support the proposed principles because they are too weak to guide action on reducing GHG emissions as drastically and as quickly as the science outlined in the SR15 (IPCC 2018) demands. The proposed principles are expressed in vague language that can easily accommodate interpretations that limit action on climate change, as discussed in more detail in the *UTAS Climate Change Group Submission (2018)*. Instead of rephrasing material from that document, in this submission I will discuss the importance of including two important principles that are absent from the proposed principles in the current review of the Act but are mentioned in the *Independent Review of the Climate Change (State Action) Act 2008* (Jacobs et al., 2016): the precautionary principle and the principle of intergenerational equity.

The Precautionary Principle

In broad outline, the precautionary principle refers to the idea that ‘the absence of complete information should not preclude precautionary action to mitigate the risk of significant harm to the environment’ (OECD 1991). The absence of this principle in the proposed new Act is perplexing given the severity of the climate change crisis we face as a result of anthropogenic global warming, and I strongly recommend that the proposed principles be amended to include it. The inadequacies of the proposed new principles is illustrated by the fourth principle under review, which stipulates that policymakers merely ‘assess’ the potential climate change risks of decisions, policies, programs, or processes they are considering. As noted in the *UTAS Climate Change Group Submission (2018)*, a requirement to merely assess (and not also act on) risks regarding climate change is inadequate because it can be (and has been) used to justify delaying decisive action. When it comes to whether or not policymakers should risk rendering the planet uninhabitable, it is patently clear that the precautionary principle should be adopted if they have any sense of responsibility for those suffering the devastating effects of climate change now and the even greater challenges that today’s children and young people will face as they grow up, not to mention the horrors that future generations will likely have to deal with. This ties in with the second omitted principle that greatly concerns me: intergenerational equity.

The Principle of Intergenerational Equity

Because of the time lag between GHG emissions and the resultant rise in global temperatures, future generations will have to pay the price for current failures to limit these emissions. As Davidson (2015, p. 401) puts it: ‘In making decisions about climate change mitigation, the moral question we face is therefore what value should be given to the costs of climate change experienced by future generations.’ While economists generally count these costs in monetary terms, applying what are referred to as ‘discount rates’ in complex calculations that are frequently used to justify limiting present action to address climate change (as illustrated in Davidson 2015), this sort of clinical book-keeping that limits the relevant variables to monetary values is highly problematic from an ethical point of view. In my view, the potentially catastrophic risks of climate change should not be reduced to a balance sheet of costs and benefits as measured in monetary terms. One of the reasons I focus my research efforts on climate change mitigation is because I do not want to stand idly by as the planet is rendered even more hazardous for my children and grandchildren, and perhaps uninhabitable for future generations. At this late stage, intergenerational equity requires us to do what we can to limit the damage our socio-economic systems have already caused and to do everything we possibly can to prevent further damage. This is why I strongly recommend that the principle of intergenerational equity be adopted in the new Act, in addition to a principle that requires policymakers to consider the climate futures of today’s children and young people. The need to adopt a principle in the Act that places importance on the need to secure a less hazardous future for our younger people is confirmed by the telling results of the most recent Lowy Institute Poll, which found that ‘[w]hile a clear majority (70%) of younger Australians aged 18-44 see “global warming” as a “serious and pressing problem”, just less than half (49%) of their

elders have the same level of concern' (Oliver 2018). If serious steps are not taken to consider the climate future of today's young people, the 'elders' will be blamed for the suffering to come, and justifiably so.

Question 3: Do you have any other comments or suggestions relating to the proposed amendments to the Act?

I conclude by repeating that the scientific evidence is very clear: *there is no more time to further delay taking decisive and effective action to mitigate anthropogenic global warming*, and the Act should reflect this urgency and provide tangible legislative tools designed to quickly and substantially reduce GHG emissions in an equitable way that does not disadvantage vulnerable members of the community. Equitable pathways to climate change mitigation and adaptation can best be achieved if the wider community is adequately equipped with knowledge about the (basic) science of anthropogenic global warming as well as an understanding of mitigation and adaptation options, and feels empowered by participating in inclusive, collaborative, regular consultations that provide meaningful avenues for actionable decision-making. Amendments to the Act should incorporate these considerations in addition to adopting the important precautionary and intergenerational equity principles discussed in the response to Question 2.

References

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