



WFD

THERE IS NO
PLANET B



WFD's approach to environmental democracy

2020

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Most political systems have failed to address climate and other environmental crises adequately, despite overwhelming evidence about the extent of human impact on the climate and a range of ecological systems.

Although there is unprecedented international consensus on the urgency to address climate change, this political failure has contributed to falling confidence in the ability of democratic governments to deliver results for citizens, in a period when democracy has been in decline around the world.

There are strong linkages between action to address climate and environmental crises and action to strengthen democratic practice:

Political Voice

From a starting point of significant inequality, the decade-long democratic recession has seen the wealthiest gain substantially more power in countries that are home to one quarter of the world's population. The groups who will be most severely affected by the impacts of climate change and environmental degradation are the same groups commonly excluded from political decision-making – the poorest, slum residents, subsistence farmers, rural women, minorities, indigenous groups and youth.

Policy development

Realising international environmental treaties such as the Paris Climate Agreement requires the translation of these commitments into domestic laws and regulations. Despite the extensive evidence and scientific materials available on climate change and environmental degradation, citizens, political parties, journalists and parliaments often lack the capacity to access or synthesise evidence to inform and influence policy debate.

Policy delivery

Almost every country in the world has legislation dedicated to the protection and preservation of the environment, however the implementation and enforcement of these laws falls far short of the action required to address current environmental challenges. Globally, access to legal remedies and environmental justice is severely limited and few parliaments effectively hold their executives to account for failure to deliver on environmental commitments.



Strong environmental governance and rule of law is crucial to supporting sustainable development and inclusive democratic governance more broadly. The action required to avoid the most devastating effects of climate change and environmental degradation involves wide-reaching and unprecedented changes to all levels of society, politics and businesses. This necessitates durable, effective and responsive democratic institutions, accountable systems of governance, and strong political will.

Environmental democracy

The foundations of Environmental Democracy were firmly established in Principle 10 of the Rio Declaration, which emerged from the United Nations Conference on Environment and Development (UNCED) in 1992, also known as the Earth Summit:

“Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.”

Some of the fundamental concepts related to environmental democracy outlined in the Rio Declaration were codified in Article 6 on Action for Climate Empowerment (ACE) of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992. The importance of ACE is reflected in other international frameworks such as the 2015 Sustainable Development Goals (SDGs).

The principles of environmental democracy have since been embedded more comprehensively in other international and regional instruments including: the 1998 Aarhus Convention (47 parties across Europe and Central Asia), the 2010 Bali Guidelines (the UN Environmental Programme’s guidance to developing national and sub-national legislation), and the 2018 Escazu Agreement (22 signatories across Latin America and the Caribbean, with new provisions focused on protecting environmental human rights defenders).

Each of these instruments defines three critical rights that form the pillars of Environmental Democracy:

- **Transparency**

The right to freely access information on the environment. Openness and transparency are required to help citizens, civil society, media, businesses, the courts, and the international community understand what is actually happening in relation to the environment and how their governments are responding.

- **Participation**

The right for citizens to participate meaningfully in environmental decision-making. The public - particularly those most affected by climate change and environmental degradation - need to be able to voice their concerns and influence policy-making for the right decisions to be made, and for these choices to have legitimacy.

- **Justice**

Access to justice to enforce environmental laws as well as redress or compensation for wrongdoing. If enforcement of environmental legislation and treaties is to have meaning, and people’s human rights are to be respected (particularly the rights of indigenous groups and environmental defenders), then there must be effective mechanisms for challenging the action - or inaction - of governments in acting as environmental stewards for current and future generations.



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How WFD supports environmental democracy

WFD's operating ethos is to be responsive to local contexts and the needs and priorities of those with whom it works. WFD supports inclusive democratic governance institutions and has a deep understanding of the dynamics involved in democratic transition. Experience has shown that it is often in moments of upheaval that significant reforms take hold; the Aarhus Convention, for example, gained traction following the fall of the Berlin Wall.

For these reasons WFD is uniquely placed to collaborate with technical environmental specialists and provide leadership on issues that sit at the nexus of environmental protection and the democratic process. WFD works 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 party and electoral) mechanisms operating at sub-national, national, regional, and global levels.

Given its existing relationships, capabilities and access to critical political actors, WFD's work on Environmental Democracy prioritises the following:

Environmental coalitions for change

Evidence shows that a vibrant and broad-based environmental civil society is crucial for supporting governments to make responsible policy decisions on the environment. This is necessary given that reform requires addressing complex and multifaceted barriers across all sectors of society, and that there will always be powerful interests - national and international - opposed to change. WFD will utilise its convening power and its trusted relationships with political decision-makers to help form broad-based coalitions capable of generating political action on the environment, including through the convening of citizens' assemblies, working in close partnership with other organisations and institutions with similar objectives.

Multilateral agreements on environmental democracy

After the expiry of the Doha work programme 2012-2020, the future of Action for Climate Empowerment (ACE) will be charted at UNFCCC COP26. The policy interventions contemplated under ACE have the potential to serve as catalysts for greater climate ambition and therefore to drive the implementation of the Paris

Agreement, which hinges on an ever-accelerating process of global decarbonisation. WFD will promote ACE as a basic environmental democracy toolbox for the delivery of NDCs, and as an enabler of climate ambition, and will encourage countries to include ACE in their future NDCs.

Regional environmental democracy agreements (REDAs) are vital to strengthen national ownership of environmental democracy principles and empower CSOs, because they can raise local awareness on environmental rights, reflect regional challenges and priorities, codify explicit commitments and trigger a conducive regional dynamic of peer diplomatic pressure.

While Europe and Latin America and the Caribbean have REDAs (Aarhus and Escazu respectively), neither Africa nor Asia have developed REDAs despite being home to some of the Earth's most critical and endangered ecosystems, and with some countries in each region relatively strong performers in different environmental democracy indicators, according to the 2014 Environmental Democracy Index of the World Resources Institute (WRI).

Therefore, WFD will promote the realisation of existing REDAs and, as possible, the adoption of regional or sub-regional environmental democracy agreements in Africa and Asia, in partnership with national governments, regional cooperation bodies and CSOs.

Open data on the environment

WFD is an active participant in the Open Government Partnership (OGP), with a particular focus on supporting parliaments to play a greater role in advancing transparency and access to data for citizens. WFD will work with parliaments, civil society, and government to generate greater commitment to opening up government data as it relates to the environment, and to investing additional resource in the generation of environmental data where it does not yet exist.

The passage and enforcement of environmental laws and treaties

Robust and effective environmental legislation is required to address climate change and environmental degradation. In order to achieve impact international commitments must be translated into regional, national, and sub-national laws and regulations; only 17 countries have enacted domestic legislation that reflects their Nationally Determined Contributions (NDCs) under the Paris Agreement . Proper implementation and enforcement of environmental legislation requires political will, the allocation of adequate resources and a degree of political independence for relevant oversight and enforcement institutions. WFD will work with parliaments to ensure that legislation is aligned with environmental democracy principles, is of high quality, and is aligned with countries' obligations under international treaties, including the realisation of environment-related SDGs and NDCs. WFD will also support parliaments in undertaking environmental post-legislative scrutiny (PLS) to ensure laws are fully implemented.

In the run-up to UNFCCC COP26 and Convention on Biological Diversity (CBD) COP15, WFD will support parliaments to take stock of the implementation of their 2015 NDCs and of their National Biodiversity Strategies and Action Plans (NBSAPs) for achieving the Aichi Targets, and identify and address legislative and policy gaps as well as implementation failures.

In the aftermath of both COPs, will help emphasise the critical linkages between climate and biodiversity objectives and the need to advance integrated policy responses, and on the opportunity presented by the establishment of the Energy Transition Council.

Political parties and environmentalism

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. Environmental messages are becoming more important to voters, particularly in Europe but also increasingly in Africa, Asia, and Latin America. WFD will work with political parties to enhance their knowledge of

environmental issues, help them develop and deliver more progressive environmental policies, build coalitions with environmental groups to improve their evidence base for policy development, and encourage them to place environmental issues higher up in their campaign priorities. WFD will also share experiences of success, examples of green economic growth agendas and support parties to translate evidence and data into policy and legislative action. The Foundation will support cross-party dialogues on critical environmental issues to encourage action and break deadlocks.

Environmental rights

Indigenous people, youth, women and the economically disadvantaged are disproportionately excluded from important decision-making processes on the environment. An inclusive view of environmental rights is required to ensure environmental benefits accrue equitably and to consider who is being excluded from decisions on the environment. The fulfilment of environmental rights rests on the ability of the public to have access to justice in cases where environmental rights have been breached; without this they have no ability to hold polluters or their government accountable for environmental harm, to enforce their right to know or to participate in decisions on the environment. WFD has a long history of supporting human rights committees inside parliaments and will work to integrate environmental rights into their work, particularly when environmental activists are being harassed or are subjected to violence.

Natural resource management

Providing access to clean and sustainable resources and their equitable distribution within society are crucial elements of legitimate democratic governance. This requires the sustainable and environmentally sensitive extraction and use of natural resources, which is critical to reducing pollution, deforestation, greenhouse gas emissions, and biodiversity losses. Ensuring an inclusive view of environmental justice and minimising the environmental and social impact of resource extraction requires: robust regulatory frameworks based on principles of transparency, accountability and active citizen participation; engagement with the private sector; robust enforcement and access to legal remedies and compensation. WFD has proven experience supporting parliaments to develop legislation in extractive sectors and will engage on these issues in contexts where environmentally sensitive natural resource extraction is a significant concern.

Research on Environmental Democracy

While the concept of Environmental Democracy has existed for over two decades, there have been remarkably few efforts to operationalise it from a democracy support perspective via targeted programming. WFD has an ongoing research partnership with the University of Birmingham and other UK academic institutions and think tanks, and the Foundation would look to build research components into its Environmental Democracy programmes to identify what areas are most impactful and to help identify what works and what does not in this nascent field of programming. This learning would help inform donors and the international community, while hopefully also encouraging other organisations to pursue similar efforts across the globe.

WFD is developing partnerships with a range of organisations and individuals - international and non-governmental organisations, universities, think tanks, government officials, independent specialists, the private sector - whose values align with ours and who have the experience and technical skills to contribute to WFD's Environmental Democracy programmes. Programmes may utilise a combination of UK-based, international, and national partners, tailored to meet the needs of each individual context and issue.



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Environmental democracy in action

Georgia

In 2018-19, WFD supported the Georgian parliament through two separate programmes to establish the practice of holding thematic inquiries and to conduct post legislative scrutiny (PLS), with the overall intention of improving the legislature's oversight function. Both of these programmes had an environmental focus.

WFD provided assistance to the Environmental Protection and Natural Resources Committee (EPNRC) of the Georgian parliament to conduct two separate thematic inquiries on ambient air pollution and municipal waste management, while one of the components of the PLS programme was to assess the effectiveness of existing regulations concerning electric vehicles.

Through its support for these processes WFD has also helped to improve the participation of citizens in environmental decision making by supporting parliament to produce recommendations based on well-structured, transparent and solution-oriented collaboration with civil society organisations (CSOs) and individual citizens, in addition to other stakeholders, such as government and the private sector.

Lebanon

With the discovery of offshore oil and gas in Lebanon, oversight of the energy sector has become a crucial issue for the government.

Since March 2016, WFD's programme in Lebanon has focused on strengthening parliamentary oversight of Oil & Gas in Lebanon and providing support and technical advice to the Public Works, Energy, Water and Transport Committee (PWEC) and the Research and Information Department.

The support has, among other things, improved the capacity of MPs and staff to manage the Oil & Gas sector in an effective and transparent way, enhanced institutional capacity of parliamentary committees; and improved access and openness to Parliament for CSOs engaged in the oil & gas sector.

In September 2018, the Parliament ratified the Transparency of Oil & Gas law. The law ensures the disclosure of information amongst all the relevant administrative bodies and prevent conflicts of interest. It also gives the CSOs legal powers in monitoring the management of Oil and Gas sector. WFD's programme

contributed positively towards the adoption of the law and ensuring its compliance with international standards.

Morocco

In 2017 WFD's Morocco programme supported committees to scrutinise Morocco's fulfilment of its international commitments, particularly in relation to the Sustainable Development Goals and the Paris Agreement.

This included a Workshop on "Harmonising national legislation on climate change with the requirements of the Paris Agreement." As a result of this workshop, the House of Councillors identified nine laws that needed to be amended in order to be aligned with international conventions and commitments.

Venezuela

In Venezuela WFD supported dialogue on energy reform and the development and drafting of a cross party bill on climate change, which was raised in the National Assembly in early 2018.

Study visits for MPs to hear about the Scottish and British experience of passing climate change legislation was instrumental in gathering support as were insights from Mexico, Canada and Argentina. Unfortunately, the bill has yet to be passed and given the current political situation is unlikely to be progressed anytime soon.

Pakistan

WFD Pakistan, under its Inclusive and Accountable Politics Programme, is supporting evidence-based policy making by fostering and applying an environmental democracy approach. WFD provided technical support to the Standing Committee on Climate Change (CCC), including developing a guide for the committee to proactively develop systems to engage with civil society organisation.

In addition to the guide, WFD's technical assistance included developing online public engagement tools such as public petitions, public hearings, an expert database, and an opportunity to share research on matters related to environment and climate change. These tools were made available on the website of the CCC.

WFD also supported the CCC to design extensive civil society organisation support networks, especially with the relevant subject experts in academia. In Pakistan's parliamentary culture, such wide and in-depth consultation remains unprecedented and resulted in the formation of an active support network for the parliament.

Equipped with these new tools, techniques and network of experts, the National Assembly's Committee on Climate Change has become a leading institution to bring together people and expert voices to develop policy initiatives. It is creating opportunities for experts to voice their concerns or share their data on issues related to climate change. The CCC has achieved a landmark achievement in Pakistan's parliamentary history with two major accomplishments: First it has developed a year-long plan which highlights the structured parliamentary approach for oversight while creating avenues for collaboration with a civil society organisations, secondly, for the first time ever, the agenda of the parliamentary committee has been proposed and voted upon by the experts of the field taking in account the voices from academia, think-tanks, and community groups. Moreover, the Speaker of the National Assembly acknowledged the initiatives of the CCC committee as a role model for other committees and highlighted the intention of the house to improve parliamentary systems in Pakistan for effective oversight, inclusion and transparency.



Photo: Pakistan's Climate Change Committee Chair (left) Hon. Munaza Hassan and fellow Committee members.



Photo: WFD ongoing work in Albania seeks to facilitate access to decision-making to environmental CSOs

Albania

Albania's rich ecosystems and biodiversity were preserved by the country's political isolation up to the 1990s. However, as Albania develops an open economy and becomes more prosperous the country's natural assets are at risk from pressures including air and water pollution, poor waste management infrastructure, adaptation to a drier, warmer climate in the coming decades, soil degradation and deforestation.

Environmental civil society organisations (CSOs) in Albania often face difficulties in accessing decision-makers and being included in consultation processes. WFD's ongoing cooperation with Albanian CSOs is set to expand and include leading environmental CSOs across a wide range of topics and help consolidate evidence-based policy input on the most pressing environmental problems that Albania is facing. These will inform local and national roundtable debates facilitated by WFD airing local and national TV channels, bringing together political candidates running for the 2021 elections and environmental CSOs, citizens and media. The focus of these discussions will be a review of past electoral promises on the environmental and the ones that are part of current party programmes.

WFD will also prepare a database recording all the electoral promises done in the past on environmental issues as the basis of post-election follow-up activities.



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