



EUROPEAN MOVEMENT IN SCOTLAND: HOLYROOD 2021 ELECTIONS

ENVIRONMENT AND ENERGY

Manifesto commitments recommended by EMiS

- As host, use COP26 1) to showcase to Europe and the world Scotland's commitments to tackling the climate emergency and limiting global temperature rise and 2) to set challenging updated emissions targets for the period to 2030 which, taking into account Scotland's size, are consistent with or better than that made by the EU
- Stay aligned with the EU's binding renewable energy target for 2030 of 32%, with a clause for an upwards revision by 2023; continue to exchange information with EU on all climate change initiatives; and continue to stay aligned with EU directives on Energy, the Environment and chemicals regulation.
- Provide an update to the Scottish Energy Strategy 2017 and Onshore Wind Policy Statement by no later than 2022, with close reference to current EU Energy Policy.
- Support policies on environmental protection, onshore wind, renewable energy and combating climate change as set out in Scottish Planning Policy published in December 2020. These policies should align with EU Energy and Environmental Policies.
- In alignment with the EU Clean Vehicles Directive, maintain the aim to phase out petrol and diesel vehicles by 2032 and encourage clean mobility solutions in public procurement tenders.
- Consider which regulations could be improved upon, to study the impacts of improvements in Scotland and to feed those results back to the EU in order to influence their environmental policy and future regulations, thus contributing to broader European environmental improvement

Background

The UN Climate Change Conference (COP26), which takes place in Glasgow from 1-12 November this year, will provide an opportunity to accelerate and upgrade targets agreed in Paris in 2015. EMiS welcomes the current Scottish Government's announcement that new emissions targets will be published prior to the summit. This will represent an important statement of intent that the incoming Scottish Government stands ready to propose and deliver ambitious targets to further reduce Scotland's contribution to climate change and set an example globally for other similar nations.

Elsewhere, many of Scotland's environmental and energy regulations stem from EU Directives, including the EU Birds and Habitats Directive, EU Water Framework Directive, EU Ambient Air Quality Directive, EU Bathing Water Directive, the Landfill Directive, the Energy Efficiency Directive, Energy Performance of Buildings Directive, Renewable Energy Directive and chemicals regulation. If the UK failed to comply with these directives the European Commission could take legal action, as it did in 2018 over the UK and other countries' failure to comply on air pollution. It is good that the Scottish Government has set up a new institution, Environmental Standards Scotland, to replace the EU in enforcing environmental standards. It is disappointing however, that the new watchdog is designed to be weaker than the European Commission, in that it will not be able to take action in response to complaints from people who believe that their local environment is at risk if Scotland's environmental regulators, or government, fail to uphold the law designed to protect it.

It is vital that, when legislating on environmental issues, future Scottish governments maintain the environmental standards of the EU as a minimum, incorporating EU improvements as they are developed. This will serve a dual purpose of protecting our environment and ensuring regulatory alignment if Scotland rejoins the EU, whether as part of the UK or as an independent country. The risk otherwise is of environmental deterioration, with expensive changes needed to bring Scotland's environmental regulation back up to standard at a later date. Environmental protection in the present is better than environmental remediation in the future.

Influence is a two-way process and no set of legislation is perfect. Scotland's next government may see benefit in improving some areas of environmental legislation. Maintaining realignment should be a minimum, but if Scotland's public bodies were to implement further improvements, parliament could legislate for change, study the results and feed the outcomes back to the EU to influence the ongoing development of the EU's environmental legislation.

We also expect Scotland's next government to build on its enviable track record on energy policy, particularly with regard to renewable energy and combatting climate change through reduced carbon emissions, and to use this to try to influence the EU in its carbon reduction programme. Scotland has taken an innovative leading role in the creation of the European Marine Energy Centre and in a range of inter-regional projects. This has been underpinned by EU funding and European Investment Bank preferential loans. Funding reserved to EU members is no longer available to Scotland, but the next Scottish Government should be encouraged to explore with the Institutions the potential for co-operation and resources.

In departing the EU, the UK has lost energy and environmental-related access to EU research and structural funds and the regular Erasmus exchange of EU citizens and knowledge. The further risk for Scotland is that Brexit could herald a weakening of environmental laws and/or a weakening of enforcement. The EU-UK Trade and Cooperation Agreement only protects environmental standards if a weakening of regulations would impact on UK-EU trade or investment. In other words, the UK is free to weaken its environmental regulations as long as this does not damage the EU's economic interests. It is vital that we in Scotland protect our environment.

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