



OFFICIAL REPORT  
AITHISG OIFIGEIL

# Net Zero, Energy and Transport Committee

Tuesday 16 November 2021

Session 6



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**NET ZERO, ENERGY AND TRANSPORT COMMITTEE**  
**10<sup>th</sup> Meeting 2021, Session 6**

**CONVENER**

\*Dean Lockhart (Mid Scotland and Fife) (Con)

**DEPUTY CONVENER**

\*Fiona Hyslop (Linlithgow) (SNP)

**COMMITTEE MEMBERS**

Natalie Don (Renfrewshire North and West) (SNP)

\*Jackie Dunbar (Aberdeen Donside) (SNP)

\*Liam Kerr (North East Scotland) (Con)

\*Monica Lennon (Central Scotland) (Lab)

\*Mark Ruskell (Mid Scotland and Fife) (Green)

\*attended

**COMMITTEE SUBSTITUTES**

Mercedes Villalba (North East Scotland) (Lab)

Brian Whittle (South Scotland) (Con)

**THE FOLLOWING ALSO PARTICIPATED:**

Malini Mehra (GLOBE International)

Professor Jim Skea (Just Transition Commission)

Collette Stevenson (East Kilbride) (SNP) (Committee Substitute)

**CLERK TO THE COMMITTEE**

Peter McGrath

**LOCATION**

Committee Room 2



## Scottish Parliament

### Net Zero, Energy and Transport Committee

*Tuesday 16 November 2021*

*[The Convener opened the meeting at 10:01]*

### Decision on Taking Business in Private

**The Convener (Dean Lockhart):** Good morning, everyone, and welcome to the 10th meeting in 2021 of the Net Zero, Energy and Transport Committee. Before we begin, I remind members that social distancing measures are in place at Holyrood, and I ask everyone to follow them when entering and exiting the committee room.

We have received apologies from Natalie Don, and Collette Stevenson joins us again as a committee substitute.

Agenda item 1 is a decision on taking business in private. Do members agree to take in private item 5, which is consideration of correspondence from the Scottish Government proposing the reappointment of four Scottish Land Commission commissioners and the contents of a possible report to Parliament on the matter, and item 6, which is consideration of the committee's work programme?

**Members indicated agreement.**

## COP26 Outcomes

10:02

**The Convener:** Agenda item 2 is an evidence-taking session on the outcomes of the 26th United Nations climate change conference of the parties—COP26—which ended on Saturday, and early views of the implications for Scotland's climate change policies.

I welcome to the meeting Professor Jim Skea, chair, just transition commission, and Malini Mehra, secretariat chief executive officer, non-executive board member, India, GLOBE International. We are delighted that both of you have been able to join us after what has been a very busy couple of weeks at COP26 in Glasgow.

When Professor Skea was last before the committee, he was the former chair of the former just transition commission; since then, however, the commission has been re-established to report annually on Scotland's progress towards net zero, and Professor Skea has been reappointed as chair. I congratulate him on that, and we look forward to working with him again.

I also congratulate Ms Mehra on her successful work on the GLOBE COP26 legislators summit, which was held in the Scottish Parliament on 5 and 6 November, and the many other COP26 events that she has been actively involved in over the past few weeks.

I understand that both of our witnesses wish to make short opening statements, and I suggest that we start with Malini Mehra. You have the floor, Ms Mehra.

**Malini Mehra (GLOBE International):** Thank you very much, convener, and good morning, everyone.

First, I extend GLOBE International's warmest thanks to you, the Presiding Officer and the Scottish Parliament for so kindly hosting the GLOBE COP26 legislators summit just 10 days ago. It was a unique experience for us, not only because of the beautiful elegance of the building but because it was a hybrid event. It was the first time that we had held a virtual event, and we were able to welcome digital delegates from all over the world. In fact, we reached 5,000 people over the course of the two days.

In hosting COP26, Scotland has—rightly—been lauded for its hospitality. From our experience in Glasgow and Edinburgh, that praise is richly deserved.

Thank you for the opportunity to share early reflections on the outcomes of COP26—I add the caveat that they are early and personal reflections.

COP26 has been called a 1,000-piece jigsaw; the Glasgow climate pact has been called a suicide note; and in the words of the executive secretary, Patricia Espinosa, COP26 was a bridge between the promises that were made in Paris and what still needs to be done. In the coming days, there will be a lot of commentary to unpack what is in the Glasgow package, but the United Nations secretary general, António Guterres, put it best when he described the text as

“a compromise, reflecting the interests, contradictions & state of political will in the world today.”

We know that success in Glasgow was not a foregone conclusion—the negotiations went right up to the last minute, especially after the intervention by India—but the deal, however imperfect, was clinched. The Paris agreement has been built on, and multilateralism has survived.

I will give a few highlights of what was agreed at COP26. The so-called Glasgow climate pact of formal UN Framework Convention on Climate Change decisions was agreed and that has now become part of the UN international climate regime, which includes the Paris rulebook and—importantly—article 6 of the binding Paris regime. We have the cover texts from the conference of the parties and from the other two bodies, which are the conference of the parties serving as the meeting of the parties to the Paris agreement—the CMA—and the conference of the parties serving as the meeting of the parties to the Kyoto protocol—the CMP. They are political declarations, but they give forward commitments to action on the key issues of mitigation, adaptation and finance.

Glasgow saw groups of countries agree plurilateral initiatives to accelerate action on coal phase-out, methane reduction, stopping fossil fuel finance, stopping deforestation and phasing out vehicles with internal combustion engines—having zero-emissions vehicles.

It is important that Glasgow put nature on the agenda for the first time, and the joint climate and biodiversity crises were brought together as never before. Science was also on the agenda as never before, with a clear commitment for the first time to the idea of 1.5° to stay alive. The language was much stronger than in the Paris agreement.

Glasgow set out an aggressive agenda of work from next year that could deliver—[Inaudible.] We have higher—[Inaudible.]—nationally determined contributions, which are the national climate pathways, to show that 1.5° is still possible. The ratchet mechanism at Paris has worked and has proved that it can deliver, as the annual reviews have been agreed to.

On climate finance, we see the mobilisation of the \$100 billion-plus by 2023. The cover

declaration adds the caveat that developed countries showed “deep regret” that the finance had not been delivered by 2020, as was agreed more than a decade ago.

Another first was the doubling of finance for adaptation by 2025, for which 2019 will be used as the baseline. The text looks ahead to the global goal of adaptation. A post-2025 finance goal is to be decided at COP28.

We could see a global facility or some kind of financing mechanism on the important subject of climate loss and damage. We saw historic language on coal and fossil-fuel subsidies. There was an important recognition of the need to transform the global financial system and its institutions; of the need to align wider international development—[Inaudible.]—the Paris agreement. [Inaudible.]—from Mark Carney pledged \$130 trillion of private finance around the world.

**The Convener:** We have a slight technical issue with Ms Mehra’s connection.

**Malini Mehra:** Can you hear me now?

**The Convener:** Yes—please continue.

**Malini Mehra:** The two weeks saw a barrage of pledges and pacts being made to address the nature and climate emergencies. They are welcome, but they will remain paper tigers unless Parliaments such as the Scottish Parliament enact laws to bring them into the purview of national legislation.

What do we expect? We know that, after the Kyoto protocol was agreed in 1997, the number of national climate laws grew from more than 50 to more than 2,500 globally. Glasgow will produce another surge of law-making to anchor achieving net zero and other pledges in domestic legislation with clear targets, timetables and resources. Without laws, there is no credibility.

As the UN secretary general said in his closing speech in Glasgow, “COP27 starts now.” It starts with national Governments bringing their deals back to Parliaments to review to ensure that rhetoric is translated into reality.

I have much more to say, but I thank the committee for giving me the opportunity to share those initial reflections.

**The Convener:** Thank you very much for that comprehensive overview of and insight into the complicated agreement that was reached less than two days ago.

I invite Professor Skea to make his opening remarks.

**Professor Jim Skea (Just Transition Commission):** I thank the committee for inviting

me to come before it again. I am grateful for the opportunity to come back.

I will start with the confession that I am not a professional COP watcher. I was in Glasgow for most of the time, but I was there in my role as a co-chair of Intergovernmental Panel on Climate Change working group III, on mitigation of climate change. I also spent a lot of time presenting the work of the Scottish just transition commission at various side events.

I will set out where we are with the just transition commission. As the convener said, the commission has been reconstituted and I have been reappointed as its chair. Our terms of reference are to provide scrutiny and advice on the development of the just transition sectoral plans and the application of the just transition planning framework; to advise on the most suitable approaches to monitoring and evaluating progress; to engage and collaborate with other sources of expertise; and to undertake meaningful engagement with those who are most likely to be impacted by the transition to net zero. Therefore, we have a clear set of tasks, and I have already had a number of meetings with Richard Lochhead, the Minister for Just Transition, Employment and Fair Work.

As far as appointments are concerned, discussions on the membership of the new commission are almost concluded. A new and larger secretariat is being appointed, and we hope that the new commission will have its first meeting before the end of the year.

With regard to how that related to COP26, there was a huge amount of interest in the Scottish just transition experience at COP26. I was on panels or chaired events at a number of meetings in the blue zone during the week. It is worth flagging up that paragraph 85 of the Glasgow pact specifically identifies the issue of just transition, the promotion of sustainable development and the eradication of poverty, and the creation of decent work and quality jobs. The way in which Scotland has dealt with just transition has attracted a lot of international attention.

Wearing my other hat, as chair of IPCC working group III, I should point out that there are several mentions of the IPCC in the Glasgow pact. The report of working group I, on the physical science basis, which came out in August, is acknowledged, and the other parts of the IPCC, including working group III, are invited to present our results to COP27, or to next year's intersessional, once our reports are finished. I have just come off a call about our concluding our work on the working group III mitigation contribution to the sixth assessment cycle. We expect to go to an approval session in late March 2022, following which our report would be

published, and the intention is for the report of working group II, on the impacts of climate change, to be approved at the end of February.

In the run-up to the Glasgow conference, we had some big questions about how relevant our report would be, given that COP26 was to take place first, but the process of returning annually to the nationally determined contributions means that our report will be extremely pertinent to what happens at next year's intersessional and at COP27 in Egypt, when it comes.

Although I am, as I said at the beginning, not a professional COP watcher, there was an awful lot that was relevant to the roles that I currently occupy with the IPCC and the Scottish just transition commission.

10:15

**The Convener:** Thanks for those opening remarks and perspectives, which are very valuable to the committee. There are clearly different views about the headlines, takeaways and implications of the Glasgow climate pact. Senator John Kerry described the final deal as "imperfect", but it has been widely welcomed. He also said that the world is now

"closer than we have ever been before"

to the goal of limiting temperature rises to 1.5°C. Do you think that Senator Kerry's summary is fair?

**Malini Mehra:** Yes, absolutely. We should remember that the US has been back in the game only this past year. The US had to deal with an insurrection at the beginning of the year on 6 January and it had removed itself from the Paris agreement. We now have an agreement that has been concluded, and, two or three days before the end of COP26, we had an extraordinary rapprochement between the USA and China, with John Kerry coming together with China's lead negotiator, Xie Zhenhua, to issue a joint declaration—those are unprecedented moves. Given where we have been in the past few years, given that we are two years overdue, given the recognition of the severity of the climate crisis, and given the fact that we were able to clinch a deal at the last minute, I think that John Kerry, Xie Zhenhua and the UN secretary general, António Guterres, have described it correctly. It is a good deal, but it is imperfect and there is much more to be done.

**The Convener:** Professor Skea, do you agree with Senator Kerry's summary?

**Professor Skea:** Yes, I do. There have been many different judgments on the degree of success of the Glasgow COP and it depends on how high you set the bar at the beginning. If you anticipated that there would be a deal that would

place 1.5°C within reach, those expectations were inflated, but it is a good deal and we have made a lot of progress on different aspects.

I emphasise that, although we are interested in the headlines—1.5°C, 1.8°C or 2.4°C of warming or whatever—the key thing is the progress on the more technical and boring bits. Finishing the Paris rulebook is really important, because that will build the platform for progress in the future. That was what most impressed me.

**The Convener:** I move on to the subject of mobilising the necessary levels of global finance for developing nations. Mention was made of Mark Carney's announcement of the Glasgow Financial Alliance for Net Zero, which will make \$130 trillion available to be mobilised to fight climate change across the world. What is your understanding of the final agreement that was reached in Glasgow in relation to the levels of finance available for mitigation and adaptation? John Kerry said that it is all about implementation, so what needs to happen next to get finance to developing nations to help them meet their NDCs?

**Malini Mehra:** It is important that there was a recognition that the current financial architecture of international financial institutions—public multilateral finance—and private finance is underdeveloped. Glasgow has given a huge boost to those different arenas of finance and has brought them together. I hope that we will see moves towards a more comprehensive finance architecture globally in the coming months, so that public finance can move with greater alacrity to those communities and vulnerable parts of the world in which public finance—grants in particular—has an important role to play, which was one of the key demands that the least developed countries and the vulnerable countries made in their formations, whether in the climate vulnerable forum or the Alliance of Small Island States.

There was a recognition that private finance needs to move much quicker. Mark Carney's announcement in week 1 that mentioned the grandiose figure of \$130 trillion in private finance being available made the headlines, but the big question is to whom it goes and how it goes to them. How can that figure align with the Paris agreement and the 1.5°C goals now?

Real breakthroughs have taken place around adaptation finance. The adaptation fund more than doubled, from roughly \$150 million before Glasgow to \$350 million. A number of countries and, importantly, a number of sub-national Governments made pledges, such as the province of Québec and the Belgian regions of Wallonia and Brussels-Capital. We have begun to see capital for grants in particular move into the adaptation fund in a way that we had not seen

previously, which overall is incredibly encouraging. The recognition of loss and damage was important too, but the fact that we now have a pledge to double adaptation financing as part of the \$100 billion fund, which will be \$100 billion-plus over the course of the next two or three years, is very welcome progress.

**The Convener:** The globalisation of climate change finance also feeds into the global just transition, so I would welcome the views of Professor Skea on that question as well.

**Professor Skea:** I have not followed the matter in the negotiations, and I confess that it is not my area of expertise.

The sums that are needed for adaptation and mitigation are in the trillions, not in the billions, so the question of moving private finance as well is critical. Mark Carney's remarks made clear that enough money is available out there, and that many cost-effective projects are waiting to be implemented in the developing world. The big trick is how to move the money—how to mobilise the savings that are available in the developed world and direct them towards investment in worthwhile projects. I agree with Malini Mehra that the critical point is around the methods to make that happen.

We talked to private fund managers who do not get out of bed in the morning for less than \$100 million, but many projects that need to be implemented cost a few thousand dollars—the level of households or small farmers. The big challenge is how to aggregate those projects and get the bridge between what is needed on the ground and the large sums of money that are available without incurring huge transaction costs in shifting the money.

**The Convener:** I completely agree with you that the aggregation of projects in a way that is both fair for the public sector and the taxpayer and attractive enough to mobilise private finance will be one of the key challenges.

Before I bring in Liam Kerr, I have a brief supplementary question to Ms Mehra on finance. You said that one of the key questions is to whom the finance goes and how it is allocated. Will going into that level of detail—which multilateral banks will be involved and how the finance will be allocated and monitored—be part of the United Kingdom's COP26 presidency over the next 12 months? Is a road map set for how those points will be agreed?

**Malini Mehra:** Yes. Ahead of Glasgow, a paper was published jointly with Canada and Germany on the delivery plan for finance. That delivery plan, as it was articulated pre-Glasgow, before COP26, is going to be worked on. In the next few months, we will see a great deal of collective engagement between the international financial institutions,



other parts of the global public finance sector, the private finance sector and the donor Governments under the Organisation for Economic Co-operation and Development. There will be a lot of talking in the coming months about how the alignment will work between those different forms of finance.

It is still the responsibility of the UK presidency to chart out that pathway. It commissioned the delivery plan, which has been published. The follow-up involves conversations that are taking place as we speak, about what that will mean in practice and what things will look like.

**The Convener:** That is very helpful—thank you for that clarification.

**Liam Kerr (North East Scotland) (Con):** Good morning. I wish to pick up on the second question that the convener asked. In your opening remarks, Ms Mehra, you said that targets will remain paper tigers unless Parliaments enact them. How great is the influence of the market here? Is it not the case that Governments and Parliaments can do only so much, and that what will ultimately decide success or failure are things such as investment decisions by businesses and consumer choices and behaviours? If that is accepted, how do we as a Parliament drive those changes in investment decisions and consumer behaviours?

**Malini Mehra:** I suggest that one looks at the role of the investors community in directing private finance. There have of course been public policy changes over the past few years. The task force on climate-related financial disclosures—TCFD—now requires companies to disclose whether they have a climate change risk strategy in place, such that private capital is encouraged to go to those companies that are Paris agreement aligned.

There have been some very important moves by the big asset manager companies, such as BlackRock, to ensure that the \$11 trillion that it holds among its extended global fund network is driving towards decarbonisation strategies in the countries where the companies are investing. Those are the key mechanisms that are driven by the private sector itself.

What can Governments do? Governments can provide incentives and a governance structure to enable private finance to move into net zero strategies and pathways. As I mentioned, one of the important ways in which that incentivisation has taken place is through transparency. The Bank of England has played an important role in that, through TCFD, sending a clear signal to private capital markets that there is now an expectation that companies will be Paris aligned and that we are on the pathway to getting out of fossil finance. We begin to see that, in particular, through the collapse of financing for coal.

There are a number of things that the Glasgow climate pact will now set in train. It is precisely this kind of conversation about the role of Government policy and about what the private sector can do to ensure—[*Inaudible.*]

**The Convener:** We seem to be having a slight technical pause.

Professor Skea, did you want to respond to Liam Kerr's question about the role of markets and Governments in mobilising finance?

**Professor Skea:** Governments, the private sector and the finance sector very much interact with one another. Clearly, it is the private sector that needs to put up the money for the largest part, but it will do so only if Government sets the tone. I think that Government sets the tone in two ways. One is about setting the overall mood music for the change of direction. Do people expect to make money or to lose money out of investing in high-carbon activities or net zero activities? I think that the Paris agreement, some of the IPCC reports and the Glasgow COP over the past couple of weeks are the sort of things that change or set the mood music.

10:30

As well as the mood music, the specific kind of incentives and greater detail on the sense of direction are important. That is where things such as the just transition planning framework and just transition plans, and the recommendations that have been accepted by the Scottish Government in that regard, come into play. That is about giving people a sense of where we are going to go in specific parts of the economy, and giving a sense that profitable activities are involved in reaching net zero.

**The Convener:** I think that Mark Ruskell has a supplementary question in this area.

**Mark Ruskell (Mid Scotland and Fife) (Green):** It is not directly on finance, but I will take the opportunity to ask it. The agreement uses the phrase "inefficient fossil fuel subsidies". Obviously, private finance is coming in that will, we hope, eventually lead to a just transition, but a lot of public finance is going on tax subsidies and other forms of direct support for fossil fuels. What are "inefficient fossil fuel subsidies"? I am interested in the views of both of our witnesses on where they would draw the line in deciding what is an efficient fossil fuel subsidy and what is an inefficient one?

**Professor Skea:** I am afraid that I did not follow the negotiations really closely. Obviously, words such as "inefficient" have coded significance that I might not be aware of. I know from Indian colleagues that there is a lot of sensitivity around the issue. In many countries, fossil fuel subsidies

are used to address social issues and to deal with inequities. Those could perhaps be deemed to be “efficient” ways of dealing with social inequities, which might explain the coding.

Malini Mehra might have more insight into that. Frankly, I did not follow the negotiations closely.

**The Convener:** Thank you, Professor Skea. We are trying to reconnect to Ms Mehra, who has a slight technical issue at the moment. While we try to do that, Fiona Hyslop has a question for Professor Skea.

**Fiona Hyslop (Linlithgow) (SNP):** I am interested in Professor Skea’s points about the Paris agreement and the technical aspects of the rulebook being finally established and set, and what that might mean. That area probably got less coverage compared to the coverage of the outputs in the last few days. Thank you for sharing your reflections on that so quickly after the COP. Will you unpack a bit more what you think the implications of that will be?

**Professor Skea:** Under the Kyoto protocol, we had mechanisms such as the clean development mechanism and the emissions trading that evolved under the European Union scheme. Article 6 allows the use of internationally transferred mitigation outcomes, or ITMOs—so we are adding another acronym to the list. That has to be a key mechanism to start shifting the money that is available in the developed world—the unused savings—and get it into projects in the developing world.

Again, I have to confess that I am not an avid COP watcher, so I did not follow the details on that. The key thing is that, until the article 6 issues were resolved, that international sharing could not move forward. Many cities and companies are setting net zero targets and, undoubtedly, they will need offsets to get to net zero, because it is simply impossible to get gross emissions down to zero. Article 6 provides the mechanism to get offsets in place that will allow projects in the developing world to be funded.

My warning is that, if offsets are used, there must be an absolute assurance that real reductions in emissions are taking place as a result of the offsets, so the measurement, the reporting and the verifiability of the offsets will be very important. It is a critical issue because, without article 6 being completed, a major part of the original Paris agenda could not be pursued. The Glasgow pact has moved the clock. As Alok Sharma said, the solution has eluded people for six years, and it was a big achievement to get it done in Glasgow last week.

**Fiona Hyslop:** I had hoped to ask Malini Mehra about multilateralism. I understand that she might

be back with us, but I will ask Jim Skea some questions first.

What does multilateralism mean in relation to mitigation work? In the workshops in which you were involved, were concerning or helpful geopolitical alignments taking place? On multilateralism, we have discussed the rules on private finance in relation to offsetting. How do we ensure that there is transparency and accountability so that there is real offsetting as opposed to a greenwashing presentation? What is your perspective on multilateralism within companies, not just within the governmental arena?

**Professor Skea:** I think that we should go straight to Malini Mehra, because you are taking me beyond my expertise. I am sorry, Ms Hyslop.

**Fiona Hyslop:** That is fine. I was trying to make sure that we had a link to that agenda.

First, I thank Malini Mehra for her work at the GLOBE International parliamentary event. I was there throughout the two days, and it was extremely useful. I am interested in your take on the geopolitics of what has happened and what that means for COP27. You said that multilateralism was effective during COP26, but there were also side deals on certain subjects and between different Governments. For example, the premier of China met the US President in recent days. I am interested in your views on the arrangement between India and China, and on the EU’s perhaps lack of presence in relation to some issues.

**Malini Mehra:** It was a pleasure to have you at the summit—thank you for your engagement there.

An example of the new geopolitics relates to South Africa. There is the new deal whereby £8.5 billion in financing will be given to help South Africa to transition out of its dependence on fossil fuels. That deal came about because there is a very different geopolitical mood now. Previously, South Africa was in the BASIC—Brazil, South Africa, India and China—bloc, but it and other countries have moved away from the orthodoxies of such blocs and are realising that they are extremely climate vulnerable.

In South Africa, the process of recognising that vulnerability and embracing a fossil fuel-free future was led by a presidential climate commission. We saw the fruits of that through the unprecedented announcement that a number of developed countries, international financing institutions and private sector organisations will work with South Africa to set it on a pathway to net zero. That was very new.

Many more countries made net zero declarations very unexpectedly. That was also very new. India's declaration of getting to net zero by 2070 caught everybody by surprise. President Buhari's declaration that Nigeria would get to net zero by 2060 was another big surprise. Ninety per cent of the world's gross domestic product is now covered by net zero commitments. That would have been unheard of in the past two years, let alone in 2015, when it was a pipe dream. That is an indication of how much things have changed.

A number of people criticised the European Union for being missing in action. There must be recognition that a number of EU countries that we would have expected to have played a much stronger role—Germany, in particular—still do not have functioning Governments, so recent elections across Europe have played a role. However, there was strong engagement by Prime Minister Draghi from Italy, especially on securing climate finance deals.

I will stop there. I am not sure whether you can hear me, as my connection is quite shaky.

**Fiona Hyslop:** We can hear you, and what you are saying is extremely interesting.

**Malini Mehra:** I reconnected just as Jim Skea was talking about article 6. I want to add that securing the article 6 rulebook was very important. Of course, it is not finished; we have a lot of work to do to ensure that companies cannot get away with greenwash and that there is environmental integrity. The reason why people are so concerned about environmental integrity is because of the abuse of previous systems. For example, the clean development mechanism, which was one of the market mechanisms that was part of the Kyoto protocol, was subjected to a great deal of abuse. Nobody wants to repeat that experience and everybody wants the economy to move ahead with environmental integrity.

**Mark Ruskell:** Malini, your connection dipped out earlier when I asked about the text in the agreement on the need to move away from

"inefficient fossil fuel subsidies".

Jim answered from his perspective. What are your thoughts on how we move the debate forward on what is an inefficient fossil fuel subsidy and when it is and is not acceptable?

**Malini Mehra:** That is code. It is extraordinary. Everybody has to recognise the historical nature of the reference to fossil fuel subsidies and having "phase-out" and "phasedown" in the Glasgow pact. It is a mark of great achievement for people who have been working for decades to secure that recognition and language.

Where will the conversation take place? It has to take place in national capitals. It will not be a

picnic for countries that are still reliant on fossil fuels to get off them. That will require a great deal of planning and sincere commitment to a just transition, because many workers and communities are dependent for their livelihoods on fossil fuels. States that are reliant on income and revenue from fossil fuels have to chalk out their path forward.

First, it must be a national conversation in every country that is implicated as a producer or consumer of fossil fuels and, very importantly—*[Inaudible.]*

**The Convener:** I think that we might have lost Ms Mehra temporarily again.

Professor Skea, do you have any thoughts on that question?

**Professor Skea:** On the question of efficient or inefficient fossil fuel subsidies, to clarify what I said before, fossil fuel subsidies are used in some countries as an instrument of social policy and not necessarily as an instrument of climate or energy policy. As Malini said, they are coded statements. The question whether something is efficient or inefficient is with reference to wider social and economic concerns; it is not specifically about climate mitigation.

I am guessing about this just as much as anybody else—it is very difficult to understand what specifically was intended. It might have been different for different countries.

**Mark Ruskell:** It is disappointing that we have lost Malini again.

In the UK context, are we, in effect, offering tax breaks for the development of North Sea oil and gas fields? Is that a social subsidy? It seems that you are saying that a social development might be acceptable in terms of alleviating fuel poverty or subsidising fuel for consumers. Would something such as a tax break to enable continued exploration and development be acceptable?

10:45

**Professor Skea:** The question of subsidies on the demand side is rather different from the question of subsidies on the supply side. The International Energy Agency has been complaining for a long time about the use of fossil fuel subsidies on the supply side, and it is a genuine concern.

To put the issue in a UK and Scottish context, we have, to an extent, subsidised renewable energy to get it off the ground, and that has been extremely successful in a policy sense. However, as the just transition commission pointed out, the costs have fallen largely on electricity consumers, which has a significant regressive effect in terms

of the way that the burden falls on different parts of the community.

Every country needs to look at itself in the mirror with regard to fossil fuel subsidies, because they come in many forms. They can address the supply side and the demand side, and we all need to face up to the issue and be honest about it.

**Mark Ruskell:** What are your impressions of the launch of the Beyond Oil & Gas Alliance?

**Professor Skea:** I am afraid that I know nothing about it. I will need to pass that to Malini Mehra.

**The Convener:** That is very good timing, because we have just been rejoined by Ms Mehra. Mark, do you want to repeat your question for her benefit?

**Mark Ruskell:** Which one? [*Laughter.*]

I was asking about the wording

“inefficient fossil fuel subsidies”,

and where we draw the line. Do you have a perspective on that?

**Malini Mehra:** [*Inaudible.*]

**The Convener:** We seem to be having technical issues again. Is Professor Skea still online?

**Professor Skea:** Yes.

**The Convener:** Okay, great.

**Malini Mehra:** I can hear you.

**The Convener:** Malini is back.

**Malini Mehra:** Should I attempt to respond to that?

**The Convener:** Yes. Please go ahead.

**Mark Ruskell:** Actually, if it is okay, perhaps I can wrap up that question with another one. I was asking about the wording

“inefficient fossil fuel subsidies”

and how that is defined. Earlier, Jim Skea talked about the fact that subsidies can be used in a social context or an economic context. What is your perspective on that?

The second question that I would like to ask you directly, if you can still hear me, is about geopolitics in relation to India. After the agreement and the kind of breakdown of process at the last minute, quite quickly we saw India being blamed for watering down the commitment on fossil fuels in the agreement. Do you see an inequality there, given that the states that are perhaps putting pressure on India to reduce coal have had all the benefits of development of oil and gas over the past 200 years and are still developing them? I am interested in your perspective on both those

issues, which are really about global equality and where things sit politically.

**Malini Mehra:** I tried to answer the question about inefficient subsidies earlier. As I was saying, this is a conversation that really needs to take place in every national capital. When Bhupender Yadav, the Indian minister, spoke about his country’s objections to the “phase out” language, he used the example of subsidies. He gave an example of what he sees as a positive subsidy, which was the subsidy for liquefied petroleum gas for poor households. That is exactly the kind of subsidy that is designed to support energy access for the poor.

Obviously, a national discussion has to take place about how we will secure energy security and energy access while moving away from fossil fuels. There is a strong recognition that coal is on its way out—it is history. Every country that is fossil fuel reliant, whether as a consumer or a producer, must address that dilemma. Over the coming months and years, that is where the big political struggles will take place, whether that is in Scotland or India.

Were you able to hear that?

**The Convener:** Yes. Mark, do you have any follow-up questions?

**Mark Ruskell:** Yes, I have a question on the geopolitics of the situation, particularly in relation to the way in which India was seen but also to the commitments from those states that are reliant on oil and gas, compared to those that are dependent on coal. If more commitments had come from the countries that are reliant on oil and gas, would that have shifted the dial a bit when it came to commitments on coal?

**Malini Mehra:** The whole conversation is shifting. I am not sure whether you caught it, but I said earlier that, when it came to discussing India’s and China’s objections to the language of coal “phase-out”, interestingly, it was actually coal producers such as Colombia and Indonesia that supported the language being kept in. That is a marked shift. The discussions in the coming year with the Organization of the Petroleum Exporting Countries will be very interesting, because Mexico has taken some very unorthodox positions on the phasing out of fossil fuels, which one would not have expected from a fossil fuel producer and a member of OPEC.

Within OPEC, there is an interesting conversation—[*Inaudible.*]*—we have Egypt—[Inaudible.]* That whole discussion from the point of view of producers is going to get really interesting, and we will begin to see even further splits between the countries that are still clinging to fossil fuel dependency and those that are

embracing the future, such as South Africa, Mexico and Colombia.

**Collette Stevenson (East Kilbride) (SNP):** My question is for Jim Skea. In light of the outcomes of the COP, where can Scotland deliver further on NDCs?

**Professor Skea:** Scotland already has one of the most ambitious net zero targets globally for 2045. An awful lot of effort will be required to meet that target. The big challenge for countries that are in a position such as Scotland's is about what happens in the short term with regard to getting on with it, basically. There is an enormously ambitious target for 2030—in some ways, it is relatively more ambitious than the target for 2045. Frankly, the thing that Scotland can do is to get on with it, in the major areas such as expanding renewables and the critical issue of retrofitting the housing stock.

Looking more globally, the question of where Scotland sits with regard to oil and gas production is a critical issue. We can probably produce oil and gas from the North Sea with a net zero footprint territorially. The question is about the more moral obligation with regard to the emissions that occur from production in the North Sea. To go back to the previous question, those are major challenges that every country will have to face up to.

**Collette Stevenson:** I suppose that I should have asked about what the barriers are, rather than about pushing our outcomes.

**Professor Skea:** With regard to retrofitting the housing stock, the big issue is persuading the people who, in a sense, can afford to pay for some of it. The question of who pays for that will be critical. That was part of the just transition commission's recommendations.

There are big challenges with regard to land use and agriculture in Scotland. The just transition commission's report also picked up on patterns of land tenure and how they influence the possibilities. The social and economic implications of some of the changes that might need to take place if agricultural land is converted to woodland raise particularly challenging questions.

We are not short of barriers and challenges—that is for sure—and that is part of the job of the just transition commission in its next phase.

**Collette Stevenson:** Malini Mehra might have more to say about finance. My next question relates to private finance and land tenure. It has become more possible to measure the sustainability of returns. From an environmental, social and corporate governance perspective, when do you anticipate that that will be implemented? Will it be consistent globally?

**Professor Skea:** I am not sure that I can answer that. Perhaps Malini can.

**Malini Mehra:** I did not hear the whole question. It is important to recognise that land tenure can be a major impediment in developing countries. Women farmers in particular lack title to land. When they are affected by climate impacts, that lack of title reduces their ability to access capital or to get public support. That area of unfinished business has been with us since the Beijing women's platform in 1995. It is critical that we address the governance of title to land.

**The Convener:** Professor Skea, you made a point about retrofitting Scotland's housing stock. That is a challenge: we have some of the oldest housing stock in Europe. That ties in with what you said about the scale required to incentivise and mobilise private sector finance. Government and local authorities will have to package up some of those projects at scale and in a manner that will incentivise private sector finance. Have you seen good examples of that in Scotland, the UK or other countries, or is it a work in progress?

**Professor Skea:** I would put that in the work in progress bracket. One area in which Scotland has been quite successful, and has been acknowledged as such in reports by the UK Climate Change Committee, is social housing. There is capacity there to bundle projects together. That is an important signal. Where things can be bundled up, and where the institutional mechanisms exist, it is possible.

The big challenge is in the owner-occupied sector. The Government and taxpayers cannot afford the level of intervention that is required. Those who can pay will have to pay if we are going to get on to the pathway to net zero. It is a question of designing in the incentives. There might be a role for the Scottish National Investment Bank, which might help to provide the leverage. People will get a financial benefit from putting those measures in place, so it is reasonable and fair to expect those who will get that benefit to put up some of the initial costs.

It is a work in progress, with the owner-occupied sector as the most challenging part.

**The Convener:** There is clearly a huge job to do there.

**Liam Kerr:** I want to pull back a little from that point. Professor Skea, in your answer to Collette Stevenson's question you talked about ambitions, barriers and challenges. Many of those are not new. Is there sufficient planning and strategy in the Scottish Government's approach? Does that approach both acknowledge the challenges and, crucially, address how we can achieve what we all wish to achieve?

11:00

**Professor Skea:** No Government in the world has done enough to induce the changes that we need. There appears to be a political will in Scotland to address those issues. That now needs to be converted into a genuine set of plans for implementation, and taken forward. “Implementation, implementation” has to be the key message.

That was one of the reasons why the first just transition commission recommended sectoral planning as a way of taking things forward. Unless people have a sense of where they are going, implementation will not take place.

When it comes to the Scottish experience at COP, we have developed 24 world-beating recommendations; what we need now is world-beating action to put those into practice. Implementation is everything. We have only just started the journey. In a way, we are at the end of the beginning of phase 1 of the just transition commission. There is much more work to do.

**Monica Lennon (Central Scotland) (Lab):** Good morning to our witnesses. The discussion so far has been really interesting. We have heard a lot about 1.5°C—that it is on life support, that it has a faint pulse, and so on. We know that good intentions are not enough to keep 1.5 alive.

I hope that Malini Mehra can still hear us. I was interested in developing what she said about the role of parliaments—particularly for us in the Scottish Parliament, because people want to see all of us in the Parliament roll up our sleeves and get on with the actions that need to happen. Does our panel have advice for members of the Parliament on what we need to do in the short term? If Malini cannot hear us, perhaps Professor Skea—

**Malini Mehra:** I can hear you. Let me take the first bite at that.

More of what you are doing today is excellent. Just three days after the COP has concluded, the committee is inviting people such as us to share our reflections with you. That needs to take place regularly. The target of 1.5°C is extremely ambitious. In Paris in 2015, we did not think that in 2021 a COP would make 1.5°C absolute and would mandate it for every country—it is now universally accepted.

As Jim Skea has suggested, this COP was defined as the ambition COP, and now we have to deliver. That delivery can only be through Parliaments, because Parliaments have to scrutinise plans, policies and agendas and to raise finance for them. Without a financed plan, there will be no implementation. The devil is absolutely

in the detail, but you are absolutely on the right path.

**Professor Skea:** A lot of the evidence, from different parts of the world where people are making progress, is that Governments need constructive challenge when they are delivering their policies. The just transition commission, in its next phase, has been deliberately set up to scrutinise the progress that the Government is making and to provide advice to it. We will produce an annual report on the Government’s progress.

The relationship is almost triangular: the Government, the Parliament and the independent advisory bodies. That can help to provide the kind of helpful challenge—not undermining, but critical and positive—that will enable Governments to up their game. That is the role.

I completely agree with Malini Mehra that holding this meeting two working days after the COP has finished shows how keen you are to get things done. All strength to your arm.

**Monica Lennon:** Thank you very much. We know that the COP presidency will continue with the UK until COP27 in Egypt next year. Even though Scotland did not have a formal seat at the table, we have been able to lead through the action that has been taken on loss and damage. That has been very well received and has been a catalyst for other contributions.

We also have an opportunity to lead on the just transition. I know that a just transition declaration was agreed at COP26, but so far that has only been signed by the United States, the United Kingdom, the 27 EU countries, Norway, Canada and New Zealand. As a devolved nation, what more can we do in the run-up to COP27 to try to mainstream and embed the concept of just transition? What can we do to demonstrate that we are making progress towards that here in Scotland and in the UK?

**Professor Skea:** There is a standing committee under the framework convention on climate change that considers just transition issues and is rather clumsily called the Katowice Committee of Experts on the Impacts of the Implementation of Response Measures. That committee has been working for a couple of years now. The Scottish Government submitted a piece of evidence to the committee about 18 months ago when the committee put out a call for evidence. I understand that the committee is currently extremely bogged down in procedural issues, rather than substance.

One thing that would be helpful in engaging in the convention process is to ensure that Scottish institutions, bodies and the Government can help the Katowice committee to up its game and advance its agenda. As well as the conferences of

the parties that take place annually, there are also intersessional sessions in May and June that take place in Bonn each year. Those are also important events—they do not get 30,000 people attending them like Glasgow did, but they are also important opportunities to advance the agenda. The negotiators come to the intersessionals, too. We should look at effective ways to participate in those.

**Malini Mehra:** To add to what Jim Skea has said, not only with the just transition commission, but with the climate assembly, Scotland has excellent models that the world needs to take note of. As Jim Skea mentioned, we have the UNFCCC mechanisms, and a major group in that is the Local Government and Municipal Authorities Constituency, to which the Scottish Government is an active contributor. We also have networks such as GLOBE International. We can all help to platform the Scottish experience.

We need national conversations on just transition and the experience of a climate assembly to happen in every country. It is a good and valuable model, which should be promoted worldwide.

**Monica Lennon:** Thank you, Malini. I am really pleased that you mentioned the climate assembly. I believe that the Scottish Government will be responding to its recommendations next month.

I am very proud of the role of children and young people in the lead up to COP26—as I am sure most of us are. I want to pay tribute to the Children's Parliament and the Scottish Youth Parliament. It was lovely to see young people involved at the GLOBE summit at the Scottish Parliament.

We have talked about the role of the Parliament and there has been good public engagement during COP26. Not everyone is an avid COP watcher—if Professor Skea is not, what chance do the rest of us have? What happens next for those citizens who have been paying attention—perhaps not to all the details—and want to see progress? How do we ensure that the public does not lose heart, get disappointed and feel that there is no point if certain countries are not playing their part? What must happen next to ensure the participation of all our constituents and that they have a role in holding all our feet to the fire outwith election times?

**Malini Mehra:** Monica, it was fantastic to have you participate so actively in the Moment. It is such an important exercise in democracy and in public education in how democracies work. GLOBE is completely committed to that. The reason why we started the member and young persons surgeries is because that is unique in the

UK context. It is not a practice we see in representative democracies around the world.

In terms of next steps, GLOBE wants such conversations to take place at a local constituency level between parliamentarians and young people in every country from Uganda to Brazil. We will work on that with you. Fundamentally, now that the conversation has started, its structure—taking place at a local level between the member of Parliament, a local councillor and the young person—needs to be maintained. Confidence must be built that it is not just a five-year cycle of having an event when a COP takes place but an on-going conversation. The confidence has to be built that it will deliver in—*[Interruption.]* Hello?

**The Convener:** We can hear you.

**Malini Mehra:** I am sorry. I keep dropping out.

The conversation between young people and their elected representatives is vital to rebuilding trust and creating the delivery mechanisms.

**Fiona Hyslop:** Thank you, Malini, for persevering with us; it is important that we hear from you. The people of the world will keep up their pressure; they will keep watching—just because the COP has finished, that does not mean that the world's attention has moved on.

The Glasgow pact refers to the role of young people, the position of women and the position of indigenous people. Did you expect those aspects to be in the pact, or was that a result of the experience and physical presence that was brought to bear by many young people, different non-governmental organisations and representatives of different communities? Did that add real impetus? Was that outcome anticipated?

**Malini Mehra:** You are absolutely right. The engagement of young people since 2018 has been an absolute game changer. We are where we are, with the adoption of 1.5°C and the ambition that we have seen, because of their engagement.

Young people have been recognised in the text of the agreements. The “Glasgow work programme on Action for Climate Empowerment” rightly acknowledges their central role and calls on Governments to hold annual meetings at which young people are not just brought along for show but their voice is actively engaged and their input recognised. That means that young people should be at the decision-making table and feel empowered that they can make a change in their communities, their countries and globally.

We have really strong text in the Glasgow agreements that recognises the role of young people, whom I fully expect to play a much stronger role in the coming years.

**Fiona Hyslop:** Thank you. Jim Skea, do you have any reflections on that?

**Professor Skea:** Young people did not take a passive role outside the fence of the blue zone, so they were highly effective. I got the message strongly that they will also need to be engaged with the just transition commission. I am sure that the Scottish Government has also got that message, so we look forward to advancing that agenda in Scotland as well as at other levels.

**Fiona Hyslop:** Both of you have been reasonably positive about the outcome of COP26, but a lot of the media coverage has not been as positive. Bearing in mind that there is now agreement on climate change science and that that was not in dispute at COP26, why was more progress not made? Will you provide a more sobering reflection on the conference than we have perhaps had so far?

**Professor Skea:** I will dive in first. I am somewhat constrained because of my IPCC role—we have delicate positions to get to before we approve our report next March. It seems to me that, quite simply, a lot of interests are at stake when it comes to saying goodbye to the high-carbon economy; people will potentially hang on to that, because there will be stranded assets. That is not a fiction; investments will prove not to be successful, as we have seen in the context of the coal industry, where some huge companies have gone into administration. There are economic interests, to be frank.

11:15

**Malini Mehra:** Science has been fundamentally recognised, in a way in which it was never recognised before at COPs. The code red report was transformative in focusing political leaders' minds on the need to address the issue as a climate emergency. Of course, we have had climate emergency declarations from leaders, but what we need from them is a climate emergency mindset, and we are beginning to move towards that, because of the language of climate crisis and the role of science in driving science-based targets. That is new and very much to be welcomed.

**Fiona Hyslop:** Thank you.

**Mark Ruskell:** There was a lot of discussion at COP about nature-based solutions, and some of that discussion is reflected in the agreement. How will that be taken forward at the biodiversity COP? There are concerns, particularly on the part of indigenous leaders, about the credibility of market mechanisms under article 6 of the Paris agreement.

**Professor Skea:** IPCC and its sister organisation, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, have been engaging with each other a lot on co-ordinating activity. A joint workshop between IPCC and IPBES—as it is called—resulted in a recent report.

IPCC will certainly go to the Convention on Biological Diversity COP to talk about biological diversity. It will be a huge piece of work from the working group to report on impacts and vulnerability, and across the different IPCC communities a lot of conversations are taking place that take full account of nature-based solutions—or ecosystem-based approaches, as some countries delicately phrase it.

**Malini Mehra:** As I said in my opening remarks, COP26 brought together climate and nature for the first time. That was very much a reflection of the close working between the IPCC and IPBES, to which Jim Skea referred, as well as between the Convention on Biological Diversity and the UNFCCC. The UN system has worked to bring those discrete issues together, in recognition of the fundamental interlinkages between ecosystem integrity and climate change.

Mark Ruskell asked about nature-based solutions. There is very strong recognition of the need to learn from the practice, knowledge and traditions of indigenous communities—another first at COP26 is the way in which indigenous communities have been foregrounded as holders of knowledge. The key issues will be how such communities are engaged and how their title to land is recognised in strategies that use nature-based solutions to protect ecosystems and improve climate adaptations.

I very much look forward to part 2 of the CBD COP, which will take place in Kunming next May. We are organising the legislators summit. Members of the committee who attended the summit that we organised at the Scottish Parliament will know that we are working closely with the Secretariat of the Convention on Biological Diversity, whose deputy head spoke at the summit. We are committed to ensuring that legislators work to address issues in an integrated fashion and not in silos, as was the case prior to Glasgow.

**The Convener:** I have a brief final question. COP26 brought together people from across the world, including a number of technology experts, to share best practice. Did either of you get a sense of emerging or new technologies that had more prominence in the discussions at this COP? For example, I was at a number of meetings where hydrogen was the centre of the discussion. Perhaps new technology is a matter for another day.



**Professor Skea:** That is theoretically something that I am supposed to know all about. In fact, I did not follow any of those discussions because I did not have time. However, I was very much aware—more in meetings that I had with the business side than in meetings with the environmental NGO side—of a lot of interest in the potential for hydrogen, carbon capture and storage and other such big technologies to form part of the solution.

The smaller scale modular technologies, such as solar cells, batteries and, potentially, hydrogen electrolyzers, have a long way to go. A lot of the technologies that we would need to deploy in the latter half of the 21st century still need to have more work done on them. A set of initiatives is taking place that is encompassing quite a wide range of countries at the moment.

**Malini Mehra:** We heard some really exciting announcements around transformative technologies such as green steel, in line with the need for sectoral transformations that has been led by the race to zero, the race to resilience and breakthrough technologies efforts such as the Marrakesh programme.

We heard a very different conversation around vehicles. We know that the internal combustion engine is on its way out. There was an important announcement about zero emission vehicles. As one looks across the sector space, one sees the rise of new technologies and innovations that have the potential to be truly transformative. That really positive and exciting area is one to be watched.

**The Convener:** That brings us to the end of our allocated time. I thank you both very much for joining us today and for your fascinating insights so soon after the conclusion of the Glasgow climate pact. The discussion has laid a lot of good groundwork for the committee to take forward in our work programme. I apologise for the slight technical issues that were experienced, but we got through the session. Enjoy the rest of your day.

11:22

*Meeting suspended.*

11:52

*On resuming—*

## Subordinate Legislation

### Traffic Regulation Orders (Procedure) (Miscellaneous Amendments) (Scotland) Regulations 2021 (SSI 2021/348)

**The Convener:** I welcome everyone back to the meeting. Agenda item 3 is consideration of Scottish statutory instruments.

The first instrument that we will consider has been laid under the negative procedure, which means that its provisions will come into force unless the Parliament agrees to a motion to annul it. No such motion to annul has been lodged.

I refer members to paper 2, which explains that the Delegated Powers and Law Reform Committee considered the regulations on 26 October and determined that it did not need to draw the Parliament's attention to them on any grounds within its remit. However, a policy question on experimental road traffic orders was raised at the same meeting, and the convener of that committee has passed those comments on to us.

I also put it on record that the Scottish Parliament information centre has provided the committee with advice on the matter, clarifying that experimental road traffic orders have been possible in Scotland since the 1980s but have rarely been used in practice. SPICe also advises that the proposals in the regulations largely bring the Scottish regulations and the approval process into line with that already used in England and Wales. I give that background for purposes of transparency, given that the letter from the DPLR Committee is in the public domain and our papers today.

Do members have any comment on the regulations?

**Mark Ruskell:** I found it useful for the regulations to be referred to the committee, because I think that there is a wider issue about the processes for traffic regulation orders being pretty cumbersome and time consuming, particularly for council officers.

I note that reform of this type of order will enhance the ability of members of the public to offer their views on the experimental orders that are being put in place, and that can form part of councils' decision making on whether they should be taken forward in future. It is a welcome first step in amending these particular orders and making them fit for purpose.

**The Convener:** As there are no further comments, I suggest that the committee write to the Scottish Government to request updates on how and when these powers will be exercised so that we can better understand and monitor the application of the orders. Are members agreed?

**Members indicated agreement.**

**The Convener:** Finally, does the committee agree that it does not wish to make any further recommendations in relation to the regulations?

**Members indicated agreement.**

### **Storage of Carbon Dioxide (Licensing etc) (EU Exit) (Scotland) (Amendment) Regulations 2021 (SSI 2021/354)**

### **Storage of Carbon Dioxide (Licensing etc) (EU Exit) (Scotland) (Amendment) Amendment Regulations 2021 (SSI 2021/383)**

**The Convener:** The other two instruments under consideration today are both subject to the negative procedure and have been made under powers under the European Union (Withdrawal) Act 2018. They amend definitions, references and expressions relating to EU law that require updating or correction following the UK's withdrawal from the EU. SSI 2021/354 corrects deficiencies in the Storage of Carbon Dioxide (Licensing etc) (Scotland) Regulations, and SSI 2021/383 corrects a technical drafting error in SSI 2021/354 before it comes into effect on 1 December 2021.

I refer members to paper 3, which provides further background on both instruments. The Delegated Powers and Law Reform Committee considered both instruments on 9 November and determined that it did not need to draw the Parliament's attention to the instruments on any grounds within its remit.

If members have no comments, does the committee agree that it does not wish to make any further recommendations on the instruments?

**Members indicated agreement.**

## **European Union (Withdrawal) Act 2018**

### **Waste and Agriculture (Legislative Functions) Regulations 2021**

11:56

**The Convener:** Agenda item 4 is consideration of a proposal by the Scottish Government to consent to the UK Government's legislating using powers under the European Union (Withdrawal) Act 2018 in relation to the proposed Waste and Agriculture (Legislative Functions) Regulations 2021. I refer members to paper 5 for background.

Although the proposed instrument cuts across a number of policy areas, the committee is focusing only on the environmental waste legislative functions. I also note by way of background that this is a type 1 consent notification, which means that the committee's role is to decide whether it agrees with the Scottish Government's proposal to consent to the UK Government's making regulations within devolved competence.

I remind members that when we considered our work programme on 26 October, we agreed to write to the Scottish Government to clarify a number of questions on the instrument, and on 8 November we received a reply that clarifies the Scottish Government's position.

Does the committee agree with the Scottish Government that the environmental provisions in the notification be included in the UK statutory instrument?

**Members indicated agreement.**

**The Convener:** I close the public part of the meeting and move into private session.

11:58

*Meeting continued in private until 12:49.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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