



OFFICIAL REPORT
AITHISG OIFIGEIL

Environment, Climate Change and Land Reform Committee

Tuesday 9 March 2021

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

Tuesday 9 March 2021

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ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM COMMITTEE
10th Meeting 2021, Session 5

CONVENER

*Gillian Martin (Aberdeenshire East) (SNP)

DEPUTY CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

COMMITTEE MEMBERS

*Claudia Beamish (South Scotland) (Lab)

*Angus MacDonald (Falkirk East) (SNP)

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

*Liz Smith (Mid Scotland and Fife) (Con)

*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Kersti Berge (Scottish Government)

Tessa Ferry (Scottish Government)

Gerard Howe (Scottish Government)

CLERK TO THE COMMITTEE

Lynn Tullis

LOCATION

Committee Room 1

Scottish Parliament
Environment, Climate Change
and Land Reform Committee

Tuesday 9 March 2021

[The Convener opened the meeting at 09:00]

Decision on Taking Business in
Private

The Convener (Gillian Martin): Good morning, and welcome to the 10th meeting in 2021 of the Environment, Climate Change and Land Reform Committee.

The first agenda item is to decide whether to take items 4 and 5 in private. Are we agreed?

Members indicated agreement.

United Nations Climate Change
Conference of the Parties
(COP26)

09:00

The Convener: The next item is an update from Scottish Government officials on planning for the 26th United Nations climate change conference of the parties—COP26—which is scheduled to take place in Glasgow in November. I welcome from the Scottish Government Kersti Berge, who is the director for energy and climate change; Gerard Howe, who is deputy director for COP26 and international climate change; and Tessa Ferry, who is head of international climate change. Thank you all for coming along virtually this morning.

I will ask the first questions. What stage have the Scottish Government's plans for COP26 reached? The conference was supposed to take place in November last year but, like many other events, had to be postponed. How far had planning got by the start of the pandemic, and how have you picked it up?

Kersti Berge (Scottish Government): Good morning. I will kick off by taking questions and will then hand over to my colleagues.

Clearly, delaying COP26 was the right thing for Scottish ministers and officials to have done, in support of the decision of the United Kingdom Government and the United Nations Framework Convention on Climate Change.

However, the postponement squarely presented us with challenges as well as opportunities. At the start of last year, we had a really successful event at Glasgow Science Centre, which a number of stakeholders attended. Since setting everything up, the challenges have included our maintaining momentum and contact with those stakeholders, who have, like us, had a few other things on their minds.

The opportunities have included our having a little longer for the run-in to the conference, which has been helpful. That has also allowed us to learn about how we run events online. COP26 involves a lot of activity for at least the year running up to it, plus events in the week of the conference. As others have, we have a number of events planned, in the pipeline and set up. We are working through our plans both for the run-up year and for the detail of what we will do in the two weeks of the conference itself. We are doing that in partnership with a number of parties from across Scotland, with the UK Government and with international parties. However, the events' being able to go ahead will obviously be key to our

planning. Things are looking a lot brighter as regards what we might be able to do, but we need options.

The overall picture is that there was at the start of 2020 momentum that paused a bit but is now picking up. I am comfortable and pleased with how our plans are progressing, particularly in the light of the challenges.

The Convener: Do you have a team that works full time on the conference?

Kersti Berge: We do. If it is all right, convener, I will hand over to Gerard Howe, who can say a little more about how we are set up.

Gerard Howe (Scottish Government): The overall point is that delivery of the COP26 core Scottish Government objectives will require effort from the whole of the Scottish Government, including all the policy and programme relationships that it holds.

In 2019 we established a core team, headed by a deputy director, in response to the fact that COP26 was due to happen in November 2020. That team consisted of about 20 people, including a programme management office team. As Covid hit, people were deployed to respond to it. That left a skeleton team of Tessa Ferry and her colleagues, who have done a good job of keeping up momentum. Everyone else did the same thing and deployed their teams to the Covid response, so there was a lowering of activity.

Since the end of 2020, we have been building the team up again. I arrived in post at the start of January as a dedicated deputy director for COP26 and international climate change. I am responsible for three teams. The first is a policy and strategy team that includes our international climate work. That team is headed by Tessa, and has 14 full-time-equivalent staff.

The second team is our COP26 delivery and operations team, which is our engine room for COP26. That team consists of the people who are doing the briefing and convening and pulling things together to make all that work. There are 12 full-time-equivalent staff in that team.

There is also a strategic communications team. I am sure that we will talk a lot about communication and engagement for COP26. That team has six full-time-equivalent staff.

Alongside that, we have nine full-time-equivalent staff working in Transport Scotland—there is, obviously, a huge transport agenda—and we have four colleagues working on safety and security. As we approach August, we will stand up a surge team of about eight or 10 people to help us to deliver all the events.

I am confident that we have the resources in place. We are mirroring other teams, as we reconsolidate that team and focus on the programme.

We have an executive board of directors for COP26. That board includes directors across transport, climate change and international matters and helps to steer us. It responds to a COP26 ministerial board, which met a couple of weeks ago and follows our decisions to ensure that we are in the right place at the right time.

The Convener: We are not out of the pandemic yet. Anyone organising anything must have contingencies and plans B, C, D and E for how things might work. How are you managing the situation? We hope that things will be back to a bit of normality by November, but COP26 might be slightly different from previous COPs—we might have to adapt to a more fluid situation. How are you working around that?

Gerard Howe: That is a critical issue. Covid is a key risk to operational delivery of COP26. We are working closely with the UK Government, and with the United Nations Framework Convention on Climate Change and other partners.

We are currently working with the UK Government to test a number of scenarios for COP26. Our recent stakeholder engagement showed clearly that people want good information. We will work through that with ministers and in line with Scottish advice on public health, and we will set out what will be possible.

We are telling all our partners that it is prudent to plan for at least some elements of any programme being virtual and happening online. Regardless of what happens, we will probably be more online than we had thought, but we continue to plan for an in-person event while ensuring the health of Scottish and UK citizens and of delegates.

Claudia Beamish (South Scotland) (Lab): That is useful and helpful information; thank you.

Will there be a need for the Scottish Parliament to make legislation relating to the summit? If so, what might that be?

Gerard Howe: We might need to consider legislation. We have not worked that out yet. That is why it is important to look at potential scenarios and to plan now, because legislative changes would take time. We have not yet decided whether legislative change is required.

Claudia Beamish: Are you able to share with us in what sort of areas there might be legislation? If it is confidential, it is, of course, confidential, but I wonder whether you can give us any sense of where legislation might be needed?

Gerard Howe: Obviously, our response to coronavirus is guided by the Coronavirus (Scotland) Act 2020, which is really important. It is therefore important to look at potential legislation for COP26 within that legislative environment. We will test that through planning scenarios, as we go forward.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): In case there is any doubt, I note that my colleague, Mark Ruskell, will follow my questioning and talk about how the Scottish and UK Government work together, so I will not ask about that.

I also note that, even although I am leaving Parliament, I cannot say how much I am looking forward to COP26, having attended COPs 14, 15, and 17. I would also have been at COP16 in Cancún, had the snow not kept me in Scotland. My colleague, Jim Mather, went instead of me at 24 hours' notice.

The two themes of the Scottish Government are people and a just transition, which I think there would not be any argument about. However, how do those align with getting an ambitious and deliverable global deal, which is clearly part of the conference? How does the Scottish Government, as a sub-state actor—which is the phrase that is commonly used at COPs—do that?

I will obviously start with Gerard Howe, but he can pass it to whomever.

Kersti Berge: I will come in on that question, if that is all right.

You rightly mentioned the two themes that we have—people and the just transition. We also have four objectives for COP26, which, I think, the committee is also aware of. We want it to be a safe and secure event; we want to make sure that Scotland supports a global deal, which you touched on; we want to ensure that COP26 supports Scotland's transition towards net zero through a just transition; and we want to build our relationships and Scotland's global value to attract investment and innovation.

Although the UK Government is the member state and the signatory to the Paris agreement, that is not all that is part of the global deal. A range of activity happens in the run-up year to COP26; for example, signatories submit their nationally determined contribution, in which countries set out the action that they will take to achieve their 2030 emissions reductions. In Scotland, that is one thing that we are doing. It is very helpful that subnational Governments do that. We have world-leading targets, of course, and we have produced our climate change plan update, on which we spent quite a lot of time. It is therefore very helpful to set out our plans and ambitions, as part of that.

I will give another example of what we are doing to help to implement the global deal, which cannot be implemented only by signatories to the Paris agreement and nation states, but must also be actioned on behalf of all parties through individuals, businesses and, indeed, subnational Governments. Scotland is a member of the Under2 Coalition, which is a very powerful group that includes about 220 countries, about 1.3 billion people and a large share—I think, about 40 per cent—of global gross domestic product.

The First Minister has just taken on co-chairmanship of that group, so we will be working with the Under2 Coalition to set out our commitments and to try and push for even more ambitious commitments. The First Minister will be talking about that today. There is a range of areas in which Scotland—given our well-recognised leading role in tackling global climate change—can play a role, notably in the subnational space.

09:15

Stewart Stevenson: Thank you for that.

The Scottish Government is trying to link into innovation, investment and the creation of new partnerships. With my background in software engineering, I am particularly interested in innovation—although that covers a wide range of things. How can we progress that?

I am asking that both in a domestic sense, in relation to the resources that we are deploying and, more fundamentally, in the sense of how we can make international links to create partnerships that will endure and deliver value beyond COP26. The conference is, of course, an opportunity to create new partnerships, rather than simply being an event that occupies some days in one year.

Kersti Berge: Absolutely. I will address that question, and others can come in. COP26 is a huge opportunity, as you say, for us to build relationships and to work to build partnerships in innovation and investment.

We have enormous opportunities in Scotland—notably, in renewable energy. We have huge offshore wind potential and carbon capture and storage potential, and we have just published our hydrogen policy statement, which sets out the opportunities in Scotland, particularly in relation to green climate change. I believe that, just today, Scottish Enterprise published its report today on climate-related innovation opportunities. There are clearly some huge opportunities.

We have done a number of events already. Actually, I think that there is one happening today: Mr Wheelhouse is speaking in Brussels on how we promote and develop hydrogen in the UK and

Germany. We are doing quite a lot on that, already.

We are raising the profile of a number of things that we are doing on the domestic agenda. We are taking what we are doing out to international partners, working with our eight international offices. Scottish Development International also has about 30 offices around the world; we are working with SDI on linking with partners in the innovation space and with global investors, on promoting and explaining what we are doing in Scotland.

I will mention a couple more things. As you might be aware, we published just before November last year our inward investment strategy, in the run-in year to COP26. It identifies notable inward investment opportunities in renewable energy in Scotland. In September we launched our green investment portfolio, which identified 10 specific low-carbon investment opportunities that we are helping to bring to market. That includes about £1.6 billion of commercially viable propositions.

On innovation, I have been speaking to Orkney Islands Council and other partners up in Orkney about the opportunities around EMEC—our European Marine Energy Centre there. We are a world leader in innovation in marine energy. We are building on many opportunities to promote innovation and investment opportunities.

Stewart Stevenson: That is great—thank you. I say to my colleague Mark Ruskell that my last bullet point fits more naturally with his questions, so I will leave it to him.

My final question is on the selection of people and a just transition as themes. They seem to relate to the sustainable development goals. We measure much of what we do through the national performance framework. How did we alight on those two themes? I am not raising the question so as to disagree with the choice; I would have chosen them, too. Nonetheless, the matter is not simply for the Government; it is for the wider public interest and wider society in Scotland. What process did we go through to choose those themes?

Kersti Berge: I am pleased to hear that you would have chosen the themes, too. They are the obvious themes for Scotland, but they very much feel like the right ones. They are quite broad and we will come on to how they link into the UK Government's themes.

Just transition is enshrined in our legislation, and you will know from the climate change plan update that the role of people is central to the transition. The net zero transition will touch every part of everybody's lives as individuals and in our jobs, whether they are in the public sector, the

third sector or another sector. The Climate Change Committee said that 60 per cent of what needs to happen has to be through behavioural change, which will touch everybody, so the theme of people feels natural.

On the process, ministers chose the themes through the kind of framework that Gerard Howe described. We as officials agreed entirely that the themes made perfect sense and are important. Just transition is not straightforward, but it is important that we keep an absolute focus on it, and our just transition commission will report fairly soon. That will play into our COP activity, and we can talk about the recommendations.

On the relationship to the national performance framework and the sustainable development goals, the themes that we have chosen stem from the framework and the goals—for example, the purpose in our national performance framework is

“To focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth.”

As you can hear, that fits closely with the themes of just transition and people. The sustainable development goals underpin our national performance framework.

Claudia Beamish: I will explore two things a bit further with Kersti Berge and others. Will you give us a bit more information about how you are looking to develop the just transition theme in relation to workers and affected communities here and globally? Please do not misinterpret what I am saying—I want to be absolutely clear that I am delighted that work is taking place on innovation, investment and value for Scotland, but the principles of climate justice in the Climate Change (Scotland) Act 2009 are also there for the global south. How will your positive themes of innovation, energy transitions and clean transport—I will not read them all out—be connected to countries in the developing world, which did so little to cause climate change?

Kersti Berge: I will hand over to Gerard Howe for that question. Just transition has a domestic dimension but also an international aspect, which we tend to talk about in terms of climate justice. Both parts are hugely important.

Gerard Howe: I will say a couple of things, and Tessa Ferry might want to come in after me. Ms Beamish raises an important point. There is interest in Scotland's experience and how we think this through. As Kersti Berge said, thinking this through and making just transition real and meaningful for people is hard work.

If we think about the connections between just transition and climate justice—the three elements of climate justice are recognitional justice,

procedural justice and distributive justice—we can see how to recognise people's interests and entitlements and we can see a procedure that takes people through. In a way, that is dominated by equity; understanding the distribution of costs and benefits of transition is integral to just transition. As we go forward in this year of COP26, we will think about other ways in which our climate justice fund can support countries and stakeholders to think through that issue. That is important.

We have programmes to support those who are coming to COP26 to represent views on the issue, which I am sure we will talk about more. We are pleased that, as members might have seen, yesterday—on international women's day—we announced increased support to the Women's Environment & Development Organization. That will support women delegates and negotiators to work together and bring their perspectives to COP26 to share them. It will also support work on gender-just climate solutions such as solar co-operatives and agroecology schemes.

The theme is absolutely interwoven in our national offer in Scotland—I will perhaps say more later about things such as our energy transition fund in the north-east—and in how we want to use that offer as well as our international profile and influence, which Kersti Berge talked about, in supporting people across the Under2 coalition to integrate a just transition into their work.

Claudia Beamish: That is helpful. If possible, it would be good if your team kept our successor committee updated on the details of how the plans are developing, because that is fundamental to global climate justice. It is encouraging to hear that that work is going on.

Mark Ruskell (Mid Scotland and Fife) (Green): I will ask about how the relationship with the UK Government on COP26 is panning out. Early on, there was a bit of a stushie over venue bookings, but where are we now in the development of programmes and alignment on that?

Kersti Berge: The Scottish and UK Governments have strongly shared equity in ensuring that COP26 is a successful event. Given that we share those objectives, we have been working closely with the UK Government. At the same time, we want to ensure a distinctive role for Scotland, and we need to ensure that our role in delivery on the operational side—in relation to transport, health and safety, and security—is fully recognised.

We are working closely with the UK Government on the operational side and on what we call the policy side. There is a good structure, which Gerard Howe can go into in a bit more detail. We

have bilateral meetings with UK Government colleagues and we have a structure in which the devolved Administrations come together. That joined-up structure operates with at least two layers of official levels, and we now have a ministerial group for the devolved Administrations. Ms Cunningham will attend the second meeting of that this month.

This might be a good point at which to talk about the UK Government themes and our themes. We have two broad cross-cutting themes, on just transition and people, and the UK Government has five themes, which are adaptation, nature, energy transition, clean transport and finance. We are working with the UK Government on a number of those themes.

The lead Whitehall department in the particular area tends to do most of the co-ordination on each UK Government theme—for example, we have been in touch with the Department for Environment, Food and Rural Affairs on the work that it is doing on nature-based solutions, and we have been working with colleagues in the Department for Business, Energy and Industrial Strategy on the energy transition. Scottish Government colleagues have been working with colleagues in other Whitehall departments on areas such as transport. We are working together because we have shared objectives and we need COP26 to be a success, both in the two weeks of the event and in all the activities, engagement and commitments that happen here in the run-up to it.

09:30

Mark Ruskell: Before you pass on to colleagues, I will pick up on the two shared areas of people and a just transition. Do the UK Government and the Scottish Government share the same view about what a just transition means for every sector? For oil and gas, for example, do you see a just transition still in the context of maximum extraction under UK licensing, or do you have a slightly different take?

Kersti Berge: We have been clear that the oil and gas sector has a hugely important part to play. It is a big part of the Scottish economy; in north-east Scotland, about one in five jobs are associated with or related to oil and gas.

It is clear that the sector has a lot of experience, knowledge and skills that are relevant to the transition. A lot of the skills are transferable—for example, to offshore wind, because people do lots of stuff underwater. The technology is transferable. However, we are clear that the commitment to the industry's 2030 vision needs to have decarbonisation as its focus—the sector needs to transition to net zero as well. I have been in this job for almost three years and have seen a

huge change in the behaviour and mindset of those in the oil and gas sector, with that in mind.

We are clear that the oil and gas sector has an important role to play in the transition, and we must support it. That is a good worked example of what a just transition is and needs to be in practice.

Mark Ruskell: So there is alignment on that. Has there been any feeding into other UK priorities, such as nature-based solutions or adaptations? Is there a practical link whereby the Scottish Government can feed into the development of those objectives?

Kersti Berge: Yes. We are working on the implementation of the objectives. The UK Government did not consult us on them, but we are entirely comfortable with them—they are some of the obvious issues.

We are working with DEFRA—I am not doing that personally, but colleagues in the environment and forestry directorate are. I know that NatureScot is involved—and, I believe, our scientific adviser who leads on environmental issues—in looking at activities that the Scottish Government can undertake and work with DEFRA and others to deliver, to take nature-based solutions as an example.

Mark Ruskell: I will move on to what COP will look like in practice when it comes to UK and Scottish ministers working together. What should we expect? Should we expect a Scottish minister to work with a UK minister on certain events? Will there be a Scottish minister in the UK delegation inside COP? Is there clarity? Are we doing primarily the logistics?

Kersti Berge: I am sorry—I did not catch the last part of your question. I think that the sound cut off when you were asking whether we are doing primarily the logistics.

Mark Ruskell: Is that our primary focus? Will Scottish ministers be alongside UK ministers and, if so, in what context? What activities will they—*[Inaudible.]*—the UK delegation?

Kersti Berge: Scottish ministers and officials have always been part of the UK delegation at COP, and we firmly expect that to be the case this time around. I was at COP25—that is the only COP that I have attended. Ms Cunningham was at COP, too.

Can I check that you can hear me? The picture is stopping a bit.

The Convener: Yes—we can hear you.

Kersti Berge: I will keep talking; if anything goes wrong, let me know in the chat box or on audio.

As I said, Scottish ministers have been part of the delegation and we expect that this time around. We firmly expect them to have an important role as part of the delegation. The First Minister will attend COP26.

We are still looking at what the programme might be. I do not think that anyone has a lot of plans set in stone for the two weeks. Applications have gone in for the green zone, for example.

We expect to work with UK Government ministers as part of the delegation, as we have done in the past. I make it clear that we are not part of the negotiations—the UK Government leads on that.

Mark Ruskell: My final question is on how you can use COP26 as an opportunity to further international relations. You mentioned the Under2 Coalition. Are there particular relationships that you want to develop through COP26 with, for example, the Nordic Council or other groups?

Kersti Berge: COP is a huge opportunity to reach out to a number of parties, in the economic space and much more widely. Tessa Ferry or Gerard Howe might talk about that.

Tessa Ferry (Scottish Government): As everyone has said, COP presents an excellent opportunity for us to build relationships, enhance existing relationships and utilise our relationships to deliver our COP objectives. We do not see it as a one-way street; we want to contribute to the delivery of an ambitious global deal, as Gerard Howe and Kersti Berge said.

We will do that in a number of ways. As Kersti said, we will show what Scotland has to offer, not just through our legislative commitments but through our values on climate change. The fact that justness and fairness are at the heart of our work makes for a strong offer from the Scottish Government.

As Kersti said, we will publish our indicative nationally determined contribution, which will be framed in UN language, as part of telling our story to the world. Also, more generally, a communications campaign, which is planned to go live in summer, will have an international focus and will show the world what we are planning.

On new and refined partnerships and shared interests, a programme of EU meetings is under way, as Kersti Berge said. Mr Wheelhouse will be at an event on hydrogen today, and last week Mr Macpherson was at an event on just transition, looking at the correlation between work in Scotland and the work in the EU on the green new deal. You might also have seen that the First Minister met John Kerry, the United States climate envoy, to talk about shared opportunities and ambitions for COP.

I will quickly mention that climate will be part of all our international work this year. As well as the work that is done bilaterally and with the Under2 Coalition, there will be work, for example in the context of Expo Dubai, to ensure that there are links between our COP work and our trade work. We also want to work with our international development partners. The issue is not just what we can get from COP but how we can support the global south.

Mark Ruskell: That was a full answer.

The Convener: We will move on, then.

Liz Smith (Mid Scotland and Fife) (Con): Let us assume that the Covid data will continue to move in the right direction, as it is doing now. What are your plans for the main staging posts between now and COP26? What are the main events in the lead-up to COP26?

Tessa Ferry: We will be working towards a number of internationally focused and domestic events, but it is fair to say that we will refine and finalise our programme after the election. At that point, we will be able to give you more detail about what is planned in the pre-COP period.

I will give you a flavour of some of the staging posts that we have in mind. In May and June, there will be the big UNFCCC intersessional, which is a meeting of the subsidiary bodies. It is an incredibly important staging post in the run-up to COP. We are looking ahead to the 15th UN biological diversity conference of the parties, which ensures that we look at the link between the climate and biodiversity crises. We expect to take part in London climate action week, which will probably take place in the summer, and we are looking towards New York climate week in September, in which, historically, the Scottish Government has had a part to play—last year, the First Minister and Roseanna Cunningham participated in events in New York.

We are looking ahead to the pre-COP and the youth COP, which will take place in Italy. There are also things at which we already have a seat at the table, including the British-Irish Council energy ministerial meeting, which is planned for autumn.

Liz Smith: I hope that, by that time, it will be easier for people to physically come to Scotland. Should that be the case, do you foresee a lot of opportunities for Scotland to showcase aspects of climate change on which we have been doing reasonably well? Has that been worked into the programme of events, perhaps in the month before?

Tessa Ferry: Yes, absolutely. Scotland climate week, which normally takes place in autumn, will be in the immediate period before COP, and we will look at how to make it a pre-COP event. The

TED countdown summit is another big event that is planned for October, and the Scottish Government has sponsored a TEDx Glasgow event. There will be an international focus, which I hope will give us an opportunity to show the world what we are planning. At the heart of what we are doing is showing good work that is being done around Scotland, not just by the Scottish Government.

Liz Smith: In other words, you have a bit of autonomy about the things that you will showcase, and you will not have to go through UK Government channels in the lead-up. Is that correct?

Tessa Ferry: Yes, that is correct—we have full control over our part of the programme.

Angus MacDonald (Falkirk East) (SNP): Originally, the Scottish Government secured the Glasgow Science Centre as its venue, but that has now been incorporated into the green zone. Will the Scottish Government have any dedicated space in the green or blue zones? If, as I suspect, we are not to be given space, how will the Scottish Government get in the room and achieve its aim of playing a full part at COP26 in securing an ambitious and deliverable global deal?

Kersti Berge: As you are on a roll, Tessa, will you take that question as well?

Tessa Ferry: I thought that Gerard was going to take this question.

Kersti Berge: Oh dear. We are not on a roll—sorry.

Gerard Howe: We are still working through our choreography.

Thank you for the question, Mr MacDonald. There are a lot of rooms at COP26, which we all want to be in. You are right to look at the three bundles of areas: the blue zone, which is controlled by the UNFCCC secretariat, as you know; the green zone, which is the non-governmental zone, where the UK and Italy are the co-hosts; and all the space around it, in Glasgow and more broadly, which I will say something about.

As in previous years, we will have space in the blue zone as part of the UK pavilion. From April, we will start to talk about proposals for using the space in the joint UK pavilion with the UK Government and our colleagues in Wales and Northern Ireland. We are talking to other partners with space in the blue zone about where there might be some read-across to our initiatives and aims. Our chief scientific adviser is talking to the United Nations environment programme and its global peat initiative about Scotland potentially joining in on a pavilion that is focused on peat restoration. From the committee's scrutiny of the

climate change plan update, you know how important peatland restoration is and what a good story Scotland has to offer on that.

09:45

On other proposals for the blue zone, the UNFCCC secretariat manages a lot of that space, and it will open up its ideas for proposals only in the summer, so there is still a way to go on that. The green zone is a non-governmental space, and you will be aware that organisations were invited to submit expressions of interest to the UK Government for space in that zone. We worked to publicise that and have sent out a couple of notes to colleagues across Scotland about the deadlines and where applications were more numerous and less numerous. For example, before the deadline on 5 March, there were still fewer applications around cities and built environments and finance, so we were encouraging Scottish stakeholders to get into that. We have also asked Scottish stakeholders to share their expressions of interest with us, if they wish, so that we can look at them, connect them if necessary and potentially pick up some of those. We will continue to champion a strong Scottish offer for the green zone alongside the broad span of UK offers.

More broadly on space outside those two zones, we expect to have space within Glasgow and are exploring options on that, including with our colleagues in Glasgow City Council. An emerging option is the gallery of modern art, and Glasgow City Council is also opening up the Old Fruitmarket for event space. The usual sort of security assessment has, unsurprisingly, been made much more difficult as a consequence of Covid, but we are talking to a range of partners. I have spoken to almost all the universities across Glasgow and Scotland. We are holding a universities engagement event on 22 March and talking to others who booked space, so work is ongoing on that.

I am confident that we will have a range of spaces in which the Scottish Government and broader Scottish interests are represented.

Angus MacDonald: You mentioned the open call for proposals that closed on 5 March. Are Scottish agencies playing a full part in seeking access through the UK Cabinet Office scheme for activities in the blue and green zones?

Gerard Howe: A few days before the end date, I spoke to the official running that application process in the Cabinet Office, who said that there had been a very good response from Scottish stakeholders. They wanted more, because they want the broadest response possible, but certainly Scottish stakeholders are well represented. The Cabinet Office is keen that we have more

proposals from small and medium-sized enterprises and businesses, so we passed that message on through our Scottish Enterprise colleagues to try to enrich that side of the picture. Although we are not assessing those proposals—they will be assessed by policy colleagues in the UK Government—we will talk to those colleagues through the devolved authorities mechanism and through our policy engagement to ensure that there is a good rounded picture.

Angus MacDonald: That is certainly good to hear. It would be good to get some detail on how firms in Scotland can submit their applications for trade stands, for example. A couple of companies in my constituency are keen to engage, so it would be helpful if you could send any information that you have on that to the committee or to me directly.

Gerard Howe: We will certainly do that. There are 11 separate opportunities for UK organisations to have a presence at COP26, and the green zone is one of those. However, we will certainly circulate that setting out of all those opportunities. We see one of our roles across the Scottish Government as being to help people understand. The COP is an incredibly complex process of competing events, interests and priorities, so one of our jobs is to help Scottish stakeholders to understand that and to play the strongest role that they can at the COP.

Finlay Carson (Galloway and West Dumfries) (Con): We have heard about some of the other venues in and around Glasgow that are being considered, but we understand that there might be some work to consider how Marine Scotland vessels could be used in Edinburgh and how buildings there could be used. Can you touch on where else in Scotland you are looking to secure venues that might be used in COP26?

Kersti Berge: Gerard Howe might be able to say more about venues. We are really pleased to have COP26 in Glasgow, but we see it as an opportunity for the whole of Scotland. We are working with the enterprise agencies, for example—because they cover the business aspect of the whole of Scotland—to look at how we can raise the profile of Scottish businesses.

There is the run-up to COP as well as the event itself. I would not underestimate the importance of the run-up. People internationally are interested in speaking to us because COP is here. I felt that personally when I went to COP25. It is an opportunity for us to showcase Scotland and build relationships across the country. Working with the enterprise agencies is one way in which we are trying to do that.

Education Scotland has developed a collaborative plan that will see COP26 and climate

change being discussed as part of the curriculum in schools across Scotland. We are working with a number of youth organisations, including Young Scot, to engage youth throughout Scotland. Another example of what we are doing across Scotland is that we are piloting a sort of climate version of our internationally recognised place standard tool, which is a tool that communities and professionals can use to look at their local place and understand the economic, social and physical challenges and opportunities of climate change.

I mentioned the conversations that I have had with Orkney Islands Council and the work that it is seeking to do. However, we are keen for people across Scotland to come up with ideas. It is not without challenge, because there will be competition for the airwaves in the two weeks, but we want to do what we can to support parties and organisations across Scotland to maximise their share of the airwaves. There is huge scope for opportunities across Scotland in the run-up to COP. One of the few benefits of the current working arrangements is that it is much easier to do that now that we are working virtually. There is an opportunity to showcase what we are doing in Scotland, with international partners and domestically, in a way that, in some sense, is even easier than before.

Gerard, is there anything else that we can say on specific venues outside Glasgow and Edinburgh?

Gerard Howe: No. We are still getting proposals in. There was one recently from colleagues in Dundee, who were looking at how they might use centres there.

If I may, I want to draw a link from that back into one of our themes, because there is a really important point here about how COP26 mobilises right across Scotland, which plays into what we are trying to do more broadly. COP is a moment to inspire, inform, persuade and convene. It is a means to an end, and one of the ways that it can work is through our public engagement strategy. The three strands of our public engagement strategy, which is still under consultation, are to communicate, participate and encourage. It is really important to make COP26 work for each of those strands—right across Scotland, as Kersti Berge said—including with our partners in Young Scot, Keep Scotland Beautiful and YouthLink Scotland. We want to take that opportunity.

There has been amazing international interest, as well as national interest, in the Citizens Assembly of Scotland, which is really representative of all of Scotland and Scotland's perspectives. Working with young people allows us to show that it feels like a whole of Scotland thing. If COP26 is to be successful, it needs to have meaning for everybody across Scotland. It is

not only about geographical place; it is about diversity, and engaging with people through that.

The Convener: My colleague Claudia Beamish will dig into that a bit more. Finlay Carson, do you have any follow-up questions?

Finlay Carson: Yes. You talked about engaging with people. Dumfries and Galloway Council and the Galloway Glens Landscape Partnership have suggested that there could be some break-out groups, one of which could come down to Dumfries and Galloway, given that it is the first council in the UK to have a target of net zero by 2025.

We are only six or seven months away from COP26 and you have said that you are considering proposals. When will those be announced and when will you start to implement them? Seven months is not very long to put plans in place.

Gerard Howe: I agree that it is not very long at all. We are in the same space as everyone else as we look to work out and assemble the overall programme. We encourage partners such as local authorities to suggest ideas. We do not need to manage some of that—it will happen, and we want it to flourish naturally. We aim to take some immediate decisions over the next wee while, before the pre-election period, and then, as new ministers are put in post, to present them with a strong portfolio menu of choices. For example, we had a useful discussion with our colleagues across Government about how we continue to engage with our local authorities. Kersti Berge has also mentioned that.

We need to draw on that information, which is somewhat disparate at the moment, and see which bits we want to encourage, engage with and plan for. That is work in progress.

Mark Ruskell: Do you have plans to facilitate public protests?

Kersti Berge: Perhaps Gerard Howe will come in on that question. There are many layers to a COP: the negotiations, the blue zone, the green zone and huge public participation, which also includes public protests. Through the operations work, we are looking at that along with Police Scotland, Glasgow City Council and the UK Government.

Gerard Howe: As you will know, COPs are designed to encourage and facilitate protests and allow those different voices to be heard. As Kersti has said, facilitating peaceful protest is core to Police Scotland's work. That is important, and we are engaging across the delivery board, not only on costs but on that as a feature. We will facilitate such things, because they are fundamental to the spirit of COP.

The Convener: Claudia Beamish has questions on stakeholder engagement.

Claudia Beamish: Before I turn to stakeholder engagement, I want to ask about showcasing, which Kersti Berge highlighted. What opportunities in Glasgow and Scotland are being explored to showcase the just transition to a low-carbon economy? What about the possibility using of low-emission buses in Glasgow for COP26? They could even be buses that are built by Scottish companies such as Alexander Dennis, which is facing challenges in the transition. Could someone comment on that briefly, please?

Kersti Berge: We will take the opportunity to showcase what we are doing specifically on the just transition across the country. In Glasgow, we are working with Glasgow City Council and other partners to consider specific things that we can showcase, such as low-carbon transport. Transport Scotland is working with companies such as Scottish Power to see what we can do. As you say, it is an important opportunity.

Claudia Beamish: On stakeholder engagement, there are marginalised voices in Scotland and globally, including in the global south. How can the Scottish Government and others amplify those voices? CEMVO Scotland and the black and minority ethnic community in Scotland have voiced concerns that they have not been as involved as they might have been. I know that time is short, so I will not go into any more detail on that example today. Another example of marginalised voices might be communities that are challenged by changes in jobs. How are you going to reach out to hear from, listen to and amplify community voices?

10:00

Kersti Berge: Gerard, will you kick off on that question?

Gerard Howe: I will say something about the national side; Tessa Ferry might want to say something on the international side, which is really important.

Claudia Beamish raises an important point. One of the themes of this COP is people, and inclusivity is part of that. We have talked about the importance of having full representation in that regard. We are talking to people such as Stop Climate Chaos, which has links to community groups, and the COP26 collective, which represents a really broad range of voices. We can consider how those voices are represented during the COP, including in venues and so on.

We held our stakeholder engagement on 1 March 2021, and we engaged with 86 organisations. I accept that some of those are not

local community groups, but they absolutely endorsed the point about inclusivity and about understanding and engaging the global south and communities more broadly. We have to use the Scottish Government's links through its communities work, civil society partners and local authorities to ensure that some of those voices are represented.

Our programme of work is being agreed together—

Claudia Beamish: I am sorry to interrupt you, but will there be opportunities for community groups, trade unions and businesses to feed into the dialogue about how the nationally determined contributions are shaped? As has been emphasised throughout our discussion today, the lead-up to COP has almost as much importance as being at COP, in whatever capacity.

Gerard Howe: I will hand over to Tessa Ferry, as that question is about inclusion and engaging with the global south.

Claudia Beamish: Forgive me, but I was asking about Scotland in particular, before we come to the global south. I am thinking of groups such as Stop Climate Chaos and how they will feed into the discussion.

Gerard Howe: I am sorry that I got that wrong. You referred to the nationally determined contributions, which are the summation of the plans of each country or nation for tackling the climate emergency. As Tessa Ferry said, we plan to publish our indicative nationally determined contribution for Scotland, and the advice on when we might do that and what the process will be is being considered by ministers at this very moment

We would argue, with strong justification, that in the process of developing the climate change plan update and the strategies that underpin it, we have engaged extensively with stakeholders over the piece. We hold ourselves to the same standards as others in being able to point to the participation in policy development and consultation that makes up that entire portfolio of the nationally determined contribution.

The publication of the citizens assembly report and ministers responding to it at almost exactly the same time as COP presents a really good opportunity to show how those come together and showcase our best practice—to share globally our ability to learn as we go forward and to include others.

I will hand over to Tessa Ferry to give the picture on the global south.

Claudia Beamish: Thank you. That is very helpful.

Tessa Ferry: We have already talked about some of the ways in which we are ensuring that we will amplify voices of the global south. That has always been part of the Scottish Government's programme at COP and it will be the cornerstone of our programme for COP26. Gerard Howe mentioned the announcement that we made yesterday about supporting women from less-developed countries to come to COP and the funding that is attached to that. There is also the climate justice fund and the fact that we will be working with previous and current projects to showcase work by communities in the global south.

Through the Under2 Coalition, we also fund a project called the future fund, which is about working with developing countries, states and regions to help them develop their own climate change strategies.

This year, for the first time, we are looking at hosting a secondee from a developing country to share our experience. Our approach is to consider how we can work with the global south not just at the COP itself, but in the run-up to it.

We do not want to pre-empt any decision on this, but we are having exploratory conversations on a series of dialogues called the Glasgow climate dialogues, which would be around bringing people from the global south together ahead of the COP to showcase the COP and to hear what they want to get out of it. The new Scottish Government would be a convening voice within that process, to amplify those voices and to share its experiences.

We are also looking at a possible event on gender and climate justice, in which the Scottish Government would have a strong role to play. We see that as being at the heart of our work.

Claudia Beamish: That is very helpful. It would be useful to have more information on those aspects as they are developed.

The Convener: I have a final question. Perhaps it is too early to talk about it, but what are you hoping will be the legacy of COP26? When people look back on other COPs, there is always an aspect that defines each one.

[Interruption.] We seem to have lost the sound on Kersti Berge's connection. I ask one of her colleagues to respond for the moment.

Gerard Howe: I am happy to start; perhaps Kersti can come in afterwards.

You are right that it is early to talk about legacy. We all hope that this will be the COP of delivery, which would accord with what we want to do in our climate change plan update. However, the whole point of this COP is that we need to see not only really ambitious nationally determined contributions that will get us to within the

guidelines set by the Paris agreement, but the resources, plans and commitments that will get us there credibly. Therefore, if I had to choose one word to describe this COP, it would be "delivery".

For Scotland, the legacy will be about not only how we implement the climate change plan update but what our next climate change plan will look like. It would be encouraging to be able to say that our plan in 2023 could be shaped by the legacy of delivering and convening the COP, and that the additional energy that it will bring to realising all the assets in Scotland would help us to continue our path to net zero through just transition.

The Convener: Thank you. That would probably have been a good note on which to end, but my colleague Mark Ruskell has indicated that he has a short question.

Mark Ruskell: It was good to hear about the work on underrepresented voices. Has any thought been given to voices that have perhaps been overrepresented at previous COPs, particularly corporate interests that have been able to sponsor events and get unlimited access to decision makers? Is there something like a conflict of interest policy in relation to corporations and organisations that might wish to use the COP to their own advantage?

Gerard Howe: That is a really good question. We do not hold such a policy. However, we are aware that there is a strong campaign concerning the voice of the oil and gas sectors at the COP. As we have described, if we are to think about a just transition, it is important that we talk to certain sectors. I am not aware of whether the UK Government has such a policy, but we can get back to the committee on that.

The Convener: Kersti Berge is back with us. You might have missed my question about what you hope the legacy of this COP will be, which Gerard Howe responded to. Do you have anything to add? What are your hopes for the COP?

Kersti Berge: I did not hear Gerard Howe's answer, but I will try to give mine.

The Convener: Let us see whether they match.

Kersti Berge: Our expectation of the legacy that we want to leave for Scotland is very much reflected in our themes and objectives. We want to promote a just transition internationally but also deliver it domestically. Likewise, we want people to be engaged. We want the COP to be successful, for obvious reasons. As it is being held in Scotland, people will associate it with our country, but it is really important that we reach a global deal. We also want to use the COP to drive implementation of our own climate change action, as we have set out in our climate change plan update. We will monitor our emission reductions

annually, and that will be a test of whether we are really making progress.

I will link that to the people theme. We have talked a lot today about getting all parts of society, including individuals, businesses, the third sector and the public sector to engage. It is critical to have engagement in order for people to understand and, where possible, support Government policies, and to want to take action themselves.

Another legacy, which we will want to measure ourselves, relates to whether we have really made a step change in how people in Scotland engage with climate change. Gerard Howe and Tessa Ferry have both made the point that we see our work on climate change in Scotland, including the climate change plan update and associated work, as inextricably linked with our work on COP26. They are not two separate things. For example, it is stating the obvious, but we want to use COP to support the public engagement strategy and we want to use the public engagement strategy to help us to deliver some of the objectives for COP.

The short answer is that our legacy is summarised in our themes and objectives, and I have brought out some of the most important points from those. Did my answer match with what Gerard Howe said?

The Convener: Yes. Gerard Howe mentioned delivery on ambition, which absolutely matches what you are saying. It is good to hear that outlined by you all, and I thank you for your time this morning.

European Union (Withdrawal) Act 2018

Air Quality (Legislative Functions) (Amendment) Regulations 2021

10:11

The Convener: Our third item is consideration of a notification from the Scottish Government in relation to consent to a UK statutory instrument, the Air Quality (Legislative Functions) (Amendment) Regulations 2021.

Members will be aware that a revised statutory instrument protocol has been agreed between the Scottish Government and the Parliament. The aim of the revised protocol is to enable committees to scrutinise proposals for UK SIs on all devolved matters that were formerly governed by EU law. The original SI protocol applied only to scrutiny of consent to SIs that fix deficiencies under the European Union (Withdrawal) Act 2018. The new SI protocol will continue to apply to such technical changes and ensure continuity of law, but also extends to proposals for SIs that introduce new regulatory or governance regimes, or that implement policy choices.

The committee raised some queries with the Scottish Government in advance of today's meeting and we have received a response. I know that members have some concerns and issues with the general process that they would like to raise.

Stewart Stevenson: I preface my remarks and suggestions with the observation that I do not imagine that anyone is setting out to deliberately create difficulties between the UK Government and the Scottish Government. The issues with which we are engaging when we look at the regulations that are before us lie more in the shortness of time at UK Government level and, more fundamentally for us, perhaps a failure to lock in the different processes and timetables in the Scottish Parliament with what has to happen at Westminster.

I know that this is not a new subject for us, and that our minister and the Presiding Officer are well aware of some of the difficulties. I propose that, on this occasion, we write to the relevant minister with responsibility for the constitution at Westminster, to make them aware of the difficulty, because I assume that they are not fully aware of it. I also assume that they will not reject any observations, because if the process works well in devolved Administrations—I do not imagine that Scotland is the only one that is affected—it improves the governance and government at all levels. Therefore, it is appropriate for us to write to say

that we must get our act together and have a coherent timetable that allows proper consideration not only by the politicians, but by the officials who support our consideration of such UK statutory instruments.

The Convener: As I outlined, the revised protocols are supposed to facilitate that scrutiny, but they are not really adequate. Members have been bringing up the issue for some time. Stewart Stevenson is right in what he said, and other committee conveners have also raised the issue with the Presiding Officer and the Scottish Government. Those are good suggestions, Stewart.

Mark Ruskell: I agree with those points. It is disappointing to see consistent errors in timings and in the accuracy of the information that is presented to the committee about what the instruments do.

I agree that writing to all those concerned—including the Presiding Officer—would make sense. If the issue persists, the committee conveners in the next session of Parliament will have to consider it in more detail. It is also important to try to understand where the blockage is and how those errors keep on creeping in.

I would like clarity on how the policy could impact on the Scottish Government's desire to stay in alignment with the European Union. Although I see the logic in having a UK minister administering the instrument, if the European Union were to decide to take air quality standards in a slightly different direction, that might cut across the Scottish Government's desire to stay aligned with Europe. I am not raising an objection now, but I would like the Scottish Government to be clear as to how likely that might be.

Liz Smith: I agree with Stewart Stevenson and Mark Ruskell. Ours is not the only committee to have had these difficulties; it is a wider issue for the Parliament. The main problem is around consistency, or the lack of consistency in some cases. We must address that in the next Parliament. We should not wait for the problem to arise again; we have had sufficient evidence that there is a difficulty. As Stewart Stevenson rightly said, it is probably not intentional, but it could cause us a lot of headaches. The committee should quickly put that on the record and I am very much in favour of copying in the Presiding Officer.

The Convener: We are agreed that we will write to the UK Government minister with responsibility for this area.

We have been talking bilaterally to other devolved Parliaments about the issues and some of the work that we have been doing. It might be a good idea to copy them in to our letter to the UK Government. We know that they are facing the

same issues, and that would make our point stronger. We want to get this right. An awful lot of statutory instruments will be laid and we cannot keep running into the same problems time and again.

I see that everyone seems to be content with that approach.

Are members content to write to the Scottish Government to confirm the committee's consent to the UK statutory instrument referred to in the notification, caveated with Mark Ruskell's request to have clarity on some issues?

I see that we are content to write to the Government in those terms.

At the next meeting, on 16 March, the committee will consider our annual report, our legacy report and a number of statutory instruments. That concludes the public part of today's meeting.

10:19

Meeting continued in private until 10:45.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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