

Climate Change Act - CSO Open Letter to:

President Ramaphosa

CC: Minister George.

Urgent proclamation of the Climate Change Act

1. We write to you as a collective of civil society organisations engaged in varying aspects of climate and social justice, against a backdrop of rapidly intensifying climate change impacts and a fast closing window to take decisive action on adaptation, achieving meaningful greenhouse gas emissions reductions and aligning all organs of state accordingly.
2. We welcome the finalisation of the critically important and long awaited Climate Change Bill, and your assent thereto on 23 July 2024, bringing the Climate Change Act into being.
3. It is, however, a matter of utmost concern that the Act has not yet been put into operation as this awaits your proclamation in terms of Section 38. This concern is exacerbated by, to the best of our knowledge, a lack of any public announcement or information regarding an expected timeframe or procedure for such proclamation.
4. This Act establishes a range of key mechanisms and obligations that are essential for the country's response to the climate crisis, and the delay of it coming into effect amounts to a delay in compelling the necessary actions by the state and other roleplayers.
5. Without detracting from the above general concern, we highlight in particular:
 - 5.1. That the critically important mechanisms pertaining to **climate change mitigation** will have no legal force or effect. These include, but are not limited to, the formalised determination of a national greenhouse gas (GHG) emissions trajectory, the allocation of carbon budgets and the determination of sectoral emission targets as provided for in the Act. While we see many statements of support for GHG emissions reduction from both state and emitters, in practice we continue to see ongoing and even intensifying activities and decisions that will compromise our GHG emissions reduction efforts, and our ability to comply with our Nationally Determined Contributions going forward. There is a very real risk of further locking us into an increasingly carbon intensive economy and society, with its attendant climate risks, including increased loss and damage and the destruction of our global economic competitiveness.
 - 5.2. Without being operationalised, the Act's potentially life-saving mechanisms prescribing **climate change adaptation** will not have any legislated requirement to set into motion a range of timeframes for national, sectoral, provincial and local organs of state. It is clear that climate change impacts – including droughts, floods and wildfires - are intensifying. It is also clear that the country is underprepared to manage the risks and reduce loss and damage. The longer adaptation is left unaddressed, the more expensive and difficult it becomes to adapt, and certain adaptation options become impossible after a certain point.

- 5.3. The delayed operationalisation of the Act further hinders the building of effective climate change related **institutional arrangements** and the much needed **mainstreaming of climate change response** across organs of state and tiers of government. We operate in an environment of significant and harmful policy incoherence in climate related activities. Climate change is not adequately understood by state functionaries, as confirmed by National Treasury when describing its piloting of a climate change related expenditure tagging system. Climate change affects virtually all sectors, all types of economic and social activity and all localities. There is no time to waste in implementing a holistic and effective climate change response mindset across the breadth and depth of the state apparatus.
6. The delay to the Act's operationalisation also sends a poor signal of commitment to the all-important global climate financing ecosystem from which we hope and arguably need to receive grants and concessional climate related loans and other financial and technical support.
7. The delay further fails to send an adequate signal to the market to open up the substantial opportunities for climate-friendly industrialisation and economic activity, which can create employment, improved living and social conditions and support a just transition. Communities that are already at the margins and suffering poverty and inequitable access to resources will be further marginalized the longer we delay. Flood victims are currently not receiving adequate support, and poor and vulnerable communities already bear the brunt of ever-increasing climate change related events such as floods, fires and droughts which lead to food insecurity.
8. We therefore call on you to make the necessary proclamation, and put the Climate Change Act into operation and set us firmly on the necessary path to protect life, wellbeing, economy and society as a whole, while advancing our constitutional and universal human rights.

Organisation Sign- Ons

The Green Connection
African Climate Alliance
Project 90 by 2030

Just Share

Life After Coal (comprising Earthlife Africa Johannesburg, groundWork and the Centre for Environmental Rights)

Laudato Si' Movement South Africa

Association for Rural Advancement

Institute of Natural Resources NPC

Women's Leadership and Training Programme (WLTP)

Natural Justice

KECES Group

groundWork, Friends of the Earth South Africa