**The Chairperson**

**Standing Committee on Justice, Law and Human Right.**

**Parliament of the Republic of Fiji.**

This is my contribution and written submission on  the **Climate Change Bill 2021 ( Bill No. 31 0f 2021 ).**

I have taken a birdseye view of  the whole climate change approach in the Bill and not delved at all into the individual provisions in Bill itself.

**1.0  Birds Eye View**

**( i) The Overall Focus**.

It is very commendable, topical and historical that we are for the first time,  legislating a specific law as  the nation's response - at our own local and domestic level - to the current  crisis and emergency, brought about by the changing global climatic conditions and circumstances - of which the evidence and effects can be seen all around us.

 The focus- as proposed in the Bill  in the face of this crisis- - is on how to address the related and ensuing issues.

In doing so,  it formulates and strategizes on how to mitigate and adapt to the inevitable negative  effects, along with the administrative, institutional,  operational  and legislative arrangements, that will come into play in the strategic counter  approach to addressing climate change. In doing so, it  introduces a system of measurement, reporting and verification of greenhouse gas emissions.

  (ii)  **Global Warming**.

 In saying this however, it seems quite perplexing, inconceivable and mind-boggling, that in the whole scheme of things, in terms of the current global climatic change we are in my humble view, only myopically focussing in this historic  Bill, on just one  point in the whole spectrum of  global climate cyclical events.

I firmly believe that Climate Change, as the name " change "  suggests, is about fluidity, movement and changing  from one point in the spectrum to the other.

 There is definitely no rigidity, or being in a static situation in a changing cyclical phenomena.

In  other words, the Bill is seemingly rooted to  a static position, with its total  focus on **Global Warming** and directly related issues to that one aspect.

Apparently, this is only a**half of the full story** of the phenomena.

Given this one-sided focus, the Bill as it stands, should really be called the **Global  Warming Bill  2021.**

  There is indeed a counter-balance to **Global Warming,** in the whole spectrum of global climatic changes, or Climate Change.

**(ii)  Global Cooling.**

The other end of the spectrum is obviously **Global Cooling**.

 Our Earth has since time immemorial  been - and currently is -  going through waves of major and minor peaks and troughs.

We are right now , according to a number of prominent scientists backed by climate data over time - either at the peak, or will soon be peaking at the top of  a minor cycle, within a very major cycle.

 The cycles are  a reflection and directly affected by the increase and decrease in  solar activity on the sun's surface.

As a result of the current increase, we have   the **global warming phase** we are going through. This has been made very visible by the current spate of  - **hurricanes, cyclones,** **floodings, tsunamis, tornadoes, sea level rises,  droughts, bushfires  and so on.**

All this  will soon and inevitably  pass, when  we enter a cooling period after this current  peak . We will very likely descend in the very near future to**Global Cooling** at the bottom of the trough in this minor cycle. This is when the sun  "hibernates " and  solar activity decreases.

**Global Cooling** can lead to a mini ice - age in this minor cycle, as part of a major cycle spreading over unimaginable  aeons.

**Global Cooling** will obviously bring its own set of problems and issues, that we also have to separately address such as -**freezing and sub-zero temperature**, **crop** **failures, loss of flora and fauna and food and warmth sources, famine, hunger, food, riots, social, chaos, sickness and so on.**

According to scientists, we will soon enter **Global Cooling**- probably by the **end of this  decade**, as we begin to exit the global warming period which is peaking or near peaking now.

It is my humble view that  there should be a **Global Cooling** focus and response in this Bill as well, with its own set  climate change crisis and emergency.

The Bill should therefore be a  "**heads up**" on how to counter this up- coming  natural phenomena which mankind cannot really stop ,but can only  adopt  mitigation  and adaptation  measures to counter  its  inevitability.

The above  is  my overall focus and view on the approach taken in  the Bill, in terms of the whole climate change cyclical phenomena and is only meant to set the scene and provide a bird's eye view perspective on the  whole climate change phenomena.

We are often caught up on a myopic focus and not seeing the whole picture and how we fit in.

 There is also the danger therein, of being caught on the wrong foot when things do change.

**2.0  Comments on the provisions in the  Bill.**

I will now just make a few comments onthe Bill itself, as it is presented.

**I am fully aware that a parliamentary committee cannot make changes to the Cabinet approved policy and the strategic approach adopted in the Bill itself.**

However, I am just giving a  "**heads up**" on the other missing half of the climate change phenomena story and consequently not making any firm recommendation on the policy adopted, or the name of the  Bill.

The provisions in the  Bill, at the outset seem to be all encompassing and holistic in covering the  direct and related issues in quite a detailed way , more than  I expected.

 As such, this approach  has its upside and its downside. The downside is that when an amendment has to be made to just one of its many provisions, the whole Bill would have  to be amended, by an amendment bill.

One can see that in later years, there would be a whole host of amendment bills emanating out of   this principle bill, much like the Income Tax Act

 I would have thought that such issues as the **" National Ocean Policy, "** would have been covered in a separate legislation.

 Amending that policy for instance in a separate Bill, would thus not involve amending this proposed Climate Change Bill.

 I have not gone into making comments on the various individual provisions in this Bill,  as I should  ,but I have  just focussed  my submission on   the **birds eye view** comments, as provided above.

**3.0** **Conclusion.**

 It will be remiss of me, if I did not commend the drafters of this very significant and historic Bill,  obviously for their detailed drafting work.

Granted, that some of the provisions are not only specific to us, but are a normal part of the universal approach -as per COPs  and IPCC- to addressing the climate change issue.

 The drafting of this Bill has certainly  provided a"lessons learnt" exercise  on the drafting of such holistic legislations.

Especially, as to  the strategic approach to be adopted to capture the whole thing and what best to put in and what should be left out, or be a  subject of a  separate legislation.

Climate Change is in my view a cyclical phenomena that has been occurring for eons, way before the existence of mankind.

 Scientists believe that we have been at this peak level for a couple of years now, creating the current climate crisis and emergency we are now facing.

 To be fair, mankind has through excessive carbon emission played some part in this current crisis situation. However, by comparison with the natural solar cyclical events, the detrimental effects of mankind's role, is not as significant as popularly portrayed and touted.

My best wishes to the Committee in its deliberations on this Bill and hope that - on the margins -  there is some thought on the other half of the story that is not included here.

Submitted for the Committee's consideration.

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