An Chomhairle Náisiúnta Eacnamaíoch agus Shóisialta
National Economic & Social Council

NESC

Draft Framework for
Sustainable Development
for Ireland: NESC Response

An Oifig Náisiúnta um Fhorbairt Eacnamaíoch agus Shóisialta
National Economic & Social Development Office NESDO

National Economic and Social Council

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2. The Council may consider such matters either on its own initiative or at the request of the Government.

3. Any reports which the Council may produce shall be submitted to the Government, and shall be laid before each House of the Oireachtas and published.

4. The membership of the Council shall comprise a Chairperson appointed by the Government in consultation with the interests represented on the Council, and

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   - Four persons nominated by the Irish Congress of Trade Unions;

   - Four persons nominated by community and voluntary organisations;

   - Four persons nominated by environment organisations;

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7. The numbers, remuneration and conditions of service of staff are subject to the approval of the Taoiseach.

8. The Council shall regulate its own procedure.

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Abbreviations

DECLG
Department of Environment, Community and Local Government

FSDI
Framework for Sustainable Development for Ireland

NESC
National Economic and Social Council

NESDO
National Economic and Social Development Office

NGOs
Non Governmental Organisations

OECD
Organisation for Economic Co-operation and Development

WFD
Water Framework Directive

Chapter 1
Introduction

The Department of Environment, Community and Local Government (DECLG) presented its Draft Framework for Sustainable Development for Ireland (FSDI) for consideration by the NESC Council at the December 2011 meeting.

The Council's discussion of the FSDI, in December 2011 and January 2012, brought to the fore a range of issues. This report does not outline in any detail the specific comments of Council members. Instead, the Council's focus here is on the characteristic of the FSDI that has prompted many of member's concerns and questions, namely the encompassing nature of the FSDI. Paradoxically, this feature is also seen by the Council as one of the key strengths of the FSDI.

The Council strongly endorses the encompassing approach adopted in the draft framework. It believes that the FSDI is in tune with the most sophisticated and convincing understanding of the concept of sustainable development. It is a very encompassing and comprehensive framework which caters for a plurality of views and multiple levels of action. However, the Council believes that such an approach may also harbour some potential pitfalls. The aim of this report is to identify possible revisions that could help to improve and make more persuasive what is already an impressive document.

The report is structured as follows. Chapter 2 provides an overview of the draft FSDI and a summary of the issues raised by members of NESC. Chapter 3 identifies some of the difficulties associated, in international literature, with an overarching strategic framework such as the FSDI. Chapter 4 focuses on the FSDI itself and suggests a number of potential risks that it needs to consider. To address these risks, Chapter 5 suggests some possible directions in which the draft framework might be revised.

Chapter 2
Draft Framework for Sustainable Development for Ireland

The stated aim of the Framework for Sustainable Development (FSDI) is to provide for the integration of sustainable development into key areas of policy, to put in place effective implementation mechanisms and deliver concrete measures to progress sustainable development. The objectives of the framework are to:

- Identify and prioritise policy areas and mechanisms where a sustainable development approach will add value and enable progress towards the strategy aims;

- Highlight and promote existing sustainable practices that, with the correct support, can underpin sustainable development more generally;

- Strengthen policy integration, coherence and co-ordination and bring a long term perspective to decision making;

- Set out governance mechanisms which ensure effective participation within government and across all stakeholders;

- Set out clear measures, responsibilities and timelines in an implementation plan;

- Set out how progress is to be measured and reported on through the uses of indicators;

- Incorporate monitoring, learning and improvement into the Framework process.

The framework broadly follows the thematic approach of the *EU Sustainable Development Strategy* outlining measures to help meet the overall goal of achieving continuous improvement in quality of life both for current and for future generations.

A key feature of the draft FSDI is that substantively it covers a very broad range of issues. The dimensions of sustainability and the policy areas discussed include: public finance; consumption and production; management of natural resources; climate change and clean energy; agriculture; transport; social inclusion, sustainable communities and planning; public health; education, communication and behaviour change; innovation, research and development; skills and training; and global poverty and sustainable development.

The framework names existing and planned approaches in each of these policy areas. It cites and links to an extensive range of national strategies, reports, pilots and policy reports, international agreements and policy statements alongside a range of legally-binding international instruments. In doing so, the FSDI provides a panorama of the policy ideas, strategies and legal instruments that will shape government policy over the next ten years.

The Council is, in this sense, very positive about the FSDI as an overarching and co-ordinating framework. However, in its discussion of the FSDI, Council members identified a range of issues and concerns. These included the need for a vision which is more ambitious and more grounded in specifics of the Irish situation; the need to address conflicts and trade-offs; the need to identify policy priorities; the challenge of implementation; vagueness in relation to partnership; and concerns about assessment and monitoring. Members also noted the importance of highlighting the synergies that exist between environmental, economic and social goals. For example, it was argued by some members that a more successful development of renewable energy, such as that based on wind and wave, could generate a significant number of jobs. Fear was also expressed that the social dimension of sustainable development might be lost sight of. In relation to agriculture, a number of members argued that action to reduce CO_2 emissions poses a definite threat to Irish agriculture, at a time when expansion and business development are in prospect. Members welcomed the emphasis on 'partnership' in the document, but a number argued that the nature of the stakeholder engagement envisaged is not clear. Observations and suggestions were diverse. It was argued that the idea of deliberative democracy—the creation of forums in which evidence is discussed on its merits, putting aside power differentials—offers a model. Others argued that creation of this framework for sustainable development offers an opportunity for innovation in stakeholder engagement—an opportunity that had not been fully seized in the existing draft. Members emphasised the importance of indicators, monitoring and accounting. Among the observations made were: the need for reporting as well as monitoring, the need for satellite accounts, the number of metrics involved in sustainable development and the danger that they become more important than what is being measured.

This report does not seek to address all of these issues. Instead, it focuses on characteristics of the FSDI that in many respects may have prompted members of the Council to raise these issues. It considers the encompassing nature of the FSDI and identifies potential risks inherent in such an approach. The purpose of the Report is to identify ways in which these might be addressed by the Department of Environment, Community and Local Government, (DECLG), in finalising the framework document.

Chapter 3
Working with an Encompassing Framework
General Implications

The Draft FSDI adopts an encompassing approach and this is correct. Its definition of sustainable development is a broad one, widely used internationally since the Brundtland Commission of 1987. It suggests that a wide range of policy instruments are necessary to achieve sustainable development. Many levels of government must work together to implement and monitor policies. A wide range of actors need to be involved in shaping and implementing policies for sustainable development. This encompassing, multi-instrumental and multi-level approach is a definite strength of the draft FSDI.

This approach is consistent with the most sophisticated and rigorous international thinking about risk management for environmental change and the nature of sustainable development. International developments in thinking about environmental issues underlines the value and appropriateness of the plural, multi-level approach adopted in the draft FSDI.

As argued by Hulme, understanding different conceptions of the pathways to sustainability is crucial for our understanding of why we disagree about what we should do about climate change (Hulme, 2009: 264). Debate is subject to and depends upon a range of contending narratives and view points—for example, that nature is resilient, fragile or stable within limits (Verweij *et al.* 2006). None of these views is either completely right or wrong with each capturing pertinent issues in relation to sustainable development. However, they do point towards different types of interventions—working with the market, a turn to expert rules and binding regulation or an emphasis on voluntary simplicity.

In practice, this line of thinking suggests that environmental problems need innovative combinations of different approaches, and this strongly supports the encompassing, multi-instrumental, multi-actor approach adopted in the draft FSDI. Any policy based on only one or two approaches is likely to fail. 'Only innovative combinations of bureaucratic measures, risky entrepreneurship and technological progress, as well as frugality and international solidarity, can be successful' (Verweij *et al.*, 2006: 829).

However, the multi-level plural approach is also seen as necessary because environmental issues are often 'wicked problems', in the sense that they tend to be a reflection of deeper problems and display a degree of circularity. With wicked problems, we seldom have a clear set of alternative, well-understood, solutions. Rayner argues that the list of wicked environmental problems includes climate change, water resource management, energy production, GM agriculture, urban

planning, waste disposal, nuclear waste, domestic waste, marine ecosystem protection, biodiversity loss and others (Rayner, 2006).

The literature also suggests that we should expect contestation and conflict on environmental matters. Conflict in policy-making process is endemic, inevitable and desirable, rather than pathological, curable or deviant. Any policy process that does not take this into account does so at the risk of losing political legitimacy. Indeed, we should expect differences not only on goals and methods, but also on what constitutes reliable and appropriate evidence. And since policy-making is inherently conflictual, policy outcomes crucially depend on the quality of communication within the debate (Verweij *et al*., 2006: 838).

Finally, a policy process involving diverse actors and interests can have a range of outcomes. Sometimes it will involve 'creative ambiguity' which creates a problem solving process. In other contexts, the outcome will be the lowest common denominator of what all can agree. These possibilities highlight the fact that in a great many policy spheres, the role played by central government is critical in shaping the way in which diverse actors and interests interact with one another (NESC, 2005).

That environmental problems are wicked, contested and subject to various outcomes is important, but, as discussed in the next chapter, these characteristics are not easy to take on board.

Chapter 4
Working with the FSDI
Potential Pitfalls

The encompassing nature of the draft framework, which is one of its strengths, may also be the source of some of its weaknesses. This is because there are possible pitfalls within an over-arching and encompassing version of 'sustainable development'.

First, the nature of environmental problems—as wicked, contested and subject to various outcomes—suggests that we should not necessarily be reassured by the existence of an impressive range of strategies, plans and international treaties and directives. It all depends on the kind of action which flows from these. In each area, the complexity, wickedness and contestability that warrants an encompassing approach will remain and reappear within each of the policy areas and sectors covered by specific strategies.

It is important to see that this is not a counsel of despair. There are many examples of successful policy approaches to environmental problems. They include economic instruments, 'experimentalist regimes' created under EU directives and bottom-up and community initiatives—sometimes in combination with each other[1]. This suggests that it is on the nature, strength and potential of **these policies** that the FSDI should rely. There are, of course, areas of environmental policy in which little progress has been made. It is important to name the different approaches and substantive issues in order that these areas of relative success and relative failure are brought into view. In the draft framework this remains muted; in the case of nearly every policy challenge reference is made to an existing report, strategy or international agreement.

Second, an encompassing approach, such as that in the draft framework, can imply, or seem to imply, that sustainable development is all synergies, rather than trade-offs. In tending to gloss over trade-offs, an encompassing vision of sustainable development tends to hide the fact that the trade-offs are of three different types. There are trade-offs between the costs and benefits for different groups of pursuing any given goal; an example would be the costs to urban and rural dwellers of pursuing lower CO_2 emissions through a carbon tax. In addition, there are trade-offs between goals, such as emissions reduction, economic output and poverty reduction, reflecting different understandings of what 'sustainable development' means. Finally, there are differences concerning the status and meaning of

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[1] Indeed, as shown in NESC's 2010 report *Re-finding Success in Europe*, overall Ireland's environmental policy has been spectacularly more effective than its fiscal policy or public finance management (NESC, 2010).

scientific and other evidence. Contrary to what is sometimes implied in debates on environmental challenges, the science does not settle the policy and political issues but is itself contested.

Third, an encompassing approach can seem to invoke generalities about the inter-relation between the environmental, economic and social dimensions of sustainable development. These generalities are derived from global-level discussion of issues such as desertification and flooding, rather than exploring the specific ways in which environmental, social and economic issues interact in the Irish context. For this reason the effort to integrate these dimensions can, ironically, seem to gloss over the reasons why we in Ireland do and should care about the environment in its different dimensions. If this is not clear and compelling, no amount of linkage of the environmental agenda to economic and social goals will generate real commitment to sustainable development.

Fourth, within an encompassing statement of a sustainable development strategy, reference to 'implementation' can seem vague. It may not sufficiently identify the need for different approaches to implementation. Certainly, there is a need for an element of a 'just do it' approach in which the FSDI is championed by a central department or departments. This would ensure that there is clear communication about the rationale for the FSDI and provide strong co-ordination across government departments. In addition, working with a remarkably large number of measures it is necessary to also have someone or some entity that can initiate dialogue and get action across policy silos without having to involve the central departments in too many issues. In this context, some argue that legislation can be a key tool in ensuring that policy silos are broken down. Finally, another perspective necessary for implementation is that, given the existence of trade-offs, there is a need to consider and design better processes and institutions that can resolve conflicts (an argument put by NESC in its discussion of the environment in its *2006 Strategy* report, (NESC, 2005)).

Fifth, the encompassing view can distract attention from the need for action in key areas. The encompassing view correctly identifies the need for complementary actions on many fronts, such as urban planning, public transport, technological innovation and waste management. That is an important and valuable insight; but its value is diminished if the real policy challenge is to achieve a shift in direction in the key policy areas, such as planning and energy generation. This has surely been the case in Ireland in recent decades. Consequently, a policy discourse focused on co-ordination and integration could skirt around the margins of the most important and difficult actual policy and political processes and challenges. To put it very concretely: if we have failed over 20 years to do sustainable local planning or achieve significant reduction in car usage—despite policy statements and strategies—is there reason to believe that embedding these policy challenges in an encompassing agenda of sustainable development will make it easier to achieve a shift in direction?

Sixth, an over-arching vision of sustainable development can engender scepticism about strategy and policy statements. The FSDI draws on numerous national and international strategies and agreements. This reflects the encompassing nature of

the framework and the text provides those in the system a remarkable panorama of the policy landscape. But, the FSDI refers in equal measure to strategies that have been a real success; ones which have prompted institutional innovation and hold great promise; and strategies which have failed to have much impact. This might make some readers sceptical that the FSDI will be a source of effective policy development. A similar point is made by Prins and Rayner in advancing their case for a rethink of climate change policy: new approaches are needed 'not least...because today there is strong public support for climate action; but continued policy failure 'spun' as a story of success could lead to public withdrawal of trust and consent for action, whatever form it takes' (Prins & Rayner, 2007: 975).

Chapter 5
Possible Directions of Revisions of the Draft Framework

This section outlines possible revisions, to what is already an impressive document, which could deal with many of the issues raised in the last chapter. These revisions could make the FSDI a more compelling and fruitful framework within which many specific policy challenges could be addressed in the years ahead. These revisions are:

A. Describe more clearly the specific relationships between the environmental, economic and social dimensions of sustainable development **in the Irish context**;

B. Drawing on A, articulate more sharply an **Irish vision** of sustainable development in a successful Ireland, (within the EU and global contexts), recognising the need to motivate and mobilise people to value their collective natural inheritance[2];

C. Draw attention to the differences between the policy processes and instruments, at global, EU and national level, that are currently used to pursue sustainable development and describe the kind of stakeholder engagement involved;

D. Name the policy making and implementation challenges in some more detail, identifying the roles of central government, local authorities, public agencies and other actors.

A theme running through all of the suggested revisions is the power of description. The Council believes that greater reliance on description of existing environmental policy—and evidence on what works well and what does not—would make the document more persuasive.

It would help to make the vision more relevant to Ireland and more motivational. It would help undercut scepticism by showing how environmental policy supports social and economic ambitions (e.g. the Green Hospitality Initiative). It would also help to make partnership real by showing how stakeholders are already involved in many areas of environmental policy. It would help to shrink the 'implementation' elephant, not by reducing it to the development of an implementation plan but by

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[2] The types of issues discussed under both Revision A and B were also raised at the FSDI public consultation event in January 2011.

demonstrating its complexity. Description of existing practice would identify the fact that various problems need different methods of decision, implementation and engagement; it would highlight the range of actors that need to be involved in key spheres. In addition, it would illustrate the limits of ex-ante assessment and possibly lead to less reliance on generic calls for 'integration'. Good description would also point towards the deeper unresolved processes and challenges of devolution.

5.1 Revision A: Specify the Relationship Between Environmental, Economic and Social Issues

One set of revisions is to bring out more visibly the specific relationships between the environmental, economic and social dimensions of sustainable development **in the** Irish context. This could provide the basis for a sharper articulation of a specifically Irish vision of sustainable development in a successful Ireland, recognising the need to motivate and mobilise people to value their collective natural inheritance.

This is the way in which the EPA generally describes the challenges and, in less technical manner, the way NESC addressed the issue in *NESC Strategy 2006* (NESC, 2005). Given the detailed and comprehensive nature of the draft framework, this may simply be a matter of bringing together, and making more visible, propositions that are distributed throughout the current text. Examples include reference, on page 27, to the importance of water to the business sector and potential climate impacts that could affect its supply; and, on page 28, to the poor conservation status of some of Ireland's most important habitats and species.

5.2 Revision B: Articulate an Irish Vision of Sustainable Development

A more visible account of the relationships between the environmental, economic and social dimensions of sustainable development in the Irish context would provide an input to our second idea for revision: articulation of more specifically Irish vision of sustainable development in a successful Ireland, (within the EU and global contexts), recognising the need to motivate and mobilise the people to value their collective natural inheritance.

It could be argued that, in its anxiety to integrate environmental issues with economic and social concerns, the draft framework somewhat neglects to clearly state why Ireland, its people and government, do and should value a high-quality environment. If that is not clear and compelling, no amount of integration will motivate action for sustainable development. In the Council discussion a number of members argued that the draft framework casts environmental policies as

something Ireland must do because of our obligations in the EU and UN. While that reaction cannot be ignored, the point seems a little unfair. Perhaps there is an indirect effect of the following sort: the dominance of EU legislation in shaping Ireland's environmental policy makes it seem that all sorts of environmental policies are on an equal footing—all being legal obligations under EU law. That can have the effect of 'flattening' Irish environmental policy—weakening the sense that Ireland has a specific set of environmental problems which require a national solution.

In addition, revisions of the kind suggested here and above could provide the basis upon which the FSDI could identify the most important sustainable development policy challenges that must be addressed in Ireland. This would create greater scope for productive package deals at national (or, indeed, local) level.

5.3   Revision C: Describe Different Policy Approaches

A third revision would be for the framework document to be more explicit about the different kinds of policy instrument that are used in the environmental area and, especially, about the different kinds of policy and regulatory processes involved. A concrete example illustrates the point; the draft FSDI would be strengthened if it drew attention to differences between such policy approaches as the Kyoto Protocol (an attempt to create an hierarchical regime through a binding international agreement), the Water Framework Directive (WFD) (a decentralised regime involving new national frameworks and reporting in an EU context) and the Green Hospitality Initiative (a national innovation which engages a range of stakeholders in learning new methods of measurement, monitoring and peer review). The inclusion of examples of this nature would strengthen the framework considerably.

More explicit consideration of these different kinds of policy might be thought to make it more difficult to link strategy and implementation. However, the Council believe that, in fact, it would make it easier to address this challenge, for a number of reasons. It would, to some degree, concretise the areas in which, and the ways in which, the environmental, economic and social dimensions interact and overlap. If the framework document disaggregated and briefly described the different international and national instruments it would greatly concretise what 'implementation' looks like in large areas of environmental policy.

In doing so, it would flesh out what 'partnership' and 'stakeholder engagement' mean in some areas of policy (Davies, 2009). For example, the WFD already involves a range of stakeholder; the Green Hospitality Initiative would be nothing if it did not engage the right actors in the right way (NESC, 2010). Description and evidence of this type would probably, at the same time, highlight the absence of meaningful or effective stakeholder engagement in other areas—and hence the perceived vagueness of 'partnership.' In this sense considerations of 'partnership' can be very practical.

5.4 Revision D: Name Policy Making and Implementation Challenges

The final and most demanding possible revision concerns the policy making and implementation challenges. The FSDI needs to engage in a fuller, and perhaps different, way with the 'implementation' issue. The revisions noted above would go some of the way to addressing this difficulty.

The DECLG is, in some respects, confronting a set of policy and implementation issues that remain unresolved in Irish public administration and democracy: how are environmental policy decisions with distributional consequences to be made in a timely manner and in a way that avoids the lowest common denominator? how is authority to be devolved from the centre? what would the respective roles of the centre and the local be in a more devolved system? how are stakeholders of different kinds to be engaged in policy and delivery of public goods? (NESC, 2005); (NESDO, 2009)[3]. It is interesting that in its Environmental Performance Review of Ireland, the OECD recommended that 'in the context of the ongoing review of local governance, [Ireland should] examine the **environmental responsibilities of different administrative levels** (emphasis in original) to identify opportunities for better co-ordination, economies of scale and improved policy development and implementation, e.g. as regards provision of water services and establishment of waste management infrastructure' (OECD, 2010: 17). These larger issues cannot be resolved in the FSDI; they require wider consideration in the Irish public system, politics and society.

The draft framework can be revised in ways that opens these issues for reflection, so that the 'implementation' of the FSDI might occur in a context in which institutions and routines are being incrementally adapted and created in order to allow effective action for sustainable development.

But, in response to general uncertainty on these issues, the draft FSDI might be seen as hiding the existing methods and achievements of many areas of environmental policy under a bushel, taking recourse instead to platitudes about 'integration', 'implementation' and 'partnership'. In the final FSDI, it might be better to state what actually works to date in environmental policy, what doesn't work so well to date, suggest some specific governance innovations in the environmental area and let the wider implications fall where they may. This would prompt further consideration of these difficult issues of government and governance.

In this context, the governance innovations which the Council have in mind sometimes function outside, or parallel to, traditional government institutions, and involve the participation of diverse actors, from policymakers, economic interest

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[3] Indeed, internationally there is debate on the specific challenges which environmental issues, and especially climate change, pose for democracy and public governance (Dobson, 2008); (Hobsbawm, 2007); (Shearman, 2007).

groups, consumer organisations and NGOs to scientists. Internationally, sustainable development has given rise to a range of novel arrangements and technologies for governing. For example, reviews by Popma and Swanson and Pinter, provide a range of good practice examples (Popma, T., 2011); (Swanson, D., Pinter, L., 2006). In Ireland, initiatives like The Green Way 'An Tsli Ghlas' or Cloughjordan Eco-village are illustrations of bottom-up initiatives that engage multiple partners in different ways. These actors operate in what are sometimes referred to as new political spaces. Examples include 'green economic zones' or 'sustainable communities.' Others work across geographical territories (clusters, villages, zones) in collaborative networks (virtually or geographically concentrated). Yet others work 'vertically' in multilevel frameworks created by EU directives. Nonetheless, local government will remain crucially important to steer sustainable development and, in this context, an important innovation for consideration is a requirement for County Development Boards to take greater responsibility for sustainable development.

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