



## FAQ I – Ombudspersons for Future Generations

*“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.<sup>1</sup>*

### **1. Why care about future generations when there is so much suffering amongst current generations?**

From our point of view this is a false dichotomy: improving the prosperity of humans to live lives in dignity and sufficiency today is a pertinent precondition to protecting the opportunities of future generations. Given that we already live beyond the carrying capacity of the Earth, this has to be done in an environmentally restorative way if livelihoods are to be maintained and cultivated to ensure fundamental human rights around choice and participation. Otherwise, future generations will face greater suffering than many of the poorest people today and their numbers will be greater. Working for future generations therefore means defining and implementing sustainable solutions *today*, and reversing the visible downward trends in available opportunities that each person is set to inherit.

### **2. How can you know what future generations want?**

Being an advocate for future generations does not mean foreseeing or dictating what they want or which quantities of resources or money should be available to them. The world is changing rapidly and one main goal in working for sustainable futures is finally letting go of the myth of linear extrapolations (including Social Discount Rates which argue that GDP growth will elevate purchasing power of future generations and that it will therefore be cheaper for them to afford investments for change). Representing the interests of future generations simply means safeguarding fundamental human rights as defined today for everyone who is born tomorrow - so that these individuals will have the opportunity to live fulfilling lives and engage meaningfully in their own decision-making processes.

### **3. Your Ombudsperson sounds like a dictator – how does that fit with our democratic ideals?**

Even though an Ombudsperson is not elected directly by the public it is voted in by parliament after a thorough selection process of people independent from party or other vested interests. Meanwhile, the range of its competencies is determined by the existing human rights, political goals and commitments on which his or her mandate of auditing rests. Thus, an Ombudsperson cannot make new rules or change existing law. He or she works to ensure accountability on commitments and identifies and prevents unsustainable projects and policies that would violate them. The Ombudsperson also reports annually to the public and to parliament, raising awareness on long-term goals and fostering broader engagement. If he or she does not achieve a consensual solution through multi-stakeholder mediation, any binding decisions on complaint cases would be taken by an independent court in front of which disagreeing parties have as much of a say as the Ombudsperson. Thus, he or she actually closes a temporal democracy gap, speaking up for those without a voice today but having to live with the consequences of the decisions taken. Additionally, working with citizen complaints ensures a multi-stakeholder flow of opinions informing his or her point of view.

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<sup>1</sup> WCSD, *Our Common Future*, 1987, Ch. 2, para I, accessible at: <http://www.un-documents.net/ocf-02.htm>

#### **4. Why are you advocating for yet another institution? Are there not too many already?**

As criticised in the Brundtland Report “Our Common Future” over two decades ago, governments function broadly as a multitude of single-issue offices that each follow their sectoral programmes instead of working in an integrated manner. To change this, Sustainable Development Councils and Strategies were invented at the World Summit Sustainable Development in 2002, but they often lack the resources and political standing to effectively intervene when policy decisions threaten long-term goals. Courts and the judicial services can cover this role when addressed by concerned stakeholders, but these processes are often very costly and slow, and restricted to an ex-post proof of negative effects rather than allowing for preventive measures. An Ombudsperson with the mandate to actively engage in knowledge formation, mediation and providing legislative recommendations therefore complements existing governance units, making units work together in a more effective and reliable manner.

#### **5. Why are you concerned about short-termism and how would an Ombudsperson for Future Generations address this?**

In current practice, immediate returns are prioritised over future consequences. For example, the practice of quarterly reporting for businesses encourages short-term profit making and the externalisation of social and environmental costs. Similarly, current political systems focus primarily on the electorate’s immediate interests and avoid short-term costs to their constituencies. In order to secure prosperity for the future, however, we need to invest in transforming how we manage core resources and services like energy, food, biodiversity, transport, health, education etc. These investments will only pay back later and often have lower immediate shareholder return or guaranteed votes. Ombudspersons are impartial and distanced from everyday decision-making processes and re-election worries. They can thus act as impartial guardians of the long-term goals and commitments for sustainable development.

#### **6. Isn’t setting up yet another institution going to cost a lot?**

Current policy-incoherence and ex-post rejections and corrections create economic costs and administrative inefficiencies that can be avoided if integrated thinking and long-term expertise and legislation are actively promoted and implemented. Beyond actual administrative costs, helping to overcome roadblocks to agreeing investments and policy changes that avoid long-term costs of destroyed environmental, social and human capital are tremendous, as the Stern report on Climate Change and the TEEB report on the Economics of Ecosystems and Biodiversity have shown. Furthermore, a small office (10 people), depending on governance level and government size, working in cooperation with existing institutions is small compared to other units.

#### **7. Will this institution deliver a pain-free transition to a sustainable future?**

We are neither assuming nor arguing that Ombudspersons for Future Generations are the single silver bullets for sustainable societies. We consider them to be important levers for improved effectiveness and coherence of existing governance structures, supporting the transition of our societies through knowledge creation, mediation, awareness raising and trust in the legal frameworks necessary. More transparency on the trade-offs behind policy-proposals with a focus on long-term, integrated analyses will help identify convergence of interests and new coalitions. Mitigating the zigzag course in policy-making of the last decades will help re-establish trust in reforms that many investors and citizens (71 % of Europeans) are actually willing to support if these deliver better conditions for future generations.<sup>2</sup> Ombudspersons for Future Generations can therefore act as catalysts in making this citizen will a political reality.

For further information please visit: [www.futurejustice.org](http://www.futurejustice.org)

Or contact: [guardians@futurejustice.org](mailto:guardians@futurejustice.org)

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<sup>2</sup> Eurobarometer 8/2010, p.24: [http://ec.europa.eu/public\\_opinion/archives/eb/eb73/eb73\\_first\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb73/eb73_first_en.pdf)