



PRE-CONFERENCE INSTITUTE

**IN THE CARBON AGE:
The International Human Rights Dimensions
of Climate Change**



WEDNESDAY, JULY 10, 2013

**NEW YORK UNIVERSITY SCHOOL OF LAW
D'AGOSTINO HALL
108 WEST THIRD STREET, NEW YORK**

HOSTED BY THE CENTER FOR HUMAN RIGHTS AND GLOBAL JUSTICE



DESCRIPTION

By 2050, an estimated one in forty-five people in the world will be displaced by climate change. Climate-induced displacement, migration, and conflict, along with loss of land, food, water, shelter, and livelihoods are now commonplace and pose new challenges to governments, legal systems, and other institutions protecting human rights. Meanwhile, there is an urgent need to apply a human rights lens to the countless agreements, policies, strategies, institutions, and financial mechanisms that are being developed to mitigate climate change and adapt to its effects. Such a lens has the potential to reveal new opportunities to address fundamental injustices and inequalities associated with economic development and environmental degradation. But without it, the “solutions” to climate change may further disenfranchise the world’s poorest and most vulnerable.

This Institute will offer a diversity of donors the opportunity to examine the intersection of human rights and climate change. It will introduce the breadth of ways in which climate change is emerging in the human rights context, and the ways human rights are making themselves known in the climate context and in the global financial institutions that play an ever greater role in climate policy and responses. Participants will learn from the experiences of other donors, practitioners, and communities and explore strategies and opportunities for collaboration. The rights of women, indigenous peoples, and local communities will be central considerations as participants learn about global negotiations, adaptation and mitigation, as well as climate-related international finance.

OBJECTIVES

1. Frame the issue of climate change from a human rights perspective by addressing the rights implications of climate change and how these challenges are being addressed in both the human rights and climate frameworks.
2. Provide an overview of key issues, players, and international mechanisms at the intersection of human rights and climate change.
3. Explore the linkages between climate change and human rights as a means to protect the peoples and communities most vulnerable to climate change impacts and policies to address those impacts.
4. Explore opportunities for engagement and collaboration as well as practical tools and strategies for funders who want to engage on human rights and climate change issues.

AGENDA

8:30-9:00 am **BREAKFAST AND REGISTRATION**

9:00-9:30 am **WELCOME, INTRODUCTIONS, AND ORIENTATION**

Institute Facilitators:

- Peter Kostishack, Director of Programs, Global Greengrants Fund
- Alyssa Johl, Senior Attorney, Climate & Energy Program, Center for International Environmental Law (CIEL)

9:30-11:00 am **CLIMATE CHANGE: IMPACT AND RESPONSES FROM A HUMAN RIGHTS PERSPECTIVE**

Leading philanthropists and practitioners in human rights and climate change will discuss the depth and diversity in the nexus between human rights and climate change. Panelists will provide an overview of key issues and actors working to promote the right to a safe climate. They will further describe where linkages between human rights and climate change are being developed, and how these linkages provide a means to protect the peoples and communities most vulnerable to, but least responsible for, climate change.

Key Questions:

- How do developments in the human rights regime influence the climate change agenda, and conversely, how do developments in the climate regime influence the human rights agenda?
- Why is it important to recognize climate change as a human rights issue and thus apply a rights framework in efforts to address climate change?
- What are some key tools and strategies that are currently being used by human rights funders and their grantee partners?
- Where are opportunities for further engagement and collaboration among diverse constituencies?

Panelists:

- Nnimmo Bassey, Coordinator, Oilwatch International; Board Member, Global Greengrants Fund
- Kathleen Cravero-Kristoffersson, President, Oak Foundation
- Carroll Muffet, President and CEO, Center for International Environmental Law (CIEL)

Facilitator:

- David Hunter, Professor of Law, American University

11:00-11:15 am **BREAK**

11:15-12:30 pm **MITIGATING CLIMATE CHANGE**

A panel of legal experts and donors will frame some of the central human rights questions around climate change mitigation and facilitate a discussion among funders about opportunities for building human rights safeguards, mechanisms, and monitoring.

Key Questions:

- What are the human rights obligations of polluters to account for and mitigate carbon emissions and how can these obligations be enforced?
- How can the rights of the poor to development and access to energy be recognized in mitigation policy?
- In what ways do mitigation measures pose threats to the rights of women and indigenous peoples and what can be done about it?
- How can human rights be protected in a fast-growing carbon offset market?
- What role can the human rights framework and relevant institutions play in addressing these issues and advancing urgent and ambitious action on mitigation?

Panelists:

- Erika Rosenthal, Staff Attorney, Earthjustice
- Liane Schalatek, Associate Director, Washington Office, Heinrich Boll Foundation
- Victoria Tauli-Corpuz, Founder and Executive Director, Tebtebba Foundation (Indigenous Peoples' International Center for Policy Research and Education)

Facilitator:

- Terry Odendahl, Executive Director and CEO, Global Greengrants Fund

12:30-1:15 pm **LUNCH**

1:15-2:45 pm

ADAPTING TO CLIMATE CHANGE

The impacts of climate change are already being experienced by millions of people and communities around the world, and will continue for many years to come. Due to the long-term effects of increased concentrations of greenhouse gases, several decades of climate change are embedded in the climate system. For this reason, adaptation strategies – such as the development of resilient water supplies, preparation of disaster management plans, and relocation of coastal and island communities – are key to protecting vulnerable populations. Panelists will describe what is needed to protect vulnerable and marginalized communities in these situations.

Key Questions:

- What is community-based adaptation and how has this approach been effective at protecting the rights of affected peoples and communities?
- What is needed to protect the rights of peoples and communities who are forced to leave their traditional homes as a result of climate change (climate-induced displacement and relocation)?
- What actions can be taken to support women and other vulnerable groups given that they often lack the resources, power and opportunities to adapt?

Panelists:

- Patricia Cochran, Executive Director, Alaska Native Science Commission
- John Crump, Senior Advisor on Climate Change, GRID-Arendal; Coordinator, Many Strong Voices
- Rachel Harris, Advocacy Coordinator, Women's Environment & Development Organization (WEDO)

Facilitator:

- Peter Kostishack, Director of Programs, Global Greengrants Fund

2:45-3:00 pm

BREAK

3:00-4:15 pm

CONCURRENT SESSIONS:

CLIMATE FINANCE

For the vast majority of developing countries, there is considerable need for increased financial resources to support mitigation and adaptation activities (climate finance). The governance and distribution of climate finance have implications for the full range of human rights, including the rights to life, health, food, water, housing, and culture, among others. Panelists will describe ongoing efforts to ensure that climate funds are not used in a manner that violates the rights of affected communities, and that communities are actively engaged in these decision-making processes. They will also explore ways in which climate finance can be used to support activities that promote human rights as well as sustainable and equitable low-carbon development.

Key Questions:

- What are the existing and expected channels of international financing for climate-related activities?
- How can human rights standards be used to shape policies and projects funded by entities engaged in climate finance?
- What legal or policy tools exist for affected communities to raise grievances and to hold funding entities or governments to account for harms caused?
- What strategies are available to funders and grantee partners to effectively integrate human rights in climate and development finance?

Panelists:

- David Hunter, Professor of Law, American University
- Liane Schalatek, Associate Director, Heinrich Böll Foundation North America
- Victoria Tauli-Corpuz, Founder and Executive Director, Tebtebba Foundation (Indigenous Peoples' International Center for Policy Research and Education)

Facilitator:

- Tom Kruse, Program Officer, Democratic Practice-Global Governance, Rockefeller Brothers Fund

3:00-4:15 pm

CONCURRENT SESSIONS, CONTINUED:

TOOLS FOR PURSUING CLIMATE JUSTICE

As progressive climate change policy and implementation continues to stall at the federal and international level, this session will discuss unique opportunities for funders to bring about change at the intersection of human rights and climate change. The session will include discussion of human rights and legal mechanisms to achieve climate justice including impact litigation, corporate accountability and disclosure, and shareholder advocacy.

Key Questions:

- How can we use legal mechanisms, such as the Alien Tort Statute, to uphold human rights and protect the environment?
- What is Atmospheric Trust Litigation (ATL), how it has been implemented in the U.S., and how does ATL reframe climate crisis as not just an environmental issue, but also as a human rights issue?
- How can a trans-national legal strategy unify the broader climate justice movement?
- How is corporate disclosure and shareholder advocacy currently progressing in this area? What opportunities are there to use this mechanism for further environmental and human rights protections?

Panelists:

- Gloria Filippone, Youth Plaintiff, TRUST Campaign
- Jonathon Kaufman, Legal Advocacy Coordinator, EarthRights
- Kelly Matheson, Program Manager for the Americas, WITNESS

Facilitator:

- Ellen Dorsey, Executive Director, Wallace Global Fund

4:15-5:00 pm

WRAP-UP AND EVALUATION

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