



SEMI-ANNUAL CONFERENCE  
NEW YORK CITY  
JULY 21-22, 2008

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## Human Rights & Climate Change

**Monday, July 21, 2008, 3:15 – 4:45pm**

*Panelists:*

**Rocky Anderson**, Mayor of Salt Lake City (2000-2008); Founder, High Road for Human Rights

**Paul Baer**, Research Director, EcoEquity

**Michael F. Northrop**, Program Director (Sustainable Development), Rockefeller Brothers Fund

**Ross C. “Rocky” Anderson**, former Mayor of Salt Lake City, began his presentation by noting that prisons have become the institution of first resort in the U.S. for dealing with people suffering from mental illness. He recalled efforts to address this issue, as well as U.S.-sponsored and –engineered atrocities in Central America in the 1980s, and genocides in several countries and regions, commenting that the missing element in driving a responsible, humane policy by the United States government has been an aggressive grassroots call by ordinary citizens for effective action. To underscore the point, Anderson quoted administration officials and congressional leaders and cited Samantha Power in her book, *A Problem from Hell*, in which she notes that “The phones in congressional offices were not ringing . . .” and that this absence of a public call to action in the U.S. with regard to the Rwanda genocide led to the Clinton administration’s and Congress’s failure to act to stop the atrocities.

Anderson described a “disastrous cycle of complacency” that permits such tragedies: elected officials avoid controversy; the press responds anemically to atrocities; the public does not learn about the atrocities and assumes that government officials will take care of the problem; and the government concludes from the public’s silence that nothing more is expected from it.

Anderson also noted the difficulty in convincing people that climate change is a human rights issue rather than just an environmental, trade or economic issue. Citing a background paper entitled “Human Rights and Climate Change” issued by the Australian Human Rights and Equal Opportunity Commission ([http://www.humanrights.gov.au/about/media/papers/hrandclimate\\_change.html](http://www.humanrights.gov.au/about/media/papers/hrandclimate_change.html)), he noted that the discussion about whether human activities resulting in climate change should be viewed through a human rights lens has barely begun. Indeed, the International Council on Human Rights Policy (<http://www.ichrp.org/>) did not add climate change to its research program until 2007.

The consequences of human-caused global warming have already had a serious impact: the severe melting of glaciers around the world; rising oceans; desertification of millions of acres of previously productive lands; the killing of major coral reefs; the destruction of major forests by bark beetles that now survive warmer winters; and major droughts. He was persuaded that the most severe effects would be sustained by the most vulnerable people, commenting that “Business as usual spells disaster.”

Anderson suggested that the most germane legal instruments to the human rights and climate change issue are the Universal Declaration of Human Rights, the International Covenant on Civil and Political rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child. Among the rights affected by climate change are the rights to life, liberty and security of person and health, and the right to adequate food. Recalling that a 2003 heat wave in Europe killed 35,000 people, Anderson said that climate change will have a huge impact on people's lives—probably more than any other single event.

Drawing from Lester Brown's recent book, *Plan B 3.0: Mobilizing to Save Civilization*, Anderson stressed the importance of glaciers in the Himalayas and on the Tibet-Qinghai Plateau—glaciers that feed all of the major rivers of Asia. Similarly, Anderson cited the World Health Organization and the London School of Hygiene and Tropical Medicine study finding that global warming may have already be causing some 160,000 deaths a year from malaria and malnutrition and that the number of climate change-caused deaths from disease could double by 2020.

Anderson called for viewing climate change through a human rights lens—based on international human rights standards and instruments—an approach that will provide the best means of focusing on how mitigation and adaptation efforts will impact those who are most vulnerable. He stressed the need to put a human face on the problem, hold state parties responsible and address equity issues, be it the impact on individuals, the shared allocation of resources or the shouldering of responsibility to address climate change. He also highlighted the need for “procedural safeguards,” including broad dissemination of information and participation in policymaking, greater accountability and transparency. He thought it was essential for the human rights community to join those who have historically constituted the primary climate change community (the physical and social scientists) to address the issue together. Finally, he urged participants to “join together and make more noise” about the serious violations of global human rights and combat the potentially catastrophic climate disruption and the resulting world-wide tragedy that will occur if more is not done.

**Paul Baer** of Stanford University's Woods Institute for the Environment began by noting that, at the core of the climate change dilemma is the conflict between two different human rights: the right to protection from climate harm, which requires that green house gas emissions be dramatically reduced and the “right to development,” or alternatively the right to a dignified life beyond the bare minimum of “basic needs,” which requires dramatically increased use of energy by the world's poor majority, and thus (given current technology) an increase in their per capita CO2 emissions.

He thought that the harm that will be caused by climate change involves a scale of loss of life and livelihood that, if it were the direct consequence of identifiable acts of violence by a single state, would draw universal condemnation as a massive human rights violation. But, he noted that that is not how climate change works. Rather, the harm that will occur will be spread out across time and space, is the consequence of an infinite series of acts and decisions, and – with a few admittedly very important exceptions, like the possible melting of the Greenland ice sheet and an associated sea level rise of up to 20 feet – will look little different from the harm that already occurs due to natural disasters like floods, droughts and storms.

He then presented the following illustration to raise a question. If an evil dictator with his hired scientific geniuses were able to create a category 5 hurricane and unleash it on a populated area of another country, or even his own country, causing thousands of deaths and displacing millions of people, it would clearly be counted as a violation of human rights and be actionable under international

law. But, what if, as a result of policy decisions made in the international negotiations in the next few years, global warming is such that 30 years from now the average intensity of hurricanes is 1 category higher. Would the exponential increase in damages and costs in human lives with rising wind speed constitute a human rights violation? He noted that there is not currently a human right to be protected from hurricanes and asked, “How do we separate victims from natural vs. human-caused disasters?” He thought that it was important to get beyond the notion of separating and drew a distinction between “adaptation”—changes in people’s lives to adapt to climate change, but not affecting climate change—and “mitigation”—reducing CO2 emissions.

Baer mentioned several other issues that complicate the attribution of rights violations for the harm caused by climate change, including the long lag time between emissions and impacts, and the cumulative impacts of emissions as they accumulate in the atmosphere. Some believe the majority of harm that is currently being experienced is a consequence of emissions that occurred prior to 1992, when it was agreed by the UN that climate change was a substantial risk and ought be prevented. It is not clear that emissions prior to this date can be considered a rights violation, even if they cause harm. In a related matter, Baer noted that policy decisions that are made today will not have substantial impacts for two decades or more, given the inertia in the climate system. Moreover, it is impossible to reduce the risks from climate change to zero.

Baer suggested that, in spite of these difficulties, there are very good reasons to bring climate change into the realm of human rights. There are still well defined choices that people and countries make that will dramatically increase or decrease the impacts that will be felt for generations to come. Furthermore, there are other aspects of climate change – such as the consequences of action to reduce emissions (mitigation) – which can importantly be considered from the perspective of human rights, and which don’t have the same causal complications as the direct impacts of climate change.

He reiterated that at the heart of the climate dilemma is the conflict between the need for dramatically reducing green house gas (GHG) emissions, and the need for the provision of increased energy services to the world’s poor. Citing a “simple and straightforward” solution, Baer quoted Sir Nicholas Stern, former World Bank chief economist and lead author of *The Stern Review of the Economics of Climate Change*: saying “The rich must pay.” ([http://www.hm-treasury.gov.uk/independent\\_reviews/stern\\_review\\_economics\\_climate\\_change/stern\\_review\\_Report.cfm](http://www.hm-treasury.gov.uk/independent_reviews/stern_review_economics_climate_change/stern_review_Report.cfm)) He further noted that, importantly, most, *but not all* of the rich and middle class people in the world live in the rich countries. And if the rich people in poor countries are not also held accountable for their emissions, it will be impossible to generate the political will for the global cooperation that is needed.

Baer then went on to present the “Greenhouse Development Rights” (GDR) framework that calculates obligations in a way that is sensitive to the distribution of income *within* countries, noting that poor countries (a majority) do not want to join climate change regimes because their right to development will be impaired. This principle-based framework is designed for allocating national obligations, is based on capacity (wealth) and responsibility (contribution to climate change), and takes into account inequity within countries in calculating obligations.

Echoing the dangers presented by Anderson, Baer reiterated the risks of climate change to food supplies, production, water, and the dangers facing the ecosystem if CO2 emissions are not reduced and the global temperature increases 2 degree Celsius. He thought it very likely that the world will exceed this critical 2-degree threshold.

He introduced some models for shouldering responsibility including one that adjusts for “Purchasing Power Parity” (an adjustment that takes account of the difference between international currency exchange rates and their purchasing power at home, so that the same amount of “PPP adjusted dollars” will buy the same basket of goods in any country). He noted that poorer countries and people should not have to pay to solve these problems, but that there are wealthy people in poorer countries who should pay.

Baer raised several difficult questions about the speed with which the world could reduce emissions and at what cost. He asked, “Are companies that reduce CO2 emissions but continue to pollute still contributing to human rights violations?”

**Michael Northrup** estimated that donors have contributed \$100 million to fund climate change-related issues. He suggests that \$200-250 million will be spent in climate change in 2008 (75 percent of which comes from fourteen donors), and that this figure could double within a few years. Even this amount doesn’t come close to challenging problems related to climate change. Most funding focuses on federal and state policy issues, with some funds allocated to energy-related and constituency-building work.

Currently, apart from some ongoing work by EGI, Earth Justice, etc, no major foundation initiative exists that develop human rights strategies to challenge climate change in a systemic, comprehensive manner. In Northrup’s opinion, there will be tens of millions of “climate change refugees” in the future, and that climate change could be the “biggest human rights violator of all time.” Conservative estimates suggest 150,000 deaths per year due to heat waves, natural disasters, and other climate change-induced calamities. The United States, noted Northrup, has unfortunately lost significant moral standing on the world stage by refusing to take climate change and its impact [on humanity and the environment] seriously.

What can donors do? They need to build a national consciousness in the public and in philanthropy. More specifically, donors need to support work that generates a greater understanding of the micro and the macro impact, and build public demand for tackling climate change and for using human rights vocabulary in doing so. Litigation and research could be pursued to push the demand for climate change solutions. In order to generate public demand for solutions, we need to get beyond the science; link human behavior to climate change and discuss “real solutions” that have been proposed. A prominent thought piece in a philanthropic journal about climate change and human rights would be helpful. Members of the Funders Network on Trade and Globalization (FNTG) have done some research and analysis on climate change issues; this work reflects a great collaboration. Faith-based communities are very focused on climate change problems, and should be engaged in this effort, as well.