



PRE-CONFERENCE INSTITUTE
IN THE CARBON AGE:
THE INTERNATIONAL HUMAN RIGHTS DIMENSIONS OF CLIMATE CHANGE
JULY 10, 2013

Opening Remarks

July 10, 2013
9:00 – 9:30am

Facilitators:

- Alyssa Johl, Senior Attorney, Climate & Energy Program, Center for International Environmental Law (CIEL)
 - Peter Kostishack, Director of Programs, Global Greengrants Fund
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IHRFG Executive Director Michael Hirschhorn opened the Institute by emphasizing the importance of IHRFG's member-led community. He explained how the Institute came about by members expressing their interest in the intersection of climate change and human rights.

He thanked the Institute planning committee and IHRFG staff.

Peter Kostishack of the Global Greengrants Fund and Alyssa Johl of the Center for International Environmental Law introduced the Institute. They said that the Institute is intended to present opportunities and strategies for funders that can be used to protect those who are most vulnerable to climate change. Another goal of the Institute, they continued, is that it will foster and build a community of funders who will further this conversation beyond the day. Finally, they said that the Institute is also meant to provide an overview of mechanisms and players at the intersection of climate change and human rights.

Participants introduced themselves and shared what they were most interested in learning more about at the Institute. These included:

- Indigenous perspectives
- The intersection of gender and climate change
- Domestic and international frameworks for change
- How the environmental and human rights communities relate to each other, or can relate better
- Building a sense of urgency around the issues
- Building more donor interest and funding for the issues
- Expanding the understanding of the environmental community to include human rights



PRE-CONFERENCE INSTITUTE JULY 10, 2013

Climate Change: Impact and Responses from a Human Rights Perspective

9:30 - 11:00 am

Facilitator:

- David Hunter, Professor of Law, American University

Speakers:

- Nnimmo Bassey, Coordinator, Oilwatch International; Board Member, Global Greengrants Fund
 - Kathleen Cravero-Kristoffersson, President, Oak Foundation
 - Carroll Muffett, President and CEO, Center for International Environmental Law (CIEL)
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The opening panel took a broad look at the links between climate change and human rights. David Hunter, Professor of Law at American University, discussed the importance of this relationship. Before human rights were part of the climate change dialogue, negotiations were sterile and technocratic. The rights lens shifted the focus to equity and justice for vulnerable groups. As countries work to address climate change, human rights voices can provide advocacy to complement scientific consensus and frame the international community's approach to development.

Nnimmo Bassey, Coordinator of Oilwatch International and Board Member of the Global Greengrants Fund, said that the discourse on climate has not moved quickly enough and offered suggestions to avoid ecological and social disaster, such as more responsible extractive practices and “internalization” of environmental costs. He gave several examples of climate change’s impact in the developing world:

- Lake Chad has shrunk significantly since 1963, and conflict is emerging as populations fight for increasingly limited resources
- Recent floods in Western Africa have displaced millions. Bassey noted possible opportunities for funders to improve slow government responses to such emergencies
- Programs such as Reducing Emissions from Deforestation and Forest Degradation (REDD), agrofuels, genetically-modified organisms (GMOs) and gas flaring are often touted as solutions but can bring more harm than help to developing communities

Bassey explained that industrial and developing nations alike must reduce emissions to slow the record temperature rise. He noted some grassroots efforts already underway, including monitoring and training local activists, linking across sectors through networks, and supporting climate litigation.

Kathleen Cravero-Kristofferson, President of the Oak Foundation, offered a funder's perspective on the nexus between human rights and climate change. Oak has separate programs for human rights and the environment, and funding can become stuck in separate silos. The foundation has begun to consider complex issues at the intersection of these areas, such as environmental activism, including legal and economic threats to activists; disputes about water, land and resource exploitation, especially among vulnerable groups in the Global South; and climate justice, which includes displacements due to climate change. The dialogue surrounding this nexus is still developing.

A human rights framework integrates certain areas of expertise into the environmental agenda:

- Access to information, including public review of environmental impact assessments and the right to information about the effects of degradation
- The right to public participation and prior informed consent of groups affected by development
- Access to justice and avenues of redress – including restitution, compensation for livelihoods lost, recall of corporate contracts, and commitment to non-repetition – for those harmed by climate change
- Holding the state accountable in balancing economic interests and human rights

Carroll Muffett, President and CEO of the Center for International Environmental Law (CIEL), gave a broad overview of the relationship between climate change and human rights. He explained that climate change matters for human rights: it exacerbates underlying conflicts and threatens fundamental rights like food, water, shelter, culture and self-determination. Mitigation, adaptation, and finance efforts often focus on climate at the expense of human effects, leading to infringements on communities' right to develop and displacement through programs like REDD.

Similarly, a human rights lens matters for climate change. It highlights the tangible effects of climate change, showing impacts on communities and families instead of just coral reefs and polar bears. By showing how climate change is already affecting lives, this lens shifts the discourse from economics and politics to rights and the responsibilities of states and corporations.

Muffett discussed some strategies and arenas for change:

- Engaging communities in negotiations of the UN Framework Convention on Climate Change (UNFCCC) negotiations around mitigation and adaptation
- Exploring mechanisms within the UN Human Rights Council and the nexus with the UN Security council, recognizing climate change as a driver of instability
- Judicial and financial venues, including the International Court of Justice and the World Bank
- Empowering communities through climate justice and litigation
- Working directly with communities to support and empower them in community adaptation efforts and in getting their voices heard in policy arenas.
- More broadly, the human rights frame can connect communities to scientific and economic voices to build movements and drive solutions

Question & Answer Session

One participant raised the idea of supporting mobile technology to record environmental damages. Panelists agreed that there is potential, especially in areas without internet service, but emphasized that such documentation must be backed up by state accountability and justice systems.

A participant asked how actors can insert rights into international negotiations, such as Rio+20 and the Millennium Development Goals. Bassey said that solutions will be driven through mobilization of people's movements and other unofficial, unconventional forces, not through politicized international agreements. Muffett noted modest successes, such as getting explicit recognition of rights in UNFCCC negotiations, but said both the UN framework and the World Bank lack enforcement mechanisms. Hunter said the community must reiterate arguments for a rights-based approach to development.

Another participant asked how to increase private sector accountability and ensure states uphold their human rights obligations rather than bending to corporate will. Cravero-Kristoffersson shared some of her lessons as a funder, saying it would be ideal if the private sector did the right thing on its own, but strategic litigation against environmental rights abusers is the realistic path to long-term solutions. Muffett spoke of the need for public participation and political will to drive change, noting the potential of the Maastricht Principles, which hold states responsible for the actions of their corporations overseas.

Returning to the idea of land grabs and extraction that drive instability in Africa, a participant asked for insight on working across sectors and populations to increase the visibility of rights work and share information and strategies about environmental harms. Bassey said that conversations must include policymakers, scholars and youth across distinct silos, and Muffett raised youth mobilization and strategic litigation as means to spark conversation and highlight rights implications. Cravero-Kristoffersson discussed how to incorporate rights into environmental issues, using the example of access to information around government safety plans for offshore oil exploration.

One participant noted the similarities between conversations in the climate change and sexual and reproductive rights community as both seek to incorporate rights into the development agenda. The participant highlighted youth convenings as an opportunity to hear from voices across sectors.

Participants asked how grantmaking will look as funders merge these issues, asking for specific areas to support. Panelists encouraged funders to collaborate to ensure that environmental grantmaking is infused with human rights and pointed to strategic litigation as a promising path forward. Bassey emphasized that outcomes may not always be obvious and measurable. Funding can help community organizations begin these conversations and develop cross-sector networks, which will strengthen actors on the ground.

Muffett closed by offering a grantee's perspective. Funders often struggle to recognize that applications can fit into multiple silos at once: they may like the human rights implications of a project but feel constrained because their foundation doesn't fund environmental work. As funders integrate environmental and rights grantmaking, they must be cognizant that projects have multiple dimensions and be open to grants that spill into new areas.

Climate Changes Everything

Nnimmo Bassey,
IHRG Conference,
New York University, NYC, 10.July.2013



Changes we need

- **Declare every mine pit or oil/gas well a crime scene**
- **Liberate conscience & Nature**
- **Liberate captured multilateral spaces**



Avoid Ecological collapse + Social disasters



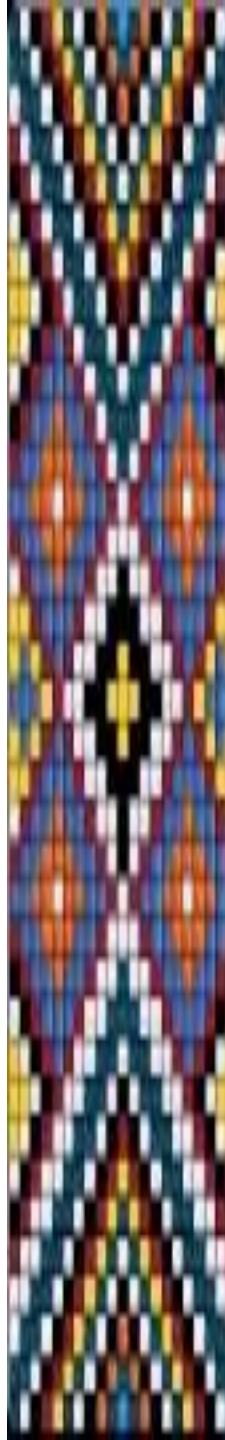
- End extraction without responsibility
- End externalization of costs
- Overturn the logic of power:
 - Global capital
 - Too many poor ...no value to the market
 - Too much labour
 - The operating system
 - Military
 - Political
 - Business

- ▷ Niger Delta...Oil spills...Oil thefts...Gas flares...Violence
- ▷ Kaiso - Lake Albert - 20% of Ugandans live in the Rift Valley, depend on the Lake & natural resources
- ▷ Half Assini - fisheries employes 10% of the population
- ▷ At least eleven dead whales have washed up on shore in recent times

Environmental Outlaws



- ▷ Niger Delta...Oil spills...Gas flares
- ▷ Kaiso - Lake Albert - 20% of Ugandans live in the Rift Valley, depend on the Lake & natural resources
- ▷ Half Assini - fisheries employes 10% of the population
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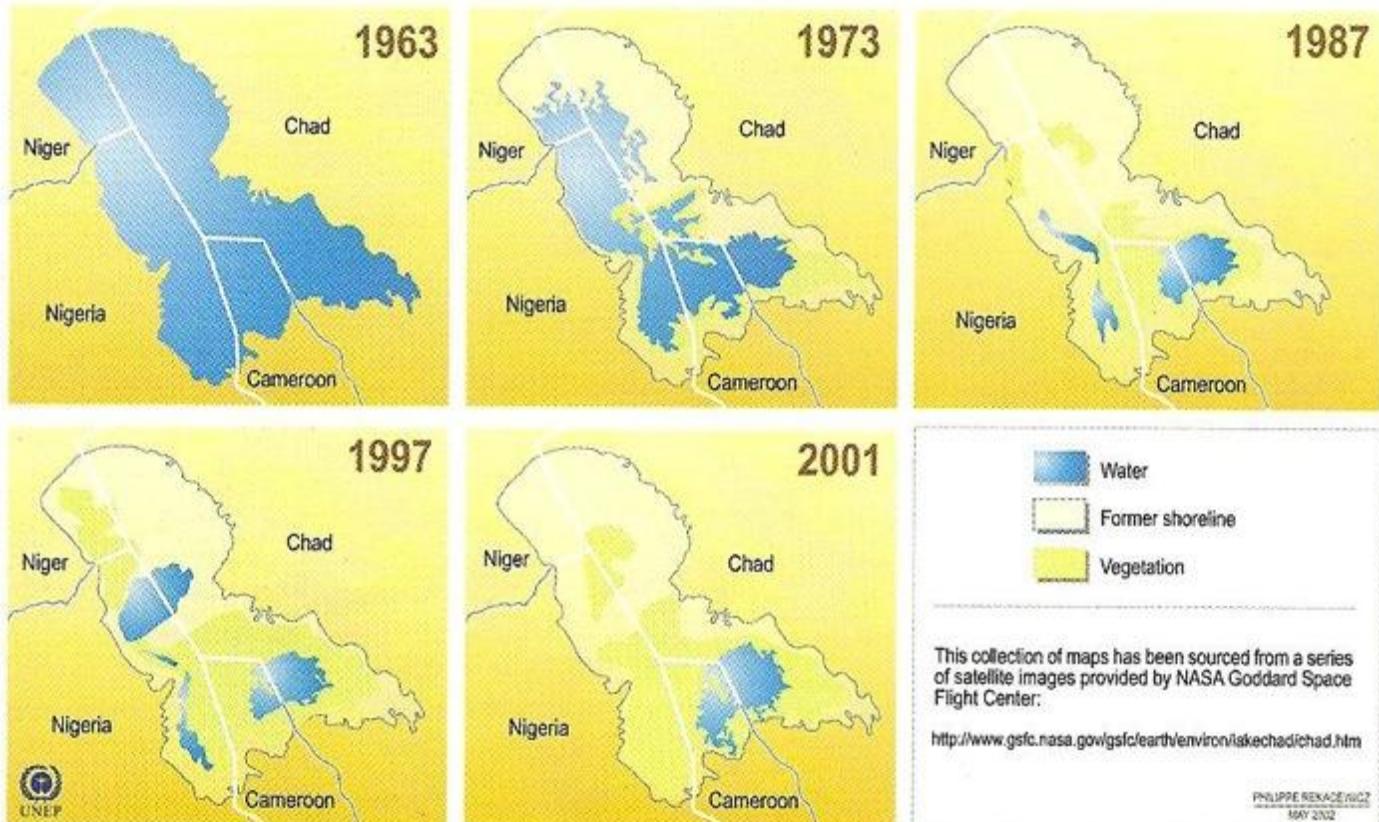
Extractive Crimes

Crime scenes II



- Shrinking resources
- Climate refugees

A Chronology of Change
Natural and Anthropogenic Factors Affecting Lake Chad



Climate Emergencies

- Melting arctic
- Crop failures
- Damaged infrastructure
- Coastal erosion
- Food price up by about 40% in 2012
- Family emergencies



2012 Floods

- Niger: 530,000 displaced b/w July & Sept
- Nigeria: 2million displaced. Over 300 killed
- Thousands displaced in Mali, Kenya, Uganda, Chad, SA, Mozambique, Somalia, Burkina Faso, Cameroon, Ethiopia, Sudan, Mauritania and others



Impacts, Righting & Wrongs



- Only when resource interests exist?
- Shrinking Resources
 - Salinization
 - Desertification
 - Droughts

Climate Change: Global Burning

**REDD = Carbon
Slavery**



50% higher impact on Africa for every 1° temperature change

- Justice and equity denied...
- **False solutions promoted**
 - REDD...REDD+ etc
 - Agrofuels
 - GMOs
 - CDM ... Gas Flares

Fossil Addiction – the climate hangman

Look who is
talking:
WB...IEA...PwC



Record Temperatures



- Before burning fossils for energy CO₂ was 280ppm
- Max safe: 350 ppm
- Now CO₂ has reached 400ppm
- Last time this was recorded was 3-5 million years ago.
- Temp then was 3-4°C warmer than today
- Sea levels was 5-40m higher than now
- There was no ice at the Artic region
- There were no humans

Climate Justice + Rights

- Historical wrongs
- Common But Differentiated Responsibilities
- Justice does not eliminate responsibility
- No Catching-up Justice



Direct & Indirect Violence



Grassroots Actions

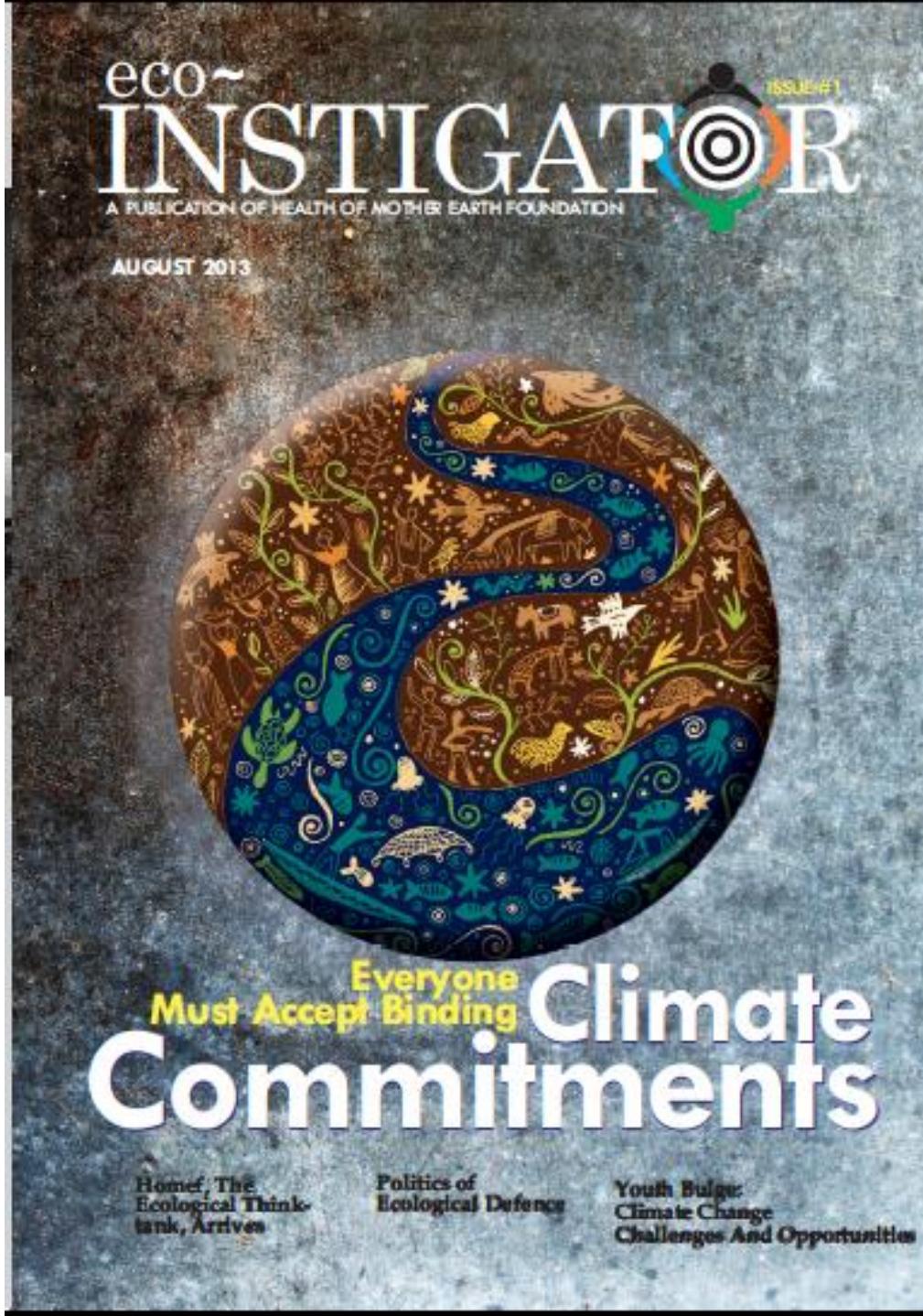
- Sensitize ...unveil ...politics of climate justice
 - Monitor ...train
 - Resist ...organize
 - Mobilize...across sectors
 - Defend ...litigate...Eg 4 farmers versus Shell
-
- Interrogate
 - Demand redress
 - Demand remediation
 - + Restoration & Compensation



Global Actions



- Network
- Demand a Just Climate Treaty...CBD
- Eliminate Mkt Mechs
- Rapid energy transition
- Stop Gas flaring
- Stop Fracking
- Leave Fossils in the Soil
- Respect the Rights of Mother Earth
- Set up Climate Tribunals to try Climate Criminals



Re-enact our
Narratives

Nothing
crawls on its Back!!



HOMEF

**Health of Mother Earth
Foundation**

nnimmo@homef.org
www.homef.org

Solidarity & Dignity!





Human Rights & Climate Change

Prepared for the IHRFG
Institute on Human Rights
Dimensions of Climate Change

July 10, 2013

The background of the slide is a photograph of a coral reef from an aerial perspective, showing numerous small, irregularly shaped greenish-brown patches of land or coral structures scattered across a vast expanse of blue water.

Climate change poses an immediate and far-reaching threat to people and communities around the world and has implications for the full enjoyment of human rights.

-UN Human Rights Council, Resolution 7/23. Human Rights & Climate Change (March 2008)

Why Climate Change Matters for Human Rights

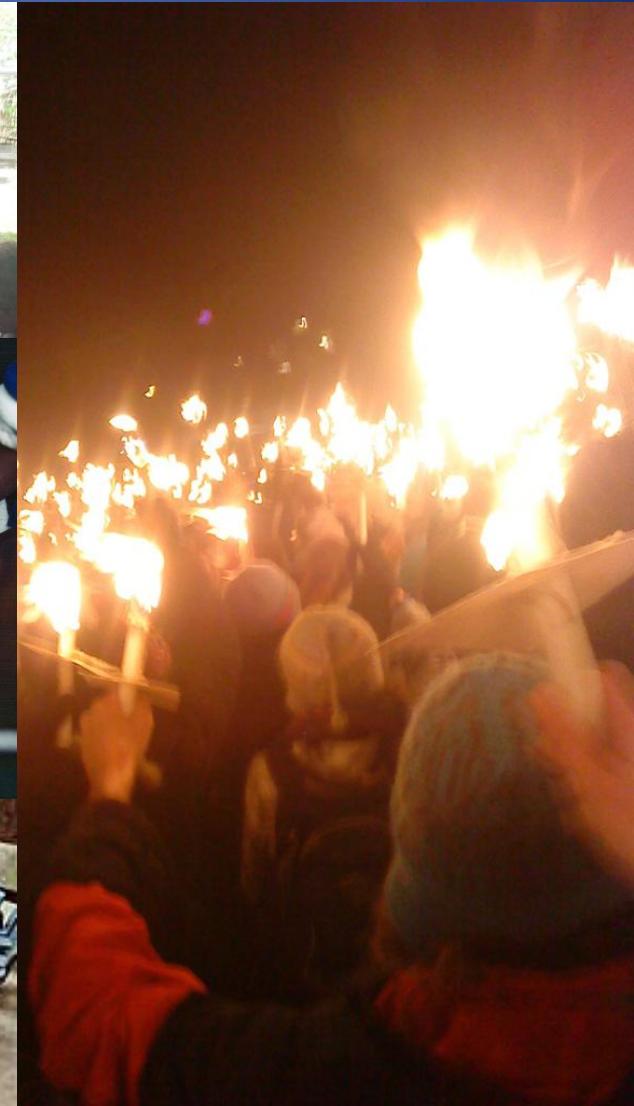


Why Human Rights Matters for Climate Change



Photo by Cheryl Empey

Strategies, Opportunities and Tools for Change













LORETO



MARCA ASI



MARCA ASI



MANOS
LILIPIAS







NG006S15Nigeria herder World Bank

Human Rights and Climate Change: Mitigation



Photo credit: Rick Gerharter

Human Rights and Climate Change: Adaptation



UN Photo by Gill
Fickling

Human Rights and Climate Change: Climate Finance



Photo Credit: Sahmakum Teang Tnaut

Why Human Rights Matters for Climate Change



Photo by Cheryl Empey

Climate Impact

Human Impact

Rights Implicated

Sea Level Rise

- Flooding
- Sea Surges
- Erosion
- Salination of land and water

- Loss of land
- Drowning, injury
- Lack of clean water, disease
- Damage to coastal infrastructure, homes, and property
- Loss of agricultural lands
- Threat to tourism, lost beaches

- Self-determination [ICCPR; ICESCR, 1; UNDRIP, 3]
- Life [ICCPR, 6; UNDRIP, 7]
- Health [ICESCR, 12]
- Water [CEDAW, 14; ICRC 24]
- Means of subsistence [ICESCR, 1; UNDRIP, 20]
- Standard of living [ICESCR, 12]
- Adequate housing [ICESCR, 12]
- Culture [ICCPR, 27; UNDRIP, 8]
- Property [UDHR, 17]

Temperature Increase

- Change in disease vectors
- Coral bleaching
- Impact on fisheries

- Spread of disease
- Changes in traditional fishing livelihood and commercial fishing
- Threat to tourism, lost coral and fish diversity

- Life [ICCPR, 6; UNDRIP, 7]
- Health [ICESCR, 12]
- Means of subsistence [ICESCR, 1; UNDRIP, 20]
- Adequate standard of living [ICESCR, 12]

Extreme Weather Events

- Higher intensity storms
- Sea Surges

- Dislocation of populations
- Contamination of water supply
- Damage to infrastructure: delays in medical treatment, food crisis
- Psychological distress
- Increased transmission of disease
- Damage to agricultural lands
- Disruption of educational services
- Damage to tourism sector
- Massive property damage

- Life [ICCPR, 6; UNDRIP, 7]
- Health [ICESCR, 12]
- Water [CEDAW, 14; ICRC, 24]
- Means of subsistence [ICESCR, 1; UNDRIP, 20]
- Adequate standard of living [ICESCR, 12]
- Adequate and secure housing [ICESCR, 12]
- Education [ICESCR, 13; UNDRIP, 14]
- Property [UDHR, 17]

Changes in Precipitation

- Change in disease vectors
- Erosion

- Outbreak of disease
- Depletion of agricultural soils

- Life [ICCPR, 6; UNDRIP, 7]
- Health [ICESCR, 12]
- Means of subsistence [ICESCR, 1; UNDRIP, 20]

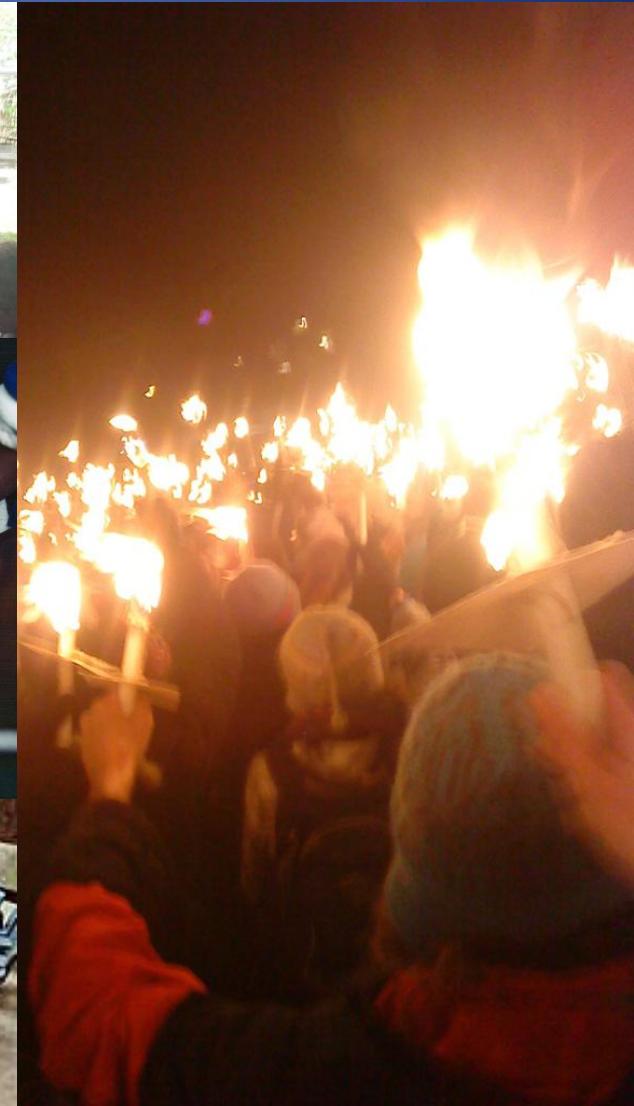
Examples of Human Rights Relevant to Climate Change

- Life
- Liberty and security of the person
- Freedom
- Movement
- Adequate standard of living
- Education
- Self-determination
- Means of subsistence
- Free from hunger
- Water
- Health
- Culture

Sources of Human Rights Relevant to Climate Change

- Universal Declaration of Human Rights
- International Covenant on Economic, Social, and Cultural Rights
- International Covenant on Civil and Political Rights
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on Indigenous and Tribal Peoples (ILO No. 169)
- UN Declaration on the Rights of Indigenous Peoples
- Conventions on the Rights of the Child

Strategies, Opportunities and Tools for Change



Opportunities to Engage

- UNFCCC
- UN Human Rights Council
- UN Security Council
- ICJ and Other Judicial Venues
- Financial institutions
- Movement Building
- Climate Litigation and Climate Justice
- Supporting and Empowering Communities









PRE-CONFERENCE INSTITUTE JULY 10, 2013

Mitigating Climate Change

11:15 am – 12:30 pm

Facilitator:

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

Speakers:

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

Terry Odendahl, Executive Director and CEO of Global Greengrants Fund, opened the session by clarifying the definition of “mitigation” as “efforts to reduce harm that we know is already happening.”

Odendahl asked the panelists about the importance of using a human rights lens for mitigating climate change and climate negotiations. Panelists responded that using the human rights lens is a powerful approach because it adds a valuable point of pressure and rallying concept for the climate change campaign. Using a human rights lens also allows the less-powerful to lay their claims and raise concerns. By framing climate change mitigation in terms of rights, one can hold states accountable under the United Nations Framework Convention on Climate Change (UNFCCC) for having existing obligations to respect, protect, and promote human rights.

Erika Rosenthal, a staff attorney at Earthjustice, dove deeper into the interdependence between human rights and climate mitigation. She proposed that human rights can influence climate mitigation by:

- Making moral imperatives into legal obligations
- Strengthening public and diplomatic pressure
- Setting standards for measuring safety of mitigation actions
- Creating forums and processes for climate victims

Rosenthal also highlighted the UNFCCC, which established human rights safeguards for mitigation actions (such as the Clean Development Mechanism (CDM) and Reducing Emissions from Deforestation and Degradation (REDD)).

Liane Schalatek, the Associate Director of the Heinrich Böll Foundation North America, then shared how we can understand climate change through a gender lens. She explained that climate change is not

gender-neutral; it affects (poor) women around the world disproportionately. Unfortunately, the gender dimension of mitigation isn't as recognized. There is also an inherent bias against women in many mitigation "fixes" as these approaches are high tech and can be costly (e.g. geo-engineering versus low-cost appropriate technology). What this all comes down to is the ineffectiveness of mitigation methods. The question that remains now is how we can shift towards effective mitigation that includes not only cost effectiveness strategies but also multiple benefits.

Schalatek then provided an in-depth analysis of the link between gender and mitigation. She noted the great potential for women to effectively reduce and avoid emissions through their active participation; by managing bio-carbon, using efficient cook stoves, and participating in energy infrastructures and the carbon market. Their involvement would not only ensure that their needs are being met but would also foster empowerment.

Odendahl asked the panelists about the strategies, opportunities and tools that can be used to mitigate climate change. Rosenthal detailed the following strategies and tools:

- Universal Periodic Review (UPR) – a mechanism for less-powerful nations and NGOs to raise concerns about climate and human rights through the United Nations Human Rights Council.
- Special Procedure on Climate Change – independent human rights experts with mandates to report and advise on the human rights-climate change link as it relates to state obligations and to establish guidelines for meeting state human rights obligations within the context of climate change. Special procedures have made some progress; council resolutions have begun to recognize the range of implications of climate change-related impacts on human rights.
- Petition on behalf of groups of people to international human rights bodies– Rosenthal highlighted two case studies of communities petitioning to the Inter-American Commission on Human Rights to redress climate harms:
 - The [Inuit Petition](#) against the United States advocating to reduce emissions and harms
 - [Arctic Athabaskan Council petition](#) against Canada for failing to curb black carbon emissions

Victoria Tauli-Corpuz, Founder and Executive Director of the Tebtebba Foundation, provided her insights on developing partnerships among indigenous peoples across the globe to mitigate climate change. She mentioned the Indigenous Peoples Caucus, which meets during UNFCCC meetings, as an example that fostered transnational partnerships, while emphasizing the importance of local self-determination and local-level efforts. According to Tauli-Corpuz, it is our job to provide information and opportunities, but it is the responsibility of the local indigenous populations to decide how to fight (or support) a campaign such as REDD.

Tauli-Corpuz then presented the following strategies and approaches in order to promote indigenous people's self-determined development in relation to mitigating climate change:

- Eco-system approach – looking at the ecosystem and climate change issues as an integrated value, which strongly resonates with indigenous people.

- Intercultural approach – understanding that many cultures and systems exist while simultaneously targeting their specificities and ensuring all of these systems are cross-cutting gender equity and intergenerational approaches.
- Human rights approach – bringing the human rights dimension to support mitigation climate change leaders, making sure human rights safeguards are adopted, and advocating the extraterritorial responsibility of upholding human rights.
- Strategic petition approach – picking petitions strategically and framing petitions through doable measures.

Question-and-Answer Session

One participant questioned why “mitigation” was used instead of “prevention” in climate change. Tauli-Corpuz responded that from a human rights perspective, prevention refers to the protection of those being affected, but questioned whether there was a real difference. The word “adaptation” is more controversial since it assumes passive acceptance to the current situation. Schalatek stressed that mitigation action is not the same as prevention: mitigation specifically refers to the reduction of emissions where they already occurred and not the prevention of these emissions. She also noted that mitigation is better applied in the North than in the Global South.

Another participant asked the panelists about breaking the barrier between global and local strategies, something that has been unacknowledged by international conventions. Panelists agreed that integrated approaches are key and not mutually exclusive. Community-based monitoring of climate impact and carbon monitoring along with greater use of renewable technologies is important at both a local and global level. To bring communities up to the global level, panelists suggested the following:

- Creating petitions that can help leverage greater attention to local communities
- Connecting petitions to the Human Rights Commission/Inter-American Commission with community processes and local efforts
- Providing better information about who is funding and where
- Utilizing authentic experiences with efficient strategies
- Strengthening community-based businesses and micro-enterprises

One participant asked about the different levels of engagement and how funders could support most effectively when so often there are different actors playing in different places. Panelists suggested that funders needed to focus on relating successful experiences and on integrating local communities.

Another participant asked about the extent to which women living in indigenous communities have been present in these climate change discussions. Tauli-Corpuz cited examples of programs involving indigenous communities that guarantee half of the participants are women, and discussed a couple of programs that specifically focus on the role of women in protecting the forest. She also stressed that cultural sensitivity should not be seen as a license to discriminate against women.

A participant asked about opportunities for funders to push and support non-carbon benefits, since the market is looking for new sources of revenue for these projects. To look for new measures of benefits, panelists suggested the following:

- Looking for new and different revenue streams
- Keeping expertise/those who have invested/methodology alive
- Thinking about quantification of non-carbon benefits
- Continuing the discourse of quality, not just quantification of interventions
- Maintaining the critical human rights perspective

The last question involved infrastructures built by China, China's energy policies and their unwillingness to openly talk about human rights. The participant asked about who might be crafting mechanisms for China's investments/infrastructures. A panelist responded that the African advisors at Global Greengrants Fund have asked Chinese advisors about the possibility of starting a conversation on this topic.

Human Rights Strategies for Climate Change Mitigation



Erika Rosenthal

A NEW GLOBAL PARTNERSHIP: ERADICATE POVERTY AND TRANSFORM ECONOMIES THROUGH SUSTAINABLE DEVELOPMENT

The Report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda

Dr Susilo Bambang Yudhoyono * Ellen Johnson Sirleaf * David Cameron

**“As world leaders agreed at Rio in 2012,
new goals and targets need to be
grounded in respect for universal
human rights....”**

Dr. Robert Watson
key messages to AOSIS Heads of State
September 2012

“We are not on a pathway to a 2 degree C world, but more likely a 3-5 degree C world.

There are cost-effective and equitable solutions to address climate change, **but political will and moral leadership is needed**, and the changes in policies, practices and technologies required are substantial and not currently underway.”

Human Rights & Climate Mitigation

1. UNFCCC

- Increase Mitigation Ambition
- Establish human rights safeguards for mitigation actions
 - Clean Development Mechanism (CDM)
 - Reducing Emissions from Deforestation and Degradation (REDD)

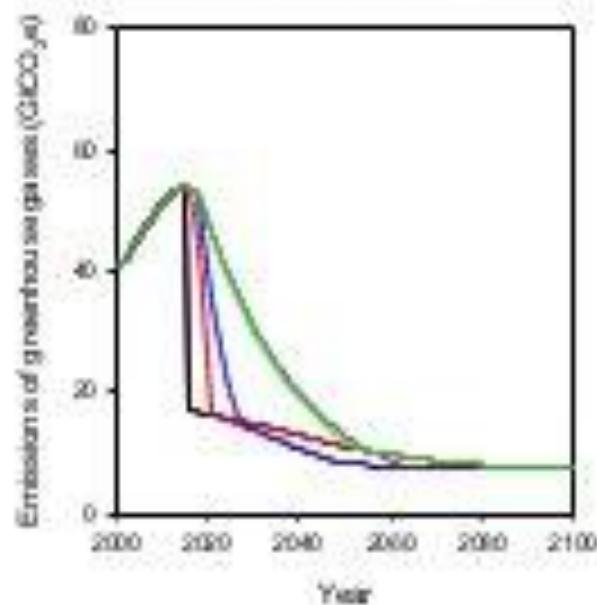
2. Human Rights System

- Universal Periodic Review
- Establish a Special Procedure on Climate Change

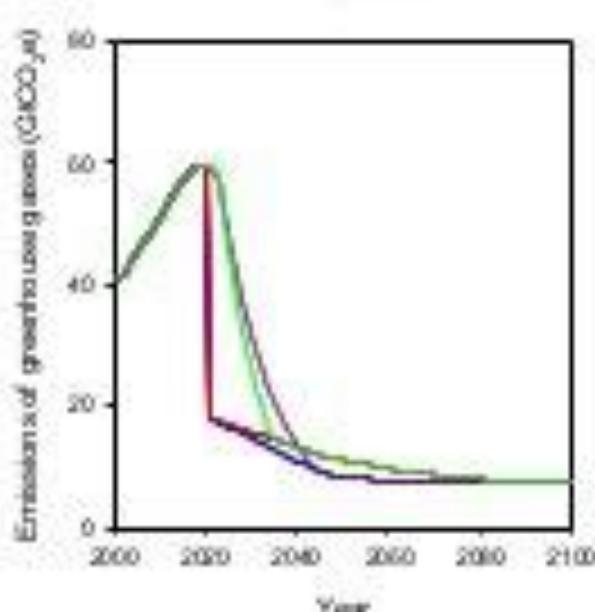
3. Petitioning to Redress Climate Harms

Total greenhouse gas emission pathways

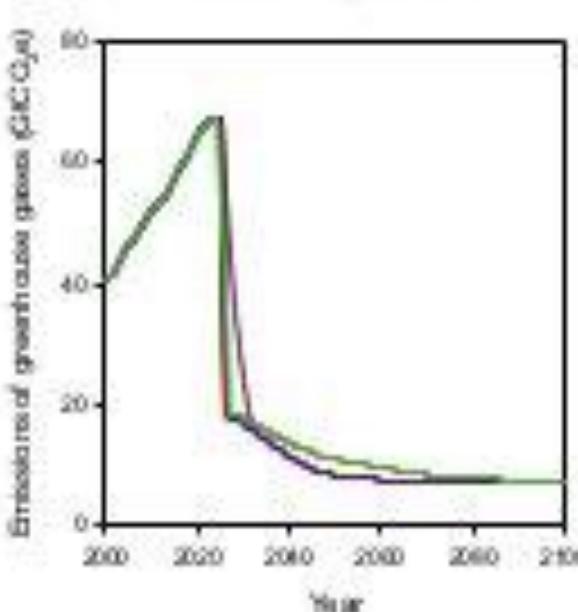
2015 peak



2020 peak

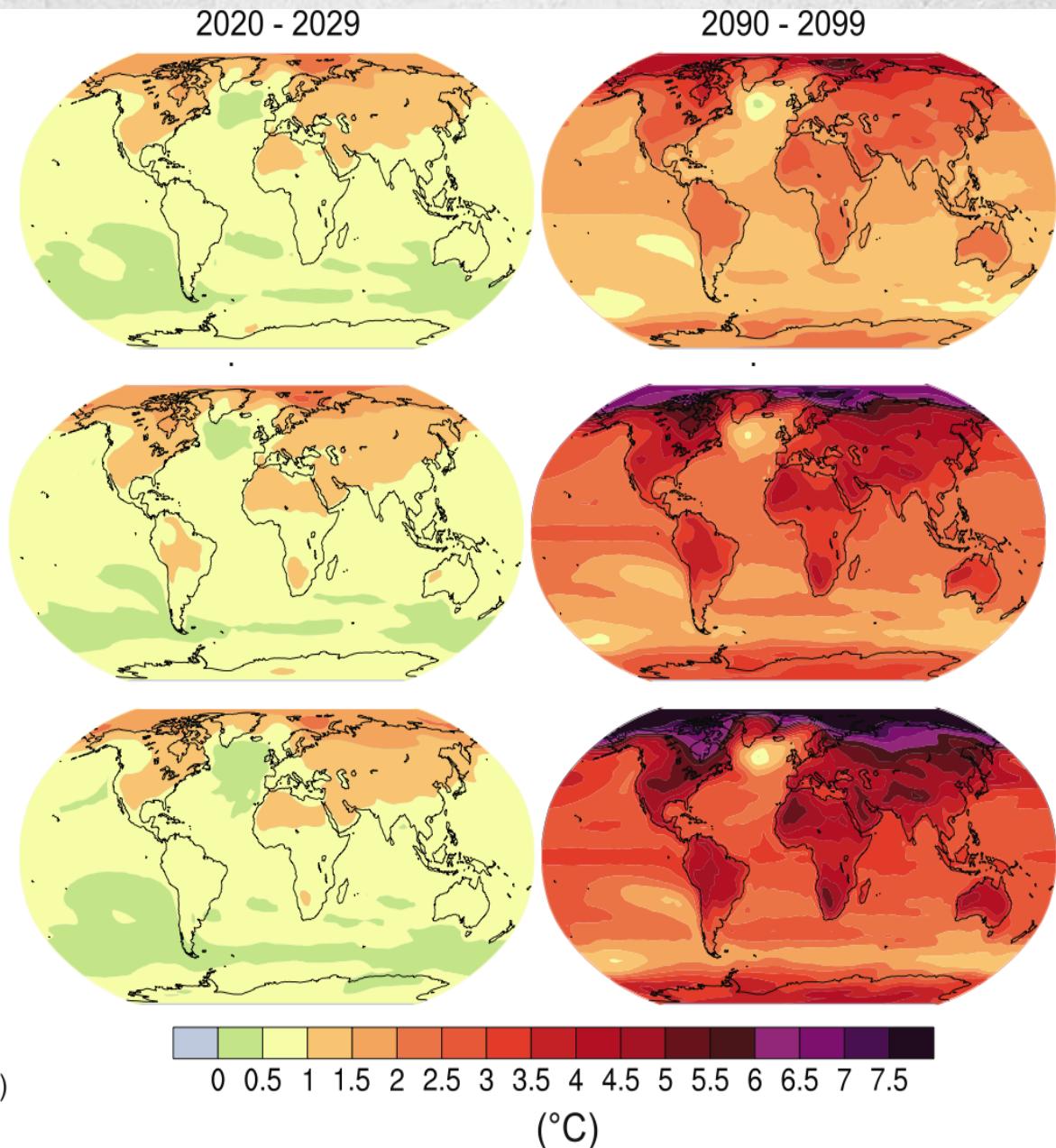
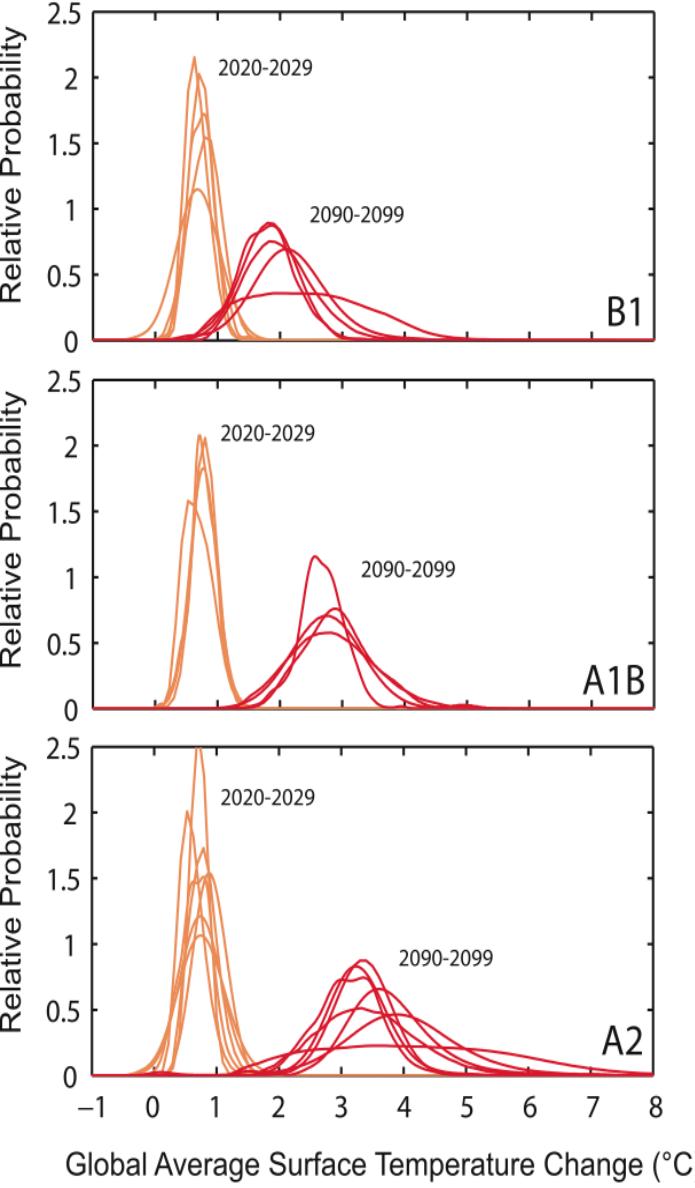


2025 peak



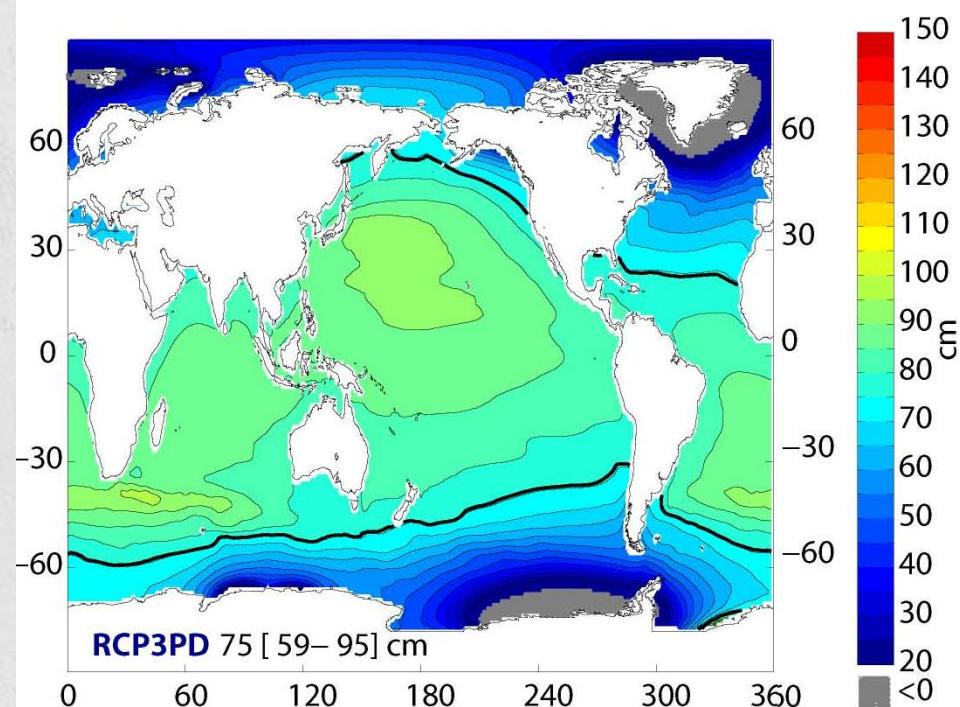
(Anderson & Bows, 2008 Philosophical Transactions A of the Royal Society, 366, pp.3863-3882)

Surface Temperature

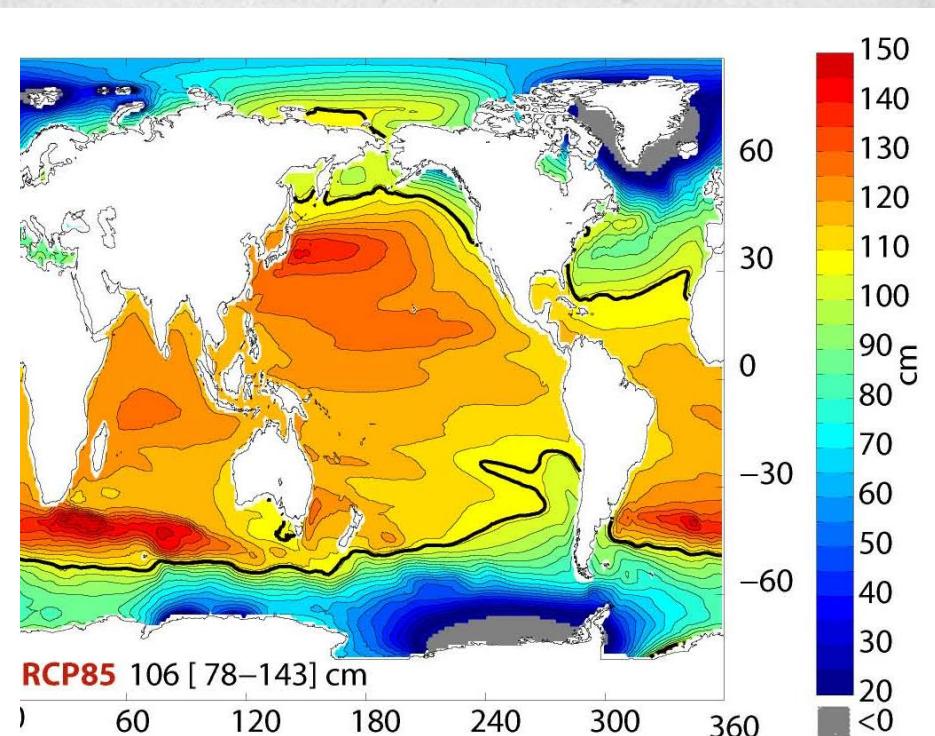


Probabilistic projection of sea-level change along the world's coastlines

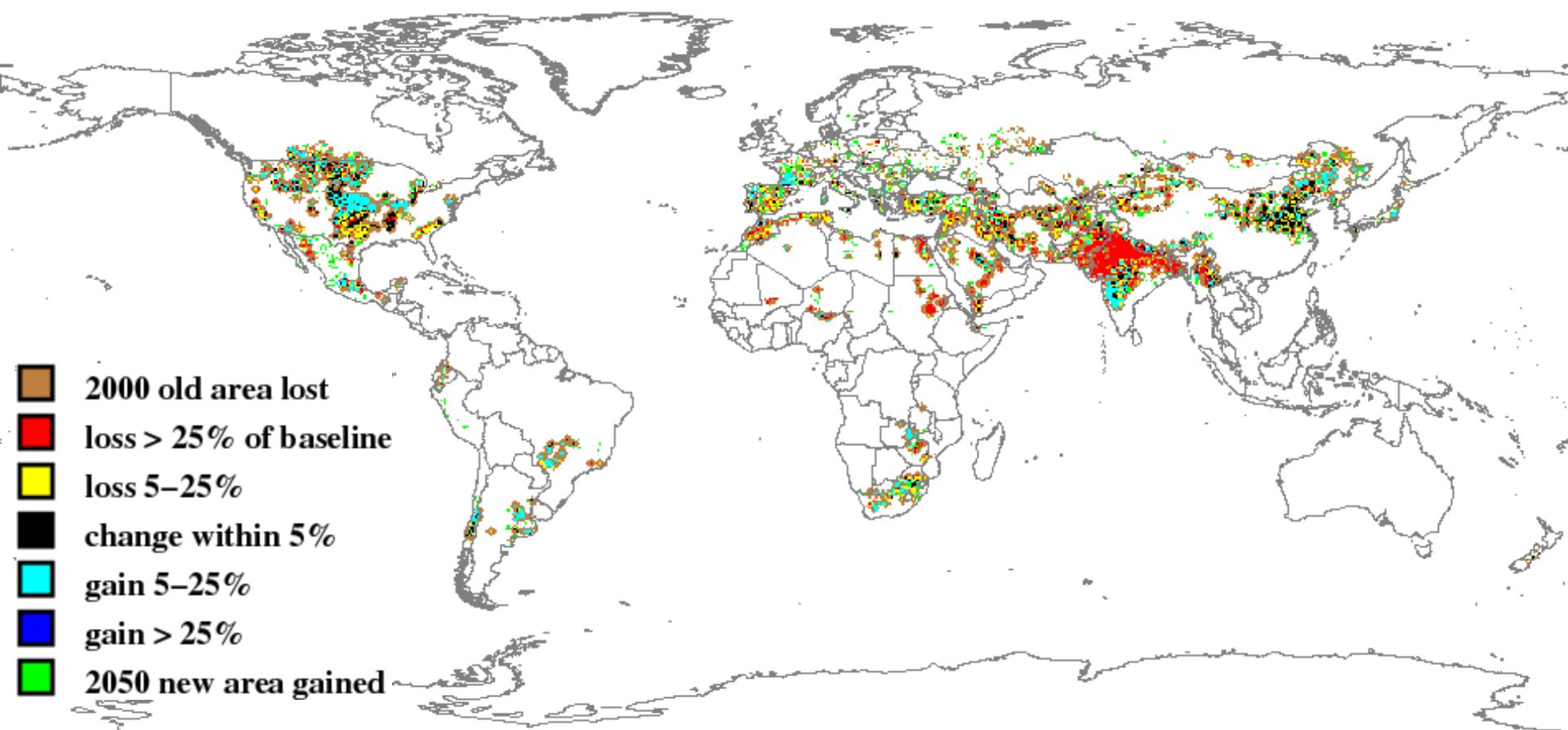
Lowest IPCC AR5 scenario ca 2°C by 2100



Highest IPCC AR5 scenario >5°C by 2100



Projected climate induced percentage change in production in 2050: Irrigated Wheat



Global production = -42%

NCAR A2 emissions scenario

Barro Blanco
Hydroelectric Dam
Clean Development
Mechanism (CDM)
project



Establish Human
rights safeguards
for UNFCCC
mitigation actions



Human Rights & CC at the United Nations: Universal Periodic Review

- Forum for less-powerful nations and NGOs to raise concerns about climate and human rights
- Highlights transboundary nature of human rights obligations – advocate for recognition of extraterritorial human rights obligations





Human Rights & CC at the United Nations:

Establish a Special Procedure on Climate Change

- Advise on the human rights–climate change link, especially as it relates to state obligations
- Investigate ongoing violations, highlighting the human face of climate change
- Establish guidelines for meeting state human rights obligations in context of climate change



Petitioning for
Redress of
Climate harms

The Inuit Petition



Petitioning for redress of climate harms: The Inuit Petition



Eskimos Seek to Recast Global Warming as a Rights Issue

By ANDREW C. REVKIN

The Eskimos, or Inuit, about 155,000 seal-hunting peoples scattered around the Arctic, plan to seek a ruling from the Inter-American Commission on Human Rights that the United States, by contributing substantially to global warming, is threatening their existence.

The Inuit plan is part of a broader shift in the debate over human-caused climate change evident among participants in the 10th round of international talks taking place in Buenos Aires aimed at averting dangerous human interference with the climate system.

Inuit leaders said they planned to announce the effort at the climate meeting today.

Representatives of poor countries and communities — from the Arctic fringes to the atolls of the tropics to

number of experts said.

Last month, an assessment of Arctic climate change by 300 scientists for the eight countries with Arctic territory, including the United States, concluded that "human influences" are now the dominant factor.

Inuit representatives attending the conference said in telephone interviews that after studying the matter for several years with the help of environmental lawyers they would this spring begin the lengthy process of filing a petition by collecting videotaped statements from elders and hunters about the impacts they were experiencing from the shrinking northern icescape.

The lawyers, at EarthJustice, a nonprofit San Francisco law firm,

"Something is bound to give, and it's starting to give in the Arctic, and we're giving that early warning signal to the rest of the world."

If the Inuit effort succeeds, it could lead to an eventual stream of litigation, somewhat akin to lawsuits against tobacco companies, legal experts said.

The two-week convention, which ends Friday, is the latest session on two climate treaties: the 1992 framework convention on climate change and the Kyoto Protocol, an addendum that takes effect in February and for the first time requires most industrialized countries to curb such emissions.

The United States has signed both pacts and is bound by the 1992 treaty, which requires no emissions cuts. But the Bush administration opposes the mandatory Kyoto treaty, saying it could harm the economy and un-

had risen lately.

From his standpoint, he said, "The planets are aligned very poorly."

Delegates who flew to the conference from the Arctic's far-flung communities, where retreating sea ice imperils traditional seal hunts, said they planned to meet in Buenos Aires with representatives from small-island nations that could eventually be swamped by rising seas, swelled by melt water from shrinking glaciers and Arctic ice sheets.

Enele Sopoaga, the ambassador to the United Nations from Tuvalu, a 15-foot-high nation of wave-pounded atolls halfway between Australia and Hawaii, said he still saw legal efforts as a last resort.

Tuvalu had threatened to sue the United States two years ago in the International Court of Justice, but held off for a variety of reasons.

Arctic dwellers fear

Petitioning for Redress of Climate Harms: Arctic Athabaskan Council Petition on Black Carbon

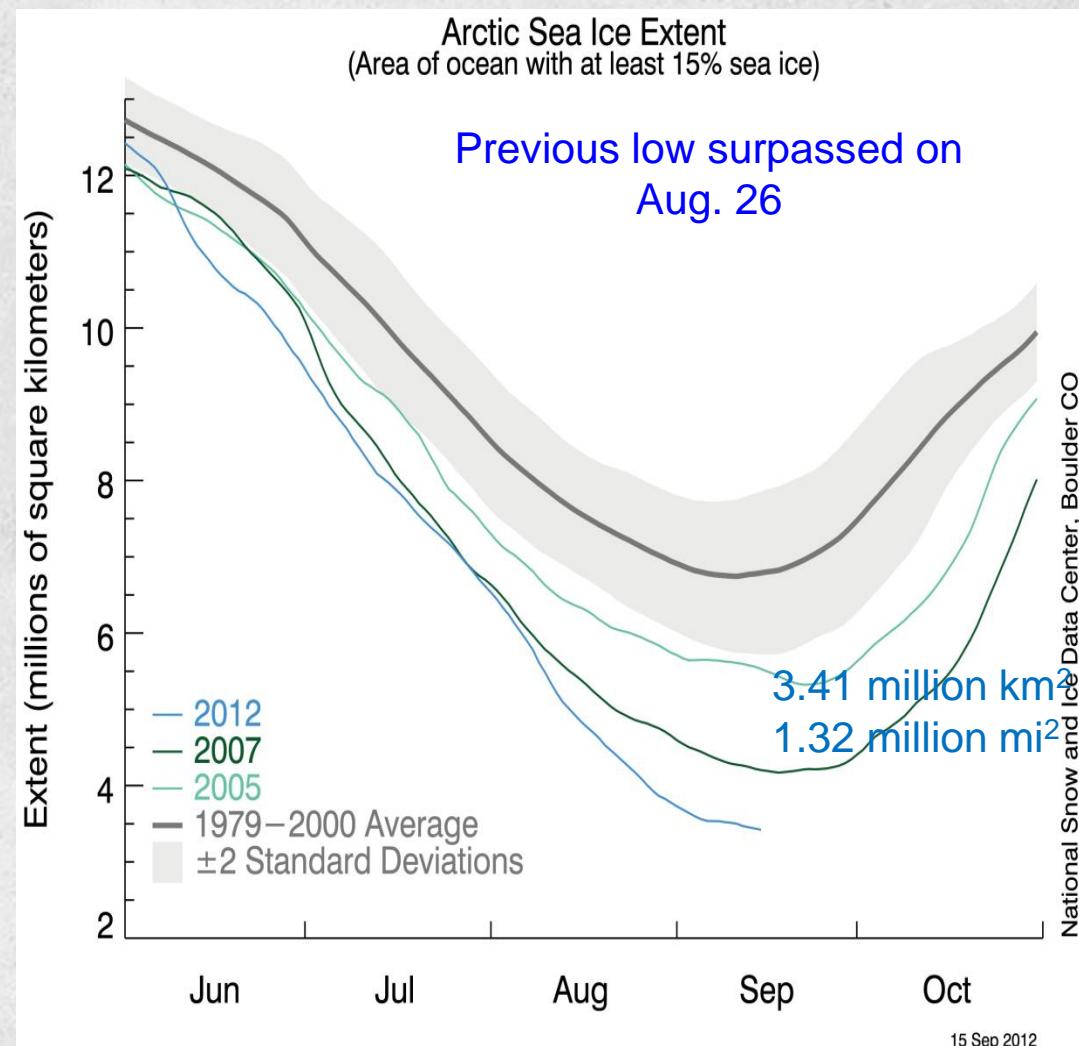
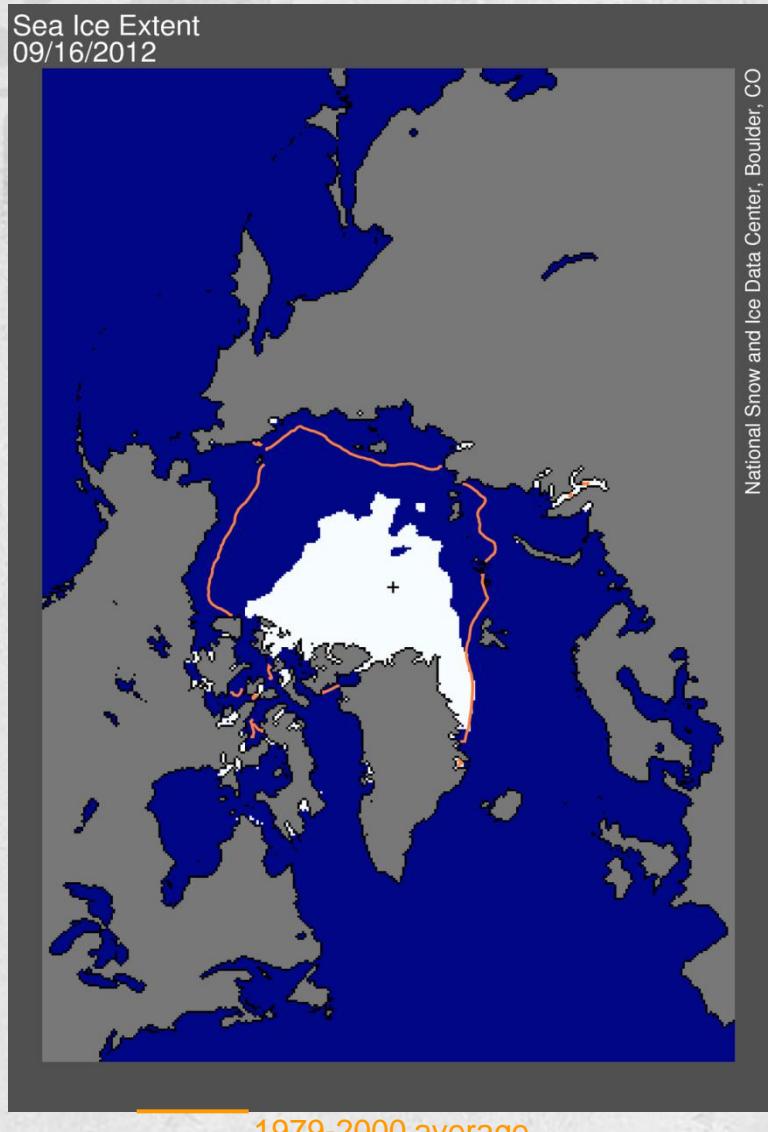


Every summer it's getting hotter. Our winters are not as cold as they used to be. We used to have 65 below and now it's very rarely we get 30, 40 below. Sometimes even in December we get a little rain.

– Mae Andre of Fort McPherson, Northwest Territories



2012 Arctic sea ice minimum, 16 September



Arctic Sea Ice News and Analysis: <http://nsidc.org/arcticseainews/>
Imagery from NSIDC Sea Ice Index: http://nsidc.org/data/seaice_index/

> 90 %Greenland Ice Sheet Subject to Melting in July - 2012

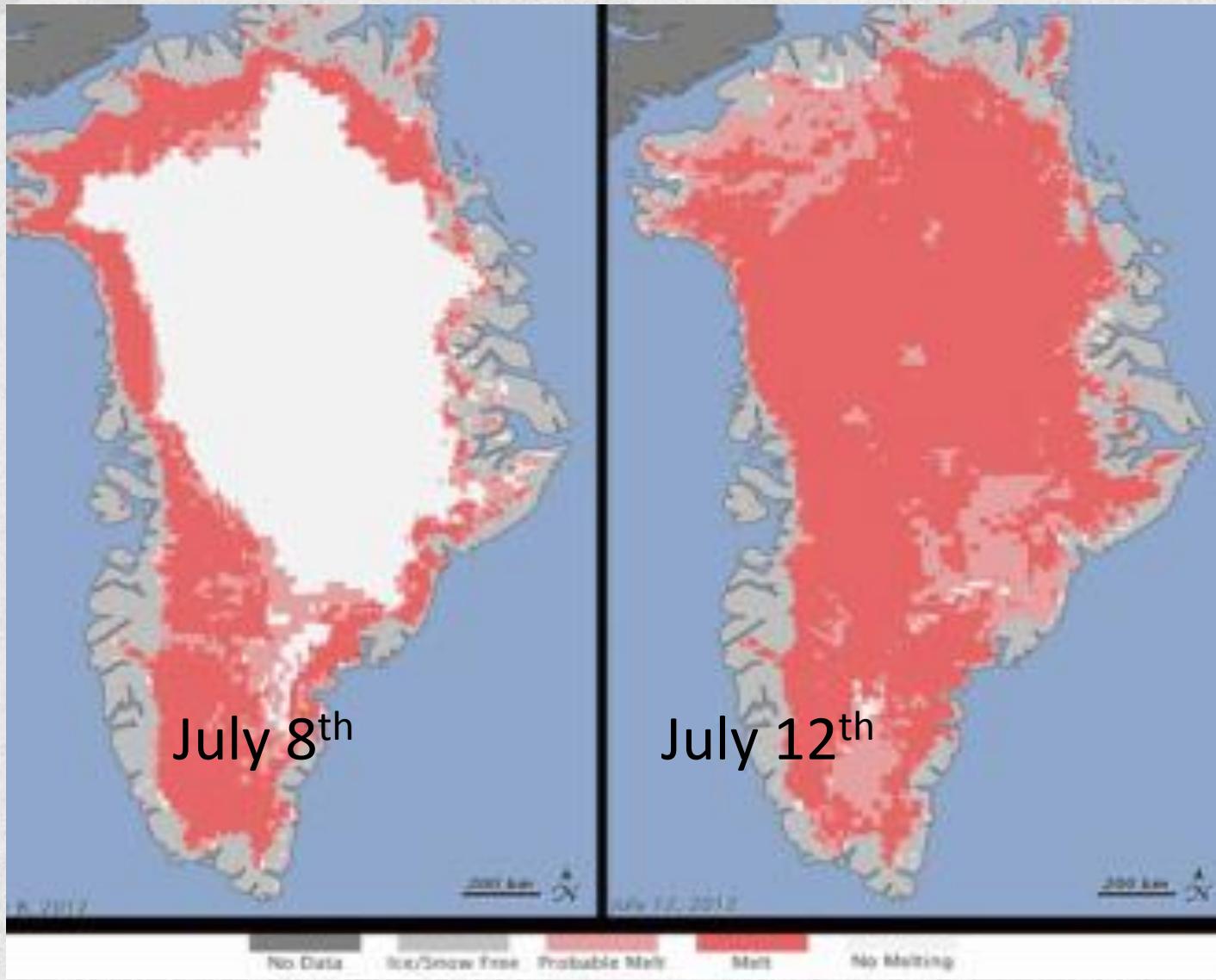
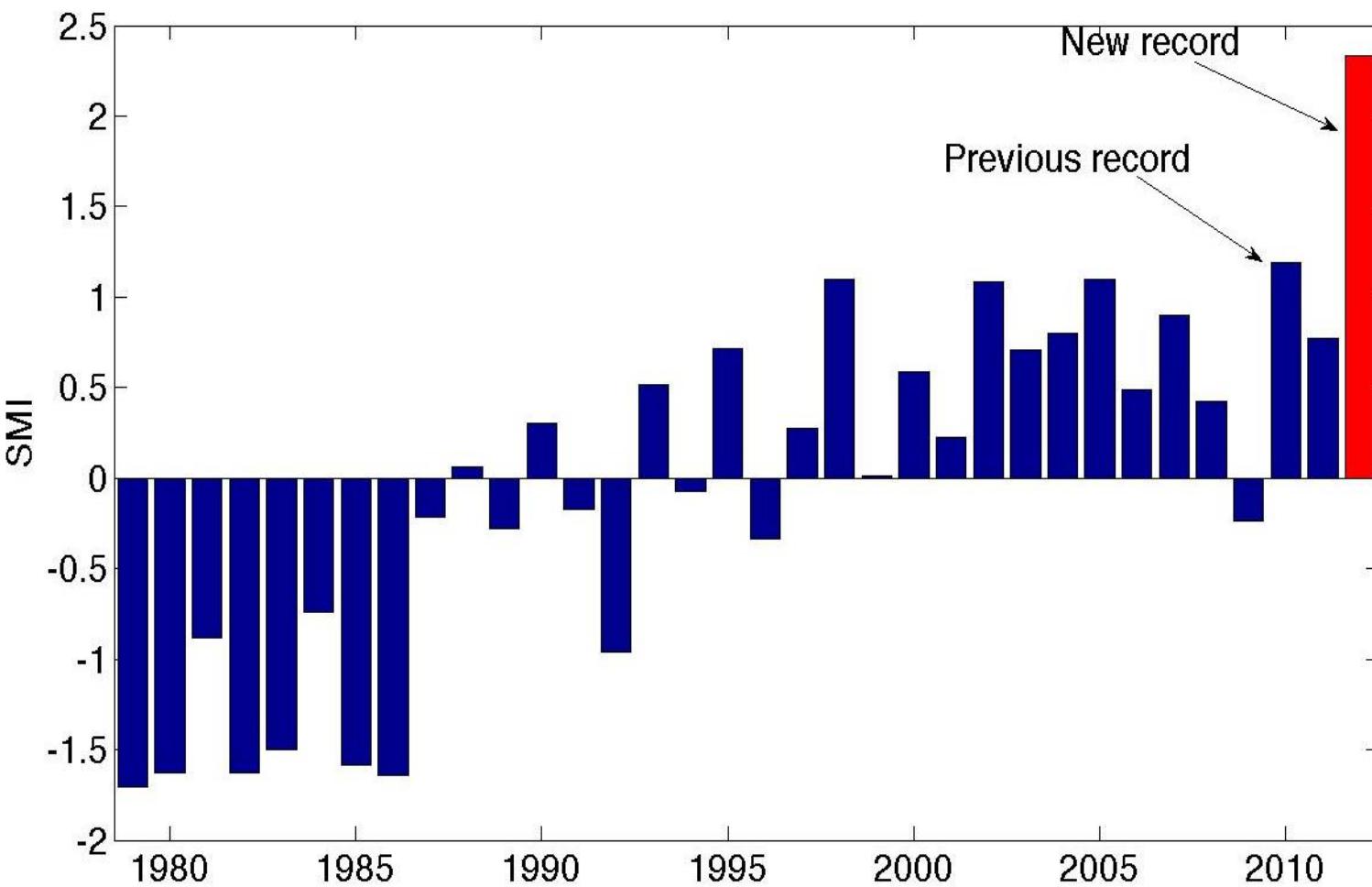


Image Credit: Dorothy Hall (NASA/GSFC), Son Nghiem (JPL), T. Mote (Univ. of Georgia) and Marco Tedesco (CUNY)

2012 - the 'GOLIATH' melting year Shattered previous record



SMI =
standardized melting index
is a measure of the
'strength' of the melting season
combining melt extent and duration

In the northern Yukon, freezing rains in November have meant that animals cannot eat.

– Elders Climate Change Workshop and the Yukon First Nations Climate Change Forum (2009)



“Arctic climate change has been driven as much by pollutants [i.e. black carbon and ozone] as by CO₂, offering hope that dual efforts to reduce pollutants and slow CO₂ growth could minimize Arctic change.”

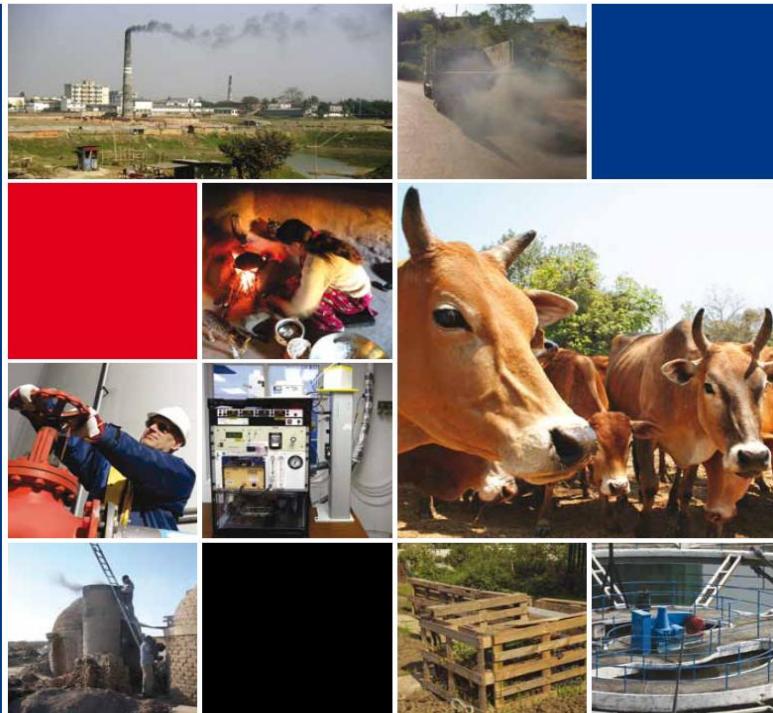
- Dr. James Hansen et al. (2007)





■ Integrated Assessment of Black Carbon and Tropospheric Ozone

Summary for Decision Makers



“A reduction in SLCFs [Short-lived Climate Forcers – black carbon and methane] would **slow the projected warming in the Arctic by about 0.7°C in 2040.... This is very significant in light of the rapid rate at which Arctic land-and sea-ice is now melting.”**



EARTHJUSTICE

“First Nation group files petition on black carbon emissions

Arctic Athabaskan Council files with Inter-American Commission on Human Rights”

[CBC News](#) Apr 24, 2013



Ruth Massie, the Grand Chief of the Yukon Council of First Nations, filed the petition this week with the Inter-American Commission on Human Rights. (CBC)

China and India

China emissions (CO2 only 2010) 7.5 Gt CO2 (25% global)

GDP growth p.a. (ten year trend) 10.5% p.a.

India emissions (CO2 only 2010) 1.65 Gt CO2 (6% global)

GDP growth p.a. (ten year trend) 7.4% p.a. China & India emissions & growth

Equity Issues

~200M Chinese <\$1.25/day

~350M Chinese \$10- 20/day

China GDP/capita (MER) ~5% OECD

India GDP/capita (MER) ~2% OECD

India GDP/capita is $\frac{1}{3}$ that of China GDP/capita (PPP)

...so great scope for growth in mean income & low wage industrialization and increased emissions

Why most scenarios are overly optimistic – unrealistic assumptions

- Recent historical emissions sometimes underestimated
- Short term emission growth seriously downplayed
- Peak year choice dangerously optimistic, even impossible
- Geo-engineering widespread in many low carbon scenarios
- Equity considerations neglected or hidden
- Assumptions about ‘Big’ technology – especially negative emissions – naively optimistic
- Many have the view that if we don’t do it now we can do it later... this doesn’t work with climate change

Petitioning for redress of climate harms: Climate Change and the Right to Water



“The Commission … received alarming information on the already serious impact of anthropogenic climate change on the enjoyment of human rights.... The Commission urges States to keep human rights at the forefront of climate change negotiations, including in designing and implementing measures of mitigation and adaptation.”

- InterAmerican Commission on Human Rights

Conclusions

- We are not on a pathway to a 2 degree C world, but more likely a 3-5 degree C world.
- Reducing GHG emissions is not just an energy issue but also an issue in the way we manage our lands (agriculture and forests)
- A major challenge will be increasing food production for 9 billion people and reducing emissions from agriculture.
- Governance reform to overcome vested interests is required
- A reduction/elimination in environmentally damaging energy, transportation and agricultural subsidies is required
- Policies are needed to incentivize the ramp up of technologies we have to day to start the transition to a low carbon economy.
- Advances in science and technology are required – a globally coordinated Apollo-scale effort to develop emerging technologies, for example Carbon Capture and Storage, is needed.

There are cost-effective and equitable solutions to address climate change, but political will and moral leadership is needed, and the changes in policies, practices and technologies required are substantial and not currently underway

Next Steps:

- Establish a climate change – human rights Special Procedure at the United Nations
- Incorporate human rights safeguards in UNFCCC processes
- Engage human rights tribunals in defending those most vulnerable to climate change

Impact on International Food Prices

