

Mary Robinson
Climate Change and Justice
Barbara Ward Lecture
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This lecture celebrates the life and work of Barbara Ward, an eminent intellectual, moral voice, visionary, and superb communicator. By a wonderful coincidence, when earlier this year I was invited to give distinguished lectures at the University of Ghana, I noted that the first lectures – inaugurating the series – had been given by Barbara Ward almost 50 years ago.

She achieved many things in the different stages of her life – but here I want to focus on the legacy of her final decade, during which she established the International Institute for Environment & Development (IIED) in London in 1973. She was the President, principal architect and driving force of IIED. Barbara’s great insight was that environment and development were inextricably linked. And, taking IIED as her base, she argued forcefully for development that offered hope both for today’s poor and tomorrow’s children. We are very lucky to have this evening several people who worked with Barbara at IIED, including her former research students, Dave Runnalls and David Satterthwaite. We also have Barbara’s son Robert Jackson and his family, the family of former IIED director Richard Sandbrook, and Nigel Cross, Camilla’s predecessor.

As current Chair of IIED’s Board, I have been learning about the many fields in which IIED and its multiple partners around the world are involved. Tonight I want to focus on one key area of IIED’s work – climate

change – and the combination of ethical and practical challenges involved in addressing global warming – a problem which exemplifies so starkly the imbalances in global power, responsibility and impacts.

When I agreed to give this lecture last May, I had not guessed that we would now have such an extraordinary amount of activity around the climate change agenda. We seem to have timed the lecture and topic remarkably well. We have had the report of the Stern Review on the Economics of Climate Change in October. Al Gore, through his book and film *An Inconvenient Truth* has raised consciousness worldwide of the dangers we face. The Conference of the Parties to the Climate Change Convention and Kyoto protocol has just taken place in Nairobi. Here in the UK, the Queen's speech last month announced a Climate Change Bill, showing it to be an important political issue, hard fought over by the main parties. Chancellor of the Exchequer Gordon Brown has just introduced a set of new environmental measures in his pre-budget report, which some have described as timid, but at least it's a start.

In the United States the political shifts in Congress provide much better opportunities for making progress on US cuts in greenhouse gas emissions. Even President Bush has announced an initiative on reducing dependence on non-renewable sources of energy, and the new head of the Senate Committee on the Environment will undoubtedly bring change to the debate in Washington. Finally, next spring we expect the 4th assessment by the Intergovernmental Panel on Climate Change.

What comes out of all this activity, and what does it mean for questions of justice? In my role with IIED, and in the work of the organization I founded in 2002, *Realizing Rights: The Ethical Globalization Initiative*, I

always seek the human rights dimension in any given policy area. And on this issue, as with most others, the relevance is clear.

Over the three decades since the signing of the Stockholm Declaration in 1972, the impact of environmental factors on human rights has become better understood. We now recognise that respect for human rights is at the core of sustainable development, and the links today between human development, human rights and human security could not be clearer. Equally important, human rights are our shared international language and framework, and human rights instruments give our multilateral system its means of putting into practice our shared values.

Can there be any problem today that requires this approach more than climate change? Article 1 of the Universal Declaration of Human Rights states our birthright: “All human beings are born free and equal in dignity and rights”. However it is here that an issue of justice is raised, as I will explain further: it is poor communities who are suffering most from the effects of climate change, and it is rich countries that are contributing most to the problem. The human rights approach, emphasising the equality of all people, is a direct challenge to the power imbalances that allow the perpetrators of climate change to continue unchecked. And the human rights framework gives us the legal and normative grounds for empowering the poor to seek redress.

While there are many institutions addressing the challenge of *reducing* greenhouse gas emissions, I want to focus on the current and future *impacts* of climate change, which will fall hardest on poor countries and poor communities. We face an uphill task today to get countries – particularly powerful countries – to accept the necessity for a multilateral approach to

addressing global issues, whether trade, aid, or human security. I believe that, as with these other issues, we can no longer think about climate change as an issue where the rich give charity to the poor to help them to cope with its adverse impacts. Rather, this has now become an issue of global injustice that will need a radically different framing to bring about global justice.

I will spare you many of the statistics, which may be found in the excellent reports now available on the science of climate change. These statistics matter because the choices we make about targets have very different consequences for rich and poor. Let me remind you of a few key facts:

There is clear evidence that global warming is underway. Current concentrations of CO₂ and other greenhouse gases in the atmosphere are about 430 parts per million (ppm), compared with 280 ppm in the pre-industrial period. Most experts believe we must keep below 500 ppm and preferably closer to 450, to avoid the risk of runaway global warming. However, we have probably already missed the chance of keeping to this lower level due to our slowness to act, and the time-lags in the global climate system.

Even at 450 ppm, the Hadley Centre model shows a three-quarters likelihood of average global temperatures rising by more than 2 degrees. At 500 ppm and above, we increase our chances of a rise of 3 degrees or more, with possible catastrophic changes to our climate, due to abrupt and unpredictable changes in weather systems. Even a global average rise of 2 degrees will bring much higher increases in temperature in many parts of the world. These increases have already become visible in the Arctic and in the heart of the African continent. Every year, our emissions are adding

more than 2 ppm to the atmosphere. We therefore need much more rapid action to curb emissions, than we have seen so far, if we are to have any hope of staying at the lower end of the temperature range.

We have learned that it takes some time for emissions added to the atmosphere to achieve their effect on global temperatures. Thus, the warming that we see today is the product of gases emitted over the period up to the mid 1980s. If we think about the rapid growth in economic activity and energy use in the 20 years between then and now, it is clear that we are, unfortunately, in the grip of significant further warming, even if we succeed in cutting emissions to zero from today - which we clearly won't.

What has global warming brought to different parts of the world, and what is it likely to herald? While it is not simple to attribute individual changes to global warming, there is a growing body of evidence from many different places around the world of changes in climate systems that, taken together, can only be explained by global warming. Next spring's assessment report of the Intergovernmental Panel on Climate Change will catalogue the many instances of such changes in detail.

I have the opportunity to travel to Africa several times each year. While I listen to debates on the existence and extent of climate change in the US and Europe, once I am in Africa I find no disagreement on the slow but steady changes that have already taken place in the environment there. Everyone from village grandmothers to businessmen, to trade economists, have watched their water sources dry up and their crops fail, and are beginning to see the connection between their problems and the unfettered resource use in richer countries.

Inherent in a human rights approach is the need to be very sensitive to the gender dimension of any issue. Although there is a woeful lack of adequate data at many levels, the overall differential impact on women and men is clear.

Women are responsible for around 75% of household food production in sub-Saharan Africa, 65% in Asia and 45% in Latin America. Due to current weather changing patterns water availability is harshly affected as wells dry up, water tables diminish and rainfall becomes erratic. Incidents of forest fires and drought become more common. As a result crop yields are affected significantly especially the production of staple food. More time spent to gather food means less time for education, personal and family life. The task of finding other means to survive is largely assumed by the woman in the family, which further lessens her ability to do things for herself. This is a major blow to the self development of women.

How might things look in the future when global temperatures are 2 to 3 degrees higher? What is entirely predictable is that the sea level will rise, rainfall patterns will change, glacial melt will increase, and there will be more flooding. If we continue with 'business as usual', these changes will be amplified, bringing great damage to crop yields and food security, affecting water availability, health, housing, and infrastructure. The impact on daily lives and on men and women, young and old, living at the very margins of existence will be greatest in poor countries, and among the poorest communities, those who rely primarily on agriculture to live, and who have limited capacity to deal with shocks and crises. A hotter, more unstable climate will have profound implications for their livelihoods.

There are strict limits to adaptation – the poor cannot buy their way out of trouble.

Let's look at the impact of a 50 cm rise in sea level, expected by 2050, on major cities of the developing world – Mumbai, Shanghai, and Dhaka. All are particularly at risk from sea level rise, each has well over 10 million inhabitants, and all are vitally important to their nations' economies. Sea level rise will mean that some nations face the likelihood of disappearing altogether, such as the low lying small island states of Tuvalu and the Maldives.

These changes, in sum, will have a profound impact on the fulfilment of human rights: on people's right to food, right to water, right to health, and even to life itself. Thankfully, the Stern Review presents us with a clear picture of the costs of 'action' versus 'business as usual'. Stern puts the costs of failing to cut greenhouse gas emissions as likely to rise to between 5 and 20% of global GDP by the middle of the century. These costs are much greater than what it would cost us to change our patterns of consumption and infrastructure – estimated at 1% of GDP or less. It's blindingly clear that we should invest a smaller amount now to ensure longer term benefits. Many of these investments need to be made anyway, to renew old power stations, construct new office buildings, develop new infrastructure, and renew vehicle fleets. In the US, where political leaders have been so slow to change, many businesses are taking exactly these steps, not out of altruism, but because fuel efficiency is much better for their financial bottom line.

But beyond the economic imperative there is the ethical imperative to move in this direction. Do those of us who contribute so much to global warming not have an obligation to those who are suffering so deeply the

consequences? I know that many of us feel this on a personal level, and we must build a stronger sense of this among our societies' citizens in the coming years. It will help if steps are taken to issue individual carbon passports, so that each of us can take some responsibility for our own actions. This would also enhance dramatically the human rights dimension of the discussion.

But there are also binding international obligations which states have accepted that compel our governments and institutions to address this issue. International human rights law expands the obligations which developed states have already assumed – for example under the Framework Convention on Climate Change – to reduce climate change and mitigate its effects. Those same states are also bound by international human rights treaties. Almost all are parties to the Convention on the Rights of the Child, and have agreed to assist developing countries to protect children's human rights. Through their ratification of the International Covenant on Economic, Social and Cultural Rights, many of these states have also undertaken to assist developing countries in “progressively realising” these rights “without discrimination”.. These legal frameworks – on climate change and on human rights – are not only mutually compatible - they powerfully reinforce each other.

At the global level it is obviously ethical, rational and feasible to take action now. The technology exists – what we lack is the political commitment to act. We face a challenge in moving individuals and institutions in the right direction because in the short term there are both winners and losers, and the distribution of costs and benefits differs between and within countries.

Greenhouse gases have been generated over the last century or so mainly by one group of countries – which has allowed them to become rich. Such gases have been the product of economic growth using cheap and abundant fossil fuels. Another group of people, in general much poorer than the first, are suffering increasingly from the adverse consequences of the global warming generated by these greenhouse gases. The latter find that their own prospects for economic growth and prosperity have been reduced by both the direct impacts of climate change affecting their productivity, and the reduced atmospheric capacity to absorb further greenhouse gases which sets a limit on how much fossil fuel energy can be burnt in future.

Could those damaged by greenhouse gases take the emitters to court for damages? Is it possible to expand significantly the principle that polluters should pay? Some work has been done at the legal level, both within countries and at the international level. The UN Framework Convention on Climate Change and its associated instruments provide the common international legal framework. These set out the obligations of the principal emitters to undertake major cuts in greenhouse gas emissions, and to help poorer countries adapt to the inevitable consequences of climate change. Sadly, not all Annex 1 countries have signed up to the Kyoto Protocol designed to achieve such cuts, the major exceptions being the USA and Australia. This failure to live up to a clear moral obligation has been justified by the excuse that the science of climate change does not present a cast iron case. That excuse is becoming less credible by the month.

I believe we need much firmer political commitment at global level to making progress within the UN Framework Convention on Climate Change. Each country has a different pattern of greenhouse gas emissions,

and shares past and future responsibility for our current plight. We must take account of such diversity within a broad plan to cut emissions, and establish a credible means for monitoring and compliance. We have seen that voluntary initiatives within the private sector, although important, are far too weak to compel individual companies to change if their practices are profitable. We need governments to take the lead, and listen in particular to the voice of poor people in the targets set and design of legal frameworks.

So what can we do using other legal options? I was interested to learn that some twenty climate change legal actions have been undertaken around the world, mainly at national level, to test the limits of existing regimes and see how far the courts can go. These include claims against power companies for adverse environmental impacts; a case brought against the US-EPA requiring that it impose tighter controls on vehicle emissions, and trying to hold Shell Nigeria to account for continued gas flaring in the Niger Delta. In this last case, it is argued that flaring constitutes a violation of right to life and dignity, since it causes a toxic mix of gases which lead to premature death, cancer and respiratory illnesses.

Recently, the State of California has taken six car manufacturers to court on grounds that their activities have led to global warming and climate change which has caused damage, such as earlier melting of the snow pack, raised sea levels along the coastline, increased ozone pollution in urban areas, and increased threat to wildlife. California is asking for monetary compensation for the damage which it says their emissions are doing to health, economy and environment.

At the international level, an Inuit indigenous peoples' group has brought a case at the Inter-American Commission on Human Rights against the US, asserting violation of human rights resulting from global warming caused by acts and omissions of the Federal US government. They argue that global warming violates their culture, life, food, and health by radically altering the Arctic environment on which Inuit livelihoods and culture depend.

It is clear that human rights advocates need to do more thinking about climate change as a rights issue. Part of the reason for the lack of innovative ideas may stem from the inherent emphasis to date on 'humans' in the context of human rights, without sufficient concern for the environmental stewardship that underpins so many social and economic rights. But within the human rights framework lies the possibility of embracing environmental concerns more explicitly.

The processes of global warming and climate change encapsulate in a truly iconic form the evidence of our inter-connectedness, which lay at the heart of much of Barbara Ward's writing and insights. She argued that if the world was a single political unit, then the current imbalances in wealth, welfare and rights between rich and poor nations would be politically insupportable. We know we can act together for the global good – look at the phasing out of CFCs, for example, or the eradication of smallpox. But it will require that rich countries live up to the responsibilities they incur through their actions. They are contributing most to the problem, knowing now that the negative consequences of climate change are increasingly predictable, and that the direct impacts on vulnerable populations are foreseeable.

The elements which characterise our understanding of climate change – from a focus on environment, development, equity and human rights - are core principles found within all of Barbara Ward’s work. For her, concern for environmental sustainability had to be linked to greater prosperity for poorer people and nations if a global social contract was to work. Our global inter-connectedness makes this absolutely necessary. We cannot rely on markets to make these things happen. Governments acting together have a key role to play in setting the wider framework of ambition within which companies and individuals can act. Individuals also make a difference, with each of us part of both the problem and the solution. Everyone has a responsibility to reduce their emissions commensurate with their footprint, while also seeking to offset what cannot be reduced.

We must recognise that time is short. We cannot afford to miss this last opportunity to achieve a fairer more sustainable planet.

In conclusion, I would urge that we make progress with 3 vital actions to ensure a fairer, more sustainable outcome.

First, we should more strenuously use and enforce international legal frameworks like the Kyoto Protocol, and within them set much more ambitious targets for 2012 and beyond which keep us below the ‘500ppm’ level. This will generate a rising price for carbon which reflects the current and future damage caused. Political commitment to strict emission targets is the only way to get a rising price for carbon, as we have learned. Similarly, we should set annual targets for cuts in greenhouse gases, with good monitoring, including associated areas like deforestation and increased energy efficiency.

Second, we must give a fair deal to developing countries seeking economic growth, finding ways to give them room for carbon emissions to grow, and access to low carbon technology so that they can leap-frog over high coal and oil use.

And third, we should support adaptation by poor countries and poor communities adversely affected by the inevitable changes to their climate. It is in this area that human rights principles need to be brought to bear to help them cope with food production, water availability, health issues, and their response to natural disasters.

If there is a climate change problem, it is in large part a justice problem. If we cannot yet contemplate compensation by the rich to the poor for past emissions, perhaps we can agree the principle of equal rights - equal 'ecospace' - for future emissions. Rights legislation upholds the equality of all individuals. David Miliband's proposal today for the UK population - a carbon ration or 'credit' card for individuals - would put all UK citizens on an equal footing in future. This logic could be extended globally: equal rights for emissions in the future for all the world's citizens. This would address not only intra-generational equity - a principal justice concern, but it would also address inter-generational equity - a key principle of sustainable development that Barbara Ward promoted so strongly.

This lecture is in honour of Barbara Ward, whose work, and above all her book *Only One Earth*, have provided a vision for many people and organisations, including IIED. Barbara Ward was a great communicator, writing beautiful, clear prose. She could explain to the general reader how each small action does in fact matter – because of their cumulative effect. Barbara Ward's work showed that our individual acts of greed and

selfishness add up. They accumulate to generate a global society of such inequality in prospects that it cannot be sustained. Our continued existence on this shared planet demands that we agree to a fairer way of sharing out the burdens and benefits of life on earth, and that in the choices we make, we remember the rights of both today's poor and tomorrow's children.

I would like to finish with two quotes. The first reminds us of the common principles running through all human belief systems. Both farmers in Ghana and Native North Americans say of the earth that “this land is a sacred trust, placed in our care for the sake of coming generations.”

The second is from Barbara Ward herself, who in her book *Only One Earth* said:

“We have forgotten how to be good guests, how to walk lightly on the earth as other creatures do.”

Let us learn to be better guests on this earth.

Thank you.