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# Climate Justice: Challenge and Opportunity\*

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## INTRODUCTION

It is a pleasure to return again this evening to the Royal Irish Academy as you hold your final event of the year. As an Honorary Member of this institution, which promotes study and excellence in the sciences, humanities and social sciences, I am very pleased to have been invited to speak on the challenges and opportunities of climate justice.

As some of you will know, I have recently come home to Ireland and have created a Foundation, which will have a focus on climate justice.<sup>1</sup> It is good to be home, particularly at this difficult time, and to bring some of the experience I have gained as UN High Commissioner for Human Rights, and for the past eight years as president of Realizing Rights,<sup>2</sup> to bear on how Ireland can give leadership on the human rights and humanitarian dimensions of climate change. In Realizing Rights we worked with a range of partners to place human rights at the heart of global policy-making, and to amplify the voices of people impoverished, vulnerable and marginalised, especially in Africa. We emphasised economic and social rights, and we focused principally on development challenges, for example, how to ensure everyone has the right to health and the right to decent work opportunities. We looked at how to strengthen private sector responsibility for human rights, and women's leadership on human rights, peace and security issues.

By 2007 we realised that there was a topic that, as an initiative focusing on human rights and development, we could not ignore: climate change. What we began to do was communicate broadly that climate change is arguably the greatest human-rights threat that will face humankind. We also helped to connect human rights and climate change through the concept of climate justice.

\*This paper was originally delivered at the Royal Irish Academy in Dublin, on 20 December 2010, as the final Academy Discourse for the year.

<sup>1</sup>Details of the work of the Foundation are available at: <http://www.mrfcj.org> (1 September 2011).

<sup>2</sup>Details of the work of Realizing Rights are available at: <http://www.realizingrights.org> (8 September 2011).

Climate justice links human rights and development to achieve a human-centered approach, safeguarding the rights of the most vulnerable and sharing the burdens and benefits of climate change and its resolution equitably and fairly. Climate justice amplifies the voices of those people who have done least to cause climate change, but who are most severely affected. A way to conceive of it is to ask the question: Who will carry the costs of climate change? These costs are not only the damage to infrastructure, livelihoods and lives caused by changing weather patterns. They also include the costs of having to limit growth and development if we remain on our fossil-fuel-intensive path, particularly for poor communities and poor countries. Thus, climate justice brings into focus not just the enormous threats we face today, but the threats we will face for generations to come.

The Global Humanitarian Forum's Human Impact Report, *The anatomy of a silent crisis*, launched in May 2009, tried to estimate the negative impacts of climate change on people.<sup>3</sup> The report claims that about 300 million people are severely affected by climate change, at a total economic cost of over US\$100 billion annually. More than 500 million people are living in extreme risk, and more than 20 million have already been displaced. The report points to the new phenomenon of climate refugees, which is already happening in a small way; but the number of such refugees could reach 200 million by 2050.

The report's projections are grim: 20 years from now worldwide deaths could reach 500,000 per year; people affected by climate change annually are expected to rise to more than 600 million; and the total annual economic cost will increase to around US\$300 billion. Climate change will raise temperatures, change precipitation patterns and the distribution of water, threaten biodiversity, raise the sea level, increase flooding and storm surges, threaten unique systems such as coral reefs, and cause large-scale 'singularities' such as the melting of ice shelves. These changes in the natural environment are increasingly impacting on humans: leading to an increase in water insecurity and the time required to collect water; changes in agricultural productivity and food insecurity, with a loss of livelihoods and effects on the wider economy. There are health risks, such as malnutrition, water-borne and vector-borne diseases and deaths from natural disasters. There will be effects on human settlements and on land use patterns, and displacement and involuntary migration. Not only is infrastructure damaged, cultural integrity is damaged, for example, in low-lying island states like the Carteret Islands, where whole communities are required to resettle. And all of these changes are differentiated by issues of gender, by income level and by ethnicity and culture. Indigenous peoples, often already pushed to living on the most marginal lands, are among the worst affected.

Today's impacts vary greatly from country to country, with 99% of casualties occurring in developing countries. This fact raises strong global justice issues, since the 50 least developed nations of the world account for less than 1% of the greenhouse gas emissions that cause climate change. The populations most gravely at risk live in some of the poorest areas that are also highly prone to climate change—in particular, the semi-arid dryland belt countries from the Sahara to the Middle East and Central Asia, sub-Saharan Africa, South and South East Asia, and small island developing states. Nevertheless, the Human Impact Report indicates that no one is safe from climate change impacts, with

<sup>3</sup>Global Humanitarian Forum, *The anatomy of a silent crisis* (Geneva, 2009). The full text of the report is available at: <http://www.ghf-ge.org/human-impact-report.pdf> (1 September 2011).

around 4 billion people living in zones vulnerable to significant negative impacts of climate change.

What struck me when I was in Copenhagen for COP 15 last year was the fact that the humanitarian dimension of climate change was not central to the formal discussions and negotiations.<sup>4</sup> The emphasis was on mitigation; how to secure an extension of the Kyoto Protocol beyond 2012 for Annex 1 countries, and how to ensure that large emerging economies such as China and India accepted some system of monitoring, reporting and verification (MRV) of any commitments they would make to reduce emissions. The focus on mitigation was entirely justifiable as the main challenge, but it became clear that because poor people and countries are not part of the problem of causing emissions, nor were they central to the negotiations at COP 15. Although more than 100,000 people marched through the streets of Copenhagen under the banner of climate justice, the relevant outcome in the Copenhagen Accord was a general, non-binding, agreement to reduce emissions, without any global target within which individual country pledges needed to remain.<sup>5</sup> In addition, there was reference to a ‘fast start’ fund of US\$30 billion a year from 2010–12 for adaptation, and a longer term fund of US\$100 billion a year by 2020. Some commitments were made for the ‘fast start’ fund during 2010, but the total is below US\$30 billion, and it is not clear how much is recycled from existing development aid budgets, or given as pledges which may or may not be implemented.

Expectations before Copenhagen were too high, and no fair, ambitious and binding deal emerged. Expectations were quite low going to Cancún, and there was a broad concern as to whether the two-track negotiating process of the Ad Hoc Working Group on Long-Term Cooperative Action (AWG-LCA) under the UN Framework Convention on Climate Change (UNFCCC)<sup>6</sup> and the Ad Hoc Working Group on further commitments for Annex 1 parties under the Kyoto Protocol (AWP-KP) would make sufficient progress to restore confidence in the UN-led system.

When I arrived in Cancún on 4 December this year, the hope was that COP 16 would produce meaningful progress on some of the key issues, so that a balanced ‘package’ of outcomes could be agreed.<sup>7</sup> These issues included mitigation, adaptation, financing, technology, reducing emissions from deforestation and forest degradation in developing countries—including conservation, sustainable management of forests and enhancement of forest carbon sinks (REDD +),<sup>8</sup> together with MRV and international consultation and

<sup>4</sup>COP 15 is the Fifteenth Conference of the Parties of the UN Framework Convention on Climate Change, which took place in Copenhagen on 7–19 December 2009. Further information on the work of the conference is available at: [http://unfccc.int/meetings/cop\\_15/items/5257.php](http://unfccc.int/meetings/cop_15/items/5257.php) (1 September 2011).

<sup>5</sup>The text of the Copenhagen Accord is available at: <http://unfccc.int/resource/docs/2009/cop15/eng/107.pdf> (1 September 2011).

<sup>6</sup>See *United Nations Framework Convention on Climate Change* (New York, 1992); hereafter cited as *Framework Convention*. The complete text of the convention is available at: <http://unfccc.int/resource/docs/convkp/conveng.pdf> (1 September 2011).

<sup>7</sup>COP 16 was held in Cancún, Mexico, from 29 November to 10 December 2010. Further information on the work of this conference is available at: <http://cc2010.mx/en/index.html#> (1 September 2011).

<sup>8</sup>In 2008, the UN’s collaborative initiative on Reducing Emissions from Deforestation and forest Degradation (REDD) in developing countries was launched. It aims to create a financial value for the carbon stored in forests, and offers incentives for developing countries to reduce emissions from forested lands and invest in low-carbon paths to sustainable development. The REDD+ programme goes further and also deals with conservation, sustainable management of forests and enhancement of forest carbon stocks. Further information on the programme is available at: <http://www.un-redd.org/AboutREDD/tabid/582/Default.aspx> (1 September 2011).

analysis (ICA). Through my Oxfam colleagues, and other experts such as Lord Nicholas Stern and colleagues from the European Climate Foundation, I followed reasonably well the complex and tortuous progress on these issues. It was also helpful to meet with the Irish delegation and get their insight into the negotiations from an EU perspective.

These annual COPs not only comprise the main negotiating site for climate change issues. There is also a large number of side events, organised by UN agencies, governments, civil society organisations, businesses, foundations and ‘constituency groups’ such as indigenous peoples, and many combinations of these groups. I was encouraged that these side events increasingly highlight the human dimension and impacts of climate change, and the need for more balance in funding between mitigation and adaptation. Some attention focused on how to integrate development and human rights concerns—the climate justice approach—into the formal negotiations.

In this regard there are two crucial elements contained in the Framework Convention that relate to the concept of climate justice. The first is the twin set of principles of ‘equity’ and ‘common but differentiated responsibilities’, as follows:

In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.<sup>9</sup>

This refers, on the one hand, to our ‘common responsibility’, building on the concept of a common heritage and common concerns of humankind. It reflects the duty of states of equally sharing the burden of environmental protection for common resources. On the other hand there is ‘differentiated responsibility’, which addresses the unequal material and economic situations across countries, their different historical contributions to global emissions, and different financial and technological capacity to tackle those global problems. Importantly, this principle establishes a conceptual framework for an equitable allocation of the costs of global environmental protection. Determining how to divide these responsibilities is of course a key challenge in the negotiations and in public perception of the way forward.

A second important part of this Framework Convention is the ‘precautionary principle’, which says that, ‘Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation’.<sup>10</sup> This cements the understanding that we cannot afford to wait until all scientists agree with certainty the specific causes and rates of anthropogenic climate change. The essence of this principle has, of course, been under constant attack by the so-called ‘climate deniers’ who have fostered confusion and inaction.

However there is another value which is not yet reflected in the UNFCCC, namely, the need for a strong gender perspective on each of the issues being discussed in the various tracks. Women make up the majority of the world’s poorest people, and given existing gender inequalities and development gaps, climate change ultimately places a greater burden on them. Men and women are affected by climate change in different ways, because the roles expected of them and the demands made of them by families and communities are very different.

<sup>9</sup>*Framework Convention*, article 3.

<sup>10</sup>*Framework Convention*, article 3.

This is very relevant for Africa, for example, where women are the primary food producers and providers of water and cooking fuel for their families, while having greater responsibility for family and community welfare.

A climate justice approach amplifies the voices of those people who have done least to cause climate change, but who are affected most severely by it. They include the citizens of island states and vulnerable countries fighting for their very survival; indigenous communities whose lands and resources are under threat; women farmers feeding their families and growing much of the world's food. And it includes the poorest and most marginalised people worldwide who already suffer most from poverty, hunger, ill-health and injustice.

Climate justice thus incorporates a strong gender perspective. Gender inequities alone can motivate more women to lead in taking action, but women's leadership must address the entire range of climate issues as well as bringing a gender perspective to each of them. Women in many countries are adversely affected by the impacts of climate change, but they are also powerful agents of change, taking action at global, national and community levels. If, as a global community, we hope to respond to the immense challenge of climate change, women leaders must play a greater role in innovating, deciding and implementing the solutions that are so urgently required. The leadership, participation, knowledge and experience of women, especially from the global South and communities most affected by climate change, is vital to successful mitigation, as well as adaptation.

We must ask ourselves why we have failed to tackle this problem. My own reflections on why this is so rest on the context of my life's work in human rights. We live in a world where the realms of geopolitics, of science and of people's everyday lives are far too disconnected. This is nowhere truer than for poor communities in developing countries, whose perspectives and voices are so poorly reflected and understood in the corridors of power. Early in my career I learned the power of law and legal frameworks to change people's lives. I saw how law could be used as a tool for justice, and I saw the advantages of having law that transcended national boundaries, which over time has the potential to bring us together as a global community with shared responsibilities for each other. But this positive use of law has to be supported by political and social processes which enable it to take place.

In the context of climate change, one of these political and social processes is women's leadership. The Mary Robinson Foundation—Climate Justice (MRFCJ) received a grant from the Rockefeller Foundation to develop women's leadership and work to strengthen the gender perspective in the climate negotiations at Cancún. In September we convened a meeting in New York on 'Women's Leadership on Climate Justice: Planning for Cancún and Beyond'. This resulted in a network of about 65 women from different perspectives—government, civil society, business, grassroots and indigenous—who shared common goals. We then planned two side events in Cancún. The first was on women's leadership from the grassroots perspective, which MRFCJ co-hosted with Wangari Maathai's Green Belt Movement, the Nobel Women's Initiative, Climate Wise Women and Realizing Rights. The second required the co-operation of the government of Mexico, as we wanted to convene key women ministers attending Cancún. Fortunately, Ambassador Luis de Alba, the Mexican Special Envoy on Climate Change, readily agreed that the Mexican government would co-host with MRFCJ a side event 'Women Leaders on Climate Change', which took place two days after the grassroots meeting, and before a large audience. The women leaders on the platform included Patricia Espinosa, Mexican Minister of Foreign Affairs and President of COP 16,

Christiana Figueres, Executive Secretary of the UNFCCC, Connie Hedegaard, European Commissioner for Climate Action and the ministers from Denmark and Uruguay. In order to continue the dialogue, and respond to the pressure for a strong gender perspective, it was decided to borrow the European model and to develop a 'Troika +' of women leaders on gender, led by the ministers from Denmark, Mexico and South Africa, leading to COP 17 in Durban at the end of next year.

The need for this initiative became evident at the conclusion of Cancún. Valiant efforts had been made by some delegations and organisations such as Oxfam to insert gender language into the proposal for a Green Climate Fund. The language was included in an earlier draft, but was not in the final text of the Cancún Agreements. So that is a specific task to be undertaken on the Road to Durban! Elsewhere there was more success: the LCA outcome text<sup>11</sup> contains eight references to gender in the preamble, shared vision, adaptation, mitigation, capacity building and technology sections, and there is gender language in the final decisions of the subsidiary bodies. So a start has been made to bringing out the gender dimension, and there is further work to be done.

Another challenge with climate change is the prevalence of that which is perceived as national self-interest. It is hampering the world's governments from global, collective, shared action on what is truly a global, shared resource, the ultimate global commons, our atmosphere. We need to bear in mind Article 29 of the Universal Declaration of Human Rights, which goes beyond state responsibility for promoting human rights to the concept of everyone having 'duties to community'.<sup>12</sup> To my mind, there is no more compelling example of shared duties to community than our need to collectively and urgently tackle the problem of climate change.

Let me offer a few thoughts on how we can overcome the impasse we seem to have reached in making significant progress on climate change; and I want to put it in the context of what Ireland can do as a leader, at a time when our nation must think very carefully about how we use financial resources.

First, I think we can do much more on education and awareness-raising about the human dimensions of climate change and the impacts that are taking place today. If surveys indicate that only about half of the Irish people believe that human action is speeding up climate change, we must ensure that our education system and our media are educating people more effectively on this issue. I am committed to helping on both the academic and the public awareness sides of this challenge. On the academic side, my colleagues and I have been working with both Trinity College Dublin and University College Dublin to incorporate a climate justice component within the new joint Masters in Development Practice programme.<sup>13</sup> This will complement coursework on the natural sciences side that includes climate change. In terms of public awareness, MRFCJ will be active within Ireland and globally to concert efforts on expanding the notion of climate justice and encouraging ways in which people in rich countries—heavily polluting countries—can build support for mitigation and adaptation for poor countries.

<sup>11</sup>The text of this outcome document is available online at: <http://unfccc.int/resource/docs/2010/awgca13/eng/l07.pdf> (1 September 2011).

<sup>12</sup>The text of the Declaration of Human Rights is available at: <http://www.un.org/en/documents/udhr/> (1 September 2011).

<sup>13</sup>Further information on this joint Masters programme is available at: <http://www.tcd.ie/naturalscience/postgraduate/dev-pract/dev-pract.php> (1 September 2011).

Through responsible action at the negotiations level, through our aid program, and through citizen action, Ireland can ensure that climate justice, including a stronger emphasis on gender sensitivity, is strengthened in intergovernmental agreements and in mitigation and adaptation planning. Equally important, we must ensure that we have in place the proper economic instruments and regulatory approaches to reduce emissions.

Finally, we must take advantage of innovations in science and technology—but in an inclusive way that is sure to benefit all people. The digital divide is real: so is the access to energy divide. In Ireland, every home has electricity, of course, and most have computers. In Israel, nearly every home has solar panels. But in Africa, while 40% of households are estimated to have a mobile telephone, still only 1% has a computer. Across the world, fully 1.4 billion people lack access to energy in their homes; and one half of the women in the world are still cooking with open fires. These figures are stark and depressing, but with them I want to convey a sense of opportunity. What has dawned on many people in the international development and human-rights communities over the last two years is that solving the world's climate change problem can also solve other challenges. If we find a path to low-carbon growth and access to energy for all, using non-fossil fuel sources, we will be turning the corner on the pace of global warming.

We will not make significant progress on a challenge of the scale of climate change unless we have three sectors of society tackling it together: governments, civil society and the private sector. When one is lagging, the others must pull ahead—but over time all three must work in concert. Second, we cannot tackle the gravest threats we face—from systematic human-rights abuses to climate change—unless political leaders have the political will to do so. This requires enlightened and visionary political leaders who know that their constituencies care about an issue. So when it comes to climate change, citizens of northern countries have to care.

Can the people of Ireland and other developed countries begin to see climate change mitigation and adaptation as their responsibility? Will we hold our own leaders accountable for addressing climate change? I have no doubt that the answer is yes—but only if we look at climate change as an opportunity as well as a threat.

I see the opportunities as lying primarily in two areas. The first is that helping developing countries to build resilience to the effects of climate change and to adapt successfully will make our development assistance euros go much farther. Given these difficult economic times, when aid budgets in Ireland and elsewhere are at the risk of being carved away, we have to ensure that every euro spent will be used wisely. Irish Aid has been a leader in programs from sustainable livelihoods, to strengthening the capacity of civil society, to building stronger health systems in developing countries. All of these areas are relevant to climate change.

The second set of opportunities lies in greening our economy, here in Ireland and across the world. At the Globe Forum here in Dublin in November,<sup>14</sup> a speaker reminded us that Ireland did not possess much of the energy drivers of the twentieth century—fossil fuels—but that we do have some of the most

<sup>14</sup>The Globe Forum initiative has been in existence since 2003; it aims to work as an accelerator to bring sustainable innovations to the market. A forum was held in Dublin on 17–18 November 2010. Details of the event are available at <http://www.globeforum.com/en/TopRightMenu/Forums/Dublin/> (1 September 2011). For more on the Globe Forum initiative in general, see: <http://www.globeforum.com/en/TopRightMenu/About-Us1/About-Us/Overview/> (1 September 2011).

important energy drivers of the twenty-first century in abundance—wind power and the wave power within the seas off our coasts, which include an area eight times the land mass of Ireland. These are phenomenal resources at our disposal that can make us a leader in mitigating greenhouse gas emissions.

We also possess a resource that I have been immeasurably proud of and which I have cited regularly in my travels across the world over the past two decades—the ingenuity and industriousness of our people. Our economy is in difficult times, but we have coped successfully with adversity before. We are not a large nation, but we can marshal our resources to make a large footprint on the world’s fight against climate change. We are doing big things: building the world’s largest wind farm off the coast of Ireland; innovating in energy-efficient buildings and vehicles. We are making less visible but no less important efforts—like the Science Gallery on the Trinity College campus, where I saw schoolchildren learning about the many ways they can not only reduce their carbon footprint, but also use their science know-how to experiment with creating new technologies of their own.<sup>15</sup>

Business people in other countries have seen the enormous financial opportunities in new technologies and also in the more prosaic but equally important area of green retrofits. The global trade union movement has identified the opportunities for workers to share in the benefits by working together with the public sector and employers. The report, ‘Green Jobs: towards decent work in a sustainable, low-carbon economy’,<sup>16</sup> emphasises that green jobs already exist and that there are many opportunities for expansion across the EU, the US and developing countries. Many can identify the triple win here: to give a boost to our Irish economy, to develop technologies and processes that improve the lives of people in developing countries and to slow down the warming of our planet.

Let me end with the words of a noted expert on climate change, Bert Metz—words that I very much identify with:

My grandchildren will likely experience the climate of the 2080s and 2090s. They will personally face the turmoil in the world when climate change gets out of control. I want to make my small contribution to save them and their generation from that.<sup>17</sup>

<sup>15</sup>Part of the ‘Green Machines’ exhibition in the Science Gallery in December 2010; see <http://www.sciencegallery.com/events/2010/12/green-machines-design-studio> (8 September 2011).

<sup>16</sup>Cited in ITUC, ‘Statement—Trade Unions and Climate Change: Equity, justice and solidarity in the fight against climate change’, December 2009, 11.

<sup>17</sup>Bert Metz, *Controlling climate change* (Cambridge, 2010), xv.