

# CLIMATE JUSTICE

## THE NEED FOR MAJOR MOBILIZATION TO DEFEND LIFE AND MOTHER EARTH

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*We are at an unprecedented time in the history of the world – a time at which we must act urgently, with unprecedented unity and clarity, to defend life and our Mother Earth. We face a growing set of crises with climate change at the core, caused by a system that is designed and dominated by elite interests and fundamentally opposed to the interest of people everywhere and to the harmony and integrity of our Mother Earth.*

*The movements of women and men, farmers and rural communities, fisher-folk and coastal communities, indigenous peoples, formal and informal workers, climate migrants, youth, and urban poor, and many others from all regions of the world meeting at the World Social Forum in Senegal, Dakar, have a crucial role to play in mobilizing for survival and climate justice.*

### **A climate crisis**

At the center of this crisis is the fundamental destabilization of the Earth's climate. Climate change is unequivocally upon us. Worsening famines in Africa. Fires in Russia. Extreme weather, flooding and devastation in Pakistan, Bangladesh, Brazil, China, Australia and numerous other locations worldwide. These are not isolated events but mounting evidence of a growing climate crisis that threatens lives and livelihoods everywhere.

Climate change is proceeding faster than predicted by the world's scientific body on climate change, the Intergovernmental Panel on Climate Change, in its Fourth Assessment Report. The Earth's climate is "tipping" off balance and we must act swiftly to stabilize it within a range fit for human life and human wellbeing.

### **Africa on the frontline**

Africa is on the front-line of climate change. According to the Intergovernmental Panel on Climate Change:

*Africa is one of the most vulnerable continents to climate change....<sup>1</sup> All of Africa is very likely to warm during this century. The warming is very likely to be larger than the global, annual mean warming throughout the continent and in all seasons....<sup>2</sup> In all four regions and in all seasons, the median temperature increase lies ... roughly 1.5 times the global mean response.<sup>3</sup>*

As a result, warming of as little as 1.5 degrees Celsius globally could mean Africa warms by well over 2 degrees. Recent scientific evidence (since the IPCC Fourth Assessment Report) confirms that warming of these levels threatens catastrophic impacts, including potential for crop losses continentally of over 30%.<sup>4</sup>

Like communities in other regions, the communities of Africa will pay the highest price if our efforts to secure climate justice are unsuccessful. As stated by Reverend Desmond Tutu, "a global goal of about 2 degrees is to condemn Africa to incineration and to no modern development".<sup>5</sup> As Africa will host the next UN climate conference in December 2011 in Durban, South Africa, it is timely that the World Social Forum is taking place in Dakar, Senegal.

### **A crisis of crises**

The current crisis is not just about global warming or the science surrounding it; it is also an economic and social crisis, a political crisis, a food and energy crisis, and an ecological crisis. It is a systemic crisis that the affected people everywhere – and particularly peoples of the South – understand is about our lives and futures.

It is about our food, health, lands, seeds, rights, and livelihoods. It is about further discrimination and violence against women, forced migrations, loss of sovereignty over natural resources, the impossibility to continue existing as original communities living in harmony with nature. Above all, it is about justice: climate justice, ecological justice, economic justice, gender justice and historical justice.

Underlying our debates and conclusions is the shared belief that the dominant approaches in the official climate change negotiations are not considering either the urgency of the matter, nor its causes and the overarching reach of its implications. Without a change in course endless negotiations will only result in the justification and continuation of a failed “development” paradigm and the emergence of more market-based mechanisms that aim not to solve the problem of global warming but rather to profit from it.

### **Dismantling the climate regime**

These concerns are already evident in the formal climate negotiations, where industrialized countries are leading an exodus from the agreed negotiating “roadmap” with the objective of dismantling the international climate regime.

Under the roadmap agreed in Bali (the Bali Roadmap) at the December 2007 climate conference of the United Nations, countries agreed an approach under which all countries would contribute to the solution of climate change in accordance with equity, historical responsibility and common but differentiated responsibilities.

They agreed to two tracks of negotiations under the Convention and its Kyoto Protocol. The agreement was that the current system would be maintained as the foundation of the global climate regime, and that we would build on this foundation in an equitable way.

Under the Bali Roadmap it was understood that:

- The negotiations to ensure developed countries take on binding emission reductions would continue and developed countries would adopt a second period of commitments under the Kyoto Protocol commencing in 2013;
- The United States, which is the only country to repudiate the Kyoto Protocol, would undertake comparable commitments under the Convention; and
- Developing countries would undertake nationally appropriate mitigation actions, enabled and supported by financing and technology that would be measurable, reportable and verifiable.

The bargain was to maintain the existing rules – including provisions on transparency and compliance

under the Kyoto Protocol – and to lift up the standard of other countries (including the United States) through new negotiations under the Convention. Developed countries were also to honor their long-standing, but largely un-implemented, obligations to enable adaptation and provide substantial financial and technology transfers.

Instead of honoring this plan, many developed countries have now indicated their clear intention to avoid binding obligations to reduce their climate pollution, to kill the Kyoto Protocol and to replace it with a weaker “pledge-based” system. At the same time, they are seeking to retain their favored elements of the Kyoto Protocol (e.g. market mechanisms) into a new agreement, and to establish a system of voluntary pledges.

Underpinning their agenda is the objectives of, among other things:

- Agreeing a global limit on warming of 2 degrees C, which would threaten catastrophic impacts on the world’s impoverished people while enabling a “soft landing” for their economies, corporations and powerful economic interests.
- Avoiding binding targets for developed countries that might limit their economic interests or consumption and that are enforceable as a matter of international law through oversight and compliance mechanisms.
- Enabling developed countries to appropriate the largest possible share of the remaining atmospheric commons to support their national economic interests and corporations through weak national targets and carbon markets, while imposing obligations on developing countries through the back door.
- Limiting their responsibility and liability for climate impacts and costs by “capping” their responsibility through a pledge to “mobilize” a mere \$100 billion in 2020, a sum far too little to address the scale of the challenge and a commitment carefully framed in terms of “mobilizing” so there is, in fact, no obligation to provide any particular sum of public funds, and these funds may thus be mobilized via markets and contributions by developing countries.

- Establishing markets and other false solutions that enable further consolidation of wealth and power to economic and financial interests in the developed countries, while enabling increased control over markets, industries, forests, agricultural resources in developing countries, and shifting the burden of curbing climate pollution to developing countries and communities.

### **An ambush in Copenhagen**

To advance this agenda, an exclusive, un-transparent and undemocratic process involving around 28 countries was convened by the Danish government alongside the formal UN climate conference in Copenhagen to produce the so-called Copenhagen Accord, an illegitimate document that was not mandated and ignored years of work in the formal process.

The process excluded over 160 countries and sidelined formal UN negotiations. Emerging from this exclusive process, President Obama announced a deal to the international media before over 160 countries had even been presented with a draft text. The Danish Prime Minister then tabled the so-called Accord in the formal UN process on a “take-it-or-leave-it” basis offering countries only an hour to review the document. This led to an uproar in which many nations expressed their concerns.

Tuvalu refused to accept “30 pieces of silver” to sacrifice its future. Venezuela characterized it as a “coup-d’Etat” of the UN. Ultimately, thanks to the actions of a number of developing countries – including notably Bolivia, Nicaragua, Sudan, Tuvalu, Venezuela and others – the Accord was not adopted by the UN, meaning it remained a non-binding document with no legal standing or effect in the formal process.

The Accord was widely rejected by many NGOs, social organizations and movements<sup>6</sup>, for a variety of reasons including that:

- It includes pledges that would in fact give rise to 3.9°C of global warming according to Northern scientists.<sup>7</sup> Its stated goal of 2°C threatens catastrophic impacts for many communities, and its proposed review of a 1.5°C goal occurs too late to stabilize emissions at this level.
- It threatens the Kyoto Protocol’s legally binding targets for developed countries. It is merely a system of voluntary and unilateral pledges that does

not include a science-based aggregate target, legally binding individual targets for industrialized countries or effective compliance. It threatens to shift the burden of climate change to developing countries.

- It fails to share the global atmospheric commons fairly. Inadequate pledges by Annex I countries (13-19% from 1990 levels by 2020) allow them to ignore historical responsibility and grab a disproportionate share of the remaining atmospheric space, denying it to developing countries. This is climate colonialism.
- The proposed \$10 billion per year in short-term financing for the period 2010 to 2012 is inadequate. This has already proven not to be “new and additional” to ODA. The African Group has called for short-term financing of \$400 billion, with \$150 billion immediately available as “special drawing rights”.
- The proposal to “mobilize” \$100 billion in longer-term financing is inadequate. There is no commitment to “provide” this finance from public sources. The amounts are insufficient to stabilize concentrations at levels essential to survival and prosperity.
- The Accord’s proposed finance and technology mechanisms fail to ensure democratic, transparent and accountable governance of finances and technology transfer under authority of the Conference of Parties, as called for by the G77 and China.

Despite a setback to their efforts in Copenhagen, powerful countries including the United States, United Kingdom and others pressured many developing countries during 2010 into associating with the Copenhagen Accord. Countries were bullied and pressured, and financial resources formally withdrawn by the United States to Ecuador and Bolivia, which refused to capitulate. While pushing the Accord outside the UN process, its proponents also sought to establish it as the formal basis of negotiations within the United Nations, while downgrading expectations for the 2010 Cancun climate meeting.

### **Manufacturing “consensus” in Cancun**

In Cancun, a major objective was to avoid a re-run of the Copenhagen fiasco. At the same time, those driving the process understood that adopting the more

transparent and participatory processes usually required within the United Nations would have made it difficult to impose their agenda.

Rather than restoring UN processes, as demanded by many developing countries, Mexico instead used its position as President of Conference of the Parties to convene WTO-style processes including small, exclusive meetings of selected Parties (known as “green rooms” in the WTO), informal consultations and “confessionals” conducted by pairs of Ministers (to find out Parties bottom line negotiating positions), back-room drafting processes, and informal plenaries to update Parties.

Meetings were claimed to be “open and transparent” but in fact it is still not known – even to many government delegations – who was in fact invited to participate in which meetings, where they were held, and what was discussed. A final document was prepared outside the formal negotiating process, again without clarity on who served as its drafters, but presumably with input from powerful countries and the Mexican presidency. From this process the Mexican government presented a final text to all countries, offering them only a few hours to review it and – like in Copenhagen – to accept it on a “take-it-or-leave-it” basis.

Predictably the outcomes were warmly welcomed by the developed countries, which had achieved many of the objectives set in the Copenhagen process and Accord. Many developing country officials also publicly welcomed the outcomes, some participating exuberantly in standing ovations, presumably celebrating that another Copenhagen-style collapse had been averted or some of their demands were reflected (e.g. for new adaptation, finance or technology institutions), while in private many delegates acknowledged the outcome is deeply flawed. Only Bolivia had the courage to speak out about both the process and its outcomes.

In the final plenaries, Bolivia stood alone in demanding its right as a sovereign state to participate in formal negotiations, and to have its formal negotiating proposals – including those reflecting the will of the people as expressed in the Cochabamba People’s Agreement – be fairly reflected in the text. Bolivia’s Ambassador, Pablo Solon, spoke passionately in front of thousands assembled in the final plenary, and

stated that the document represents a step backwards in relation to mitigation as it<sup>8</sup>:

- Postpones indefinitely a decision under the Kyoto Protocol. Bolivia had come to Cancun to ensure that there would be a decision to guarantee a second commitment period of reductions under the Kyoto Protocol and this document did not guarantee that.
- Opens the doors to a regime that will be a flexible and voluntary “pledge and review” approach and not a system where all Annex I Parties will fulfill a set target. What is going to emerge is not a stronger regime for reducing emissions in mitigation but a voluntary regime which is less demanding on developed countries that are responsible for global warming.
- Refers to a supplementary document which is supposed to include developed countries’ commitments (document FCCC/SB/2010/INF X) that did not even exist and that Parties “do not know what these commitments will be and if these commitments will lead to a stabilization of greenhouse gas emissions which will be sustainable for human life and plants.” Solon stated that it was not possible to have a decision based on a list that was to be drawn up later, in essence a blank cheque where the Annex 1 Parties would fill up whatever they wanted.
- Likely referred to, in the supplementary document, the Copenhagen Accord pledges that would only amount to a 13 to 17% reductions in emissions compared to 1990 levels, which will lead to a temperature rise of 4 degree C. Such a temperature level could lead to a situation of “genocide and ecocide.” Bolivia could not agree to an agreement “which will put more human lives in a situation close to death.”
- Allows the Kyoto Protocol’s market mechanisms to continue, whereas countries that do not accept a second commitment period of the Protocol should not be allowed to use its flexibility mechanisms like emissions trading and the Clean Development Mechanism.

In relation to technology, Ambassador Solon stated that Bolivia had wanted Parties to address the issue of intellectual property rights. As a compromise to the various proposals on IPRs on the table, Bolivia

said that it had requested for at least a workshop be held and a process for discussions to begin in 2011 on the IPR issue. Even this basic proposal was disregarded. In most clean technologies, 70-80% of that is in the hands of developed countries and it is they who hold the patents.

In relation to finance, he said \$100 billion per year would be mobilized by 2020 but that it was not stated whether this would come from developed countries or from the carbon markets. The World Bank is to serve as the interim trustee and Bolivia could not accept this as the Bank is an institution dominated by donors.

In relation to shared vision, he said Bolivia could not support the 2 degree C temperature goal as according to various studies, this would mean a 3 degree C situation for Africa. Referring to the IPCC's Fourth Assessment Report, a 2 degree C target would mean a 50% chance of stabilizing the climate and he said that no one would send his or her child on a plane if it had a 50% chance of crashing.

For these reasons, Bolivia could not agree to the so-called Cancun Agreements. Ambassador Solon stated:

*We represent a small country which has principles and will not sell our country and we speak with the peoples of the world. There is no consensus for approval of this document.*

Despite Bolivia's objections, the Mexican chair gavelled through the outcome as formally adopted stating that one country could not prevent a consensus.

### **Undermining international law and institutions**

The decision by Mexico to override the express objections of a sovereign state and nevertheless claim "consensus" departs from established processes in the UN and in other international organizations including the WTO. At the WTO consensus is defined where "no member, present at the meeting, when the decision is taken, formally objects to the proposed decision".

In a final plenary, Ambassador Solon said that consensus meant that no state was explicitly stating objection or rejection to the decision. He added:

You cannot say there is consensus. You can only take note. This is an attempt to violate rules of the Con-

vention and the United Nations. Consensus is not by a majority. There must be an absence of explicit rejection of a decision. Despite our objection, the decision was adopted. We are going to apply to all international bodies to preserve the rules of consensus. We came here to negotiate and not to gavel an injustice. Not even in Copenhagen was this done and there was respect for the rule of consensus. The (Copenhagen) Presidency did not have the gall to hammer through a decision. Now there is a violation of rule. This is an unhappy conclusion. I ask you to review your decision and return to the path of law.

The decision by the Mexican Presidency, and those supporting it, raise serious questions about the rule of law, the sovereignty of states and the integrity of the United Nations system. It demands a response by all states and people committed to a system based on rule by law not power, and to outcomes that reflect the will of people and not merely those of the most powerful countries and groups.

### **Dismantling democracy**

Pressure on international law and institutions have been paralleled by pressure on democratic practice at the national level. In many countries, the interests of people are being undermined by pressure from powerful states, donor organizations and elite and economic interests. In some countries, elite interests or pressure from industrialized countries led developing country governments to associate with the Copenhagen Accord, despite protests from civil society organizations and social movements.

In Africa regional institutions and platforms, supported substantially by donors, have been created or expanded with the ostensible goal of improving the consistency of Africa's participation in climate negotiations and policy-making. These efforts, however, risks further sidelining elected officials and undermining their accountability, where it exists, to citizens.

### **An elite and corporate-led agenda**

In the absence of a countervailing force, the international climate agenda is increasingly dominated by the interests of Northern industrialized countries, international financial institutions, multinational corporations and elites in both the North and the South.

Underpinning their agenda are the interests of a small economic and political elite – including the networks of individuals, corporations and financial institutions that dominate decisions about investment, production and distribution and who hold senior positions in corporations, academia, media and government.

The position of the United States in international climate negotiations is shaped substantially by its failure to secure domestic climate legislation, which in turn is the result of actions by powerful economic lobbies including the coal, oil, automotive, metals, fertilizer, chemical, agri-business and other economic lobbies.

Corporations have opposed not merely domestic legislation and international emission reduction pledges, but also any curbs on emissions that would affect their economic interests. Some are architects of the effort to deny climate change, harass climate scientists and limit necessary climate action. They seek not merely to undermine the inadequate pledges that are currently on the table – which are estimated to lead the world to some 5 degrees C of average global warming – but any effective climate action.

These efforts against climate justice are not isolated. They must be seen in the context of broader efforts to appropriate wealth and resources, extend domination and hegemony, and consolidate power. Some of those who oppose climate justice are those who also support any available means to pursue their agenda including, where they deem it necessary, armed conflict, terrorism and torture, and unjust and illegal wars in the Middle East and elsewhere.

### **Courting climate catastrophe**

The reconceived climate agenda proposed by these elite interests, set out in the Copenhagen Accord and embodied in the Cancun outcomes threaten to lead the world down the path of global warming disaster. A UN report on the “Emissions Gap” shows that under the Copenhagen Accord's pledges the developed countries will actually increase their emissions by 6% in the worst scenario or will only cut by 16% in the best scenario (by 2020 compared to 1990).<sup>9</sup>

It concludes that under current pledges, the world will move towards global warming of 2.5 to 5 degrees Celsius before the end of this century. Many scientists

and over 100 governments believe that the safe limit is below 1 or 1.5 degrees, so this threatens to destabilize the Earth's climate system, subject hundreds of millions of people in the world to inhumane conditions that seriously violate their human rights. It is possible that warming of even 2 degrees Celsius could “trigger” major “tipping points” in the Earth system – such as methane from Arctic tundra, dye-back of the Amazon or loss of ice-sheets and glaciers – that set off a chain of events that cause warming to spin out of control.

If the elite and corporate interests that seek to undermine even the current pledges (let alone any more ambitious effort to achieve climate justice) are successful then the stability of the Earth's physical and living systems is in jeopardy. A recent article in *Science* notes that if we continue business-as-usual fossil fuel use then we're in fact on trajectory for 900-1100ppm CO<sub>2</sub> by the end of the century.<sup>10</sup> It states that concentrations of this level last existed about 30 to 100 million years ago, when global temperatures averaged about 16 degrees C above pre-industrial levels. In the typically understated language of scientists it concludes “the human species and global ecosystems will be placed in a climate state never before experienced in their evolutionary history and at an unprecedented rate”.

A translation: In a world that is +6 degrees C warmer the surface of the Earth that is not inundated completely, including the poles, would be rendered into low-biodiversity swamps lashed by storms, floods and fires. It seems unlikely under such conditions that human civilization could continue for long, except perhaps in small, highly fortified enclaves. A significant portion of the Earth's people, plants and animals would perish. For those humans that survive the focus would be principally on “order” rather than “justice” or “development”.

These, unfortunately, are not the scenarios of science fiction. Scenarios of potential for 16 degrees C of warming are based firmly on the latest evidence about the Earth's historical climate. Evidence from the historical record also demonstrates that at other stages in the history of our planet (such as the “end-Permian event” around 225 million years ago) changes in climate caused 90% of all life to be extinguished. At stake in our effort, then, is literally life on

Earth. Not simply human rights, democracy or justice, which we cherish, but the maintenance of life.

### **A mobilization of people**

Defending life on Earth requires an unprecedented global mobilization of people – a movement of movements representing all branches of the global justice movement, organized at the local, national and global levels and in all regions to change the system, counter the opponents of justice, and implementing the program of actions required to defend life and restore harmony among humans and with nature. This effort must:

- Be based on a rigorous and scientific analysis of the causes of the current situation, including the scale of the challenge posed by climate change and associated crises, their root causes and the solutions to these causes.
- Involve a more systematic mobilization involving all branches of the global justice movement working in concert, with leadership coming in particular from the peoples and social movements of the Global South.
- Secure agreement on a clear science- and justice-based platform, or platform of platforms, that unites us across all regions, sectors and levels in a common social front of resistance and action.
- Demarcate a clear line between those who support the movement to defend life and Mother Earth and

those who are its opponents, including those who seek to perpetuate and extend the status quo, risking the stability of our home the Earth.

- Include a willingness to embrace the full range of strategies including social action, political action and direct action to confront the root causes of the present crisis and put in place a more just and harmonious system.
- Ensure more systematic mobilization and organization of people in every location and every forum necessary to achieve our objectives built on a unity among all peoples and movements.
- Involve more systematic efforts to support all allies – including those individuals working within formal institutions and governments – who share our agenda and are willing to advance it.
- Champion and implement a clear agenda of just and positive solutions at the local level and in every sector and location designed to ensure the interests of people and communities while curbing climate change and addressing related crises.

Together we must continue to fashion a climate justice agenda and mobilization capable of confronting the grave threat facing humanity and all of life on Earth. Deliberations in Dakar provide a key opportunity to deepen our collaboration, and extend the circle of cooperation to new partners in the struggle to defend life and ensure a fairer and brighter future.

<sup>1</sup> Contribution of Working Group II to the IPCC Fourth Assessment Report, Chapter 9, Africa, at page 435

<sup>2</sup> Contribution of Working Group I to the IPCC Fourth Assessment Report, Chapter 11, Regional Climate Projections, at page 866-867

<sup>3</sup> Id.

<sup>4</sup> Schlenker et al., *Environmental Research Letters* 5 (2010)

<sup>5</sup> Rev. Desmond Tutu, Letter to Danish Prime Minister, 15 December 2009

<sup>6</sup> PACJA Statement on Copenhagen Accord (“Say ‘No’ to the Copenhagen Accord”), March 2010

<sup>7</sup> [www.pewclimate.org/.../copenhagen-accord-adding-up-mitigation-pledges.pdf](http://www.pewclimate.org/.../copenhagen-accord-adding-up-mitigation-pledges.pdf)

<sup>8</sup> TWN Cancun News Update No. 19

<sup>9</sup> <http://www.unep.org/publications/ebooks/emissionsgapreport/>

<sup>10</sup> *Science*, Lessons from the Earth’s Past, 331, 158(2011)