



6th Annual Mary Robinson Speaker Series Event:

“Climate justice and business: Human rights from the frontlines to Paris”

23 September, 2015

I am pleased to be able to address the *Mary Robinson Speaker Series on Business and Human Rights* this year. Many thanks to Phil Bloomer and colleagues for your warm welcome and committed hard work. This is the sixth year of the Speaker Series, and I am both honored and humbled by the incredible human rights activists who have delivered previous key note speeches. Their bravery, their struggle and their determination to speak out for the rights of workers who deserve jobs with dignity motivates us all. This is after all the purpose of the Mary Robinson Speaker Series – to provide a platform for advocates who have done sustained, effective work on human rights and business to generate informed debate on the issues of our time.

The issue of our time that we are focusing on this evening is climate justice. Climate justice is a relatively new term for business. Research conducted by my Foundation found that there was no use of climate justice narratives by the private sector up to the end of 2011. However, this situation is changing and a number of private sector organizations and businesses have started to develop and use climate justice narratives. The Business and Human Rights Resource Centre, the B-Team, BSR and even Ben and Jerry’s Ice-cream have embraced climate justice and are making it relevant in a business context.

So what is climate justice and what does it mean for business?

As a starting point it is important to know that climate justice operates at the intersection of human rights, climate change and development. It is about placing people at the heart of climate action, and it is about making sure that climate action yields development benefits for people while respecting their human rights.

I would like to explore the links between human rights and climate change to bring climate justice to life for you and to highlight risks and opportunities for business.

Firstly – climate change has implications for the realization of human rights. Whether it is the people of a developed country like Japan who have suffered loss of life, displacement or loss of shelter due to the terrible floods there this month, or the people of Vanuatu who are trying to rebuild their lives after the devastation caused by Cyclone Pam – human rights are undermined by the impacts of climate change. The situation is most acute for people living in situations of poverty, marginalisation and vulnerability – in city slums, island atolls and drought or flood prone areas.

In the immediate aftermath of an extreme weather event rights- ranging from the right to food and to health, to the right to water and to shelter - are affected; and in the longer term the right to self-determination and cultural rights are at risk. The great injustice of this reality is that those who suffer the worst impacts of climate change contribute least to the causes of the problem. The carbon footprint of families living in poor and vulnerable communities is almost negligible – they reap none of the benefits of the fossil fuel economy – yet they are on the frontlines of climate impacts and have least capacity to cope.

Most recently I saw the negative effects of climate change on people's lives in Fiji. Fiji like other small islands is vulnerable to the impacts of climate change. In the part of the country I visited the particular challenge is intense rainfall and flooding. I visited communities that lost everything during a devastating flood in 2012 when 4 hours of intense rain filled the gullies and washed villages and fields of crops away in its path. Aware that these events are

only going to become more frequent and intense in a climate affected world the community is now more resilient. They have a simple early warning system that alerts people of rising water levels by a text message sent to their phone, a network of first responders led by women's groups, and a series of shelters on higher ground in which to seek refuge. The floods aren't going to go away, but lives can be saved with preparation and clever use of science and communication technology.

What are the implications of this link between climate impacts and human rights for business?

Business is as vulnerable to the impacts of climate change as people are. For example, the impacts of the prolonged drought in California are negatively affecting business – from agriculture and food processing to tourism and the energy sector. When business suffers, jobs are lost - in the agriculture sector alone it is estimated that 17,100 seasonal and part-time jobs were lost in California in 2014 due to the drought¹. Loss of work means loss of income – further threatening the enjoyment of human rights. Climate impacts affect all parts of the business cycle from the supply chain to the customer, and these risks are increasingly being understood. The *Risky Business* report released last year highlights climate risks to specific business sectors and regions of the US economy to enable the American business and investment community to factor climate change into its decision-making processes.

Business has a role, in fact a responsibility, to manage climate risks – and not just for its shareholders and workers - but also for the wider community the business operates in. Business interacts with people all along the supply chain, and operates in communities that are affected by climate change. Business sells goods and services to people living in a

¹ <http://fortune.com/2015/04/09/6-industries-hurt-the-most-by-the-california-drought/>

climate affected world. So managing climate risk goes beyond risk assessments to build resilience to climate impacts more broadly in the economy and society.

The second major area of linkage between human rights and climate change is the risk of negatively undermining people's rights through climate action.

In much the same way that business activities can negatively impact on people's rights through a failure to respect human rights in business practices – so too can climate actions. For example, climate actions that fail to respect the right to participation and the right to access to information risk excluding local communities and may result in conflict. A climate project to construct the Barro Blanco hydrological dam to produce renewable energy in Panama, failed to adequately consult with and ensure the full participation of the local and indigenous communities who would lose their homes and livelihoods as a result of the construction. This led to conflict as indigenous people's rights to land and the natural resources of the area were undermined.

Another example of the unintended impacts of a climate policy on human rights is biofuels. It is generally accepted that the diversion of corn production to ethanol for biofuels was a significant contributor to global food price increases during 2007-2008. This led to heightened food insecurity with the worst effects on poor and vulnerable people. This prompted the former UN Special Rapporteur on the Right to Food, Olivier de Schutter, to state that "Climate change, exacerbated by increasingly scarce natural resources, biofuel policies and financial speculation trends, is having a domino effect for food and nutritional security for the world's poorest and most vulnerable people".

For these reasons; it is better to integrate human rights into climate policy and action from the outset – and minimise the risk of negative impacts and human rights abuses.

The *third* area of linkage between human rights and climate change is a positive one – where the integration of human rights into climate change policies and actions can result in benefits for people as well as the planet. Climate change is not just science after all – climate change is caused by and affects all aspects of human life – from our food and energy supplies to health and transportation. Climate change is a development issue, it is an economic and social issue, and as a result climate action can, and should, make a positive contribution to people’s wellbeing.

Responses to climate change – ranging from reductions in greenhouse gas emissions to measures to improve early warnings and adapt to climate risk – can be more effective and more transformative if they are informed by human rights.

Some examples might illustrate this point: in communities in Niger where, in recent years, women have been able to access information about their land rights they have been able to claim their rights. As a result the women are not only better able to grow nutritious food for their families, they are also empowered to invest in strategies to adapt their crops and farming practices to be more resistant to drought.

In Costa Rica the right to a healthy environment is enshrined in the constitution and has shaped climate policies in sectors including agriculture. A mitigation programme with livestock farmers reduces greenhouse gas emissions but it also improves productivity, and as a result farmers income. It also helps to realise the right to food and to clean water, it enhances resilience to climate impacts and it empowers the population as the driving force behind the programme.

UN Special Rapporteur on the Right to a Healthy Environment, Professor John Knox, has said that ‘governments don’t leave their human rights obligations behind when they walk through the door of the climate negotiations.’ Likewise businesses do not forfeit their human rights obligations and duties when they enter the realm of climate action. A desire to save the planet cannot be divorced from the prerogative to respect rights. This is the central message of the Papal Encyclical *Laudato Si*: Pope Francis sees no distinction between

the *'cry of the poor and the cry of the earth'*. If we deprive people of their rights, of their dignity, we can be sure that we are treating the earth, our common home, with a similar lack of respect.

The *UN Guiding Principles on Business and Human Rights*, so ably guided by Professor John Ruggie, are a tool business can use to advance climate justice. The Protect, Respect and Remedy framework underpinning the Principles provides a basis for the integration of human rights into business, just as we seek now to integrate human rights into climate action. While governments shape climate policy – business, citizens and local authorities implement climate action. As a result it is business as much as government that is at the frontlines of integrating human rights into climate action.

Whether a company is sourcing and supplying coffee, generating electricity or building mobile phones: the climate actions they take, to reduce their carbon footprint and to manage climate risk, are more likely to be effective and to have benefits for workers and the people the business interacts with if those actions are informed by rights. The benefits of this approach could be captured by ESG (Environmental Social and Governance) reporting - to allow first mover, responsible businesses to capture both the human rights and sustainability aspects of their business and enhance their reputation in the process.

Business requires a “social licence” to operate, and from now on that licence will evolve to include a greater emphasis on sustainability and climate justice. Businesses will need to be stewards of the communities from which they derive their social licence to operate – and that requires more than just corporate social responsibility. It requires long term engagement with communities to understand climate risks and to build capacity to adapt by empowering people to be part of climate and development action. Businesses that grasp this new reality will undoubtedly have a competitive advantage and a solid consumer base.

As you all know, 2015 is the year when the international community has committed itself to the task of reorienting development away from business as usual and towards a more

sustainable alternative. For my part I am committed to doing all I can during this year to mobilise leaders for ambitious and equitable action on climate change and sustainable development. It a year in which we can dare to imagine a different development paradigm and make collective commitments to do things differently in the future.

The Post 2015 Development Agenda, with its 17 Goals, envisages a future where we place People, Planet, Prosperity, Peace and Partnership at the centre of a new era of sustainable development. This is something all countries of the world are challenged to achieve, and which can only be achieved through cooperation between all countries. The SDGs are as much a challenge for the US as they are for Malawi – and for business as much as for government - we are all embarking on a new journey. The SDGs do not spell out for business how they should engage responsibly in their role as development partners – a role that for some may be new. So businesses big and small will need to be informed about their role and supported by each other and by governments to deliver their part of the Global Partnership for Sustainable Development. Attention to human rights can help businesses to be good, responsible and effective partners in the new era of sustainable development.

For me this new era is filled with hope – hope that we can find a way to live with *'respect for our common home'* and with respect for all people equally. This is after all what was envisaged in 1948 when the UN Declaration on Human Rights, adopted in Paris, affirmed that *'All human beings are born free and equal in dignity and rights.'*

The new climate agreement to be agreed in Paris this December will add legally binding commitments to reduce greenhouse gases and adapt to the impacts of climate change to the universal mandate enshrined in the SDGs – the focus of this week's Summit at the UN. While the Agreement emerging in Paris will not contain all the measures needed to hold warming below 2° or 1.5° C above pre industrial levels, it will signal a change in direction – the start of a new era when we learn to do without fossil fuels.

This policy signal from the international level will in turn inform national policies – which we know from a recent PwC survey of CEOs to be the most significant factor driving climate action for business alongside greater public awareness.

If we design the transition away from fossil fuels to renewable alternatives fairly - and we manage it well based on strong national policies – it can result in job creation, poverty eradication, decreased inequality and greater wellbeing for all people. A 2010 study by the Millennium Institute for the International Trade Union Confederation showed that if just 12 countries invested 2% of GDP each year for five years in existing green industries this would generate around 48 million jobs. The ILO has similarly found that policies facilitating climate transition are employment generators. Combining economic growth with environmental improvement can lead to net gains of up to 60 million jobs. The New Climate Economy Report 2015 reminds us that the green alternative to business as usual will lead to structural change that can be steered to make economies at all levels of development stronger, more equitable, more sustainable and more resilient. And finally, the Lancet Commission on Climate Change demonstrates that actions to address climate change also benefit human health and wellbeing.

This is a rare opportunity to shape a new beginning. If we are careful to inform this transition with the values we share including human dignity, respect for human rights including gender equality, fairness and solidarity – we can hand a better future over to our children and grandchildren, who by 2050 will share the world with about 9 billion others. After all the same PwC survey of CEOs also found that what motivates 81% of them personally to direct their business to take action on climate change was a desire to protect the interests of future generations.

The good news is that if we act now we can hand a safer, more healthy and sustainable planet over to the next generation. Research conducted by my Foundation has found that it is possible to achieve zero carbon and zero poverty by 2050 if we take a climate justice

approach. That is, if the global response is fair, with all countries leading in the way appropriate to their national circumstance, and if all climate actions respect human rights. These findings apply equally to business: all must lead and be part of the transition to a new era of sustainable development regardless of their size, sector, operational context, ownership and structure, and human rights must inform all the activities businesses undertake.

When I think back to previous speakers in this series and the human suffering and injustice they brought to our attention – from garment workers in Bangladesh to child workers in the Democratic Republic of Congo – I am reminded that we need to learn from the past. We need to ensure that a new era of climate action does not tread on the rights of people in the effort to reduce emissions and safeguard the planet.

The international policies we are shaping this year give us a chance to shape a better world. Climate justice provides a framework not just to think through the climate and sustainability action a business can take to reduce risk and maximize opportunities, but also to empower and protect the communities business relies on to have a robust social license to operate.

I would like to end with a phrase from The Encyclical of Pope Francis, *Laudato Si*:

“We must regain the conviction that we need one another, that we have a shared responsibility for others and the world, and that being good and decent are worth it” (para 229)

In business being good and decent is not just about corporate marketing – it is about business being part of the change we want to see in the world.

Thank you.

- ENDS -

