



Mary Robison Keynote Address

Turbulent climate change shows need to address injustice

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I want to speak to you today about climate justice and, more specifically, the urgent need for innovation in turbulent and troubling times. Some of you have, no doubt, rolled your eyes at the mention of innovation. As well you might – the term has become a laboured catch phrase for a modern society that assumes newer, faster, more productive and more efficient is better. What's more, we could be forgiven for viewing innovation as a concept confined to the world of technology – human ingenuity channelled to create automated solutions to life's challenges. But *innovare*, the Latin stem of innovate, means to change, or to reform, and can be understood as a much broader societal concept.

The need to change from business as usual could not be more urgent. The commitments that governments made to reduce emissions under the Paris Climate Agreement are not sufficient, even if fully implemented, to stay within the frame of well below 2°C of warming above pre-industrial levels and striving for 1.5°C. Instead we are on course for 3°C of warming, or worse. Which would be catastrophic. Let us think about that for a moment.

Part of the turbulence in recent years has been caused by climatic disruption, and yet we are only at 1°C of warming. Listening to climate scientists describe a 3°C or 4°C world is very scary. Yet it could be the world of our children and grandchildren. Faced with this kind of existential threat we need a different mind-set for all decision makers. A mind-set based on our interdependence, and the need for global solidarity and empathy in averting this unacceptable future.

It is tempting to assume that technological innovation will solve the climate crisis and save humanity. I think this would be to misdiagnose the situation we find ourselves in. We have reached this point because our technological advancement has far outpaced the evolution of empathy and solidarity within our global society. It is this imbalance that must be addressed to ensure that we leave a safer and fairer world to future generations.

One of your own LSE alumni, Sir David Attenborough, speaking about the environmental crises we face said, "Many individuals are doing what they can. But real success can only come if there is a change in our societies and in our economics and in our politics." It is these changes that would represent true innovation, the innovation required to achieve climate justice.

In recent months we have witnessed an unprecedented pattern of climate catastrophes around the world, which are in keeping with scientific predictions of increasingly frequent and severe weather events exacerbated by climate change. In the late summer, over 1,000 people were killed and another

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41 million were directly impacted by floods and landslides resulting from torrential monsoon rains in India, Nepal and Bangladesh. In Kenya, a three year long drought has affected 5.6 million people, with 2.6 million facing severe food insecurity. In the Caribbean, hurricanes – including Irma, the largest Atlantic hurricane on record – overwhelmed the island states, rolling back decades of development.

The profound injustice of climate change is that those who are most vulnerable in society, no matter the level of development of the country in question, will suffer most. People who are marginalised or poor, women, and indigenous communities are being disproportionately affected by climate impacts.

We need a climate justice movement - speaking up for people who have the least capacity to protect themselves, their families, their homes and their incomes from the impacts of climate change, and indeed climate action policies that are not grounded in human rights.

These are also the people who have the hardest time rebuilding their lives in the wake of more frequent and intense disasters. They do not have access to insurance, savings or other livelihood options necessary to build resilience. In many cases, families lose everything.

Climate justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable people and sharing the burdens and benefits of climate change and its impacts equitably and fairly. Climate justice is informed by science, responds to science and acknowledges the need for equitable stewardship of the world's resources. Climate justice is itself an innovative concept. It transforms climate change from a discourse on greenhouse gases and melting icecaps into a civil rights movement with the people and communities most vulnerable to climate impacts at its heart.

The emerging climate justice movement has, over the past decade, made significant strides in influencing the international response to climate change. In 2011, my Foundation undertook a baseline study to gauge the status of climate justice in discourse around climate change and policy making.

In 2015 this process was repeated and the findings demonstrated that climate justice had shifted from the fringes of the discourse on climate change in 2011 to being a central theme used by Governments, Heads of State, academics, lawyers, scientists and faith leaders by 2015.

I would like to propose three innovative concepts which, if realised, would greatly enhance climate action and advance climate justice. These are: committing to reach the furthest behind first; augmenting the legal system to ensure it is fit to respond to the climate crisis; and ensuring decision making considers the needs of future generations.

Let us begin with reaching the furthest behind first. In adopting the 2030 Agenda for Sustainable Development, with its 17 Sustainable Development Goals or SDGs, the 193 countries of the UN General Assembly made the following pledge:

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“As we embark on this great collective journey, we pledge that no one will be left behind. Recognizing that the dignity of the human person is fundamental, we wish to see the Goals and targets met for all nations and peoples and for all segments of society. And we will endeavour to reach the furthest behind first.”

Significantly, unlike their predecessors, the Millennium Development Goals (MDGs) - which focused on challenges in developing countries - the SDGs are for all nations. They encompass a wider range of goals including tackling climate change, reducing inequality and ensuring universal access to sustainable energy. The Sustainable Development Goals will be the vehicle through which the Paris Agreement will be implemented at country level.

It is only through solidarity with those furthest behind that we can tackle climate change while ensuring the right to development is realised for all people. The truth of this is starkly borne out by current levels of energy poverty globally. There are over one billion people living without access to electricity. For me, this is an appalling failure of human solidarity.

Energy is the engine of development - it brings life transforming benefits – lighting for schools; functioning health clinics; pumps for water and sanitation; cleaner indoor air due to a decrease in cooking on open fires and greater income-generating opportunities. It is imperative that all people have access to productive energy.

Climate change requires us to fundamentally rethink how we power our societies. Our tried and tested development paradigm is totally unsustainable. The overriding priority for developing countries is development. And development requires energy – both on grid and off grid. If affordable, sustainable alternatives are not made available, developing countries will turn to fossil fuels as the only option available to them. This is completely understandable. They need to lift their people out of poverty, improve public services and power their economies - just as the developed world has done. However this would rapidly deplete what's left of the global carbon budget and render all efforts at climate mitigation futile. We would be on course to a future marked by catastrophic climate change and unimaginable human suffering.

Developed countries need to accelerate their own plans for a carbon neutral future, but they cannot simply insist that poorer countries refrain from using fossil fuels on account of climate change. Instead they must provide feasible alternatives. In the spirit of global solidarity and self-interest all countries need to work together to enable an inclusive transition, one which prioritises the needs of those furthest behind and ensures all people benefit from the technologies developed to pioneer sustainable development pathways.

We must listen to and learn from the communities living on the front lines of climate change. Practically, this means transforming our institutions of governance so as to enable all people to participate in the decisions that affect their lives. We must bridge the divide between communities on the front lines of climate impacts and the decision makers who are shaping national and international responses on climate change. By ensuring that the voices of those for whom climate change is a part of their lived experience are heard in the corridors of power, we can foster the empathy to act in solidarity.

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We need to change the language we use. The right to participate in decision making will be realised by reaching out to those most marginalised and building their capabilities to directly engage decision makers. But this cannot happen if the concepts being put forward seem impenetrable.

The technical jargon of climate change decision making – a world of mitigation, adaptation, market mechanisms and nationally determined contributions – is meaningless to most people and only serves to further alienate. In this there is a role for institutions like the London School of Economics. We must develop new, inclusive ways of discussing climate change, rooted in our cultures and our shared identities. Your institution, with its diverse student body and rich history of engaging at the forefront of social sciences can work to pioneer a new approach to communicating, and engaging the public with, issues of climate action.

We must also be willing to learn from the experiences of those who understand the day-to-day reality of climate disruption and incorporate their traditional and indigenous knowledge into the global response on climate change. Local and indigenous women's voices tend to be absent from decision making on climate change.

In many parts of the world, women are responsible for most of the labour involved in growing crops and processing food after the harvest. If we wish to prioritise the needs of people most vulnerable to climate change, we must be willing to allow them to shape the solutions to the climate crisis.

The second innovation relates to the rule of law which will allow our institutions to more appropriately respond to the climate crisis. It is clear, once we understand climate change to be an issue of justice, that the rule of law will be central to combatting the unfolding crisis. The rule of law can help to motivate more ambition in tackling the climate crisis, it protects those who are vulnerable to the impacts of climate change and it can safeguard the rights of local defenders of land and water rights.

Let me start with this last point. The urgency for faster climate action is increasing. However, climate action - and mitigation action in particular - is increasingly giving rise to human rights abuses. This can take many forms, from disregarding local communities and indigenous people's land rights, to not consulting impacted groups in project development or allowing unsafe labour practices on large scale projects.

In 2016, Honduran indigenous leader Berta Cáceres, was murdered after resisting the Agua Zarca hydroelectric dam on the Gualcarque river. This was hardly an isolated incident, just a well-publicized one. The Guardian and Global Witness are actively monitoring the devastating death toll of women and men who are being killed for standing up for their community's land, water or natural resources. In 2017 alone, 185 were killed.

The Special Rapporteur on Human Rights Defenders, Michael Forst, noted in his report on environmental protectors that *'the Paris Agreement on Climate Change [has] engendered high expectations among Environmental Human Rights Defenders around the world. That vision is doomed to fail if those individuals and groups on the front line of defending sustainable development are not protected at the national, regional and international levels.'*

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We know that gaps exist in our legal frameworks. Work has been underway to identify and address the gaps for some time now. The Department of Law and the Grantham Institute here at LSE have been at the forefront of this investigation.

The school contributed to the International Bar Association report published in 2014 on the impacts of climate change on human rights, and the follow up work on the report's recommendations to secure justice for those impacted by climate change. The report found that the current system of international law is not well suited to addressing climate justice.

This is deeply troubling. The legal system we have now at international and domestic level is not equipped to deal with the scale of the challenge posed by climate change – potentially the biggest threat to human rights of the 21st Century. The fragmented nature of the relevant legal regimes, and their origins in most cases in a world before awareness of climate change, means that reforms are needed to enable them to respond effectively and to deliver climate justice.

A multilateral example of where the impacts of climate change must be integrated is in the current negotiations for a Global Compact on Migration. We now know climate change will be a driver of migration, we know that in some cases migration may be an adaptive strategy, and we know that there are unique human rights considerations in both these elements.

Across all sectors - whether it be trade law; or business and corporate law; employment law; or energy law - climate change must be addressed as a cross cutting issue to ensure existing legal frameworks are strengthened in a coherent and robust manner.

Likewise the continued development of climate legislation at the national and sub national level will be critical to anchoring the Paris commitments in law and ensuring a long term approach to climate action. Progress is being made - the 2017 update of the LSE Grantham Institute report on global trends in climate change legislation and litigation indicates that there has been a 20 fold increase in the number of climate change or climate change-relevant laws worldwide in the past 20 years¹.

Litigation can be a tool for the public to increase the ambition of national policy, as we witnessed in the Netherlands in 2015, where the Hague District Court agreed with the claimant, Urgenda – an environmental non-governmental organisation – and ruled that, by 2020, the Dutch government has to reduce the country's emissions by at least 25 per cent from 1990 levels, rather than its own projected 17 per cent reduction². Others have sought to support those made vulnerable by the impacts of climate

¹ Grantham Research Institute on Climate Change and the Environment (2017), Global trends in climate change legislation and litigation: 2017 update. (Available at: <http://www.lse.ac.uk/GranthamInstitute/publication/global-trends-in-climate-change-legislation-and-litigation-2017-update/>)

² For more information, see: <http://www.urgenda.nl/en/climate-case/>

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change, such as the case of Saúl Luciano Lliuya, a Peruvian farmer who filed a lawsuit against RWE, a German energy company and the largest emitter of CO₂ in Europe, for causing damaging impacts to his Andean home region. This case was dismissed by the district court and Saúl is currently appealing to the Higher District Court in Hamm in Germany³.

For me, perhaps the most inspiring case is the constitutional climate lawsuit, *Juliana v. U.S.*, filed in 2015 by a group of twenty-one children and young adults against the US Government⁴. Their complaint asserts that, through the government's positive actions that cause climate change, it has violated the youngest generation's constitutional rights to life, liberty, and property, as well as failed to protect essential public trust resources. The case is expected to begin in February at the U.S. District Court of Oregon in Eugene.

This leads me to my final proposed innovation which, if implemented, could radically transform our political practices and decision making processes. It is my firm belief that the needs of future generations should receive systematic consideration in present day decision making. There is no voice in the international system for the child born today and her children and grandchildren. Yet they are the generation who will be most affected by the decisions or lack of decisions taken today.

We are custodians of our planet, a common home that, by 2050, will include some 9 billion people. It is our duty to live in such a way that the precious, life sustaining environment which keeps us is passed to future generations in at least as healthy a state as we received it from those before us. To fulfil our role as custodians of the environmental system, we require the vision to see beyond the short term political cycles and strive for intergenerational equity in our decision making.

Intergenerational equity, understood as fairness between generations, is a universal concept across the world and across cultures. It is not a new concept - according to part of the ancient Great Law of the Native American Iroquois people, "*In every deliberation, we must consider the impact on the seventh generation*". Similar sentiment has informed constitutions, international treaties, economies, religious beliefs, traditions and customs for centuries. Over 200 UN resolutions mention the wellbeing of future generations. Yet we have, for the most part, not been successful in putting the principle into practice. To do so, in the current landscape, would be both innovative and transformative.

³ For more information, see: <https://germanwatch.org/en/huaraz>

⁴ For more information, see: <https://www.ourchildrenstrust.org/us/federal-lawsuit/>

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In some countries, like Wales and Hungary, there is an office that represents the interests of future generations in national decision making. When viewed through an intergenerational lens, the urgent need to ensure sustainable development for all people and stabilize the climate becomes clear. Decisions taken today that undermine the wellbeing of future generations become inexcusable. Intergenerational equity can help to inform decision making at the international level as well, and provide a unifying focus for international negotiations.

My Foundation is working with member states, the UN system and civil society to build momentum and support for the establishment of an office of Global Guardians for Future Generations under the UN. We believe that future generations require representation if their needs are to be given due consideration within the UN system and that the only way to achieve this is to ensure there are representatives within the process to advocate on behalf of generations yet to be born. In the lead up to the Rio+20 summit in 2012, the establishment of a Commissioner for Future Generations under the UN to represent and advocate for future generations gained some support. However, the proposal was not adopted due to concerns about the capacity to represent the needs of countries at different levels of development.

This is understandable. The task of protecting future generations must start with ensuring fairness and equality in the current one. We will not succeed in fighting climate change and securing a safer world for future generations without first ensuring that the dignity and rights of all people alive today are respected and protected. Advancing climate justice means ensuring that present generations can enjoy the full realisation of their rights while safeguarding the earth's resources for future generations.

The Global Guardians model would address this by being intentionally comprised of countries at different levels of development and in so doing help to balance the needs of current generations living in poverty and underdevelopment with the economic, social and environmental needs of future generations. Such a mechanism, if operationalised, would help to enhance mutual trust between Member States, as well as between the UN system and civil society, by adopting a “development-first” approach to issues of intergenerational equity. By providing integrated, practical and implementable policy advice to Member States the Guardians could assist in advancing intergenerational equity through the implementation of the 2030 Agenda.

Let me emphasise again that the existential threat of climate change confronts us with our shared interdependence. I believe that there is an increasing awareness of our role as global citizens in the face of climate change and that the movement growing out of this is becoming an irresistible one.

Paradoxically, the decision by President Trump that the United States would withdraw from the Paris Climate Agreement – which cannot formally happen until 4 November 2020 – galvanised a dynamic reaction at all levels in the United States. Cities, states, business, philanthropy, universities and wider civil society combined on a Declaration ‘We are still in’, which ends as follows:

“It is imperative that the world know that in the US, the actors that will provide the leadership necessary to meet our Paris commitment are found in city halls, state capitals, colleges and universities, investors and businesses. Together, we will remain actively engaged with the international community as part of the global effort to hold warming to well below 2°C and to accelerate the transition to a clean energy economy that will benefit our security, prosperity, and health”.

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Let me conclude by agreeing with my friend Saleemul Huq from Bangladesh who wrote a wonderful article entitled ‘*Thank you Mr Trump*’, in which he pointed out:

“This is perhaps the most powerful aspect of the Paris Agreement, in that it links every citizen on the planet in a common enterprise with a common goal, with heads of state only the signatories on behalf of the people. The ball has been taken up by the people and no head of state can take it back – not even President Trump!”

So the ball is in your court here in LSE, and it matters how you pick it up and respond. I have every confidence in the contribution you can make to climate justice in our world today.

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