VOL-4* ISSUE-2* (Part-1) May- 2019
Remarking An Analisation

P: ISSN NO.: 2394-0344 E: ISSN NO.: 2455-0817

Climate Justice Movement: A Moral Dilemma at The Core

Abstract

Climate change brings biggest challenge to the human society. But this challenge was invited by the human beings themselves. It was in 2007 the Fourth Assessment Report (AR4) of Intergovernmental Panel on Climate Change (IPCC)¹ summarized that global warming is unprecedented which is the more than 90% likely result of increase in anthropogenic greenhouse gas concentration in the atmosphere.2 Thus, title of "Anthropocene" fits the current geological phase perfectly. The debates and discussions on climate change and global warming (directly or indirectly) at international level began at least 50 years ago. From the establishment of United Nations Framework Convention on Climate Change (UNFCCC)³ in 1992 to end of phase II of Kyoto Protocol⁴ (2013-2020) nothing concrete came out of these discussions nor any reduction in the emissions responsible for climate change registered. Definitely the world leaders are missing out on something. It is the moral and ethical aspect of climate crisis which is missing in the discussion. This research paper explains the problems at the international climate debates and moral dilemma in climate crisis in detail.

Keywords: Climate Justice, Climate Diplomacy, Global Warming, Anthropocene, Moral Dilemma

Introduction

Climate change is often viewed as an environmental problem only; that it is threatening few species of plants and animals, melting ice caps, reducing agricultural productivity, reducing access to fresh water, causing unprecedented precipitation, climate and weather patterns and overall warming Earth more frequently than ever. So the movement started at the international platforms especially under aegis of United Nation to control Global Warming. Although the first environment conference under the aegis of United Nations for the first time held in 1972 (Stockholm Convention), but still climate change was not the core issue. But the important development was formation of United Nations Environment Programme (UNEP)⁵ during this conference. It was in 1988 that UNEP was merged with World Meteorological Organization⁶ (WMO) to form IPCC. The five assessment reports published by IPCC served as most authentic scientific source on climate change. IPCC in these reports published infamous "hockey stick shaped graph" representing the atmospheric concentration of CO₂. In 2007 the Fourth Assessment Report (AR4)⁸ of Intergovernmental Panel for Climate Change (IPCC) summarized that global warming is unprecedented which is the more than 90% likely result of increase in anthropogenic greenhouse gas concentration in the atmosphere. PIPCC in its Fifth assessment report (AR5) (published in 2014) concluded that human factor is the dominant cause of the global warming. Hence, it seems the title of "Anthropocene" fits the current geological phase perfectly. The contribution of IPCC is not limited to reports. The transparent scientific study of IPCC led to the adoption of Framework Convention on Climate Change by United Nations General Assembly in 1992. The reports of IPCC have been center of focus and has held advisory value at Climate Diplomacy Events from Rio Conference to Paris Climate Agreement. But then why nothing concrete came out of these discussions nor any reduction in the emissions responsible for climate change registered? Definitely the world leaders are missing out on something.

Aim of the Study

The Current Paper Seeks to find Problems at the Climate Diplomacy. It tries to bring morol and ethical issues at the core of climate debate.



Samni Singla
Research Scholar,
Dept. of Laws,
Panjab University,
Chandigarh, Punjab, India

P: ISSN NO.: 2394-0344 E: ISSN NO.: 2455-0817

Problems in Climate Diplomacy

- Whenever the demand for cutting down carbon emissions is taken up, at most it is viewed as controversial. The first argument is always in the form of cost-benefit analysis. That is loss of jobs, loss of economy and ultimately loss of development will be result of cutting down carbon emissions. From 1995 to 1997 the fossil fuel lobby madeextreme effort to convince IPCC and UNFCCC that instead of eliminating carbon emitting businesses completely, these industries should be incentivized to develop carbon sequestration technology¹⁰. The Kyoto Protocol (1997) allowed backdoor entry in the form of 'cap and trade'11 system where people or nations sell their conservations to those who need to emit CO₂. Thus net effect on carbon emission reduction is zero around the globe. This system is criticized not for its failure to reduce carbon emissions but because it would lead to shift in industries from developed countries (who have exhausted their limit) to middle income countries (who still can pollute). Hence would lead to loss of employment in developed countries. Also the efforts were concentrated on creating technology (geoengineering) which captures the carbon emitted by fossil fuel powered industries rather than shifting to renewable sources of energy altogether. The fact that government of developed and developing countries offer subsidies on nonrenewable sources cannot be ignored. In United States of America, the gasoline is available at subsidized prizes. When Pakistan faced with energy crisis, it moved to extracting more coal rather than looking for renewable sources. Because these cost less than renewable sources. Coal contributes 60% of energy source in
- Assuming that the emission cut down will result in loss of economy, but is this greatest loss at stake? For instance, if one of Annex I country cut down emission to 25% in 2020, then it might loss certain % age of G.D.P. whereas if the required action is not taken up the low lying island nations like Kiribati, Tuvalu, Bangladesh and Malaysia would be wiped out completely in few years to come. If this happens millions face life threatening risk. But these counter groups fail to understand that human life is not a business investment. In climate change crisis, it is not life of few hundreds or millions at risk rather two sets of generationspresent and future are at risk. If stakes are so high, then why the climate justice movement fails to have grappling effect on the world and its leaders? The present movement misses on the point of morality and ethics. The past revolutionary movements around the world like the ones on slavery and racial discrimination did not take up cost-benefit analysis. They pronounced these as moral wrongs and instead of finding optimal alternate path, they completely abolished them. This inspiration need to be drawn on current movement also. Cost-benefit analysis only prolongs political procrastination.

VOL-4* ISSUE-2* (Part-1) May- 2019 Remarking An Analisation

- Pluralistic ignorance is another area of concern¹². Individually Americans, Europeans, Asians are aware of climate crisis and want to contribute to reduce emissions as much possible. But is this solution for global problem? No. One individual efforts are insignificant and rather costly. Thus unless collective efforts are made, no success can be achieved. The tragedy of commons 13 pervades through entire scenario. Secondly, individual beliefs and actions are greatly influenced by what they perceive about beliefs and actions of their peers. They adjust their choices and behavior ones they find they are in conflict. So what is privately rejected as harmful, unhealthy or socially outdated, continues because in plurality others don't reject it publically? Individually citizens in developed countries feel climate change is real. But individuals misjudge other's belief about climate change. They see everybody travels in airplanes, drives cars, enjoy high end vacations, it means nothing is wrong and there is no climate crisis. Their motivation for pro-climate behavior likewise decreases. Even the experts fell for this pluralistic ignorance1
- 4. The abstract or intangible aspect of climate change fails to garner any moral response. For instance, directly hitting somebody by car would be treated greater moral wrong but not harming lives and livelihood of people because of driving high CO₂ emitting car at present. The effect of climate change is not equitably distributed. The polluters are currently immune fromharm and thus lack any action.
- 5. The current position is that nations are judges in their own cause in climate discussions, breaking the cardinal principle of natural justice. They are not idealized neutral observers. Hence, every nation view problem from its own lens. This is evident in the fact that U.S.A. never ratified Kyoto Protocol and also withdrew from Paris Climate Agreement. The countries like Japan, New Zealand, Russia and Canada did not commit to second round of commitments of Kyoto Protocol. The self-serving defensive policy offers "shadow solutions" which deteriorates problem more.

These points represent 'perfect moral storm' in climate diplomacy. The entire situation is dubiously framed. If we want answers to our problem, then for that problem has to be correctly framed. The climate question need to be reoriented. It needs to be treated as an ethical problem. Nature does not discriminate but its effects do. There are three types of discrimination-spatial, social and temporal. Spatialas in the impacts of current and future climate change are likely to lean towards regions with least capacity to adapt and mitigate, in particular Least Developed Countries and Small Island Developing States. This is inter-country inequality. Social implies that the world's poor, particularly women and children are most vulnerable to climate change (who have contributed least in the climate change). This also represents within country inequality. Temporal manifests the effect of climate change is spread over generations. This is Inter-Generational inequity. These types of

VOL-4* ISSUE-2* (Part-1) May- 2019

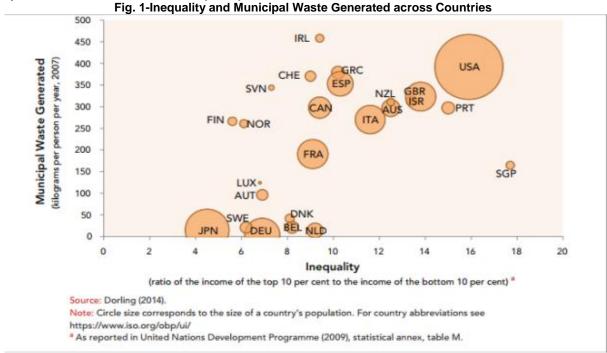
Remarking An Analisation

P: ISSN NO.: 2394-0344 E: ISSN NO.: 2455-0817

discrimination lead to inequality and inequity (injustices).

Although inter-country and inter-generational inequity have found reference in the international debates. For inter-generational inequity, sustainable development goals are framed. The roadmap for which is still underway. For inter-country, the solution was offered in the form of "common but differentiated responsibility with respective capabilities" at the Rio and Kyoto also. But its fate is witnessed by everyone.

The major polluter's U.S.A., China and India cannot arrive at any consensus. U.S.A. have already withdrew itself from Paris Agreement. The striking fact is that within country inequity fails to make its mark altogether. Thus injustices get compounded day by day. (Following three figure represent countries which emit and pollute maximum are well placed in the form of resource consumption and least emitting countries are at disadvantageous position 15).



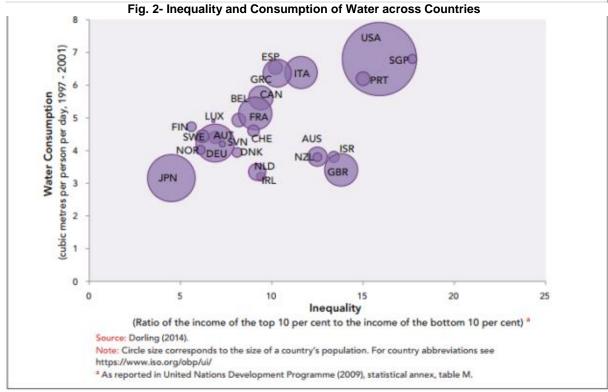
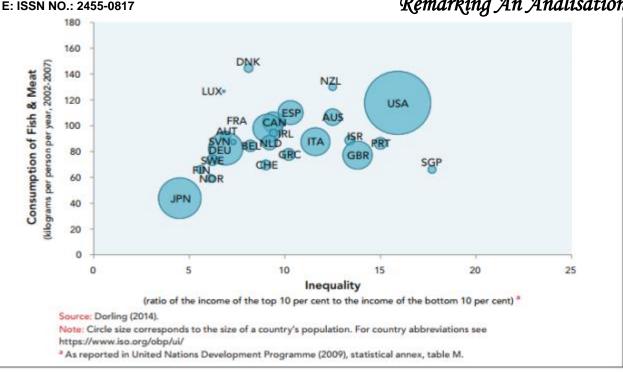


Fig. 3-Inequality and Consumption of Fish and Meat across Countries

RNI No.UPBIL/2016/67980 VOL-4* ISSUE-2* (Part-1) May- 2019 Remarking An Analisation



In March 2012 IPCC's Special Report emphasized that climate change is reinforcing the intensity and frequency of extreme weather events including floods, droughts, tornadoes, tropical storms and heatwaves. The IUCN¹⁶ estimates between 75 million and 250 million people are projected to be exposed to increased water stress due to climate change. Drought affected areas will likely increase. Heavy precipitation events, which are likely to increase in frequency, will augment flood risk. These injustices lead to violation of human rights (recognized by various international conventions) enumerated below¹⁷:

P: ISSN NO.: 2394-0344

- 1. Right to life- Art. 3 UDHR (1948)-"Everyone has right to life, liberty and security of person"; Art 6 International Covenant on Civil and Political Rights (1966)- "Every human being has the inherent right to life. This right shall be protected by law...'
- Right of adequate standard of living- Art. 25 UDHR-"Everyone has the right to a standard of living adequate for the health of himself and of his family, including food, clothing, housing and medical care and necessary social services"; Art. 11 International Covenant on Economic, Social and Cultural Rights (1966)- "Everyone has a right to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to continuous improvement of living conditions."
- 3. Right to food- Art. 11 International Covenant on Economic Social and Cultural Rights (1996)- "The State Parties to the present Covenant,

- recognizing the fundamental right of everyone to be free from hunger."
- Right to Water, Property, adequate and secure Housing, Education, Culture-Art. International Covenant on Civil and Political Rights (1966)- "in no case may a people be deprived of its own means of subsistence". Art 12 International Covenant on Economic Social and Cultural Rights (1966)-"The Parties...recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health."
- Right of Women, Children and Indigenous People's right- Art. 14 Convention on the Elimination of All Forms of Discrimination Against Women (1979)- "State Parties will take into account the particular problems faced by rural women...". Art 6 Convention on the Rights of the Child (1969)- "State Parties shall ensure to the maximum possible extent the survival and development of the child."

The binding conferences and protocols failed miserably. A new ray of hope was seen in form of Paris Climate Agreement. But it gave solution of "voluntary commitments" i.e., countries would decide their own emitting limits and set own target year for achieving peak level of emission and after that reduce immediately. But these national commitments are insufficient and incompatible with 1.5°C limit set limit by scientists of global temperature level.

The following figure is the proof of the abovementioned facts

RNI No.UPBIL/2016/67980

P: ISSN NO.: 2394-0344 E: ISSN NO.: 2455-0817

VOL-4* ISSUE-2* (Part-1) May- 2019 Remarking An Analisation

NATIONAL COMMITMENTS

Climate Action Tracker (CAT), a consortium of scientists and policy specialists, has rated countries on the basis of their policies and emissions pledges, and has estimated the amount of warming that is compatible with those actions. The CAT rates a nation's commitments against what it judges to be a fair-share plan to reduce emissions.



Conculsion

Thus climate justice movement should now gain momentum. The term "climate justice" represents important questions in the climate governance, such as:

- (a) Who is responsible for the present state of environment i.e. should historical factors be considered in the blame game or contemporary usage of carbon benchmark?
- (b) Who should and how much should be contributed towards mitigation and adaptation?

The answer lies in distributive justice, linked with equity and fairness; protection of human rights and how to share the benefits and burdens of global transition to low-carbon societies. The solution is bottom-up approach, where locals who are at receiving end be made part of discussion. To cut the effect pluralistic ignorance "education, aware and collective action" is only resolve. Another solution is Government should make effort that renewable resources are affordable and accessible. The best example of this in India the energy generated from solar power cost Rs 7 per unit in 2013, which was twice the price of energy from fossil based sources. But when government started moving towards its target of 20GW solar power generation, the cost of power from solar energy is today Rs 3.05 per unit which 20% cheaper than coal based sources. This is cheapest price in entire Asia. The strong targets and hard implementation was reason why Montreal Protocol succeeded. This paper emphasizes that narrow analysis of the climate crisis is the root cause of the problem. The world leaders need to incorporate morality, ethics and justice in their approach. The climate justice is the need of the hour. Apart from physical effects, social effects should receive more attention. The linkages between inequality and climate change need to kept in mind while finding solutions.

Endnotes

- IPCC is intergovernmental body established under United Nations in 1988 by merging United Nations Environment Programme (UNEP) and World Meteorological Organization (WMO) that assesses science of climate change and advices United Nation Framework Convention on Climate Change (UNFCCC).
- 2. IPCC, 2007.Climate Change 2007. Synthesis Report. Contribution of Working Groups I, II and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. Geneva. http://www.ipcc.ch/assessmentreport/ar4/
- UNFCCC was one conventions opened for signature at "Rio Earth Summit" in 1992. It entered into force on 21 March, 1994. 197 countries in total ratified this convention. It is intrinsically linked with its sister conventions- UN Convention On Biological Diversity and the Convention to Combat Desertification in solving climate crisis. Human Interventions with climate system is the main concern.
- 4. Kyoto Protocol under UNFCCC was adopted in 1997 and got operationalized in 2005 set binding targets for countries to adopt policies and measures on mitigation. The countries were divided into 3 groups -Annex I, Annex II countries which included developed and industrialized countries who were bound to take adaptation and mitigation measures and third is non-annex I countries which were developing countries and vulnerable to climate change, need protection and support. But it recently ended miserably with not even one-third target achieved.
- It was established after Stockholm Conference and has overall responsibility of United Nations environment activities.

P: ISSN NO.: 2394-0344 E: ISSN NO.: 2455-0817

Remarking An Analisation

VOL-4* ISSUE-2* (Part-1) May- 2019

- It is specialized agency of United Nations which promotes the establishment of worldwide meteorological observation system.
- 7. It represents hyperbolic shift in the global or hemispherical mean temperature in the past 2000 years. The graph was first developed by Mann, Bradley and Hughes in 1998. This graph has featured prominently in the IPCC's third assessment report in 2001.
- 8. Supra note 2.
- 9. It was after this report that IPCC won Nobel Peace Prize.
- 10. Carbon sequestration is the process whereby atmospheric carbon dioxide is captured and stored for the long time. Naturally oceans, fossil fuels and forests acts as carbon stores. But now the carbon has to be artificially captured as there is exponential increase in release of CO₂.
- 11. This means emission trading.
- Klein-Salamon, Margaret, What is the nature of our moral obligation to fight climate change?, Available at http://www.catholicclimatemovement.global/whatis-the-nature-of-our-moral-obligation-to-fightclimate-change/
- Gardiner, Stephen M. (2011), A Perfect Moral Storm: The Ethical Tragedy of Climate Change, Oxford University Press Inc., New York

- 14. Kjeldahl, Esther Michelsen, Hendricks Vincent F, The sense of social influence: pluralistic ignorance in climate change, EMBO Rep (2018) 19:e47185, Available at; http://doi.org/10.15252/embr.201847185
- Islam,S. Nazrul and Winkel, John, Climate change and social inequality, Department of economic and Social Affairs, https://www.un.org/esa/desa/papers/2017/wp152 2017.pdf
- 16. International Union for Conservation of Nature is union composed of government, experts and civil society organizations making combined effort to conserve nature and accelerate transition to sustainable development.
- 17. Cameron, Edward, Tara Shine, and Wendi Bevins. 2013. "Climate Justice: Equity and Justice Informing a New Climate Agreement." Working Paper. World Resources Institute, Washington DC and Mary Robinson Foundation Climate Justice, Dublin. Available online at https://www.mrfcj.org/wp-content/uploads/2015/09/climate_justice_equity_and_justice_informing_a_new_climate_agreement.pdf
- Tollefson Jeff , The hard truths of climate changeby the numbers, https://www.nature.com/immersive/d41586-019-02711-4/index.html