

Annex 0

Climate Debt and Reparations: Justice and Rights-Claiming in Response to Climate Change

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CLIMATE DEBT

- recognizing the origins of the climate crisis in Northern industrialized governments, corporations and wealthy individuals
- recognizes those who now bear its harshest impacts – developing countries -- and views the solutions to global warming and climate change as a matter of JUSTICE.

"Holding on to Life" by Gwen Librodo

UNFCCC Principles

- The Polluter Pays
- Common But Differentiated Responsibilities
 - Precautionary Principle

A bigger debt, the ECOLOGICAL DEBT

- The South's disproportionate economic, political and social position of disadvantage and vulnerability today as the result of North's systematic plunder of the resources of the South from the colonial era and to the present day, for its own use and advantage.

Climate Debt: Two Aspects

1. EMISSIONS DEBT

- proceeds from severe constraints on the universal right of humanity to partake of the earth's bounty, specifically atmospheric space or carbon space.
- Settling the emissions debt requires deep, domestic cuts in the use of GHGs by the North, so as to return to the South its share of atmospheric space.

Climate Debt: Two Aspects

2. ADAPTATION DEBT

- the debt that the North has incurred for the increasingly severe losses, damages and lost development opportunities of developing countries caused by excessive GHG emissions and the ensuing climate crisis.

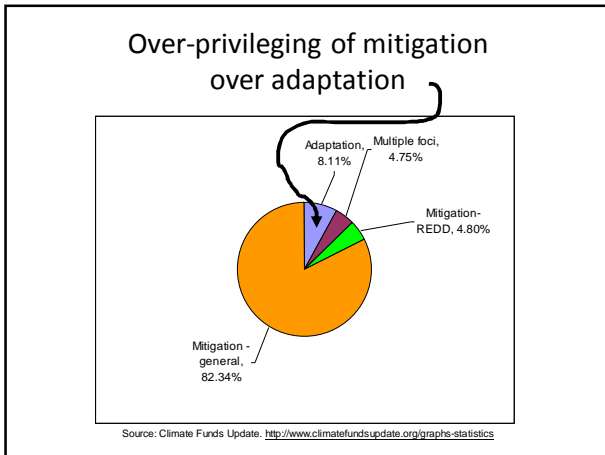
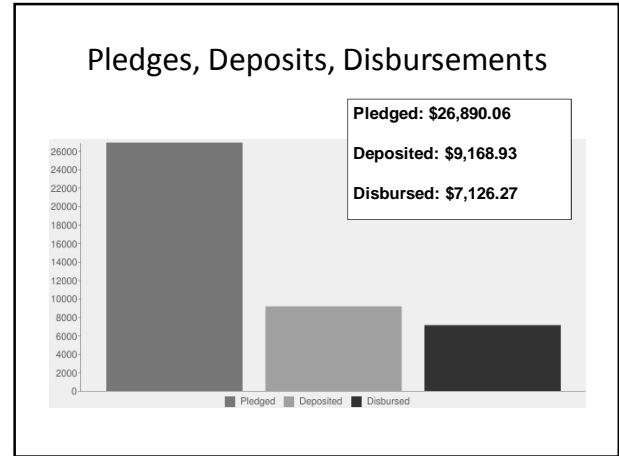
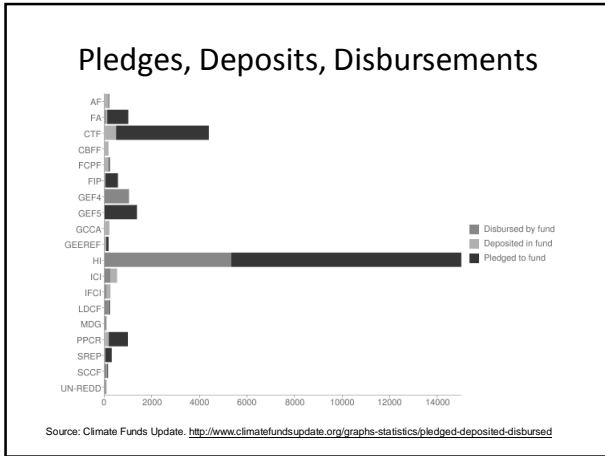


Climate-vulnerable countries and groups

- Global Climate Risk Index
 - Bangladesh, Burma, Vietnam, India, China, the Philippines.
- Women
 - 70 percent of the world's poor
 - already disadvantaged by years of gender-based discrimination
 - 2004 Asia Tsunami - women comprised the majority of fatalities, and female survivors the least able to recover.
 - Aceh: more than 75 percent of those who died were women, resulting in a male-female ratio of 3:1 among the survivors.
 - 1991 cyclone in Bangladesh killed 140,000 people, 90 percent of whom were women. (Ikeda, 1995).
 - Disparities are linked strongly to women's unequal socio-economic status.

Too many mechanisms, too little money

- Copenhagen Accord: \$10 billion per year committed by developed countries (2010-2012), to increase to US\$100 billion starting 2020
- Subject to the condition that there be "meaningful mitigation actions and transparency on implementation".
- Estimated needs of developing countries
 - more than US\$750 billion estimated by some quarters for mitigation and adaptation.
 - World Bank estimates a sum over US\$500 billion a year by 2030.
 - China and several African countries - 0.5 to 1 per cent of North countries' GDPs, or approximately US\$200-400 billion transferred annually



Increasing role of international financial institutions

- World Bank - positioning itself to be the main channel for the US\$30 billion “fast-start financing”
- Dirty projects - large investments in coal plants, sustaining the dominance of fossil fuel lending in its energy sector (e.g., \$3.7 M for Medupi Coal Power Plant in South Africa)

Some important climate finance questions

- New and additional?
Basis for “additional”?
- Grants or loans?
- How long?
- Who decides?

Claiming climate debts as reparations, as justice claims

- Principles
 - restorative and reparative justice
 - non-repetition
 - no-harm rule
- Consistent with international human rights law : where an injury has been committed, there must be redress, avenues to claim the same and to safeguard against future harm, the guarantee that there will be no recurrence of the injustice.

Climate reparations

- ...a process, instigated and propelled by the moral challenge of a massive wrong, to construct methods to improve the lives of current victims into the future.
- the effort to assess the harm caused by the past emissions of the major polluters and to improve the lives of the climate vulnerable through direct programs, policies and/or mechanisms for significant resource transfers, to assure the ability of the climate vulnerable to contemplate a better livelihood in light of future climate challenges.
- all those engaged in the reparative effort will have to squarely confront the deep moral questions posed by both the initiating harm — excess emissions — and the continuing harm: the failure to adequately include the plight of the climate vulnerable in the current processes developed to mitigate and adapt to the climate crisis.

- Maxine Burkett. *Melbourne Journal of International Law*. Vol. 10.

Climate debt and reparations

- must thus include reducing GHG emissions “...to the extent necessary as to give back the space that was taken away from others and restoring the health of the planet to the fullest degree possible.”
- entails “...a fundamental change in the global and national economic systems that are inequitable, unjust and destructive of the planet.”
- not only “compensation”, which may imply simply a return to pre-climate change conditions; must also include rehabilitation in a direction that ensures there will be no return to the actions causing the injury.

Principles in engaging climate finance and claiming debt and reparations

1. Upholding sovereignty of peoples and South countries
2. Ensuring equity and non-discrimination Across and Within Countries
3. Fulfilling State obligations and realizing the Rights of Citizens

"Climate Finance, Allocation and Spending, A Discussion Paper." JSAPMDD, 2010.
< <http://www.globalclimatefund.org/wp-content/uploads/2010/08/discussion-paper-3.pdf> >

Principles in engaging climate finance and claiming debt and reparations

4. Transparency and accountability
5. Participatory processes and representative structures
6. Access to information
7. Public Nature of programs to be funded
8. Democratic management and implementation of programs

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