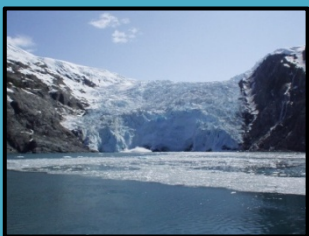


GLOBAL WARMING



AND



HUMAN RIGHTS



A SHORT PRIMER

WHAT ARE HUMAN RIGHTS?

Human rights are the basic rights and freedoms to which all humans are entitled. They encompass civil and political rights such as the rights to life, liberty and freedom of expression, to worship, to own property, and to be treated equally before the law. They also include economic, social and cultural rights such as the rights to family, to education, to culture, to health, to subsistence, to residence and movement, and to inviolability of the home. These rights are universal and fundamental, meaning that they are the rights of all people, and states have a responsibility to prevent their violation. This responsibility is recognized as a matter of international concern.

HUMAN RIGHTS AND THE ENVIRONMENT

Because of the relationship between the environment and human well-being, the realization of many human rights “is necessarily related to and in some ways dependent upon one’s physical environment.” (Inter-American Commission on Human Rights). In a growing number of cases, therefore, human rights tribunals are acknowledging that “damage to the environment can impair and undermine all ... human rights.” (International Court of Justice, opinion of Judge Weeremantry)

HUMAN RIGHTS AND INDIGENOUS PEOPLE

Since their establishment, human rights systems have regarded protection for indigenous populations as a sacred commitment of the states. This recognition is a norm of customary international law. Indigenous rights are particularly relevant in the case of global warming because, as several human rights tribunals have acknowledged, the physical and cultural integrity of indigenous peoples often depends on maintaining the health of the environment in which they live.



GLOBAL WARMING THREATENS HUMAN RIGHTS ON AN UNPRECEDENTED SCALE

Global warming threatens all of humanity with the very harms human rights were designed to prevent – destruction of life, health property, culture, means of subsistence, residence and movement. Indigenous peoples are particularly at risk because of their intimate relationship with the earth and its natural systems. Changes wrought to these systems by global warming can make life untenable for communities that depend on the environment for their food, water, shelter and cultural practices.

For low-lying coastal areas, such as Bangladesh and the Maldives, a one-meter rise in sea level threatens to displace millions. Countries such as Grenada that were previously believed to be outside hurricane zones now experience devastating storms costing several years of gross domestic product. Shrinking sea ice exposes Inuit villages in the Arctic to violent winter storms. The

resulting erosion, exacerbated by melting permafrost, causes Inuit homes to literally tumble into the sea. A 2004 study by the U.S. Government Accountability Office, for example, found that 184 Alaskan native villages may have to be relocated inland at a cost of \$100-400 million each.

Indigenous communities on every continent face similar threats. Glaciers in the Andes and Himalayas, the main source of drinking water for hundreds of millions of people, could disappear within 50 years. Africa, home to most of the world's least developed countries, is especially vulnerable to climate change, through such impacts as desertification, threats to agriculture and animal husbandry, and drought. These and other impacts of global warming are already undermining the human rights of indigenous and other vulnerable communities around the world.

AFFECTED COMMUNITIES ARE ASSERTING THEIR HUMAN RIGHTS

On December 7, 2005, the Inuit filed a petition with the Inter-American Commission on Human Rights seeking relief from the United States for its contribution to human rights violations resulting from global warming. In March 2007, at the Inuit's request, the Commission held a hearing to explore the links between global warming and human rights. The African Union in January 2007 issued a declaration on climate change and development, calling on the international community to meet their mitigation obligations and strengthen African institutions as necessary to address climate change and effect adaptation efforts in Africa. In November 2007 a group of AOSIS countries signed the Male Declaration on the Human Dimensions of Climate Change. The declaration calls for the UNFCCC to assess the human rights implications of climate change and asks the UN High Commissioner for Human Rights to conduct a detailed study into the effects of climate change on human rights. It also requests that the UN Human Rights Council convene a debate on human rights and climate change.

HUMAN RIGHTS AND THE KYOTO PROTOCOL

Negotiators meeting in Bali, Indonesia, for the thirteenth Conference of the Parties to the Framework Convention and the third meeting of the Kyoto Protocol hold the future of the planet in their hands. Scientists now understand that global warming is proceeding at a rate unforeseen just a decade ago. If governments permit another decade of inaction to pass, it may be too late to avert catastrophic global warming.

In determining what level of action to take, preservation of human rights is the minimum standard governments must meet. It is not enough for the wealthy nations of the world to protect themselves from catastrophe. Human rights apply to every man, woman and child on earth. It is the task of negotiators to protect all the peoples of the world – the Inuit, Athabaskan and Saami of the Arctic, the Yanomami and Kayapo of the Brazilian Amazon, the Saharan Bedouin, Caribbean and Pacific islanders, every subsistence farmer, hunter and fisher around the globe – to the same extent and with the same dedication.

It is the objective of the Framework Convention to prevent dangerous human interference with the climate system. If the level of greenhouse gases in the atmosphere threatens the lives, health or livelihood of a single community, it is dangerous to that community. Hence, the benchmark of a post-2012 agreement must be avoidance of climate impacts on all vulnerable areas.





THEMATIC HEARING ON LINKAGE BETWEEN GLOBAL WARMING
AND HUMAN RIGHTS (March 1, 2007)

Left: Inter-American Commission on Human Rights

Right: Petitioner Sheila Watt-Cloutier and legal team

For more information, please contact:

CRAIG HART and MARCOS ORELLANA
Center for International Environmental Law
1350 Connecticut Avenue, NW Suite #1100
Washington, DC 20036

(202) 785-8700

(202) 785-8701 (fax)

Email chart@ciel.org morellana@ciel.org

MARTIN WAGNER

Earthjustice

426 17th Street, 6th Floor

Oakland, CA 94612-2820

(510) 550-6700

(510) 550-6740 (fax)

Email mwagner@earthjustice.org

DONALD GOLDBERG

Climate Law and Policy Project

2130 Wisconsin Ave., NW 3rd Floor

Washington, DC 20007

(202) 298-8333

(202) 298-8340 (fax)

Email dgoldberg@climatelawpolicy.org



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