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Nations Must Follow Justice In Climate Change Negotiations

By DONALD A BROWN on October 19, 2007 12:05 PM| 0 Comments | 0 TrackBacks

In early December in Bali, Indonesia, nations will meet to begin to negotiate an international agreement under the United Nations Framework Convention on Climate Change that will follow the Kyoto Protocol. Most observers of the climate change problem agree that the international community urgently needs to find a global solution to this menacing problem.

The United States has announced its intention to negotiate with the 15 largest national emitters of GHG emissions on a separate negotiating track from the negotiations under the climate convention leaving out many of the poorest nations that are most vulnerable to climate change damages. The Bush administration has also asserted that each nation should be able to set its own policies rather than be bound by an international treaty. The United States has also consistently argued that it in stetting national climate change policy it reserves its right to base its policy on US economic interests. Other nations including Australia have also approached international climate negotiations as if their domestic interest alone can justify their national climate change policies.

Now that most scientists have agreed that human-induced climate change is a serious threat to human health and the environment around the world, nations who choose to base national climate change policy on domestic interests rather than on what is their fair share of safe global emissions raise deep ethical and justice concerns. However, if nations follow what justice requires of them in implementing climate change policies, they will need to radically change how they have approached international climate change negotiations thus far.

As it is truly a global problem, climate change requires that nations look at huge potential harms to others in setting national policy. It is now clear that greenhouse gas emissions from one country can seriously affect the interests of other nations because the quality of any nation's climate determines, among other things: (1) its potential for growing food, (2) the type of plants and animals that are indigenous, (3) the need to use energy to protect from extremes of heat and cold, (4) the number of hours that are available to citizens to work or recreate in the outdoors in comfort, (5) the amount of fresh water that is available for a variety of human uses, (6) the nature of any weather limitations on travel, (7) damages caused by floods and intense storms, (8) difficulties in travel, (9) the ability to attract tourists, and (10) sickness and death from vector borne diseases, heat waves, and the presence of new pathogens.

Climate models predict that many of the world's most desperately poor people are most vulnerable to climate change both because climate change will be most harsh where they live and they have the least financial resources to adapt to a changing climate.

Under the United Nations Framework Convention on Climate Change of 1992, most countries including the United States agreed to reduce their national emissions on the basis of "equity" to prevent"dangerous anthropocentric interference with the climate system. Because "equity" is not satisfied by appeal to national economic interest alone, those nations who base national climate change policy on their domestic costs alone fail both to satisfy both principles of justice and binding provisions of international law. For this reason, nations must look primarily to principles of fairness, justice, and absence of harm to others to determine their national obligations for climate change.

Some have argued that the concept of equity is so vague that it is not helpful in determining national obligations. However, the allocation of rights to emit greenhouse gas emissions is a classic problem of distributive justice. Distributive justice requires that difference in allocations among parties be based upon ethically relevant criteria, not on self-interest. Although justice does not require that all nations reduce their emissions by the same amounts, if a nation wants to be treated differently than others it must identify reasons for being treated differently that pass

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Economics and Cost (11)
General Climate Ethics (17)
Human Rights-Universal Rights (3)
Independent Responsibility to Act (6)
Media Coverage of Climate Change (3)
Mitigation (2)
New Technologies (1)
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Trading Issues (1)
Uncategorized
cap and trade (1)
climate change and markets (1)
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MONTHLY ARCHIVES
August 2010 (1)
July 2010 (1)
June 2010 (2)

ethical scrutiny. Ethically relevant criteria for national climate change policies might include differences in population, responsibility for causing the existing problem, ability to pay for new technologies, and a limited number of other ethically relevant considerations. Although nations might reasonably differ on what justice requires of them, negotiations should be limited to resolving differences among ethically supportable options. If nations agreed to be bound by just options, the international negotiations would be vastly reduced in complexity while providing reasonable grounds for supportable compromise among nations.

Nations must now approach international negotiations with justice as a guide. Time is of the essence. For this reason, all nations including the United States need to immediately acknowledge that their obligations to reduce their greenhouse gas emissions stem from their fair share of safe global emissions. Given that climate science is telling us that some nations and peoples are already being harmed by human-induced droughts, floods, and vector-borne disease, the safety threshold has already been passed. Without doubt, unless those most vulnerable to climate change consent to be put at greater risk from climate change, the international community needs to lower the thereat of climate change to the lowest possible levels achievable while each nation must agree to limit its emissions to its just share of allowable global emissions totals.

The United States announced intent to negotiate with only the largest greenhouse gas emitters dangerously and unjustly leaves out the voices of the most vulnerable victims of climate change. For this reason, the United States needs to negotiate with the most vulnerable as well as the other large polluters. This is a matter of simple justice.

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Home

February 2010 (2)
January 2010 (1)
December 2009 (3)
November 2009 (1)
October 2009 (8)
September 2009 (2)
August 2009 (4)
June 2009 (1)
May 2009 (1)
April 2009 (2)
February 2009 (1)
January 2009 (5)
December 2008 (2)
October 2008 (1)
August 2008 (1)
July 2008 (3)
June 2008 (3)
May 2008 (1)
April 2008 (1)
March 2008 (2)
February 2008 (1)
January 2008 (1)
December 2007 (2)
November 2007 (3)
October 2007 (2)
July 2007 (2)
April 2007 (1)
January 2007 (2)

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