



Climate justice: human rights and the case of Ecocide.

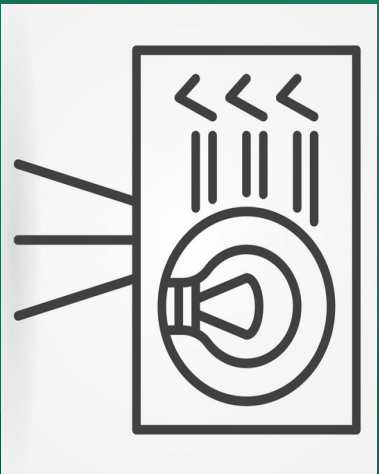
29 October 2022, (11:00 – 13:00)

Dr. Zoi Aliozi, Global Campus of Human Rights.

Disciplines: Human Rights, criminology, Law, Philosophy.

Jean Monnet Char in Climate Justice | Cagliari University

Workshop: "Eccocentrism and International justice"



SEMINAR'S OUTLINE

DESCRIPTION:

Climate change is the number 1 challenge of our generation, threatening global justice and human rights in unprecedented ways. Is the ultimate threat to human rights enjoyment, for both current and future generations. It is now beyond dispute that climate change caused by human activity has negative impacts on human rights, like for example: the rights to life, health, development, food, water, and housing, to name but a few.

→ This Climate Justice online workshop has a twofold purpose:

1. Firstly, to introduce participants to Climate Justice by looking at why Climate Justice is important for Human Rights; and
2. Secondly, to identify the definitional challenges of the crime of Ecocide.

In this session:

- a) We will look at climate change from a human rights standpoint, to identify the core features of climate justice that distinguishes it from other moral and legal concepts.
- b) We will examine the links of human rights with climate justice, and we will pose questions of scope, like: to who, what and how do principles of climate justice apply?
- c) We will focus on the green crime of Ecocide.



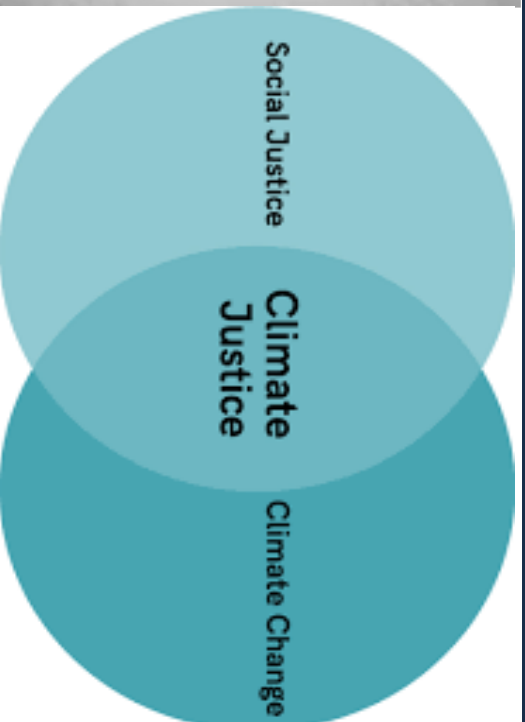
"Follow the leaders, "

Berlin, Germany, April 2011. (Isaac Cordal/Facebook)

CLIMATE JUSTICE



meaning, definition, explanation...



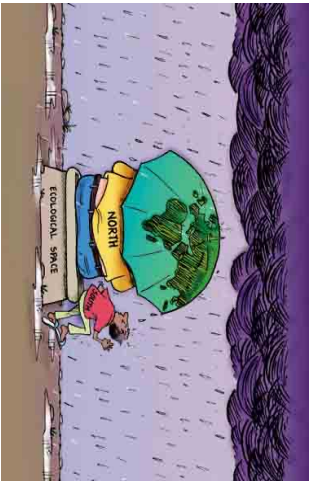
Scope of Climate Justice

International

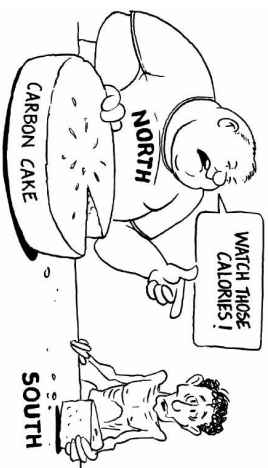
National

Inter-
generational

What is 'climate justice'?



Global warming is an issue of human rights and environmental justice.



Climate justice begins with recognizing key groups are differently affected by climate change.

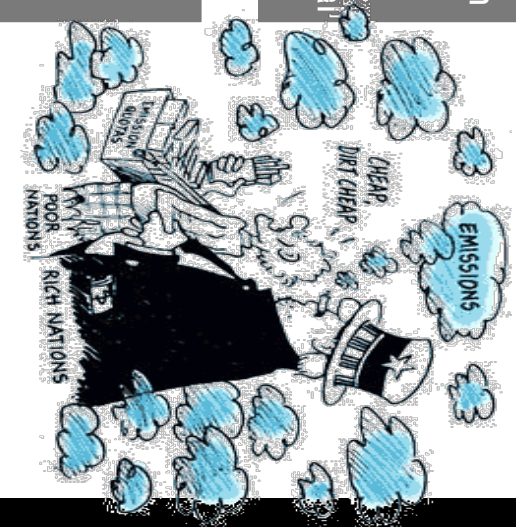


(a) no community takes on an unfair share of environmental burdens and (b) environmental benefits are shared in an equitable way regardless of race, class, gender, or orientation.

The concept of climate justice was developed within social movements as a further development of the concept of **environmental justice**, to address the global problem of climate change

Climate impacts worst effects, will be felt by the most vulnerable (& least responsible for this crisis).

Inter-generational justice, equity, and the rights of future generations.



WHAT IS CLIMATE JUSTICE?

Political economy critique:

who is responsible for climate crisis? How does capitalism create the climate crisis?

Deep just transition:

system change through systemic alternatives

Vulnerability principle:

Recognise race, gender and class impacts of climate shocks – new inequalities + **INTERSECTIONALITY** – (justice 1)

Deep ecology:

Human and non-human life are part of nature – planetary eco-system – (justice 2)

Human Rights:

Present and future generations – inter-generational Justice 3.

Climate movement:

Building a powerful and independent grassroots movement – an alliance of forces for deep transformation

DIMENSIONS OF CLIMATE JUSTICE

A number of distinct dimensions of justice have been raised by climate change and policy responses to it:

- (1)** Unequal responsibilities:
who bears greater responsibility for the emissions of greenhouse gases?
- (2)** Unequal impacts of climate change:
who is more adversely affected by the extreme weather events that will increase in frequency and intensity?
- (3)** Unequal impacts of policy responses:
who benefits and who bears the costs and burdens of mitigation and adaptation policy?
- (4)** Procedural justice:
who has the power to make and affect policy responses to climate change?

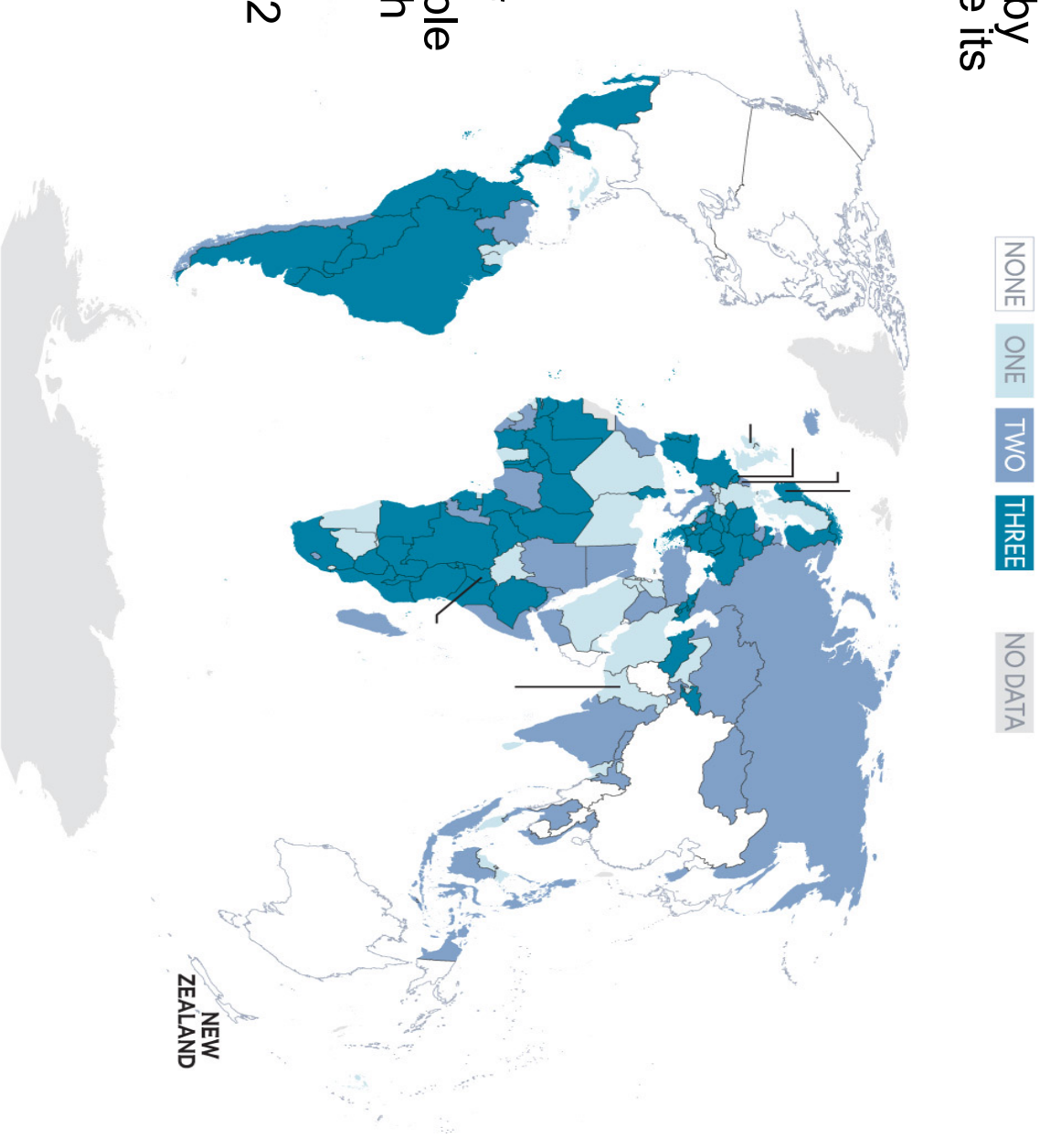


A PEOPLE'S RIGHT TO A HEALTHY ENVIRONMENT

There are three mechanisms by which a country can recognize its citizens' right to a clean environment:

1. Constitutional guarantees;
2. National legislation; and
3. Adherence to international conventions.

This map shows how many of these mechanisms are available in each country. Countries with none are shown in white and include some of the largest democracies. But a total of 112 countries recognize environmental rights in their constitutions—the strongest guarantee.



ANTHROPOCENTRISM

Etymology:

Anthropo + Centrism

Anthropocentrism from Ancient Greek:

ἄνθρωπος, *ánthrōpos* = "human being"

and: κέντρον, *kéntron*, "center"):

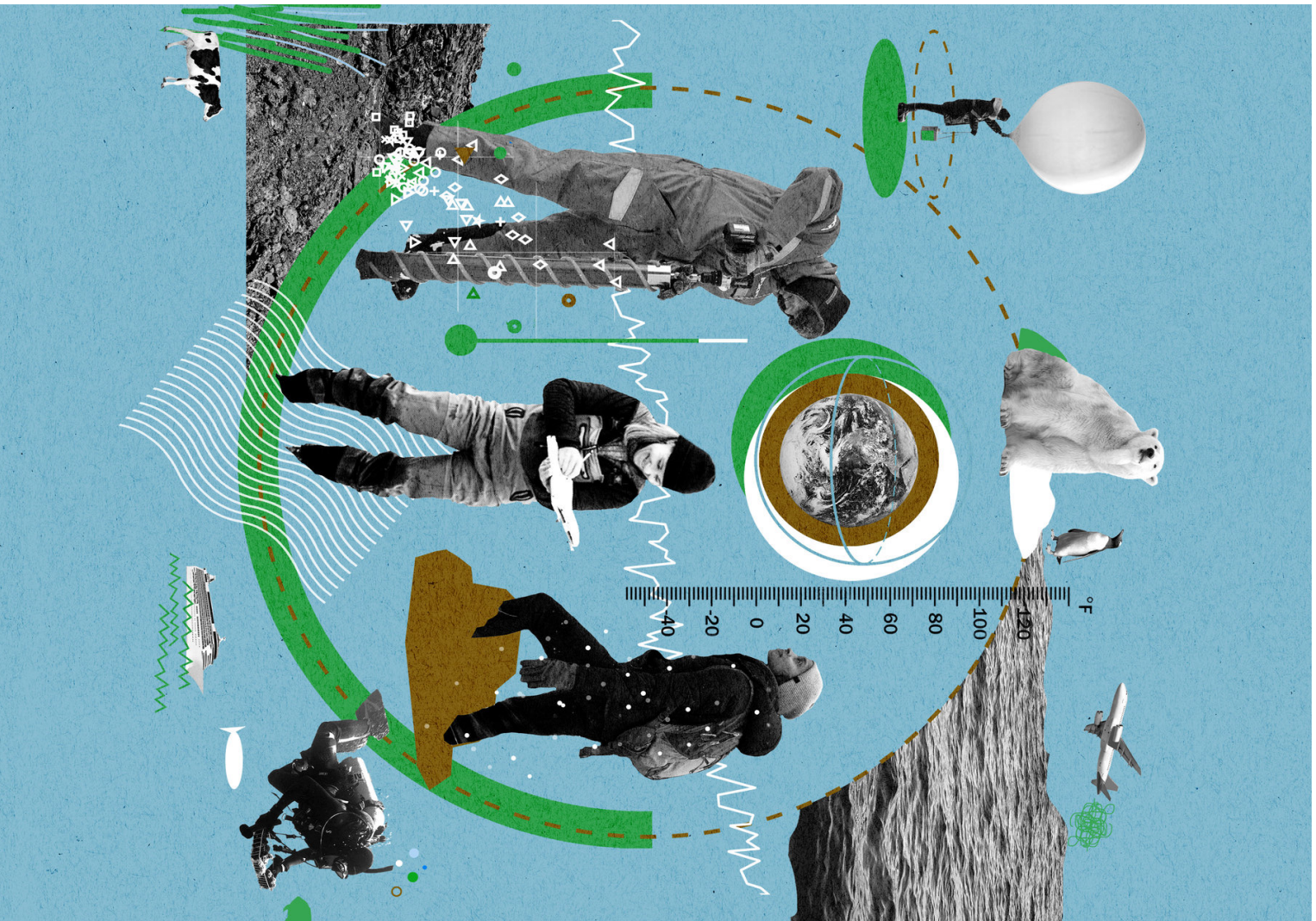
is the belief that humans are the central & most important entity in the universe.



Eccocentrism


A philosophy or perspective that places intrinsic value on all living organisms and their natural environment, regardless of their perceived usefulness or importance to human beings.





THE ANTHROPOCENTRIC
PERCEPTION IS WIDESPREAD & IS
CONSIDERED TO BE RESPONSIBLE FOR



- SEVERE ENVIRONMENTAL CRISIS
- RANGING FROM 
- GLOBAL WARMING,
- OZONE DEPLETION &
- WATER SCARCITY
- TO THE LOSS OF BIOLOGICAL DIVERSITY.

HOW CLIMATE CHANGE AFFECTS HUMAN RIGHTS



RIGHT TO LIFE:

400,000

premature deaths linked to climate change



RIGHT TO FOOD:

20%

increase in global hunger and malnutrition could occur by 2050



RIGHT TO ADEQUATE HOUSING:

26.4 M

people internally displaced yearly due to weather-related disasters since 2008



RIGHT TO WATER, SANITATION AND HEALTH:

With an increase in the global average temperature higher than 2°C:

1 BILLION

people will see a severe reduction in water resources

23%

of the population in central sub-Saharan Africa will face increased risk of death and poor health

62%

of the people in South Asia will face increased risk of death and poor health

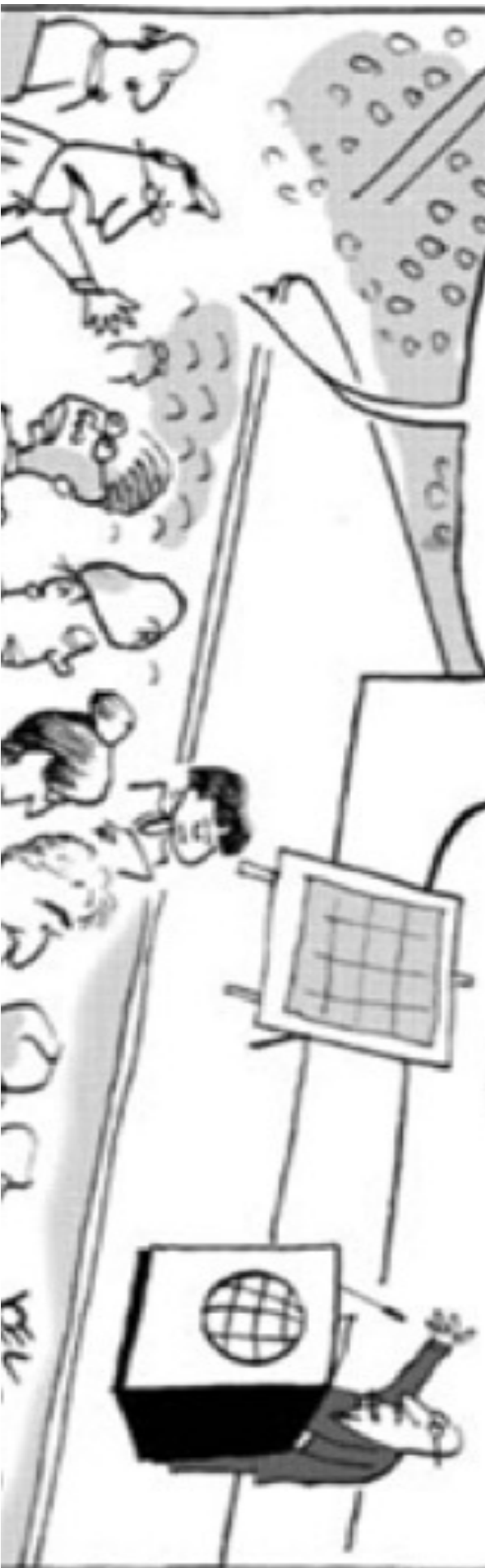


The increase in global average temperature should be kept as low as possible and **not beyond 1.5°C**

CLIMATE SUMMIT

WHAT IF IT'S
A BIG HOAX AND
WE CREATE A BETTER
WORLD FOR NOTHING?

- ENERGY INDEPENDENCE
- PRESERVE RAINFORESTS
- SUSTAINABILITY
- GREEN JOBS
- LIVABLE CITIES
- RENEWABLES
- CLEAN WATER, AIR
- HEALTHY CHILDREN
- ETC. ETC.

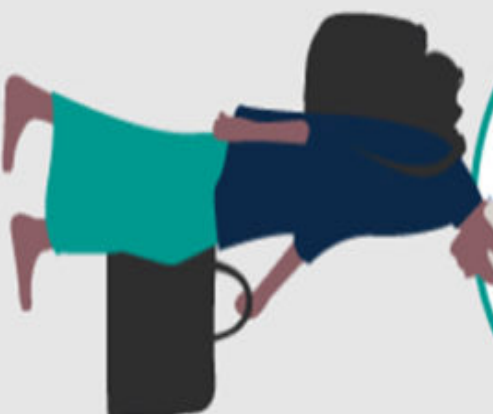


BY 2050—IF NO ACTION IS TAKEN—THERE WILL BE MORE THAN 143 MILLION INTERNAL CLIMATE MIGRANTS ACROSS THESE THREE REGIONS

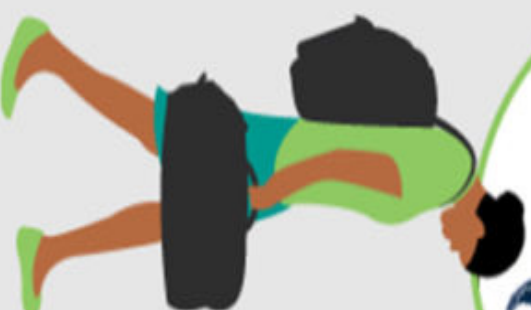
SUB-SAHARAN AFRICA



SOUTH ASIA



LATIN AMERICA

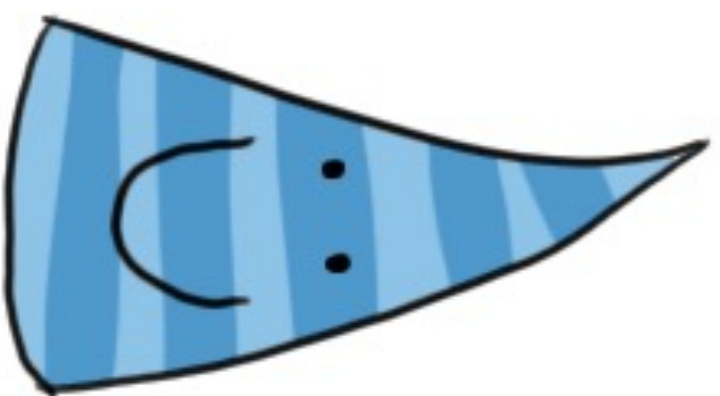


WHAT IS A FEMINIST APPROACH TO CLIMATE JUSTICE?



GENDER INEQUALITY
VULNERABILITY PRINCIPLE
INTERSECTIONALITY

INTERSECTIONALITY IS
THE BELIEF THAT
OPPRESSIONS ARE
INTERLINKED AND
CANNOT BE SOLVED
ALONE.



OPPRESSIONS ARE NOT ISOLATED
INTERSECTIONALITY NOW!

CENTRAL QUESTIONS

What gendered stereotypes might influence climate justice policy-making?

Is the climate emergency a good time to address gender inequality?

Why does gender sensitivity matter when it comes to climate justice and policy-making?

How can we improve climate justice policy making by acknowledging gender?

CLIMATE JUSTICE!

STRATEGIC LITIGATION

WHAT IS STRATEGIC LITIGATION?

- Strategic litigation is the identification and pursuit of legal cases as part of a strategy to promote human rights.
- It focuses on an individual case in order to bring about broader social change.
- These cases set important legal precedents by publicly exposing injustices, raising awareness and bringing about changes in legislation, policy and practice.
- Strategic litigation can have a lasting impact on a large number of people at the national, regional or international level.





Climate change litigation aimed at:

Not only and not so much to get damages arising out of climate change, but much more:

- to get negotiated regulatory policies
- to introduce financial lever to promote support for governmental policies
- to provide a mechanism for raising awareness, in a regulatory environment in which policies have not caught up with the problem (yet)

CLIMATE CHANGE LITIGATION

climate change strategic litigation needs to be considered as a reaction—from different parts—to the government's absence from the scene

the use of litigation to address the consequences of climate change might be viewed as a part of the *regulation through litigation movement*

CLIMATE JUSTICE
GREEN CRIMES
& ECOCIDES

The future of climate justice depends on the inclusion of human rights, **green crimes**, animal rights and rights of nature on the table of negotiations.

This will require a shift from the outdated anthropocentric function of law and a positive move towards an ecocentric understanding of climate justice.



VERNON PRESS
SERIES IN LAW

GREEN GRIMES AND INTERNATIONAL CRIMINAL LAW

Edited by
REGINA M. PAULOSE

To gain a better understanding of what a green crime is, consider the case of ecocide, which has inspired a movement of citizens and international lawyers wanting to make 'harming the environment' a crime.

A legally enforceable green crime of ecocide which will criminalize the destruction of our world's ecosystems, is a much-needed addition to our international criminal justice system.

The case of **ecocide** is a representative example of a unique green criminological term, describing mass-scale environmental harms, which are still waiting to be recognized, legitimized, and punished by law.

STOP
ECOCIDE *International*

ACTIVATING A LAW TO PROTECT THE EARTH

www.stopECOCIDE.earth

WHAT FATS ECONOMIES

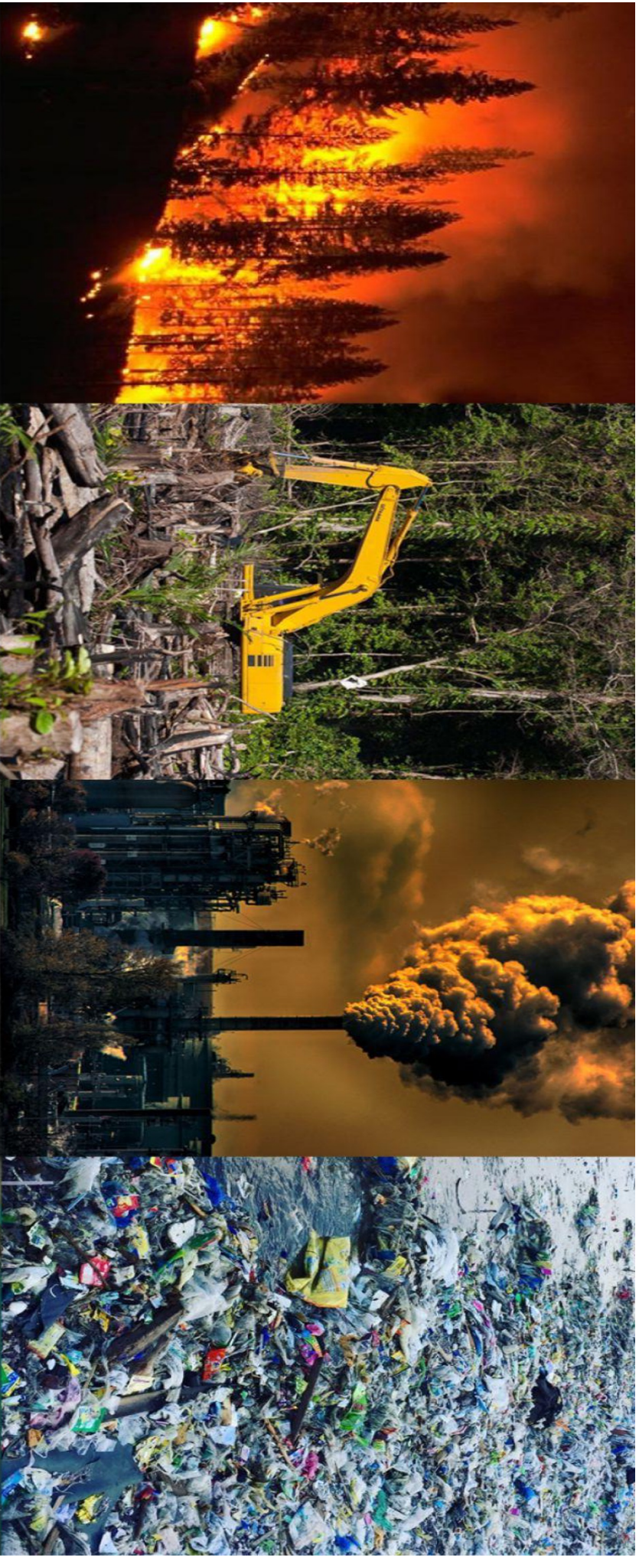
Here are some suggestions of what it 'might' look like

ECO- CIDE

ECO = is a derivation of the Greek oikos (ΟΙΚΟΣ), meaning **home and community** — **where we live.**

CIDE = The form –cide ultimately comes from Latin caedere, meaning **“to kill, to strike down.”**

The term refers to the destruction of large areas of the natural environment as a consequence of human activity.



ECOCIDE is mass damage and destruction of ecosystems.
Legally ecocide has been defined as

“unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts.”

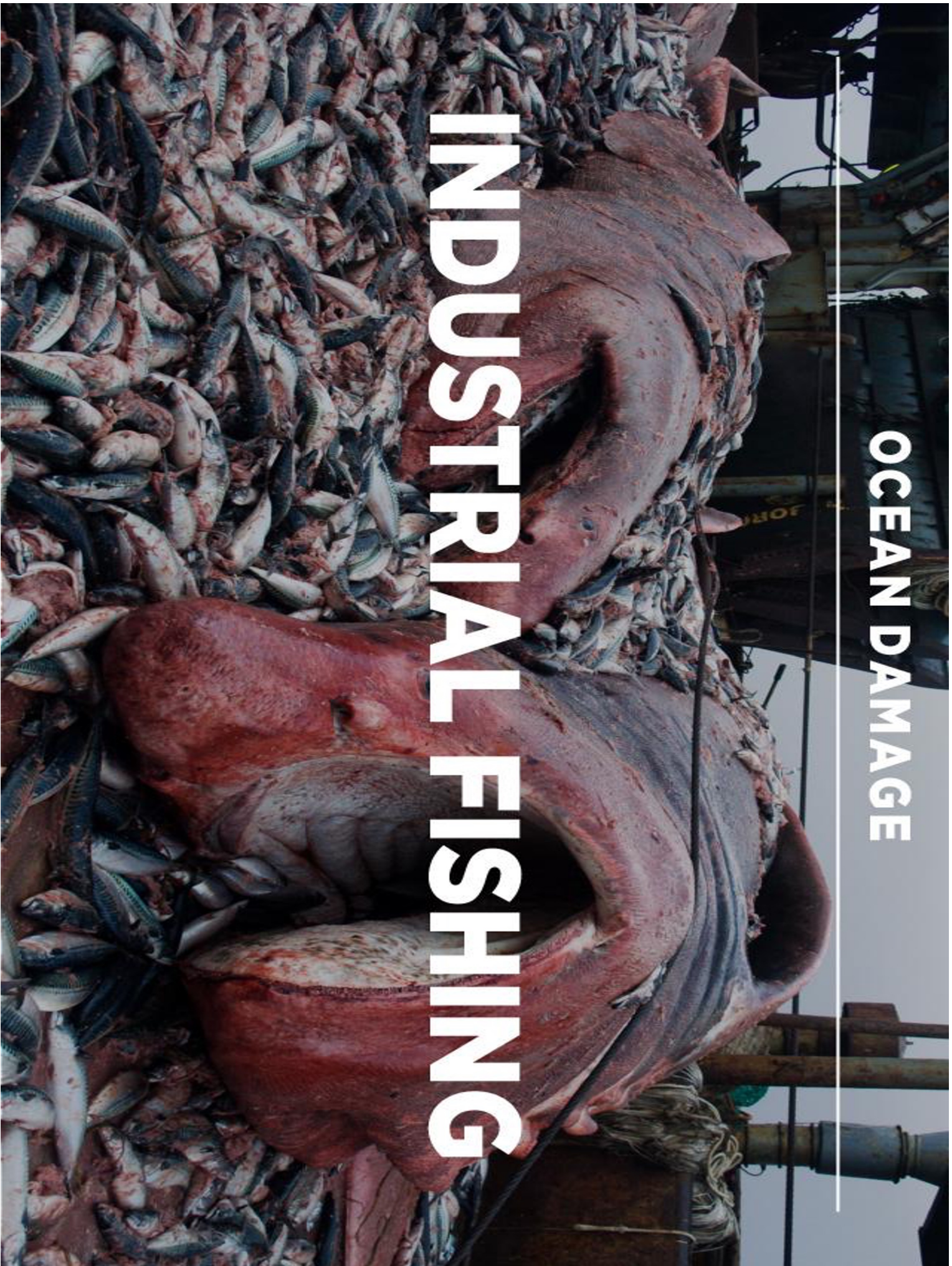
Independent Expert Panel for the Legal Definition of Ecocide
June 2021

OCEAN DAMAGE



OCEAN DAMAGE

INDUSTRIAL FISHING



OCEAN DAMAGE

OIL SPILLS



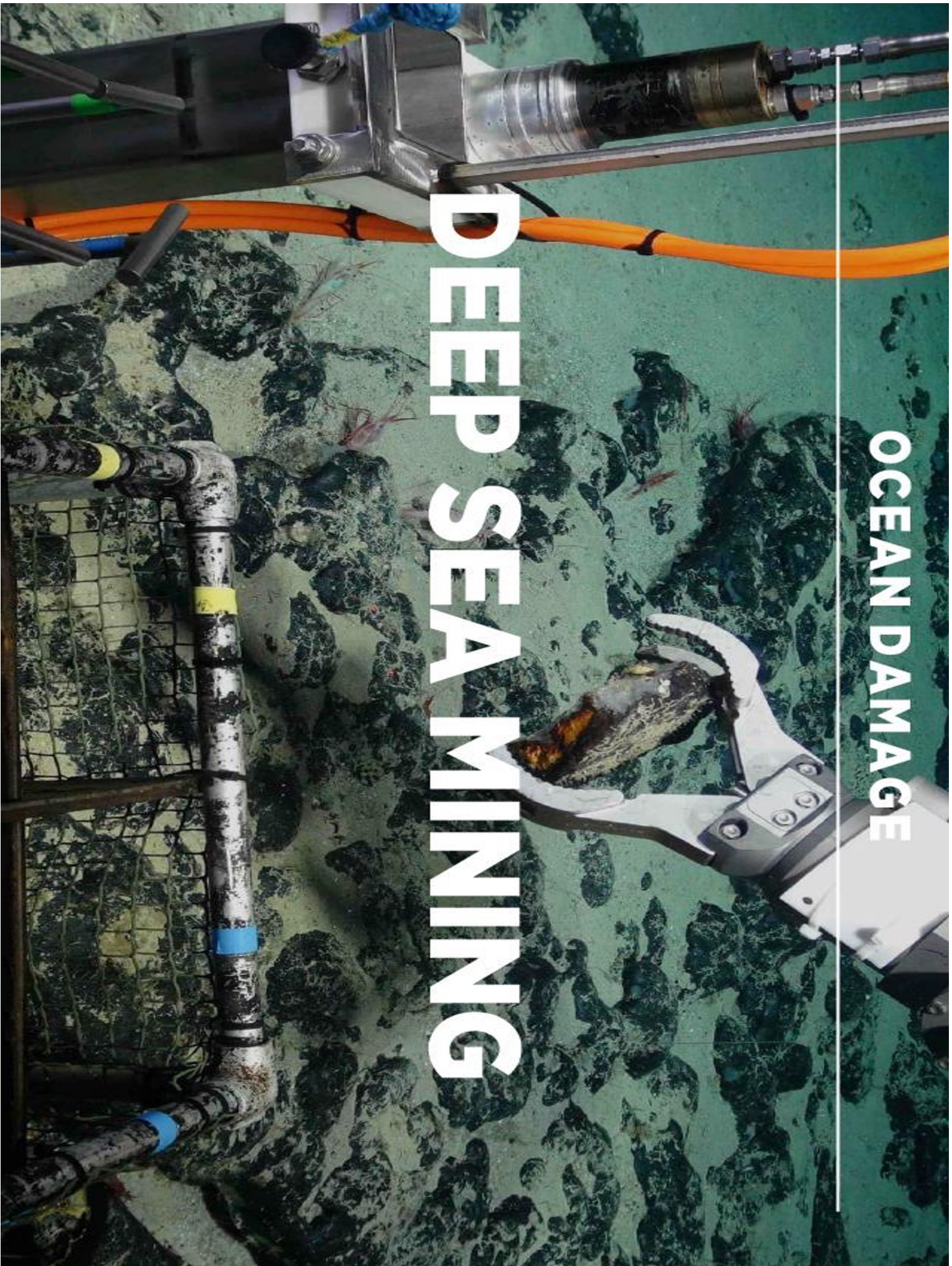
OCEAN DAMAGE

PLASTIC POLLUTION

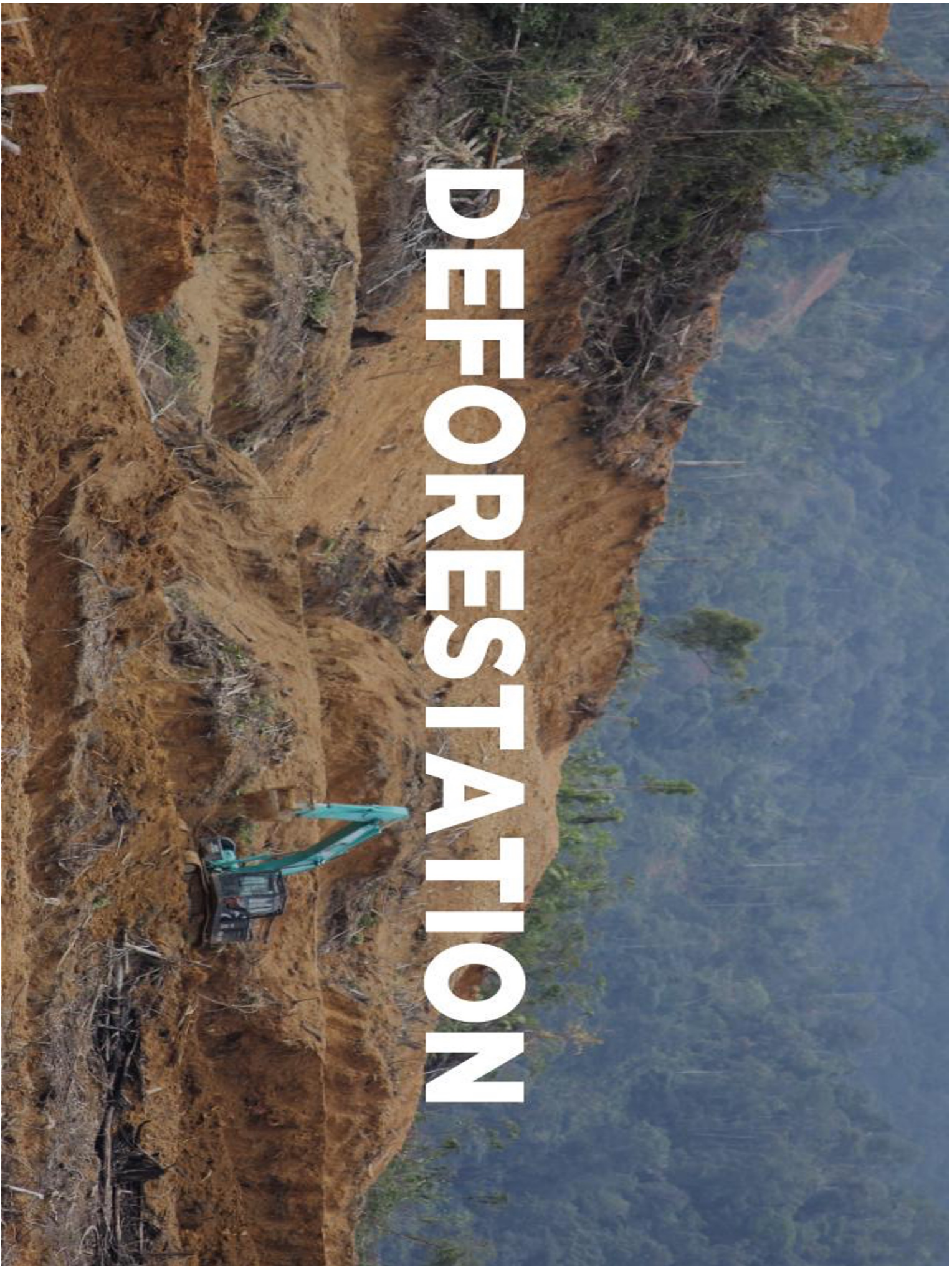


OCEAN DAMAGE

DEEP SEAMINING

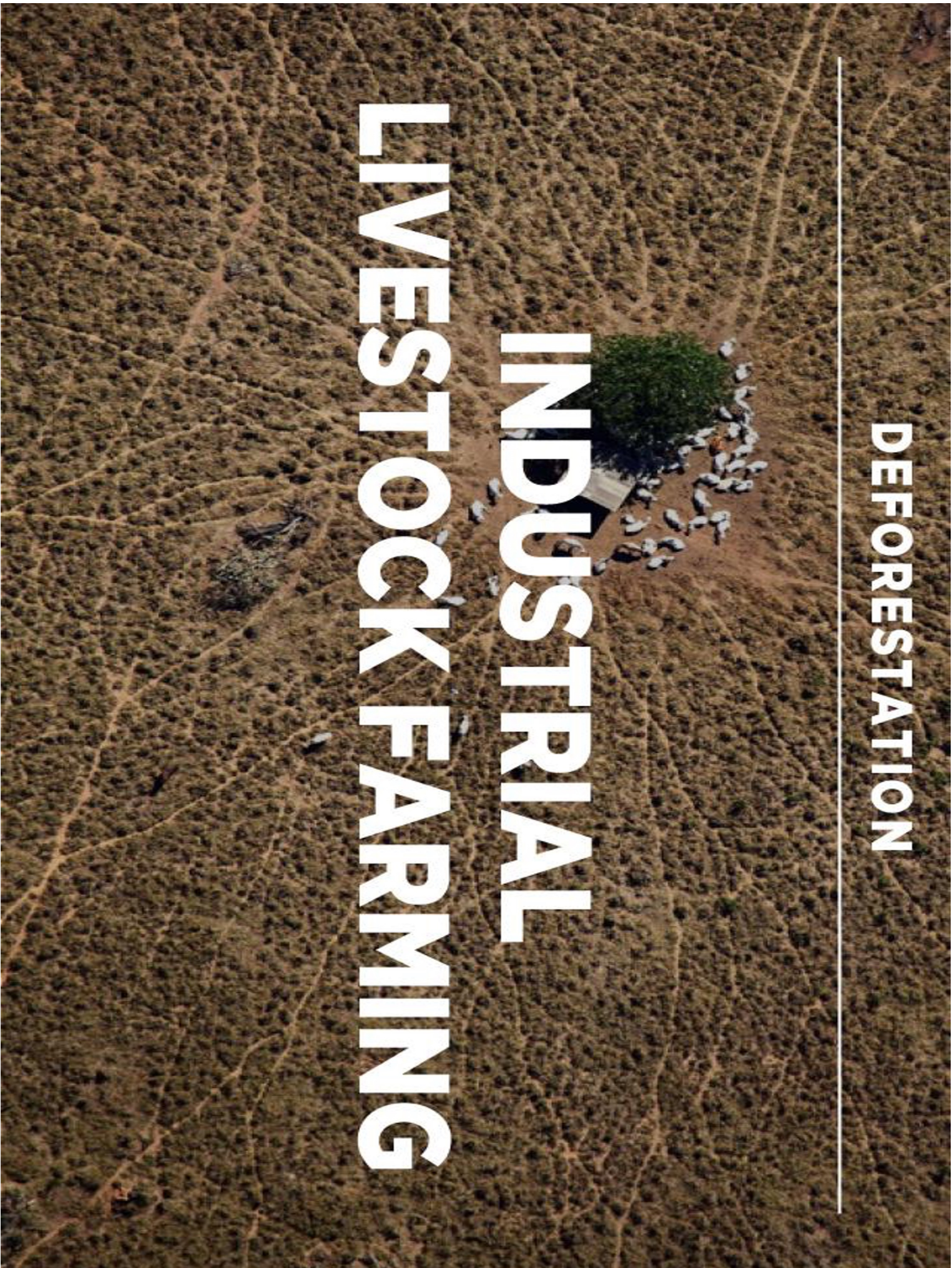


DEFORRESTATION



DEFORESTATION

**INDUSTRIAL
LIVESTOCK FARMING**



An aerial photograph showing a river system. A large, prominent plume of turbid, yellowish-brown water flows from the left side of the frame into a narrower section of the river. The surrounding landscape is a mix of dense green forest and areas with sparse, brownish vegetation, possibly indicating deforestation or land degradation. The riverbed is visible in several places, showing a mix of rocks and sediment.

LAND & WATER CONTAMINATION

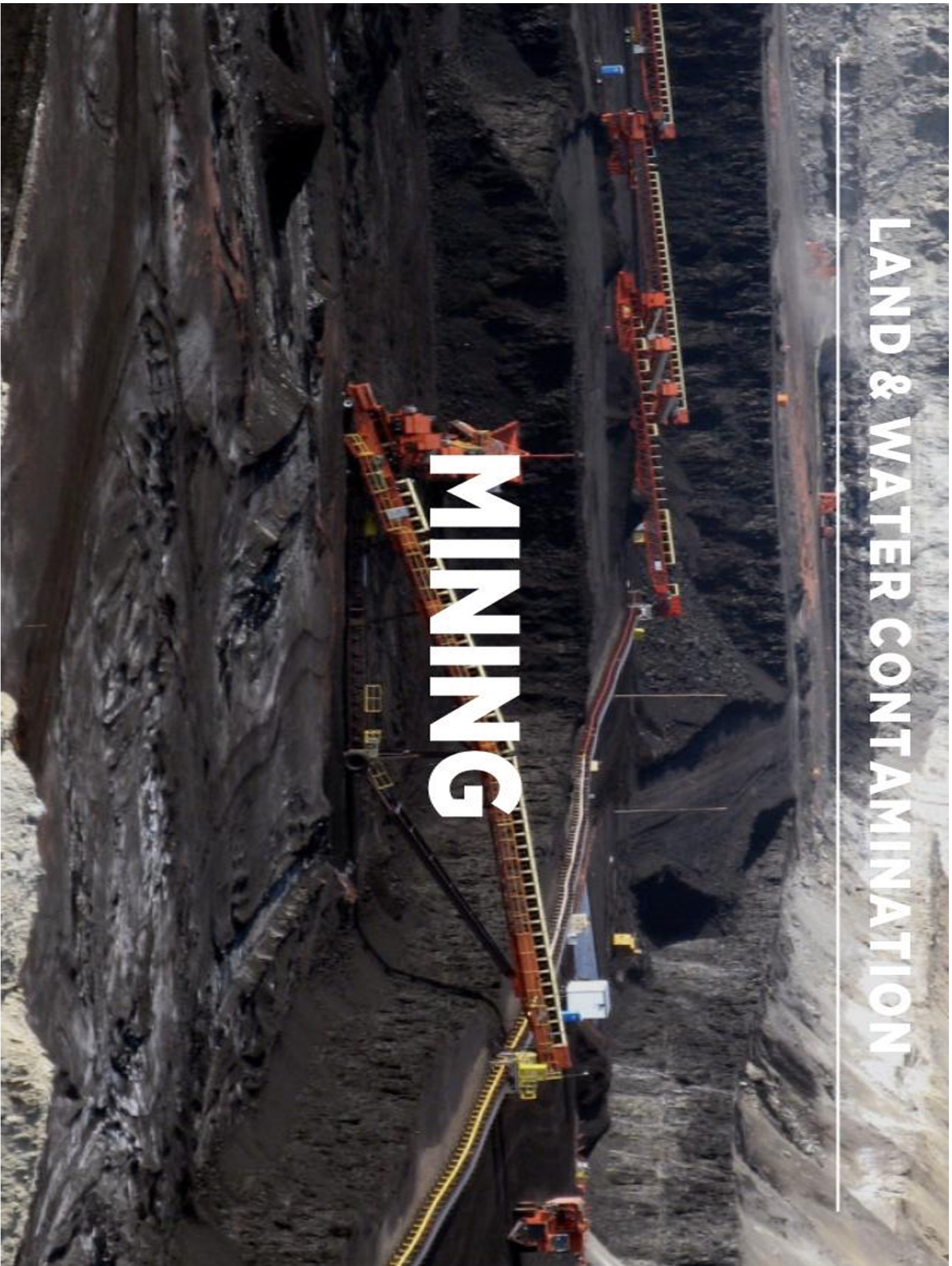
LAND & WATER CONTAMINATION

OIL SPILLS



LAND & WATER CONTAMINATION

MINING



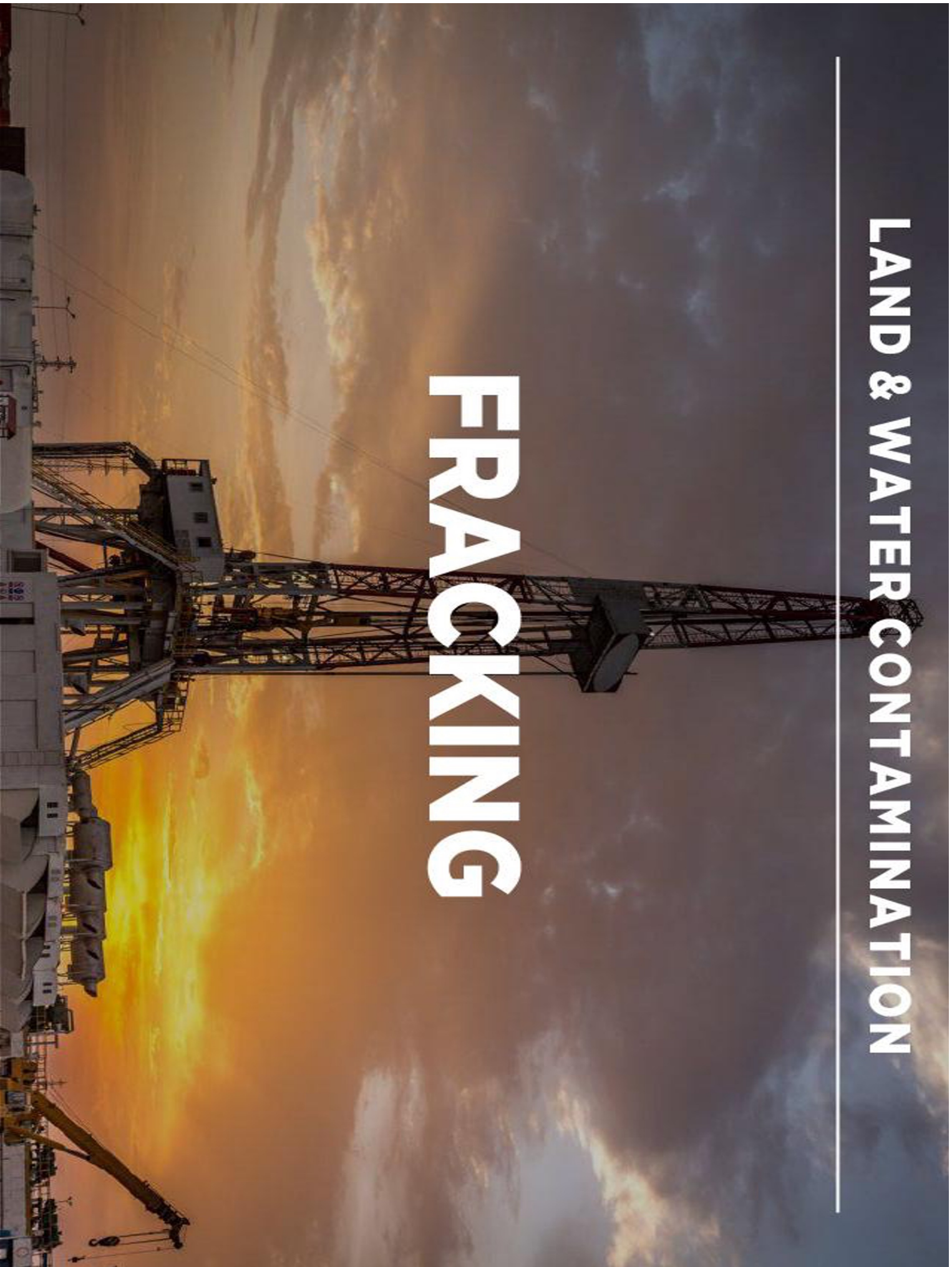
An aerial photograph of a tar sands landscape. The terrain is a dense, intricate network of dark, winding roads and paths, interspersed with numerous small, irregularly shaped water bodies. The water in these pools varies in color, showing shades of blue, green, and yellow, likely due to different mineral compositions or algae. The overall appearance is that of a heavily excavated and fragmented natural environment.

LAND & WATER CONTAMINATION

TAR SANDS

LAND & WATER CONTAMINATION

FRACKING



LAND & WATER CONTAMINATION

TEXTILE CHEMICALS

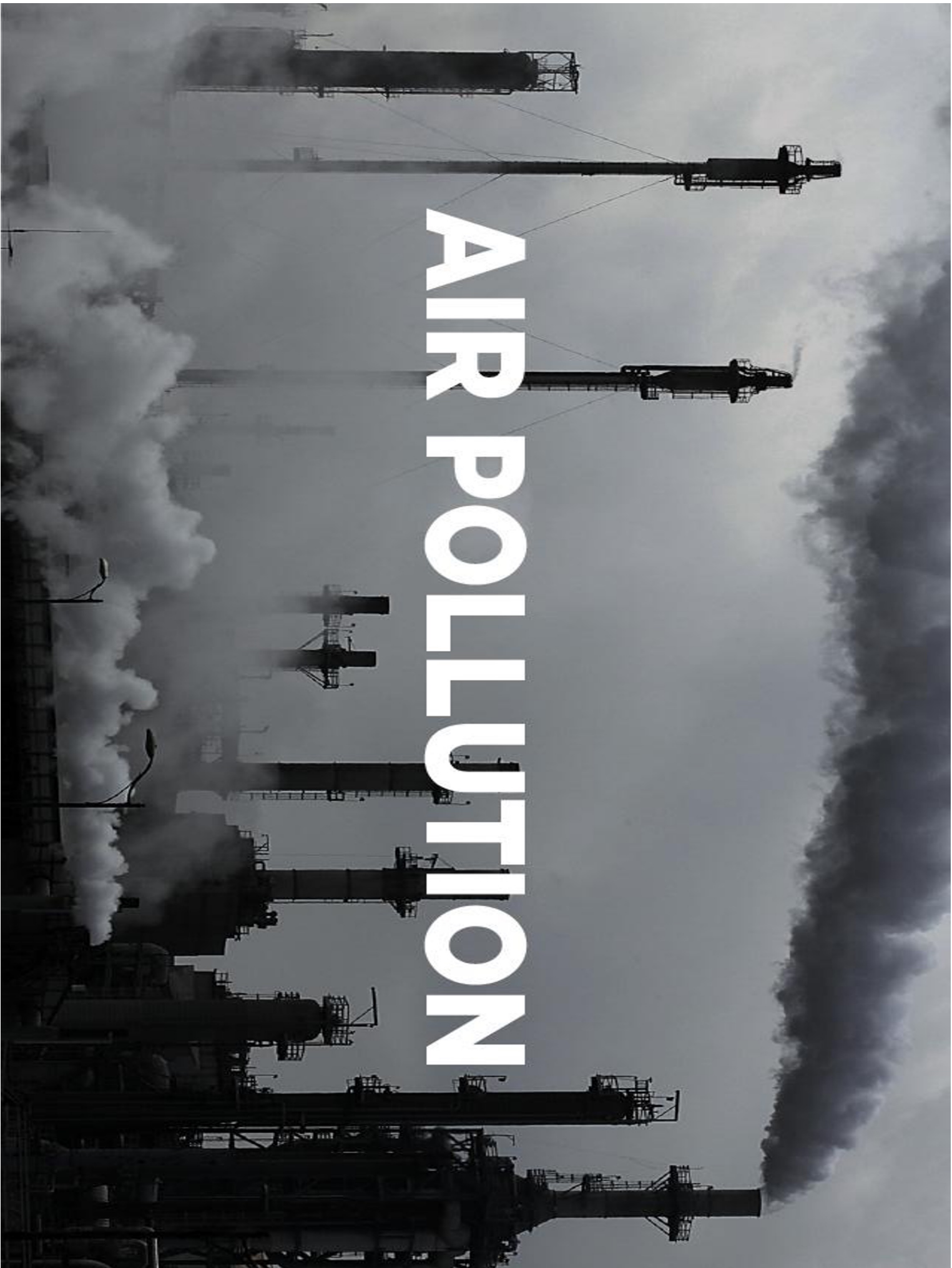


LAND & WATER CONTAMINATION

AGRICULTURAL POLLUTION



AIR POLLUTION



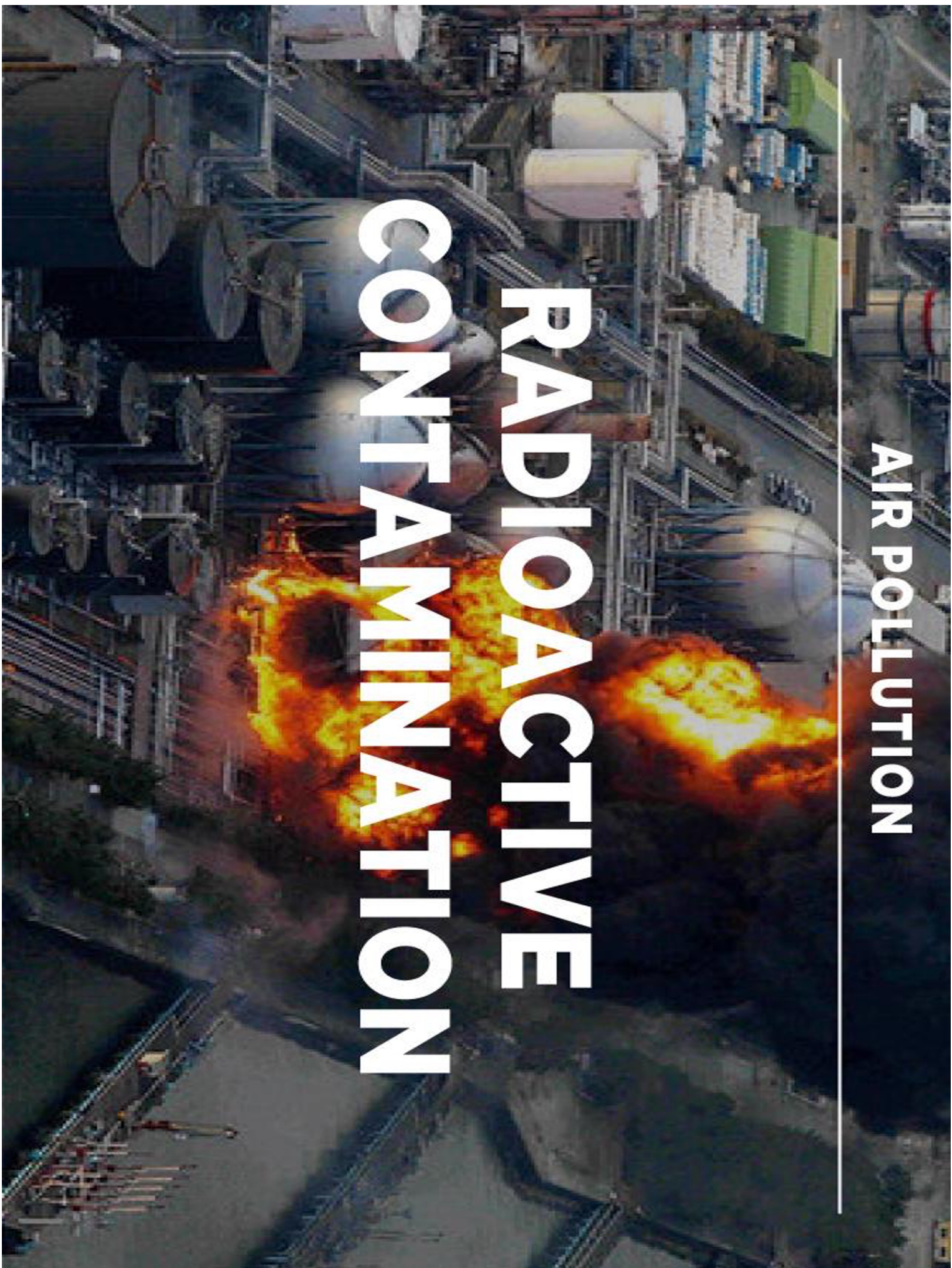
AIR POLLUTION

CHEMICAL DISASTERS & WEAPONS



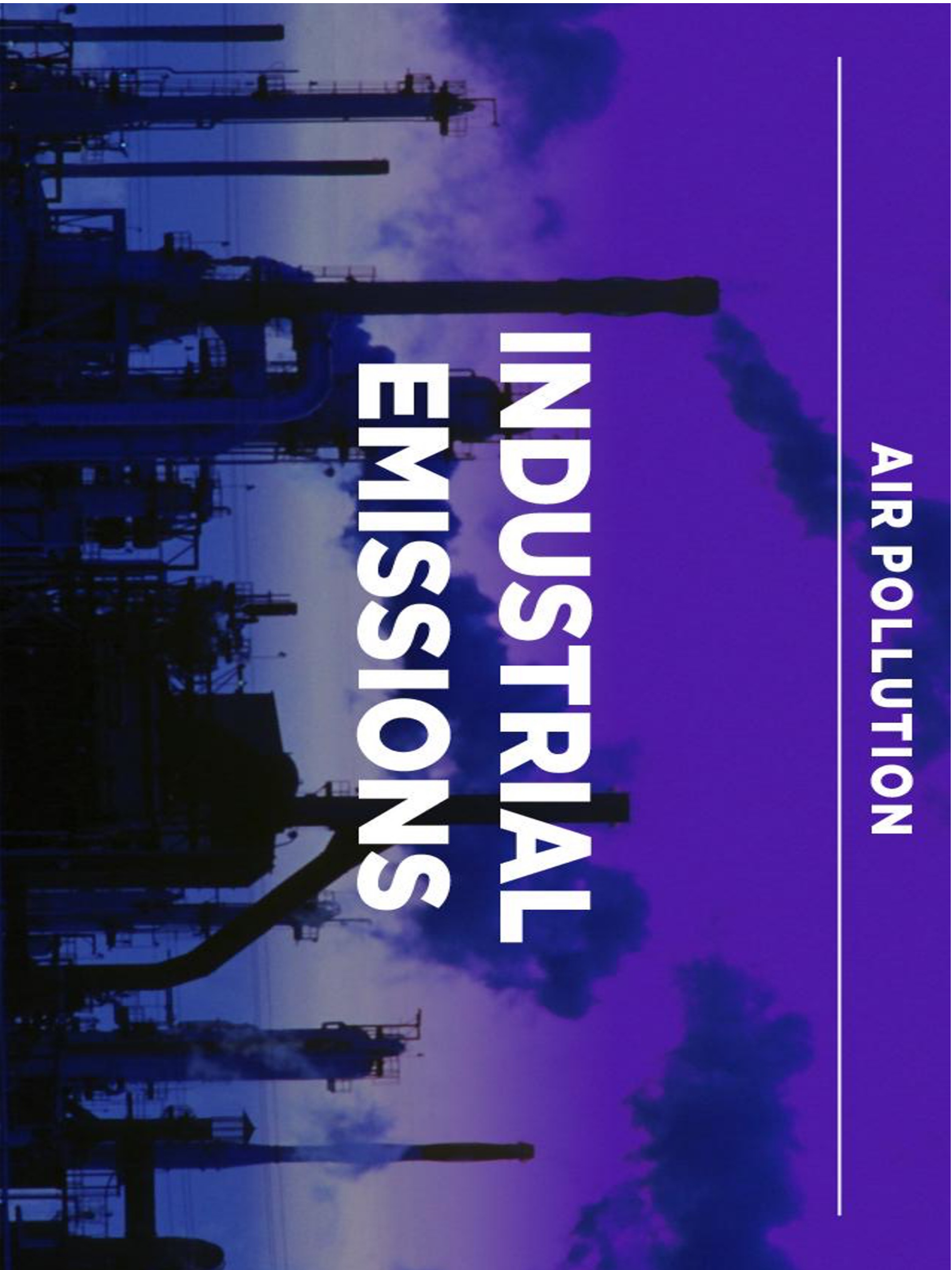
AIR POLLUTION

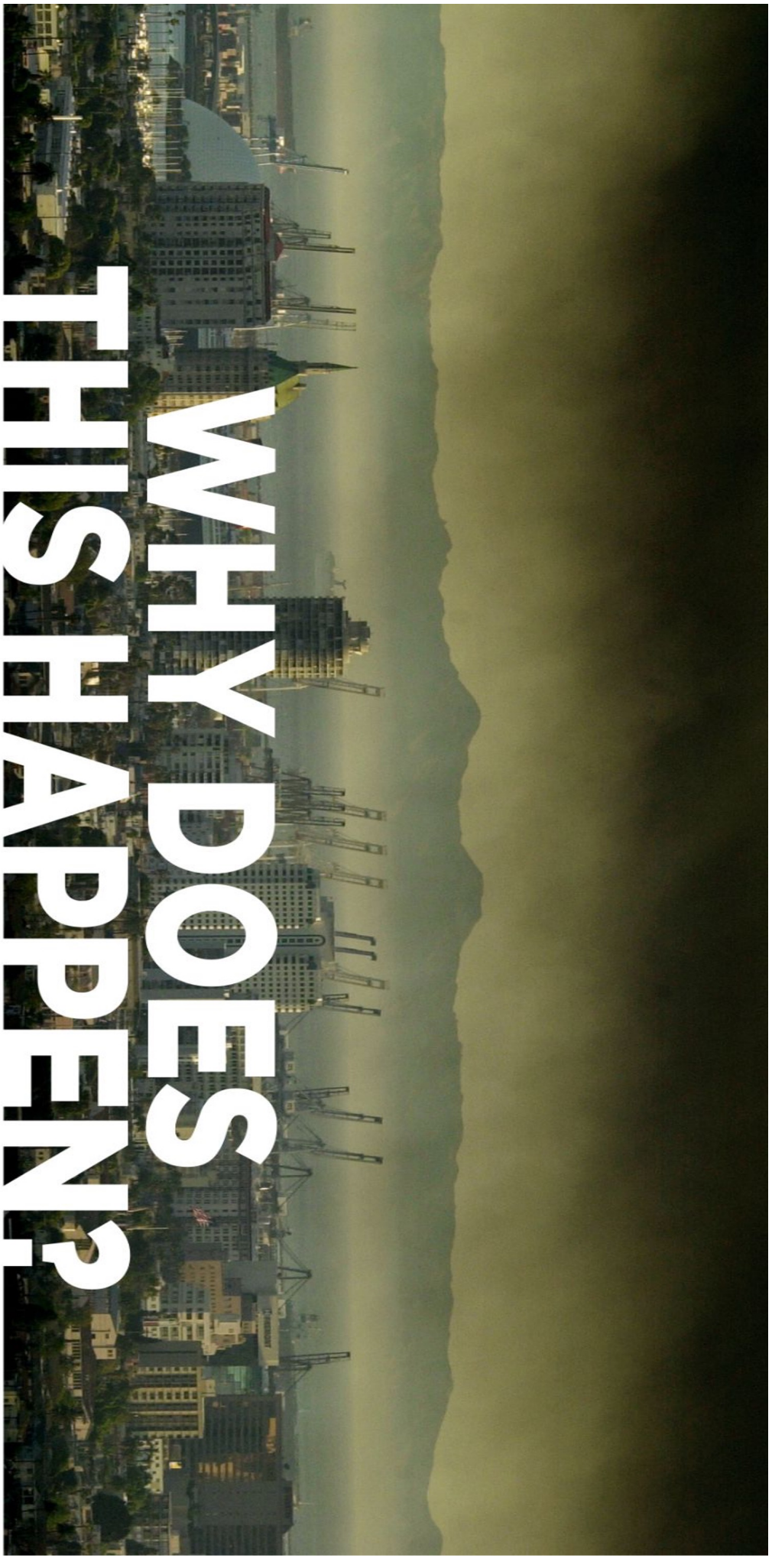
RADIOACTIVE CONTAMINATION



AIR POLLUTION

INDUSTRIAL EMISSIONS



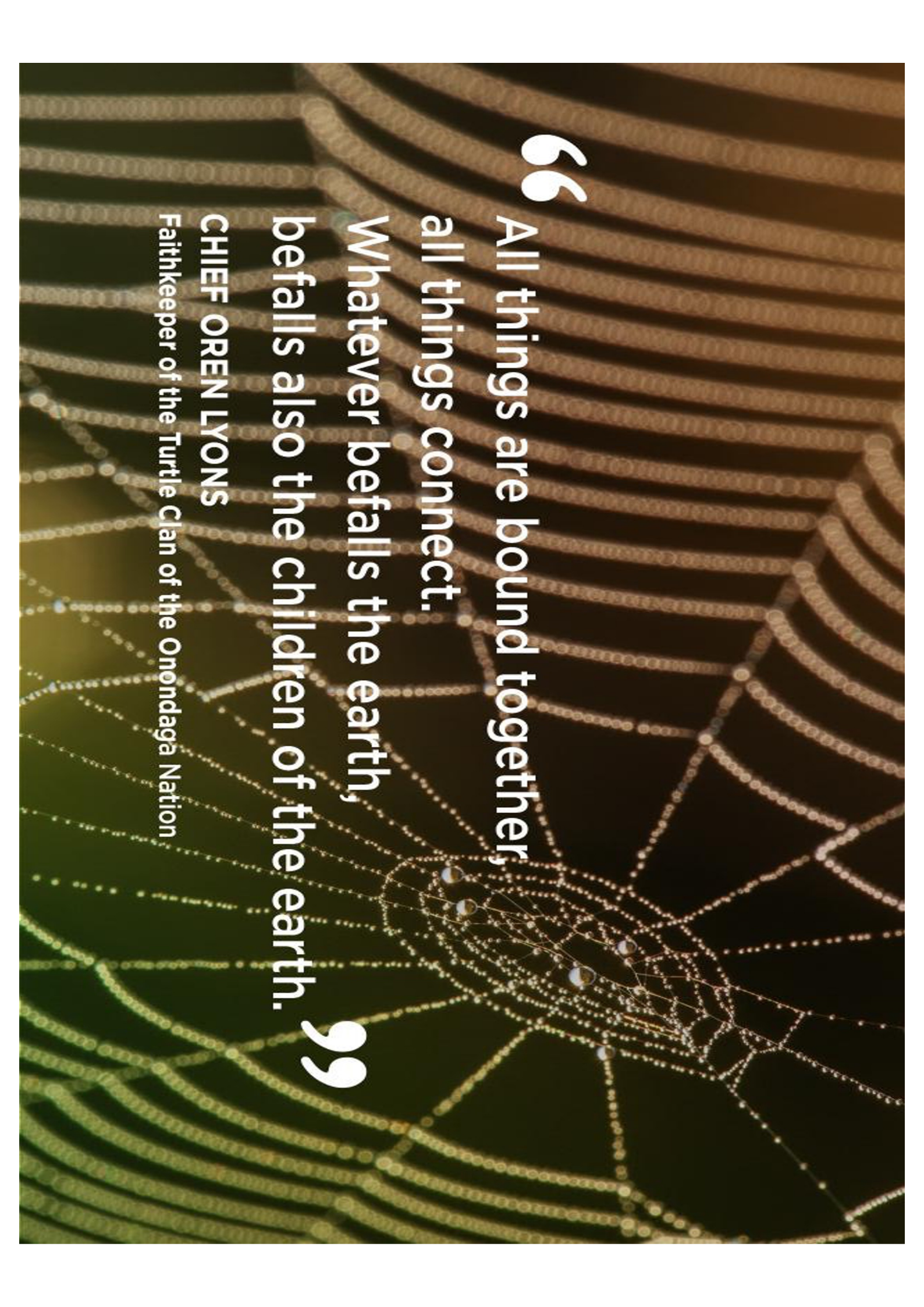


WHY DOES THIS HAPPEN?

Because our economic system

treats nature as a bank of resources,

rather than a web of life we are all part of.



“ All things are bound together,
all things connect.
Whatever befalls the earth,
befalls also the children of the earth.”

CHIEF OREN LYONS

Faithkeeper of the Turtle Clan of the Onondaga Nation



HOW CAN ECOCIDE BECOME AN INTERNATIONAL CRIME?

**This is actually a simple process
and we are well on our way to
making it happen!**

The Rome Statute of the International Criminal Court (ICC) lists four crimes:

Genocide

**Crimes
Against
Humanity**

**War
Crimes**

**Crime of
Aggression**
(recently added)

**The missing
5th crime is
ECOCIDE**

A SIMPLE FOUR STAGE PROCESS



STAGE ONE

PROPOSAL

Any state which has ratified (officially agreed to) the Rome Statute of the International Criminal Court (ICC) may propose an amendment.

There are currently 123 of these “States Parties”.

STAGE TWO

ADMISSIBILITY

This requires a majority of those present and voting at the next annual assembly of the ICC to agree that the amendment can be considered.

STAGE THREE

ADOPTION

This requires a $\frac{2}{3}$ majority of States Parties
(currently 82/123) to be in favour of the amendment.

STAGE FOUR

RATIFICATION

States Parties can then ratify (officially submit their agreement), and must enforce the law in their own country one year later.

WHY AN INTERNATIONAL LAW?



WHY AN INTERNATIONAL LAW?

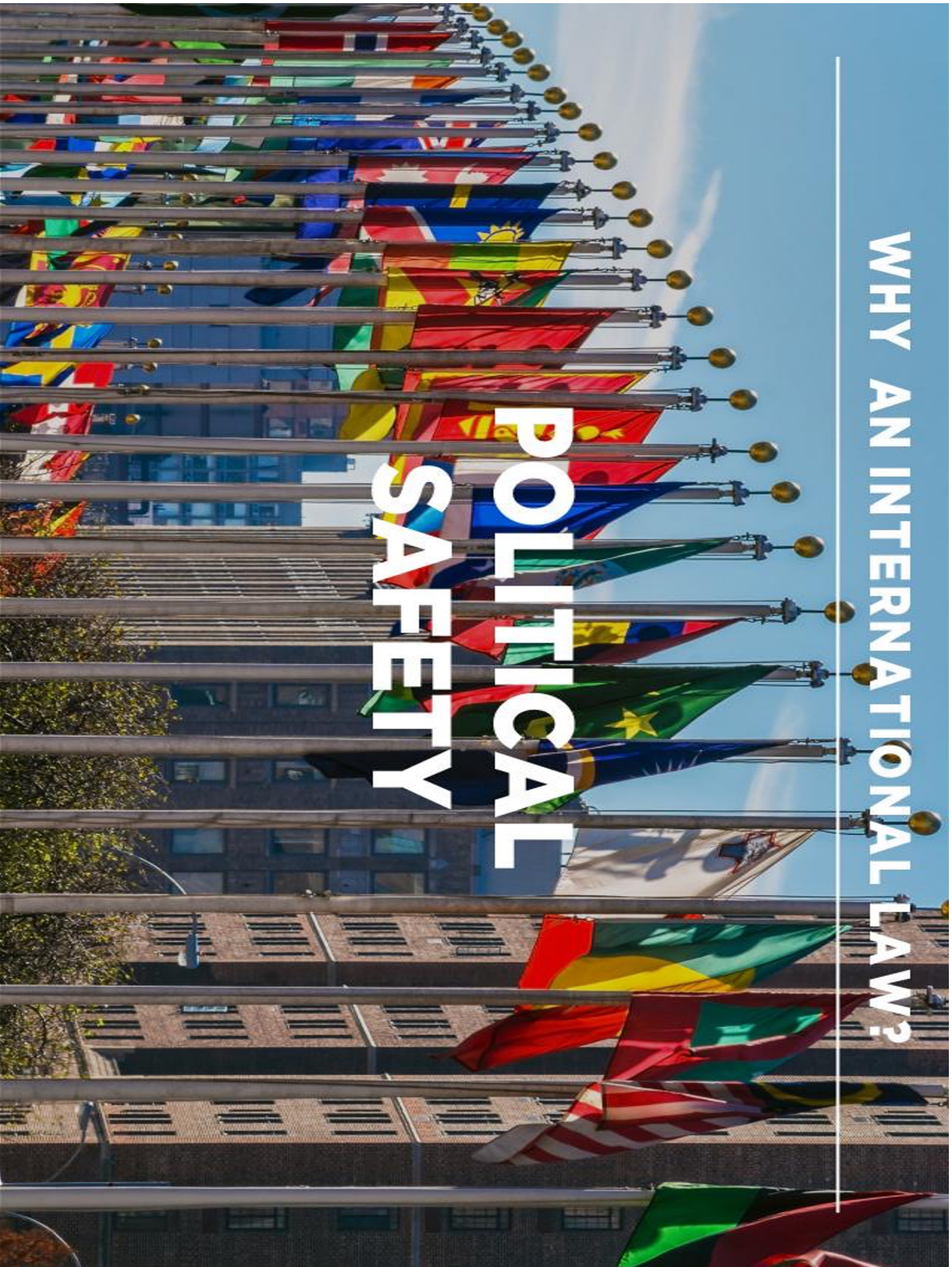
THE LEGAL MECHANISM



Cour
Pénale
Internationale
International
Criminal
Court

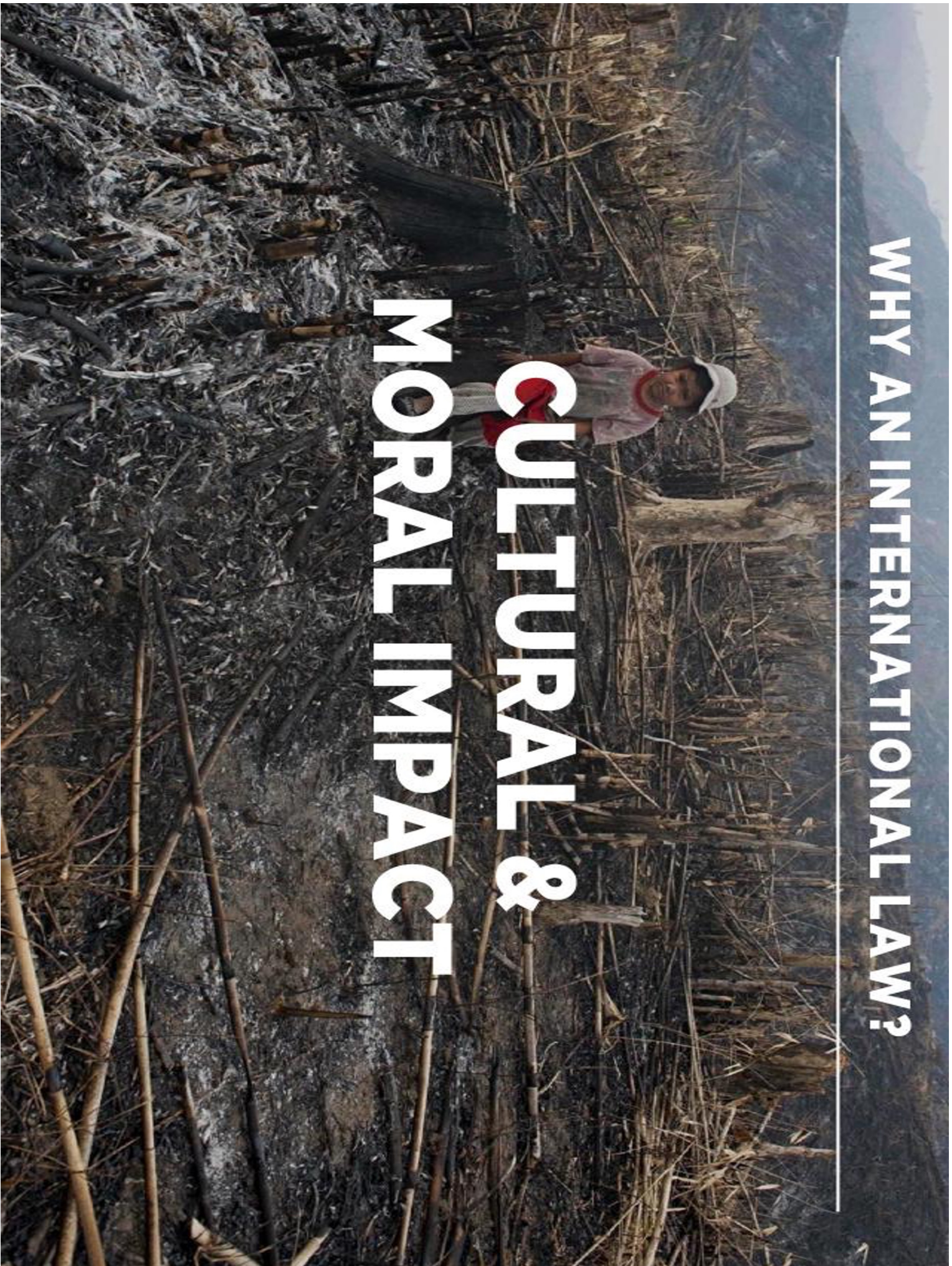
WHY AN INTERNATIONAL LAW?

POLITICAL SAFETY



WHY AN INTERNATIONAL LAW?

CULTURAL & MORAL IMPACT



WHAT DOES THIS MEAN FOR BUSINESS & INDUSTRY?



**Eccocide law has the power
to protect the future of life on Earth.**

**“ Let us be the ancestors
our descendants will thank ”**

WINONA LADUKE

Together, we can make this our legacy.





The climate crisis, is a climate emergency, and just like a pandemic, requires decisive action and doing things much differently!



Global Campus
of Human Rights



Thank you!

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