Climate Change, Ethics and the Earth Charter

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Introduction

Here I consider the climate change problem from an ethical perspective and, in that context, the role of the Earth Charter\(^1\).

The climate change problem is one of the great environmental challenges of our era; not the only one but certainly one we ignore at our peril. The climate change problem and its solutions are usually discussed in terms of technology, economics and politics. The technological dimension is concerned with how to redesign and re-engineer how we generate and use energy so that we can reduce emissions of carbon dioxide and other greenhouse gases and still have the energy we need for industrial production, manufacturing, heating and cooling houses, transportation and agriculture. The economic problem is concerned with how we can do this in the most cost effective ways; that is, with the least cost and disruption to the economy, and gaining maximum mitigation benefits from investments.

The political dimension of the climate change problem has received overwhelming coverage recently following the failure of the Copenhagen conference negotiations to deliver the much anticipated comprehensive legally binding agreement. In part, this failure stems from the simple fact that the costs of mitigation are incurred now while the benefits (i.e., the benefits from the avoided climate change) arise largely in the future\(^2\). The promulgation of policies that prevent harm from arising in the futures requires both an enlightened citizenship and a courageous political leadership with vision. We cannot ignore the reality that some players with financial vested interests in the current modes of energy production and use advocate against such progressive policies.

While these technological, economic and political issues are critical, they do not tell the full story about the climate change problem and its solution. The less-discussed part of the climate change story concerns the ethical dimension. Ethical issues are imbedded within every aspect and at every level of the climate change agenda\(^3\). Failure to explicitly recognize and deal with these ethical issues is proving to be a major impediment to solving the problem.

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\(^1\) The text of the Earth Charter can be found at [http://www.earthcharterinaction.org/content/pages/Downloads%20For%2001%20The%20Earth%20Charter%20Text](http://www.earthcharterinaction.org/content/pages/Downloads%20For%2001%20The%20Earth%20Charter%20Text)


\(^3\) See various postings by [www.ClimateEthics.org](http://www.ClimateEthics.org); a commentary site on climate change science and policy making by those working on climate change ethics. The initiative is hosted by the Rocks Ethics Institute and is intended for policy makers, interested public, and journalists.
International relations and ethics

The UN Framework Convention on Climate Change (UNFCCC)\(^4\), does in fact contain ethical imperatives agreed to by the ‘parties’ (i.e. the national governments who ratified this treaty), and which are designed to guide ongoing negotiations.

(1) The *principle of common but differentiated responsibilities and capacities* – this recognizes that nations vary in the extent to which they have contributed to the climate change problem, the extent to which they will be impacted by climate change, their ability to contribute to solving the problem, and their capacity to cope with the negative consequences of unavoidable climate change; this principle is articulated in Earth Charter principle 2 ‘Accept that with the right to own, manage, and use natural resources comes the duty to prevent environmental harm and to protect the rights of people’; and 2(b) ‘Affirm that with increased freedom, knowledge, and power comes increased responsibility to promote the common good’.

(2) The *prevention and precautionary principles* – these are expressed in principle 6 of the Earth Charter; ‘Prevent harm as the best method of environmental protection and, when knowledge is limited, apply a precautionary approach’; and 6(a) ‘Take action to avoid the possibility of serious or irreversible environmental harm even when scientific knowledge is incomplete or inconclusive’.

(3) The *right to development* – which I argue should be interpreted in the light of other commitments made under the Rio and Johannesburg Declarations as the right to sustainable development, which is articulated in Earth Charter principle 10 ‘Ensure that economic activities and institutions at all levels promote human development in an equitable and sustainable manner’.

These ethical imperatives are drawn upon by parties during climate change treaty negotiations and were evident at the 2010 Copenhagen conference. The notion of ‘climate justice’ is now being used by civil society\(^5\), the need to act now to prevent harm was strongly argued by the Association of Small Island States, and the G77, especially the poorest and most vulnerable states who argued for substantial adaptation funding to be transferred to them from the industrialized countries on the basis of the principle of common but differentiated responsibilities and capacities\(^6\). Indeed, it has been claimed that the Copenhagen conference was distinguished by the strong claims made by parties, NGOs, and during side events, that climate change is an ethical problem and that responses must be guided by ethical, justice, and human rights considerations\(^7\). However, I

\(^4\) The full text of the UNFCCC treaty can be found at [http://unfccc.int/essential_background/convention/background/items/2853.php](http://unfccc.int/essential_background/convention/background/items/2853.php)

\(^5\) For example, see the ‘time for climate justice’ campaign; [http://www.timeforclimatejustice.org/allies/](http://www.timeforclimatejustice.org/allies/)

\(^6\) Formal statements made by parties during the Copenhagen CoP15 high level segment were webcast and can be accessed at [http://cop15.meta-fusion.com/kongresse/cop15_hls/temp/ovw_copenhagen.php?id_kongressmain=101](http://cop15.meta-fusion.com/kongresse/cop15_hls/temp/ovw_copenhagen.php?id_kongressmain=101)

\(^7\) Donald Brown (2009) *Two climate change matters move to center stage in Copenhagen with profound implications for developed nations: ethics and adaptation*; ClimateEthics.org; [http://climateethics.org/?p=331#more-331](http://climateethics.org/?p=331#more-331)
argue that in general terms, over the last 20 years of international negotiations under the UNFCCC ethics has played a relatively minor role in international climate change negotiations.

One impediment to ethical issues being more explicitly analysed is due to confusion as to what is meant by ‘ethics’ in a climate change context. To act ethically means that in deciding what is the right or wrong thing to do in a given situation, we go beyond self-interest and give consideration to the consequences of our actions (or non actions) for the well-being of others. Many people associate ‘ethics’ only with the rights and wrongs of personal behaviour such as are addressed by an organisations ‘code of conduct’ for their staff. From this perspective, ethics is a personal matter and not central to international affairs. However, the reality is that ethics is central to international negotiations when obligations are created for governments that require them to go beyond consideration of self-interest alone in making decisions, and to consider their duties and responsibilities towards others; including people in other countries, future generations of people, and even other species.

Conventional notions of the morality of the nation state are challenged by the proposition that nations should act beyond their self-interest in their decision-making. Historically, the dominant paradigm has been that the international responsibilities of national governments are prosaically defined in terms such as securing their borders from invasion and honouring contractual obligations so as to enable trade and economic activity. Ethical considerations do enter international negotiations, but history dictates that their influence is always constrained by the principle of ‘war readiness’; the ever-present possibility of war and invasion. This conventional view of the morality of states accepts ethics as part of international relations but only up to the point where it does not serve the national self-interest.\(^8\)

The influence of this conventional paradigm is still strong, such that the climate change negotiating positions of many (if not most) industrialized nations, and many (if not most) of the powerful developing nations, are dominated by national self-interest largely defined by standard measures of short-term economic costs and benefits. For example, one of the main arguments made in Australia against climate change policies is that ‘Australia is not a major polluter, any reductions in greenhouse gas emissions will not significantly influence climate change, but mitigation policies will add unnecessary costs to the Australian economy’. These arguments hold political sway in Australia because we obtain around 90% of our energy from coal-fired power stations and we are the world’s largest exporter of coal.

This conflict between the influences in decision-making of ‘national self-interest’ versus considering ‘responsibilities for others’ is perhaps the critical ethical issue when we come to consider the current state of international climate change negotiations. Human-forced rapid climate change will cause great harm to people in all countries, and especially in poor countries with little capacity to adapt, and countries whose citizens are vulnerable because they are exposed to sea level rise such as Bangladesh and small island states.\(^9\) And, the deeper into the future we peer the greater the prospects for harm to future generations. We need look no further than the impacts of climate change on sea levels and food security to have all the justification we need for action. However, the solutions demand we

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take dramatic action now – action that will required major structural reforms, significant new investments, and incur substantial short-term economic costs - in order to prevent the harm that will come to others in the future. Clearly, such action will only occur if governments are prepared to act beyond a narrowly defined understanding of what constitutes ‘national self interest’.

Never before have governments needed to consider in their decision making the global condition of human life and the far-off well-being of people and other species in the future. This is the fundamental ethical issue of the climate change debate: how prepared are we to give consideration in our decision-making to our responsibilities for the welfare of people in other countries and future generations?

Specific climate change ethical issues

I will now consider some of the specific ethical issues that are embedded within the current international climate change treaty negotiations and that were evident at the 2010 Copenhagen conference negotiations.

The negotiating agenda is framed by four key themes: (1) mitigation – how can we reduce greenhouse gas emissions, especially carbon dioxide, to a level that prevents dangerous climate change; (2) adaptation – how we help people and communities cope with the negative impacts of unavoidable climate change; (3) technology – how we develop and deploy new and alternative green technologies; and (4) finance – who will pay how much to help with the necessary mitigation and adaptation actions?

Mitigation

A key issue at Copenhagen concerned the global mitigation target, that is, what should be the maximum level of climate change allowed; expressed in terms of the future average planetary temperature. This is an ethical issue because higher planetary temperatures equate with greater levels of impact and harm to humans and other species. The Association of Small Island States argued for no more that 1.5°C, while the Copenhagen Accord (the non-binding agreement that was ‘noted’ at the Copenhagen Conference of the Parties) expresses support for no more than 2°C; even though this figure may result in the flooding of small island states, amongst other undesirable impacts.

To prevent the average planetary temperature exceeding the target (be it 1.5 or 2°C), total global annual greenhouse gas emissions must be progressively reduced (or ‘contracted’) each year to a scientifically prescribed level. This decreasing total global quantity of emissions is called the ‘contraction curve’. The shape of the contract curve varies with the target temperature (Figure 1)

10 ‘...with a view to reduce global emissions so as to hold the increase in global temperature below 2 degrees Celsius, and take action to meet this objective consistent with science and on the basis of equity’. The text of the Copenhagen Accord (Cop15 Decision 2/CP.15) can be downloaded at http://unfccc.int/documentation/decisions/items/3597.php?such=j&volltext=2/CP.15
Figure 1. The left hand graph shows the contraction curve needed to stabilize atmospheric concentrations of greenhouse gases at different concentrations. The right hand graph shows the increase in average planetary temperature associated with the different concentrations. To limit climate change to 2°C requires following the green contraction curve (~450ppme). Source: Climate Change 2007: Synthesis Report Summary for Decision Makers, IPCC, Figure SPM.11.

Once the world community has decided upon the contraction curve, we must then make another critical decision with equally serious ethical implications. One way of thinking about the area under the contraction curve is that it represents the global permissible emissions, i.e., the emissions that humans are entitled to safely emit each year. While this entitlement must contract over time, it remains an entitlement nonetheless. The question is how will this emission entitlement be distributed amongst the nations of the world?

This question invokes fundamental ethical considerations because currently the level of emissions equates with the amount of economic activity that can occur employing conventional forms of energy production and land use activity. Therefore the ability of many developing countries to generate economic wealth and provide for the basic needs of their people will be hampered by the size of the emission entitlement they are allocated. To date, the industrialised nations have had the lion’s share of global emissions. Now, China is appropriating an increasing proportion. But what rule can we use to ensure that the emission entitlements going forward are allocated in a way that is equitable and just for all nations? One approach is called 'Contraction & Convergence' whereby the entitlements under the contraction curve are allocated on a per capita basis.11

Adaptation

There is an inexorable link between mitigation and adaptation. The need for adaptation will decrease or increase with the success or failure of the world community to agree upon and reach the cuts in greenhouse gas emissions needed to prevent dangerous climate change. Failure to mitigate will place ever greater burdens on those who have the least capacity to respond and who are the most exposed to the negative impacts of rapid climate change. These more vulnerable communities include the poor in developing countries with little capacity to take the necessary adaptation actions should, for example, their food security be threatened or as sea levels rise.12

Various ethical issues arose at Copenhagen in the debates around adaptation. However, the basic ethical issue here is one of distributive justice: the poorest nations have not been responsible for causing the climate change problem but are

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11 Details of the 'Contraction and Convergence' approach can be found at http://www.gci.org.uk/
the ones who will suffer the most harm. The ‘polluter pays’ principle suggests that the wealthy countries whom have caused the problem, and who have in fact benefited from it, should now pay to help poorer countries adapt to the negative impacts of unavoidable climate change. From this perspective, adaptation funding is not just a matter of ‘overseas aid’, it is a matter of climate justice.

REDD
A major outcome from Copenhagen that invokes significant ethical issues concerns the general consensus reached around the proposed policies and measures for REDD; reducing emissions from deforestation and degradation. One set of ethical issues concerns prospects for perverse outcomes from REDD funded activities that aim to reduce emissions for deforestation but in so doing cause harm to biodiversity and local communities, especially indigenous forest dependent people. For example, the way forests are defined under REDD rules may allow natural forests to be cleared and the land converted to monoculture plantations for bio-fuels or palm oil. This would result in a massive increase in greenhouse gas emissions, the loss of biodiversity, and the degradation of ecosystem services that support sustainable livelihoods. To counter the prospects of such perverse outcomes, it is critical that appropriate safeguards are agreed to and put in place.

A second ethical issue derives from the fact that REDD is concerned with deforestation and degradation in developing countries only; not the industrialised nations. The balance of evidence suggests that REDD is no longer an optional mitigation activity. Emissions from deforestation are a significant component of total annual human emissions. To prevent dangerous climate change we need to dramatically reduce greenhouse gases emissions from all sources. However, historically, industrialised countries benefited economically from clearing their forests for agriculture; and the emissions from this deforestation have been a significant (~30%) source of the greenhouse gases that have caused the climate change problem to date\(^{13}\). Now we are asking developing countries to not clear their forests and forgo this kind of economic development. However, it is not clear how or on what basis developing countries should be compensated for the opportunity costs associated with avoiding such land conversion. Given this, one way by which REDD could be funded is for industrialised countries to pay developing countries on the basis that by protecting their remaining forest ecosystems they are providing a critical global ecosystem service to humanity.

Science and climate change ethics
The application of the scientific methodology and the use of scientific information are crucial to dealing with climate ethics issues. After all, the climate change problem and its causes is a scientific discovery. We need science to tell us about the state of the environment, the environmental impact of human activities, and the consequences of different human actions or inactions.

From an ethical perspective, the extent to which we need to act and change what we do and how we do it, will reflect in part what science is telling us about the significance of the environmental problem we face. When the science is telling us that significant harm is now occurring, we have an obligation to act to halt the activities that are causing harmful effects. When the science tells us that there is a high probability of future harm, then we are obligated to act to prevent that harm from occurring.

As Al Gore noted, the climate change problem is an ‘inconvenient truth’. However, the science is now telling us with increasing certainty about the prospects for great harm to future generations from climate change. These impacts will certainly be more than inconvenient, and for some it is conceivable they may be construed as constituting genocide. The 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide, Article 2, defines genocide to include "...deliberately inflicting on the group conditions of life, calculated to bring about its physical destruction in whole or in part..." How will future generation judge us if we choose to ignore what science predicts is likely to happen from climate change, and if our inaction results in what is effectively genocide for certain people in that it inflicts on them uninhabitable environmental conditions? Certainly, ignorance of the consequences of our inaction will not be able to be invoked in our defence. In which case, to what extent will our failure to prevent dangerous climate change be deemed to have been ‘deliberately calculated’? At the very least, future generations will have ample evidence to suggest that our decision was a conscious act of nihilism, that is, a total disregard of moral obligation.

Application of Earth Charter values and principles

As an ethical framework, the Earth Charter provides an appropriate and I suggest essential instrument for helping address climate ethics issues. If the world community is to meet the challenge of climate change then Nations must begin to balance short-term national self-interest with a greater sense of universal responsibility. This will require, among other things, an expanded understanding of the ‘community’ for whom they are morally responsible. The Earth Charter argues this community should be expanded to include consideration of people in other nations, future generations, and other species. In the absence of an ethical appeal to our universal responsibilities for this greater community of life, national governments can conclude that these responsibilities are optional rather than mandatory, and therefore they should give greater weight in negotiations to short-term national self-interest.

An important practical question to consider is from where will spring the political will to overcome inertia, vested interests and short-term obligations, and promote more enlightened policies? The social reality is that many (if not most) governments will only negotiate and ratify a new legally binding agreement to solve the global warming problem if the support of their citizens for such a major commitment is evident. In countries with popularly elected governments, the political will must come from a change in the minds and hearts of the people as expressed at the polling booth. We, the current generation, must begin to care sufficiently about future generations, people in other countries, and other species, that we demand our governments show the leadership needed to take forward international negotiations.

The Earth Charter can be used to help motivate people and governments to act with the necessary sense of universal responsibility. As a world ethic of values and principles for a more just, sustainable and peaceful world, the Earth Charter can be endorsed and used by everyone; governments at all levels, businesses, communities, and individuals. Endorsing and using the Earth Charter in education and to frame dialogue is an effective way of creating the understanding, motivation and political will needed to convince our governments to act with an expanded sense of responsibility for the greater community of life, including future generations.

The Earth Charter unpacks the meaning of the precautionary principle in ways that can help guide our actions now to prevent significance environmental harm from climate change in the future, in particular: principles 6 (b) ‘Place the burden of proof on those who argue that a proposed activity will not cause significant
harm, and make the responsible parties liable for environmental harm’; (c) ‘Ensure that decision making addresses the cumulative, long-term, indirect, long distance, and global consequences of human activities’; and (d) ‘Prevent pollution of any part of the environment and allow no build-up of radioactive, toxic, or other hazardous substances’.

Another application of the Earth Charter is to encourage the use of its principles in assessing the potential impact of policies and measures proposed for mitigation and adaptation. We need to monitor and evaluate the efficacy of these activities and ensure they do not have any perverse outcomes and bring harm to those other things we value, including the ecological integrity of forests, and social and economic justice for traditional, forest dependent people. From this perspective, the Earth Charter can be used as an assessment tool in the implementation at a national level of mitigation and adaptation programmes.

The Earth Charter also has a vital role to play in helping people understand that climate change is in reality but a symptom of a much deeper problem, namely, a fundamental lack of sustainability in how humans are living on this planet. All the actions we need to take for climate change mitigation and adaptation contribute to lessening our collective ecological footprint and increasing the resilience and adaptive capacity of communities; and both of these are necessary steps along the road towards sustainable development. Responding to the challenge of climate change through implementing appropriate mitigation and adaptation strategies will actually force us to consider more sustainable ways of living and alternatives to the current patterns of consumption and production that are exhausting Earth’s natural resources and causing climate change.

Conclusions
The world is struggling to take the steps needed to solve the climate change problem, and national governments are wavering at the very juncture when leadership is demanded as the world community struggles to find the practical collaborative solutions needed to address this difficult and shared problem. Perhaps the time has come when each person needs to take a stand and become a leader in the struggle against global warming – leadership based on an Earth Charter understanding of our universal responsibilities to the greater community of life.