

Climate Justice Concepts for a Global Treaty – an Australian Perspective

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Background

- Presently, many nations acknowledge the need to curb climate change. The question is how to best accomplish this task.
- Greenhouse gas (GHG) emissions are not constrained by national borders. Therefore, there is no doubt that global warming is impossible to solve by any one nation alone.
- Paris UN climate conference 2015 resulted in an agreement endorsed by nearly 200 countries to keep temperatures below 1.5 degrees

Background

- Global debate on GHG reduction and climate change adaptation demonstrates that a vital point of the discussion concerns justice.
- The climate change impacts justice due to the diverse and far-reaching effects that undermine the realisation of an array of human rights.
- Thus, identifying justice concepts that needs to be discussed and implemented in climate change agreement is essential

Background

- There is an argument that a range of justice concepts needs to be considered in climate change negotiations (Grubb 1999).
- Development of the global climate treaty needs to be undertaken with due consideration of the interests and attitudes of the involved countries, otherwise there is a serious risk that the treaty will be ineffective and unacceptable for some states.
- This would be the case if some of the climate justice concepts are not considered and thus might be omitted (Cameron et. al. 2010).

Justice concepts

- There is no mutual agreement on precisely what justice concepts the global climate change treaty should incorporate.
- However, there are numerous ideas and concepts discussed in the literature and endorsed by various authors, institutions and organisations.
- Climate justice can be explored through its principle or concepts, for example Bali Principles of Climate Justice include 27 concepts.

Justice concepts

- It is arguable whether all 27 Bali principles provide a comprehensive description of the term climate justice.
- Nonetheless, the Bali Principles demonstrate how far-reaching the climate justice is and how many multifaceted aspects and issues are covered by this term.
- Presently, literature does not reveal a single dominant justice theory nor it identifies a single theory that is able to address all justice concerns arising from climate change (Maguire and Lewis 2013).

Justice concepts

- The climate change inferences are multifaceted and necessitate consideration of a broad array of justice concepts.
- Therefore, the international climate negotiation shall rely upon a full range of the related justice concepts in order to develop a treaty that would be considered as effective and just by all or most of the involved parties and would produce fair outcomes.

Justice concepts

- This study's aspiration is to identify all essential justice concepts and distinguish those frequently discussed in the context of global climate change agreement.
- The list of the concepts is cautiously developed by adjusting the concepts commonly discoursed in academic literature and complementing them with the concepts used by the UNFCCC.

Justice concepts

1. **Distributive Justice** (*developed countries should pay for GHG reduction and developing countries should be compensated for their GHG reduction efforts*)
2. **Corrective Justice** (*developed countries have caused the most damage and should thus bear the main burden of GHG mitigation*)
3. **Retributive justice** (*polluter pays principle, those who cause a problem are responsible for fixing it*)
4. **Intergenerational Justice** (*present generations have major obligations to future generations including clean environment*)
5. **A rights-based approach** (*humanity have rights to a stable climate*)
6. **Common but differentiated responsibility** (*countries have common but differentiated responsibilities*)
7. **Capacity Pay Principle** (*burden of climate change should be shared on the basis of capability to pay for climate change*)
8. **Procedural justice** (*concerned with the fairness and transparency of the processes used to make decisions related to climate change*)
9. **Consequentialist approach** (*just solutions need to be economically efficient in order to minimise burdens on those who pay the costs, while maximising total welfare across the globe*)
10. **Capabilities approach** (*focusing on whether or not people have the different capabilities necessary to build a fully functioning life*)

The Delphi study

- The Delphi technique is a process for forecasting future events by means of a series of questionnaires combined with controlled-opinion feedback.
- Aim of the most Delphi applications is the examination of ideas as well as creation of appropriate information for decision-making.
- The Delphi method is a structured process for accumulating knowledge from a pre-selected group of experts via a series of surveys. The method is equipped to handle a complex problem or task in a systematic way.

The Delphi study

- The two-round Delphi study was conducted targeting a group of 31 experts, who were selected to represent different viewpoints between the specialists from various disciplines related to climate change justice.
- The membership of the panel is perhaps the most critical point in using the Delphi.

The Delphi study

- The effective selection of the panel not only maximises the quality of responses, but also provides the results of the study credibility with the wider audience.
- The group of experts composed academics from various fields including economics, law and policy, political science and others.

The Delphi study

- The Delphi study was prepared using two rounds with questionnaires and the invitation letters which were sent via email to the experts' addresses.
- The 14 experts responded to the first round representing Australia wide and internationally recognised specialists bringing high level of expertise to the study.
- In the questionnaire for the first round, the respondents were asked to think of the potential concepts necessary for international climate change treaty and then to verify and update the proposed 10 concepts from the Australian perspective.

The Delphi study

- The second question seeks participants' views on importance of those concepts. Experts were asked to weigh these concepts in terms of importance of consideration in the process of negotiation and development of international climate change agreement.
- The experts were asked to weigh each concept based on a standard rating scale 1-5, where -1 indicating not at all important or considered least necessary concept and -5 indicating extremely important, and/or most critical concept.
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The Delphi study

- During the first round, panel members were asked to add any concepts or suggestions which they believed would be imperative for the climate change treaty.
- There were none of the concepts identified as unnecessary by more than 50 percent of the participants.
- Interestingly, the lowest desirability was associated with the concept which is frequently prioritised by economists and policy-makers, namely, consequentialist approach.

First round results

- Intergenerational Justice - 4.5
- Distributive Justice - 4.21
- Capacity Pay Principle - 4.15
- Procedural justice 4.14
- Common but differentiated responsibility 4
- Corrective Justice 3.46
- Retributive justice 3.38
- Capabilities approach 3.31
- A rights-based approach 3.31
- Consequentialist approach 2.75

First round results

- 15 additional concepts identified by the experts were presented for consideration of the panel members in the second-round questionnaire with the view of obtaining further weighting/comments from experts.
- Only 'ecological justice' is considered to be essential for climate change policy evaluation by more than 50 percent of experts.
- The 'ecological justice' has been named by three experts as essential concept during the first round of the Delphi study.

Results

• <u>Intergenerational Justice -</u>	<u>4.5</u>	<u>90%</u>
• <u>Distributive Justice -</u>	<u>4.21</u>	<u>84.2%</u>
• <u>Capacity Pay Principle -</u>	<u>4.15</u>	<u>83%</u>
• <u>Procedural justice</u>	<u>4.14</u>	<u>82.8%</u>
• <u>Common but differentiated responsibility</u>	<u>4</u>	<u>80%</u>
• <u>Ecological justice</u>	<u>4</u>	<u>80%</u>
• <u>Corrective Justice</u>	<u>3.46</u>	<u>69.2%</u>
• <u>Retributive justice</u>	<u>3.38</u>	<u>67.6%</u>
• <u>Capabilities approach</u>	<u>3.31</u>	<u>66.2%</u>
• <u>A rights-based approach</u>	<u>3.31</u>	<u>66.2%</u>
• <u>Consequentialist approach</u>	<u>2.75</u>	<u>55%</u>

Results

- The findings of the Delphi study provide a set of justice concepts from Australian perspective that could reinforce the utility of the assessed concepts in the context of the global climate change treaty.
- However, further research on the climate justice concepts and its implementation into global climate treaty is needed in order to conclude on the reliability and efficacy of the findings of this study.
- Moreover, the utility of such approach could be further enhanced through a range of comparable Delphi studies conducted in other countries.

Conclusion

- Further research in this direction would facilitate a common understanding of climate justice and its concepts, besides such inquiry will be an indispensable source of information, essential for productive efforts towards global climate change treaty.

Questions?