



CLIMATE CRISIS

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Millions of people are already suffering from the catastrophic effects of extreme disasters exacerbated by the climate crisis. While we largely understand the climate crisis through the impacts it will have on our natural world, it is the devastation that it is causing and will continue to cause for humanity that makes it an urgent human rights issue. Climate change will compound and magnify existing inequalities. And its effects will continue to grow and worsen over time, creating ruin for current and future generations. The failure of governments—including the United States—to act on the climate crisis in the face of overwhelming scientific evidence may well be the biggest intergenerational human rights violation in history.

One of the biggest drivers of the climate crisis by far is our burning of fossil fuels—coal, gas and oil—which has increased the concentration of greenhouse gases, such as carbon dioxide, in our atmosphere. This, coupled with other activities like clearing land for agriculture, is causing the average temperature of our planet to increase. The world's leading scientific body for the assessment of climate change, the Intergovernmental Panel on Climate Change, stated that in order to avoid catastrophic global warming, we must not reach 1.5°C above pre-industrial levels. To avoid reaching 1.5°C, greenhouse gas emissions must be halved from their 2010 levels by 2030. Time is of the essence.

Human rights are intimately linked with the climate crisis because of its devastating effect on not just the environment but our own wellbeing. In addition to threatening our very existence, the climate crisis is having harmful impacts on our rights to life, health, food, water, housing and livelihoods. The climate crisis will continue to harm all of us unless governments take action. However, its effects are likely to be much more pronounced for certain groups—for example, those communities dependent on agricultural or coastal livelihoods—as well as those who are generally already marginalized, disadvantaged and subject to discrimination. This includes people who are being displaced and forced to flee their homes due to extreme weather events linked to climate change.

States have the obligation to mitigate the harmful effects of the climate crisis by taking the most ambitious measures possible to prevent or reduce greenhouse emissions within the shortest possible time-frame. States must also take all necessary steps to help everyone within their jurisdiction to adapt to the foreseeable and unavoidable effects of the climate crisis. Furthermore, states must not

resort to measures that violate human rights. For example, conservation areas or renewable energy projects must not be created on the lands of Indigenous people without consulting them and seeking their free, prior and informed consent.

The United States has been one of the biggest drivers of the climate crisis, and must adopt the most ambitious emission reduction targets that would enable it to reduce greenhouse gas emissions by 50% well before 2030, and reach zero carbon emissions by 2030 or as soon as feasible after that, while ensuring a just transition that enhances human rights.

RECOMMENDATIONS

- Immediately re-join the Paris Agreement and work towards submitting an economy-wide emissions reduction plan (National Determined Contribution) for 2030 well in advance of COP26, as required of all parties to the Paris Agreement. The target should enable the U.S. to reach zero carbon emissions by 2030 or as soon as feasible after that, while ensuring a just transition that enhances human rights. This target should also be reflected in federal policy and legislation. The NDC should be developed in a participatory manner, and particularly providing equal opportunities to groups at the frontline of climate impacts and/or facing marginalization or discrimination to participate. The NDC should be consistent with international human rights obligations and include relevant indicators, targets and benchmarks.
- Adopt a just transition plan that is human rights compliant to ensure that the shift towards a zero-carbon economy and a more resilient society is just and fair for all, in line with the United States' human rights obligations, and creates opportunities to reduce inequality, combat discrimination, promote gender, racial and intergenerational justice, and fulfil human rights.
- Put an end to fossil fuel subsidies immediately.
- Ensure the phase out the use of all fossil fuels within U.S. jurisdiction as quickly as possible, and no later than 2030 or as soon as feasible after that, in line with the latest Intergovernmental Panel on Climate Change (IPCC) scientific evidence and taking account of the duty of more developed countries to take the lead in climate mitigation efforts. Ensure that affordable renewable energy generated in full compliance with human rights standards is available to all. In particular, ensure an immediate phase out of dirtiest forms of fossil fuels, such as coal, peat, fracking and tar sands, with the aim to completely end their production and use by 2025.
- Cease further investments to expand fossil fuel exploration and production including the development of new infrastructure.
- Establish regulations and policy measures to ensure that businesses reduce emissions by at least 45% by 2030 compared to 2010 levels, and to zero before 2050, in line with the IPCC scientific evidence.
- Adopt laws obliging companies to respect human rights and conduct human rights and environmental due diligence on their global operations, value chains and business relationships, and establishing civil and criminal liability for damage.
- Adopt and implement human rights-consistent adaptation measures that adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.

- Ensure sufficient financing and support is in place for less wealthy countries to be able to reduce emissions, protect people facing the impacts of the climate crisis, including through stronger adaptation measures, and provide remedy for the losses and damages people have already suffered.
- In addition to taking steps domestically, the U.S. government should strongly advocate for other states to take adequate measures to protect human rights from the climate crisis, including on emission reduction, just transition, climate finance and access to remedy for loss and damage.
- Protect the rights of everyone to speak out and mobilize for climate action or the protection of land, territory and environment, including through civil disobedience. Comply with all collective and individual demands that reflect human rights obligations.
- Ensure access to domestic and international administrative, judicial, legislative or any other appropriate means to adjudicate claims of human rights violations resulting from climate change or climate-related projects and measures, including when conduct within U.S. jurisdiction harms the rights of people outside U.S. borders.

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