



COLUMBIA LAW SCHOOL

SABIN CENTER FOR CLIMATE CHANGE LAW

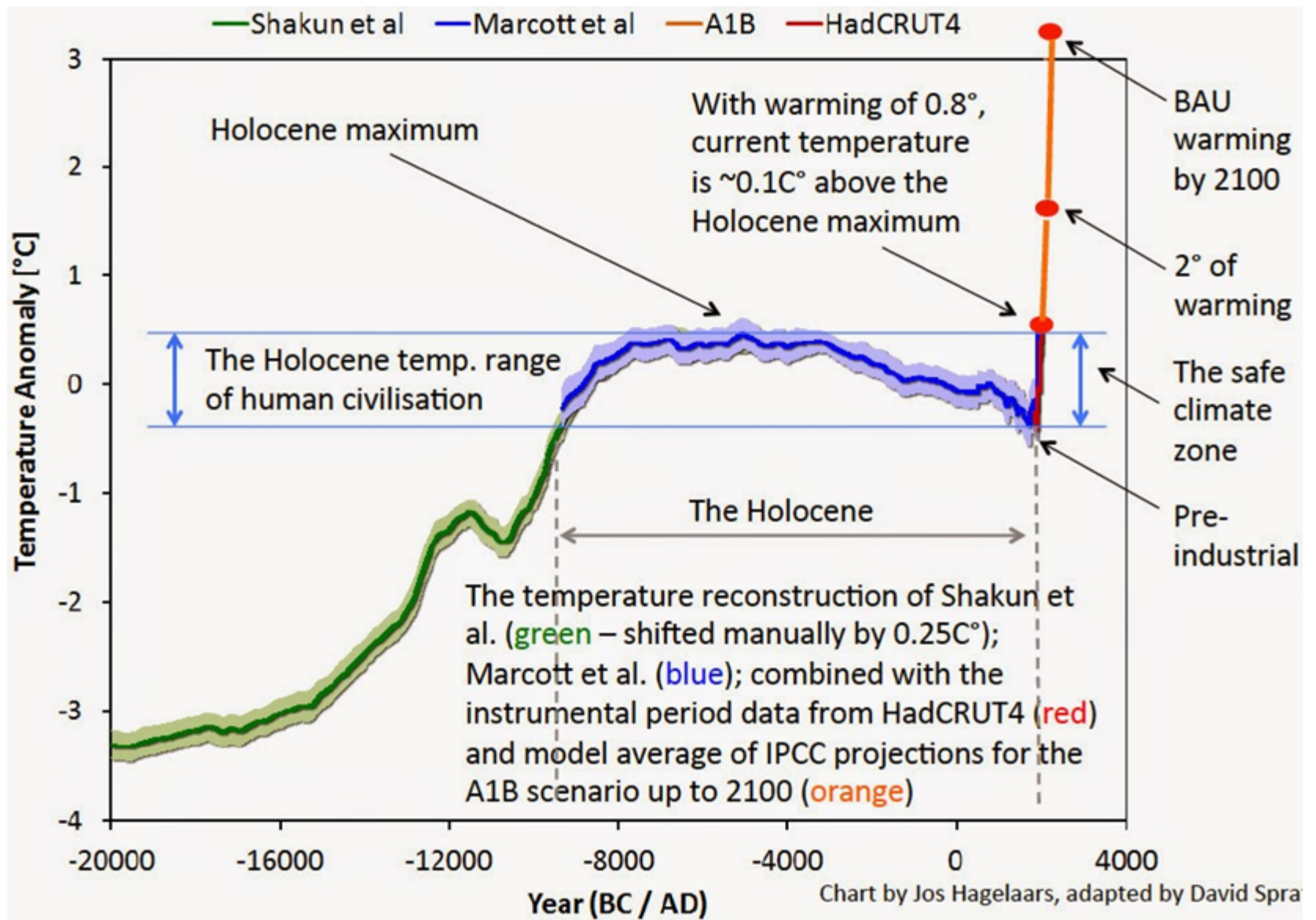
Climate Change and Human Rights

Michael B. Gerrard

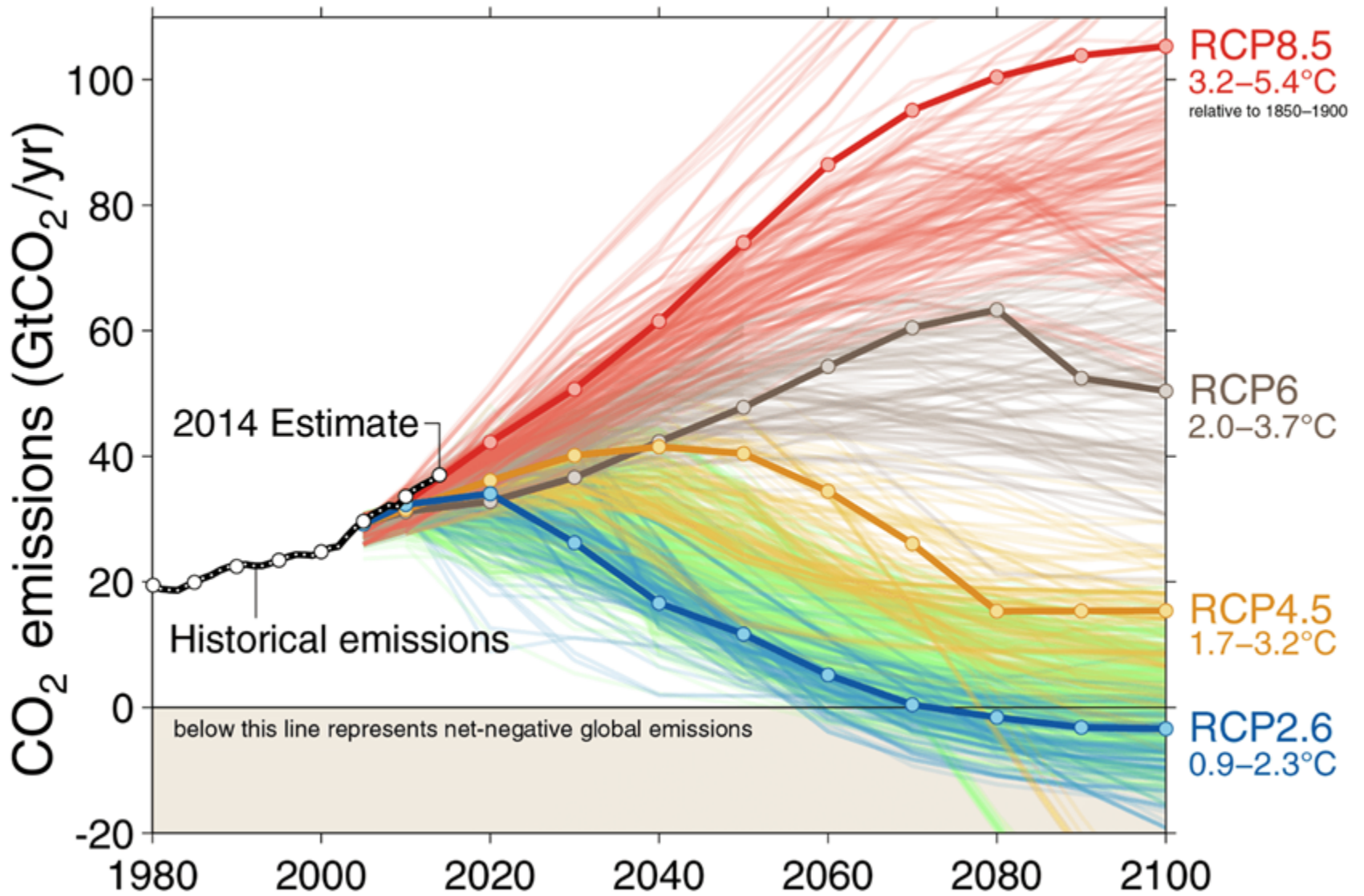
Andrew Sabin Professor of Professional Practice
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UNEP Environmental Law Seminar

July 13, 2015

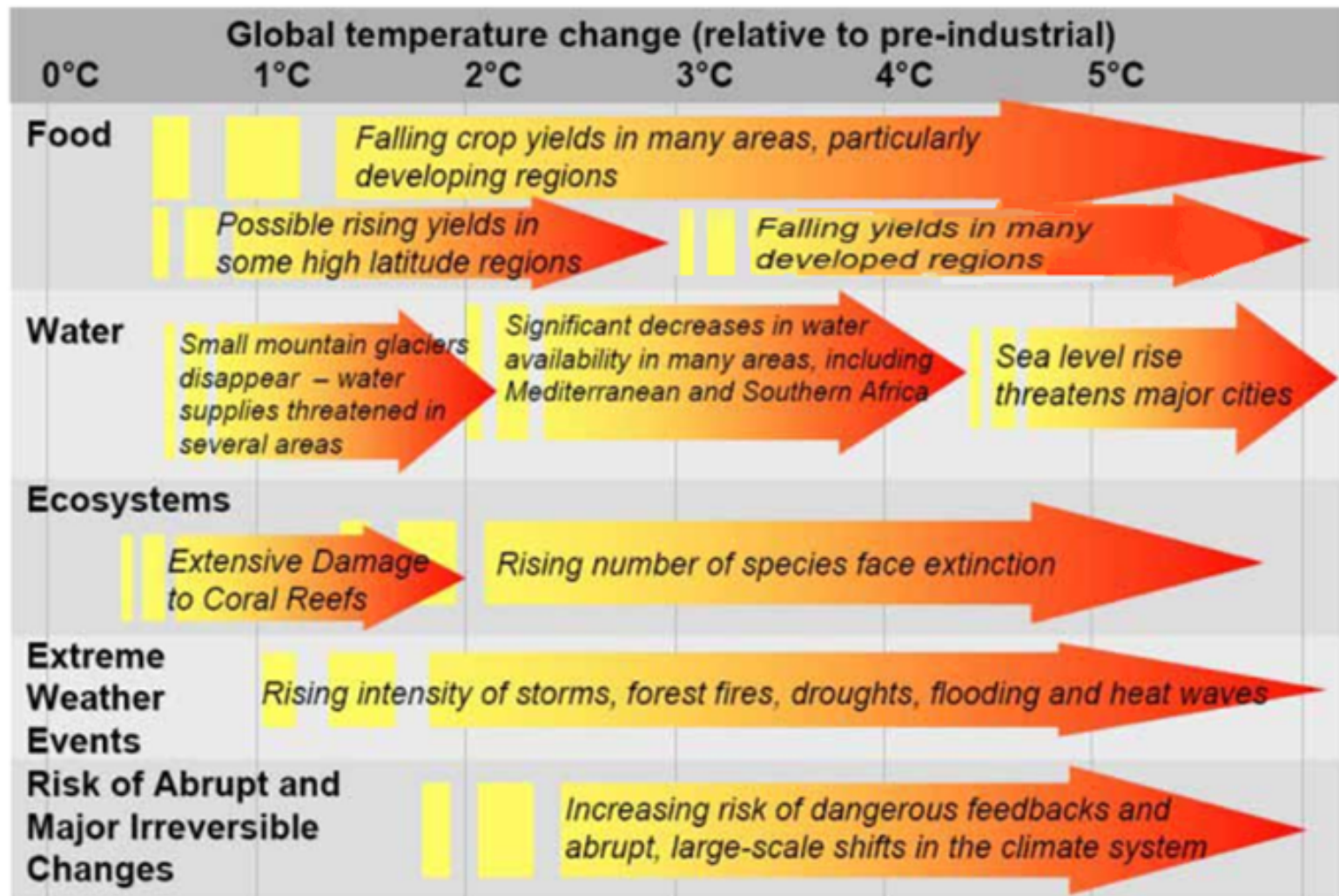


Global temperature and the Holocene safe-climate zone



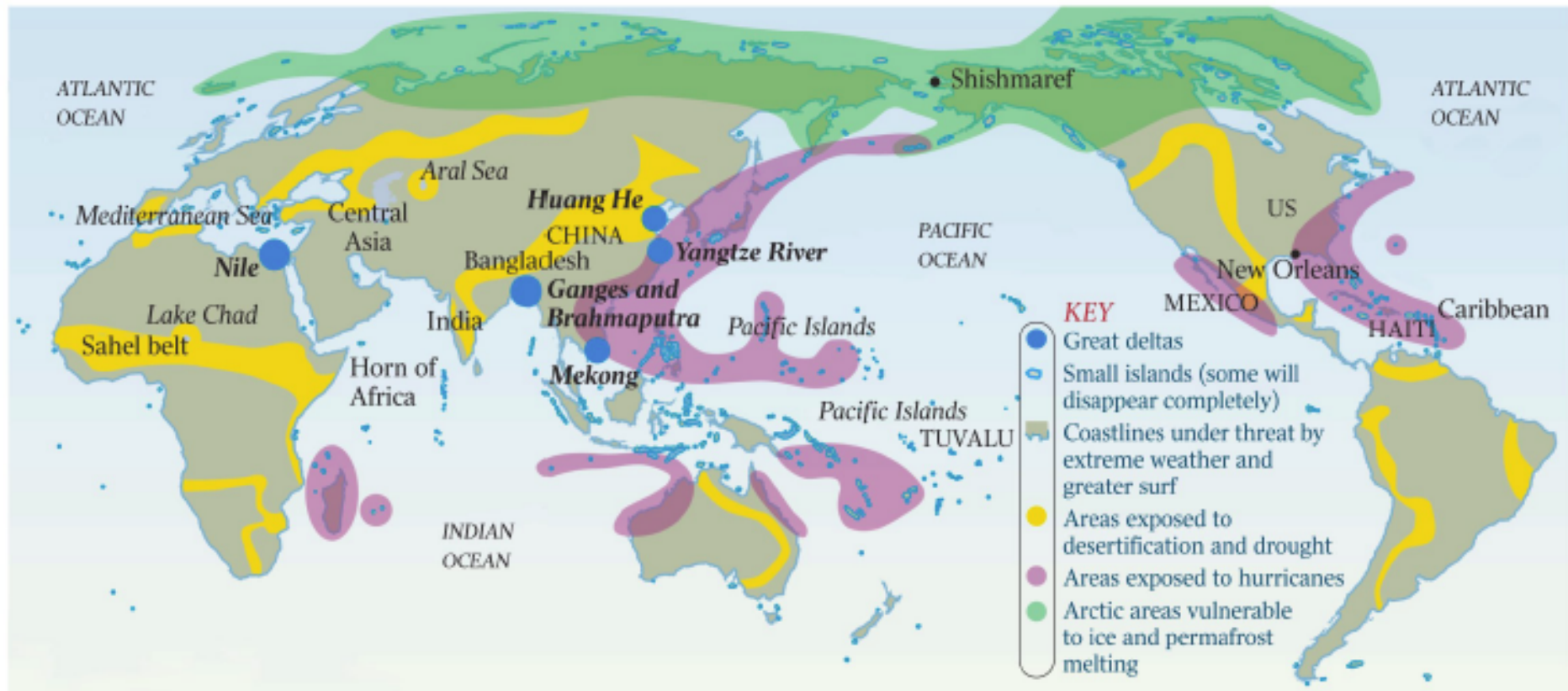
Climate change impacts

Stern Commission



From UK Stern Commission Economics of climate change 2006

2005 THE UN'S CLIMATE CHANGE REFUGEE MAP



Environmental refugees?

Sea-level transgression scenarios for Bangladesh



Increased risk of floods, potentially displacing tens of millions of people, due to sea level rise and heavy rainfall events.

Bangladesh is projected to lose about 17% of its land area with a sea level rise of one meter - very difficult to adapt due to lack of adaptive capacity

Most recent UN Human Rights Council
Declaration on Human Rights
and Climate Change
June 30, 2015

“Climate change has contributed to the increase of both sudden-onset natural disasters and slow-onset events, and ... these events have adverse effects on the full enjoyment of all human rights.”

Most recent UN Human Rights Council
Declaration on Human Rights and Climate Change
June 30, 2015

“Emphasizes the urgent importance of continuing to address, as they relate to States’ human rights obligations, the adverse consequences of climate change for all, particularly in developing countries and its people whose situation is most vulnerable to climate change, especially those in a situation of extreme poverty, and deteriorating livelihood conditions.”

Human Rights Affected by Climate Change

Right to life

- Art. 3, Universal Declaration of Human Rights (UDHR)
- Art. 6, International Covenant for Civil and Political Rights (ICCPR)

Right to health

- Art. 12, International Covenant on Economic, Social and Cultural Rights (ICESCR)

Right to food

- Art. 11(e), ICESCR

Right to water and sanitation

- Art. 11, ICESCR

Human Rights Affected by Climate Change

Right to housing

- Art. 11, ICESCR

Right to self-determination

- Art. 1, ICCPR
- Art. 1, ICESCR

Protection of the Most Vulnerable

Art. 2(2), ICESCR

Art. 2(1), ICCPR

- Women
- Children
- Persons with disabilities
- Those living in extreme poverty
- Indigenous peoples
- Displaced persons

Extraterritorial obligations relevant to climate change and human rights

OHCHR 2009

- Refrain from interfering with enjoyment of human rights in other countries
- Prevent third parties (e.g. private companies) over which they hold influence from interfering with enjoyment of human rights in other countries
- International assistance: disaster relief, assistance to refugees and displaced persons
- Ensure that human rights are given due attention in international agreements

Enforcement of Human Rights Obligations

- Factfinding tribunals
- European Court of Human Rights
- Urgenda Foundation v. Kingdom of the Netherlands