TOWARDS A POST KYOTO CLIMATE TREATY FOR CLIMATE JUSTICE

A MISSION AND PUBLIC AFFAIRS BRIEFING PAPER

On 3 December 2007 representatives from over 180 countries will gather for two weeks in Bali, Indonesia, to start negotiations on a successor to the Kyoto Protocol which is due to expire in 2012. Although no one now seriously doubts that climate change is a serious global threat, which demands an urgent global response, the negotiations in Bali will be intense, acrimonious and protracted. Recognising that securing a stable climate is a global public good will not be sufficient to achieve a robust settlement capable of limiting global warming below 2 degrees Celsius. The truth is that the international community is still some way short of reaching a consensus on the post-2012 climate regime. A gaping chasm divides North and South on crucial questions: Who should have to reduce emissions? How much? When? Who should pay for adaptation to the impacts of climate change and how much should they pay?

Closer examination of this divide suggests that rich and poor countries have diametrically opposed perceptions of 'climate justice'. Western scientists tend to be mystified as to why this life threatening issue has elicited such an anemic policy response, but many of them miss the point: responses to climate change are bound up with other social and economic issues facing nations and are fundamentally about inequality and injustice. A country's understanding of equity and justice is itself a social construct reflective of its own relative economic and political power within the international system. What a country considers to be fair and just gives rise to causal beliefs, principled beliefs, and world-views that in turn leads to polarised preferences and divergent expectations.

In *Climate Change – Not Just a Green Issue* (MPA Briefing, July 2007*)*, it was argued that the impact of climate change is likely to create new vulnerabilities, the causes and distribution of which are unfair. Although these issues will be key features at Bali, this briefing paper examines the scientific and political challenges facing Bali. It suggests that actions taken to respond to climate change can themselves have important justice implications because their benefits and costs are frequently distributed in ways that consolidate or exacerbate existing vulnerabilities and inequalities. The briefing paper suggests that the likelihood of securing a just and equitable treaty depends in part on moving beyond particularistic notions of justice to an understanding of overarching justice, which helps to transform our relationship with each other and the natural world.

The Bali Challenge

Before addressing the question of what a just and equitable post-2012 would look like, it's important to remember the urgency of the environmental challenge facing the Bali delegates. It is now accepted that a business as usual model will see global greenhouse gas emissions rapidly accumulate in the earth's atmosphere over the next century. If left unattended global average temperatures will almost certainly rise by 1.4-5.8 degrees Celsius. Total global emissions stood

at approximately 6 billion tons of carbon equivalent (GtC) per year in 1996. By 2004 that figure had risen to 7 billion GtC. To avoid dangerous anthropogenic interference with the climate, it will be necessary to cap atmospheric C02 concentrations at somewhere between 450 and 550 parts per million. This equates to roughly 9.4 billion GtC per year. Under a business as usual model, we are likely to reach 9.8 GtC by 2020. Stabilising the figure at 9.4 billion GtC or limiting the rise in average global temperature to below 2 degrees Celsius will require an extraordinary effort that is without precedent in global environmental politics.

Developed countries are responsible for the current accumulated stock of carbon dioxide in the atmosphere, but increases in future emissions will primarily take place in the developing world. Two factors explain this predicted increase: economic growth and demographic change. Developed countries are on track to register roughly 1 per cent annual economic growth, yet developing countries are already pushing 3.5 per cent. This trajectory is expected to remain constant for the next decade. At the same time, the global population is expected to expand from 6 billion to anywhere between 8 and 12 billion over the next century. The main source of this demographic growth will take place in the developing world. These two virtually unstoppable forces are set to increase non-Annex 1 carbon emissions, (i.e. those countries currently exempt from having to make emission reductions under the Kyoto Protocol), from 31 per cent of the total in 1990 to 60 per cent in 2030. Stated differently, the trends in economic and demographic growth will likely force us into a 9 or 10 billion GtC by 2020. This would push the climate perilously close to tipping point.

The existing international climate regime is insufficient to deal with the scale of the envisaged problem. In 1992, the United Nations Framework Convention on Climate Change (UNFCC) was adopted as the basis for a global response to the problem. The Convention called on nations “to protect the climate system … on the basis of equity and in accordance with the common but differentiated responsibilities and respective capabilities.” Developed countries agreed to a non-binding target of reducing their GHG emissions to 1990 levels by 2000. They failed to achieve that goal. The 1997 Kyoto Protocol attempted to turn this voluntary commitment into a binding one. Under the Protocol, 35 industrialised countries committed themselves to reducing their emissions by an average 5% by 2012 against 1990 levels. The EU committed itself to a collective 8% cut. However, even with full implementation, which on present evidence looks unlikely, these collective arrangements will result in reductions of less than 5% of developed countries’ GHG emissions. Global emissions will continue to rise precipitously. Climate change will continue, virtually unabated, short of new and much more aggressive cuts in CO2 emissions.

If the scientific challenge is daunting the political obstacles to securing a robust enough climate settlement look equally unmanageable. The scientific evidence suggests that a political settlement without the full participation of developing countries is meaningless. Bali, however, will not take place in a political vacuum. It will be informed by the legacy of past international environmental negotiations and the declining levels of

generalised political trust between North and South. Despite the strenuous efforts of rich countries to separate climate and development issues, development concerns have repeatedly surfaced at every environmental conference. Developing countries will never meaningfully participate in a global climate agreement that flouts their development needs. They have become keenly aware of their bargaining power in international climate change negotiations and have shown an ability to walk away from negotiations. They have repeatedly shown their willingness to resort to zero-sum, retaliatory tactics.

One of the marked characteristics of past international climate negotiations has been the non-cooperative behaviour between North and South. Until the last few years when Europe clearly diverged from the US position, developed countries generally sought global restrictions on emissions reductions with flexible mechanisms for their implementation. They argue that since GHGs originate all over the world, all countries, at least all the large ones, need to be part of the emissions reduction efforts. Some rich countries argue that a climate agreement that excludes developing countries is unfair and meaningless since non-Annex 1 emissions will increase exponentially over the next few decades. Some have also suggested that if they continue to bear the weight of sustaining global economic growth and international financial stability, it would be both unfair and unrealistic to expect them to make sharp and immediate reductions in their carbon emissions.

In contrast, developing countries have suggested that their per capita emissions of GHG, particularly CO2, remain very low relative to their developed counterparts. What is more, it is the industrialised developed countries that have benefited from past emissions of GHGs. It is the responsibility of the developed countries, therefore, to reduce their emissions of GHGs, while they allow the countries of the Global South to focus on economic development. The developing countries also, by definition, have far weaker economies and often-widespread poverty. It follows, they argue, that they ought to be allowed to raise the living standards of their citizens without being constrained by costly measures to reduce GHG emissions. These same economic constraints often mean that developing countries have lower adaptation capacity to climate change than heavily industrialised countries, which suggests the need for compensation by the provision of new and additional aid.

From the outset, therefore, global environmental negotiations have been characterised by high levels of preference heterogeneity and deep discord. Even when rich and poor countries can agree on general fairness principles the preference heterogeneity generated by global inequality aggravates disagreements about how to make those principles operational. Developing countries have interpreted the “common but differentiated” language of the UNFCC with great precision: industrialised nations would need to take the lead by cutting their emissions and transferring large sums of environmental assistance to the South to fuel green development paths. Developed countries have been more selective in their interpretation. Before the ink had even dried on the UNFCC agreement developed countries began to back-pedal on their promise of massive technology transfer and technical assistance to the developed

world. The estimated price tag for sustainable development in the Third world was $625 billion a year with the North supplying about 20% of the total cost in grants or below-market rate loans. In the end, developing countries delivered less than one–fifth of that promised.

Similar disputes have plagued subsequent rounds of negotiations. Differences were briefly solved with the 1995 Berlin Mandate and the affirmation of the principle of "common but differentiated" responsibility. In 2001 parties to the Kyoto Protocol agreed the Marrakech Accords, a complicated mix of measures for implementing the Protocol, largely designed to garner ratification from enough states to allow the Protocol to come into effect. Parties agreed to increase funding to the UNFCC's Global Climate Change Fund and to establish three new funds that would provide additional aid to poor countries: the Least Developed Countries Fund, the Special Climate Change Fund, and the Adaptation Fund. As in 1992, however, these pledges were only partially honoured and subsequent disputes emerged as to the mechanisms by which poor countries could access the funds.

Despite the best efforts of developed countries to compartmentalise the climate change problem, and dodge what they perceive to be secondary concerns (e.g. trade, aid, investment, debt and intellectual property rights), poorer nations have persistently sought to smuggle development issues back into the negotiations. If anything, countries living under conditions of poverty, domestic unrest, and structural vulnerability to international economic and political conditions care even more about these issues today than they did when climate negotiations began in the early 1980s. There is an inclination amongst developing countries to see the position of developing countries as one akin to environmental imperialism, with developed countries using the environmental agenda to pull the development ladder up behind them. Although the North might see this position as nothing more than an unfounded distraction, it nonetheless impacts upon the negotiating behaviour of developing countries. To be clear, this is much more than a general sense of frustration with the slow pace of development. It reflects a widespread perception that the rules are continually being rewritten unilaterally by the industrialised countries in order to enrich themselves at the expense of the South, and that the structure of the world system is largely to blame for their grinding poverty and chronic vulnerability.

To summarise, Bali will take place in the context of an ongoing development crisis and what the Global South perceives as a pattern of Northern callousness and opportunism in matters of international political economy. It will take place at a time when the concerns of poor nations regarding fair processes and fair outcomes have frequently been marginalised. The Millennium Development Goals, and with it the commitment to cut poverty in half by 2015, now look elusive, while the dividends to be accrued from the Doha Trade Round have yet to be finalised and distributed. This sense of injustice is compounded when wealthy nations appear to flaunt environmental treaties by failing to cut emissions, resist limits on their conspicuous consumption, fail to transfer promised technology and environmental assistance and seemingly undermine developing countries' right to

development in the short and long-term.

Sharing the Burdens of Climate Change: Towards International Equity and Justice in Climate Negotiations

To an outside observer, resolving the crisis of global climate change should be a relatively straightforward proposition. It should be a matter of rational measurement of the atmosphere, giving equal shares of its capacity for absorbing greenhouse gasses to all humans and assigning responsibility to individuals based on what they have put into it. This, after all, is a basic rule of civil justice or even kindergarten ethics that those responsible for creating the problem should be responsible for their share of cleaning up the mess. Yet, internationally, this simple question of who is to blame for the problem leads to a host of contentious issues. The question of what constitutes a 'just' or 'fair' settlement is fairly elastic and subject to political manipulation depending on the context in which a particular country finds itself at any given time. In short, we live in a morally ambiguous world where social understandings of fairness, are 'configurational', depending on a country's position in the global hierarchy of economic and political power.

The following analysis addresses the question: What are the different ways of accounting for responsibility? It is built around an examination of four yardsticks that have been proposed for measuring responsibility for carbon dioxide emissions. Each method reflects a different set of principled beliefs and focuses on a different set of nations as most responsible. Politicians have used these yardsticks to defend their positions on what they believe to be fair and just. Not surprisingly, there are almost as many 'fairness' arguments as there are negotiating blocs.

Grandfathering

The 1997 Kyoto Protocol reflects the grandfathering principle – that nations should reduce their emissions incrementally from a baseline year, in this case 1990. Large emitters therefore had their high discharges of green house gasses 'grandfathered' in, with relatively minor adjustments averaging 5.2%, for the foreseeable future. This approach was decided upon for its political expediency and reflects the position of many developed countries that argued that 'national circumstances' and economic hardships affect their ability to make deep and immediate reductions. The grandfathering system does not as yet apply to developing countries, but if it did, it would have the effect of punishing late developers.

Many have argued that the grandfathering system is amoral because it reflects a country's political power within the international system. However, it does involve three understandings of justice. Entitlement theories of justice, both in their libertarian and Marxist forms, hold that individuals are entitled to what they have produced and in the context of climate change, grandfathering embodies this principle. It also exemplifies the justice principle of proportional equality – that nations are unequal and therefore should be treated unequally. The 1990 baseline and the exemption of developing countries from Annex 1 is recognition of this principle. Finally, grandfathering represents the pragmatic principle that if we can solve the problem then we are nearer to a just solution, than if we

hold to an unrealised utopian plan. This third principle needs, however, to be set against the realisation that since 1997 emissions have increased in most countries and in some countries quite substantially. Few nations are on target to meet even the modest emission reductions as proposed by the Kyoto Protocol.

Carbon Intensity

The carbon intensity approach, introduced by the World Resources Institute and favoured by the US since 2002, calls for voluntary changes in energy efficiency to drive emissions reductions. The US adoption of this model reflects the international pressure it came under to come up with a more politically acceptable solution following its rejection of Kyoto. In this approach the goal is to provide for strong economic growth with as few CO2 emissions as possible. Accompanying the US adoption of this position, the White House Press Release stated: "A goal expressed in terms of declining greenhouse gas intensity, measuring greenhouse gas emissions relative to economic activity, quantifies our effort to reduce emissions through conservation, adoption of cleaner, more efficient and emission-reducing technologies and sequestration. At the same time, an intensity goal accommodates economic growth".

The carbon intensity approach could be seen as an outgrowth of Bentham's utilitarian theory of justice. This holds that mutually advantageous and cost effective solutions are also just solutions. Since everyone is worse off in the absence of aggregate net benefits, utilitarians argue that inefficient solutions are also unjust. From this perspective, the fair solution to climate change involves stabilising the climate as cost effectively as possible while maximising economic growth. It follows that since developing countries provide the most cost-effective opportunities to reduce CO2 emissions, efforts to stabilise the climate should focus predominately on developing countries by providing them with green development paths.

Seen positively, the carbon intensity approach focuses attention on the question of how economic growth will be maintained while minimising the impact on the climate. Some have argued that the carbon intensity approach is attractive to developing countries since it does not place a hard cap on their emissions and therefore does not curtail their right to development. Seen negatively, the carbon intensity approach places no real restrictions on future emissions, nor does it grapple sufficiently with existing emission stocks or the exported emissions caused by the policy of 'offshoring'. As with grandfathering, carbon intensity has the effect of departing from the status quo without placing radical demands on heavily industrialised nations.

Per capita

India, China and the Group of 77 (in reality a group of about 133 nations), with the support of the EU, have developed and advocated a series of proposals that account for CO2 and other GHG on the basis of a simple egalitarian principle. Simply put, the per capital model holds that every human has equal rights to the global atmosphere, and therefore allocations of how much each can pollute should be done on a per capita basis. This approach places developed countries at a distinct disadvantage since they already far exceed the stabilisation target of roughly one metric ton of carbon equivalent per capita. Poor countries obviously stand to gain quite

substantially from this approach since their existing levels of income and industrialisation place them well below the one metric ton threshold.

Since it is difficult to imagine any rapid convergence between nations at opposing poles of the emissions spectrum, the per capita approach holds that low emission countries would be able to trade their unused allowances in exchange for funding or technical assistance through the Kyoto Protocol's Clean Development Mechanism, and other emissions trading mechanisms. Disagreements still exist as to the appropriate size of the global emissions budget, but even on conservative estimates it would entail a drastic cut by rich nations and a commitment sooner rather than later for poorer countries to slow and in time even reduce their rate of emissions.

The key question surrounding the per capita approach is its political feasibility. Although egalitarian principles played a prominent role in the UN Convention on the Law of the Sea negotiations, many believe the application of this principle to climate change negotiations to be politically explosive and economically inefficient. The US has consistently held that the per capita approach, or more specifically a contraction and convergence proposal, is politically a non-starter. Despite this opposition, it remains the most politically prominent contender for any specific global formula. It has general support from the EU with the European Parliament advocating in 1999 a "progressive convergence towards an equitable distribution of emission rights on a per capita basis by an agreed date in the next century".

Historical Responsibility

The polluter pays principle has been a feature of domestic and international environmental law for more than thirty years. This principle has at times been espoused by developing countries such as Brazil, who argue that a country's reduction of GHG should depend on its relative contribution to the global rise in temperature. Since CO2 stays in the atmosphere for 100-120 years, it is important to take account not only of future emissions, but all of the damage done by past emissions. The political implications of this are obvious. Given their tiny contribution to the existing C02 stock, it is hardly surprising that developing countries have been strong advocates of this approach.

In 2000, at their South Summit in Havana, the G-77 submitted the following statement as part of a larger manifesto: "We believe that the prevailing modes of production and consumption in the industrialised world are unsustainable and should be changed for they threaten the very survival of the plant … We advocate a solution for the serious global, regional, and local environmental problem facing humanity, based on the recognition of the North's ecological debt and the principle of common but differentiated responsibility of the developed and developing countries". Despite the simplicity of the message, the proposal has failed to gain much traction in the wider international community. It is seen as politically unfeasible, and lacking operational clarity and transparency.

Negotiated Justice

The four differing approaches addressed above could be placed along a hypothetical principled beliefs spectrum, with poor and rich nations holding diametrically opposed views of climate justice. The position of a

country along the spectrum reflects its own position in the global hierarchy of economic and political power. Divergent principled beliefs are a consequence of more fundamental root causes: in particular incongruent worldviews and causal beliefs, persistent global inequality and an enduring deficit in North-South trust. If this analysis is accepted, then it is unlikely that a North-South fairness consensus will spontaneously emerge at Bali on the basis of one of these four approaches. One of the positions might emerge as a frontrunner, but even a majority position will not secure the necessary level of support required for a new international climate regime. Strict adherence to a particularistic notion of justice might exacerbate the existing stalemate.

What is perhaps needed is a moral compromise or a 'negotiated justice' settlement, involving an optimal mix of principles that will assist rich and poor countries to overcome barriers to cooperation. A number of compromise proposals have emerged in recent years. One proposal, the 'preference score' method combines the gandfathering and per capita approach through a voting system. This proposal allows each nation, weighted by its population, to chose the methodology that it prefers. Each global citizen's 'vote' is then used to calculate national carbon emission allowances. An alternative approach is that developed by the Pew Centre for Global Climate Change that assigns responsibility based on past and present emissions, carbon intensity and country's ability to pay. This separates the world into three groups: those that 'must act now', those that 'could act now', and those that 'should act now but differently'. The University of Utrecht has devised an alternative model. Under their 'triptych' proposal, they divide each country's economy into three sectors with the carbon intensity approach applied to the energy-intensive sector, decarbonisation targets to the power generation sector and the per capita approach to the domestic sector.

Although hybrid proposals look a promising way forward, it is important not to get too bogged down with the intricacies of a particular model that one loses sight of the overall picture. Simply asserting that a negotiated justice settlement is necessary avoids the more central question of whether and to what extent an agreement must favour rich or poor nations. More important, perhaps, than the adoption of any 'negotiated justice' proposal, is the *a priori* recognition by policy makers that they need to redouble their efforts to allay the mutual fears and suspicions outlined above. Breaking the Bali impasse, or the North-South stalemate on climate change will most likely require unconventional, even heterodox, policy interventions.

Unless we can move from a 'worldview gap' between North and South to a 'shared worldview,' progress at Bali will be slow and painful. Negotiating a 'shared worldview' will require the North to consider forming equitable constructive, long-term partnerships with Southern nations and helping them to tailor country-specific and sector–specific development strategies and climate policies to local conditions, culture, institutions, knowledge and technologies. As important, rich nations will need to promote policies that explicitly signal concern for the structural obstacles facing developing countries. Developing this 'shared worldview' will necessitate a movement away from particularistic understandings of

justice, representative of vested interests, to a shared understanding of justice that transforms the relationship between North and South and in turn the relationship with the natural world.

Case Study – International Equity and Justice in European policy

If the above analysis has shown anything, it is that normative-ethical considerations like international environmental equity, fairness and responsibilities, notions not commonly considered as essential to international discourse or foreign policy are absolutely central to efforts to address global climate change. Most economically developed countries – particularly those in Europe – now at least accept this proposition, even if they have differing understandings of what these terms mean in practice. The following analysis takes the EU as a case example since Europe is now seen as a global leader on climate change. What ways do ideas about global justice shape and inform European policies on climate change? Are European countries, and is the EU as an organisation and community, doing enough to share the burdens of climate change?

The EU's Climate Change Programme (CCP) explicitly acknowledges that equity is "fundamental to the climate challenge". First, it is a legal imperative based on the UNFCC's obligations to act based on equity and common but differentiated responsibilities. Second, it is a moral imperative: "Citizens of the global community face a moral compulsion to engage on the basis of justice and equity. As global interconnectedness grows through globalisation and shared environmental and geopolitical challenges, the moral imperative becomes further strengthened" (CCP 2004). Third, it is a political imperative because the nature of the problem requires some countries to take the lead because "countries will only participate if they perceive that climate regime to be equitable" (CCP 2004). Fourth, it is a practical imperative because "the challenge of climate change may only be practically resolvable if equity – in its strongest sense – is addressed. Both pillars of addressing climate change – mitigation and adaptation – rely on a fundamental recognition of equity and sustainable development. The practical imperative inextricably merges the sustainable development goals of the South with the global climate challenge" (CCP 2004).

To what extent, therefore has this principled position shaped the EU's position at international climate negotiations? Both in the negotiations resulting in the 1992 UNFCC and the 1997 Kyoto Protocol the EU consistently argued for an international agreement based on binding emissions targets and timetables, premised on the understanding that the industrialised states should act first by cutting domestic emissions. In so doing the EU played a valuable role in persuading other developed nations to join a new green house gas regime on principles broadly acceptable to the Third World. The Commission has repeatedly acknowledged, however, that large developing countries would need to be brought on board in the future if the climate change regime was to be made truly effective, but it accepted that the extent to which developing countries did this was dependent on industrialised countries "making good" on commitments to cut domestic emissions and provide the necessary financial resources and

transfer of technology to developing countries.

To what extent therefore has the EU "made good"? The Emissions Trading Scheme (ETS), the flagship of the EU's Climate Change Programme, has had limited impact on reducing GHGs. If the EU does meet its Kyoto Protocol targets, and this is far from certain, it will be because of the bilateral and progressive actions taken by Britain, Germany and Sweden, rather than because of any collective Europe-wide effort. Even if the EU cuts are fully realized, they are in the order of only one-tenth of the effort that is required of Europe. Aware that more stringent cuts will be necessary, the EU announced in June 2007 that it would undertake a 'unilateral' 20% reduction below 1990 levels in GHG emissions by 2020. It promised a possible 30% reduction below 1990 levels by the same date provided that, as part of a global and comprehensive post 2012 agreement, other developed countries commit to comparable reductions and advanced developing countries also contribute adequately to the global effort according to their respective capabilities.

A similar mixed picture emerges in terms of the provision of financial and technological aid to developing countries. Europe has taken steps to mainstream climate change into its overseas development policy, but it is difficult to provide an objective assessment of these efforts since they remain at an early stage. The European Commission recognises that more needs to be done in this area. In September 2007, the Commission announced the formation of a Global Climate Change Alliance (GCCA), to facilitate enhanced dialogue and cooperation with developing countries on climate change. In addition to fostering dialogue, and structuring policy expectations, the Alliance would support developing countries through targeted mitigation and adaptation measures such as concrete pilot projects that help integrate adaptation activities into key sectoral policies. As with the Commission's pre-emptive announcement ahead of Bali as to its willingness to cut emissions by up to 30% by 2020, the GCCA revelation appears designed to create a favourable negotiating atmosphere at Bali, by underlying its own willingness to act progressively.

That Europe has started to recognise its responsibilities is demonstrated by the repeated official declarations, its diplomacy over more than a decade, and actions on the part of several Member States to reduce and, in the case of many laggards, at least limit their business as usual GHG emissions. However, recognising one's responsibility for harm to others is only the first step. The stated policies of Europe often mirror, to varying degrees with several conceptions of fairness and equity. The actual behaviour of European governments and the EU, while clearly moving in the right direction, is more difficult to asses, in part because it has only just started. It seems safe to say that Europe is more willing to do the right thing than other developed countries. Without overstating European actions, Europe has gradually developed a more equitable attitude toward the developing world than have most developed countries in the field of climate change. Europe has certainly been a leader in this respect, but it has not done enough, and it has a long way to go before its actions make a big enough contribution to robustly reducing GHG emissions, addressing the suffering from climate change in the developing world, and helping

developing countries advance in ways that will be less harmful to the planet in the future.

Conclusion

The scientific evidence is clear: to secure a stable climate CO2 emissions must be cut by at least 60%. The existing international climate change regime as provided for by the UNFCC and the Kyoto Protocol are insufficient to deal with the scope of the problem. Explicit within the existing international climate regime is the notion of common but differentiated responsibilities, with the economically developed countries taking the lead in addressing the problem and its effects. Agreement on common principles has been easier to achieve than agreement in practice. In simple terms equity means the quality of being fair, impartial or even-handed in dealings with others. People will, of course, disagree about the precise definition or content of fairness and equity. Indeed, that is arguably much or even most of what the climate change negotiations over the last two decades have been about.

Mapping existing understandings of justice and fairness in the field of climate change suggests that they are 'configurational' and reflective of wider inequalities. As one climate change advisor to the India government noted: "The basic concern of the developing countries is not whether or not to initiate the mitigation actions, but how the mitigation burdens will be distributed among nations. This is a justice issue, concerned with an equitable distribution". In the final analysis, what constitutes a fair and equitable sharing of global climate change burdens will be the result of political bargaining among states, and other influential actors, such as corporations and nongovernmental organisations. Power does not make right in this circumstance, any more than others, but bargaining and, yes power, plays a role in determining which normative principles actually shape outcomes. Yet, unlike other international negotiations, the distribution of power between parties is not asymmetrical. Developing countries are unlikely to substantially reduce their emissions simply because wealthy countries want them to do so.

This is an area where perhaps religious leaders can help shape the wider public and political debate. Faith communities and wider civil society for instance played a crucial role in helping to reform the international debt regime, by essentially changing the discourse from a purely economic issue to a moral and religious one. This led to strategic partnerships, or insider-outsider networks, with key governmental and non-governmental actors. In so doing they changed significantly the size and scope of debt relief, changed the rules of the debt regime, redefined the purpose of debt relief and ensured that the funds freed up by debt relief were spent on reducing poverty.

There are indications that a similar inside-outsider network is developing around the issues of climate change, ecological debt, and even contraction and convergence to a per capita accounting scheme for allocating greenhouse gas emissions. The G77 and a coalition of more than thirty Western NGOs, policy institutions and think tanks, many of whom were instrumental in the debt debate, have begun to push for some remuneration of the ecological debt. Gordon Brown, Al Gore, James Wolfensohn and others have also signalled potential support for climate justice and payment of the

ecological debt. However, these coalitions and insider-outsider networks concerned with issues of fairness and justice face an obstacle in climate change that did not exist in the case of debt relief: support for an equitable solution may cut deeply into Western taxpayers' pocketbooks.

While noting the efforts to find a 'negotiated justice' settlement, this briefing paper suggests that a 'transformatory justice' model might assist in bridging the environment – development gap. Securing a stable climate is in part dependent on addressing the conditions of generalised mistrust, structuralist causal beliefs and worldview that continue to mark climate change negotiations. Churches can contribute to this process by drawing on their own understanding of mission as transformation. From a Christian perspective, God's love for justice is grounded in God's love for the victims of injustice – for those who are morally violated, morally injured. This love leads God to enjoin us to do justice. "Follow justice and justice alone", says Moses in his farewell speech, "so that you may live and possess the land the Lord your God is giving you (DT. 16:20). And, in a passage which by now has entered deep into the consciousness of humanity, God says through Amos: "Let justice roll on like a river, righteousness like a never failing stream." The language of Amos reminds that justice is closely related with peace – or better, with what the Hebrew writers called shalom. To experience shalom is to flourish in all ones' relationships – with God, with one's fellow human beings, with the non-human creation, with the land, and with oneself. Now, that sounds amazingly like a recipe for climate equity!

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November 2007