5. Environmental issues, conflicts and ecological transition in the global world



### Environment, ecosystem, geosystem and economic system

Environment set of relationships and conditions that allow the life of living beings a certain space of the earth's surface.



living beings

physical systems

Ecosystem of plants and animals, connected to each other and to their physical environment (rocks, soil, climate, water) by a web of relationships necessary for their survival.

Geosystem as a whole of our planet, whose parts (lithosphere, hydrosphere, biosphere hydrosphere) are linked together by flows of matter and energy and function as a system, kept in balance by a series of cycles

Economic system subset of the geosystem

### The time of human societies

the long times in human history are of the maximum order of a few thousand years

the times of human life are short they are calculated in tens of years

•the times of the economy are even shorter, because they are linked to the economic balance sheets of the companies on which the market economy is based.



The economic system feeds a circulation of matter and energy according to times and methods different from those of the ecosystem itself and this causes alterations to the environment. Reversible : can be reabsorbed by rebalancing feedbacks



Irreversible : remove the environment from its equilibrium definitively and therefore have destructive effects on it, in the short or long term. Anthropogenic action on terrestrial ecosystems has given rise to various phenomena such as: global climate change, the deforestation and desertification of large areas of the planet, the multiplication and growth of forms of pollution, which have contributed to the worsening of humanitarian crises, the outbreak of wars, forced migration and the spread of chronic diseases due to exposure to pollutants.

The evolution of environmental thinking shows the alternation of different interpretative and operational paradigms.



#### **Evolution of environmental thinking**

#### Origins of environmental thinking



### Roots of modern environmental thinking

#### Romanticism

nature as a crucial part of the human inner voice natural as source of moral order (J.Rousseau, J. Herder, J. von Goethe...)

#### Transcendentalism

closeness to nature, simple life (H. Thoreau. A.Just...)

#### Colonialism

the European encounter with the tropics (A.von Humboldt, R. Grove...)

#### Conservationism protecting nature **for** development (G.Marsh)

Preservationism preserving nature **from** development (J. Muir)



BOSTON: TICKNOR AND FIELDS. M DOUGLIN.

Photo: Wikipedia



<u>Caspar David Friedrich</u> <u>Viandante sul mare di nebbia</u>, 1818 Photo: Wikipedia

### Scientific Ecology



1935 ecosystem (A. Tansley): includes biotic and abiotic world

The first ecologists formulate a comprehensive and organic view of the ecological system dynamics: the analysis of plant ecology, organised in vegetal communities, the analysis of trophic and demographic relationships among animals and the analysis of energy flows in chemical and physical terms. In the 20<sup>th</sup> century, precisely during the 30s, ecologists define their peculiar studying subject with the formulation of the concept of "ecosystem" (biotope and biocoenosis as a whole). The concept of "ecosystem", formulated by the ecologist Arthur Tansley in 1935, allows for the fusion of three large research trends: vegetal ecology, animal ecology and studies on the inorganic world. It is from that definition that the dialogue between sciences of nature and System theory becomes fundamental to the new ecosystem view.



Photo: National Geographic

General System theory by L. Von Bertalanffy 1937



Ecosystem Ecology:aiming of clarify the natural cycles structure, the mechanisms of homoeostatic control in the ecosystem (Cybernetic) ; human activity and its effects on ecosystems

1960

(E.Odum, R. Margaleff, G. Hutckinson...)

Global Ecology ("the Gaia hypothesis"):The Earth is a complex cybernetic system able to resist to perturbations. The stability of Gaia is due to the existence of global control mechanisms that use the living processes of plants and animals to regulate climate, chemical and geological composition of the Earth. Neverthless Lovelock is optimistic about Gaia's capacity to metabolise polluting functions, he also realises that it is not possible to ignore the catastrophic consequences of human activity.

1970 (J.Lovelock, L. Margulis)

The environmental issue emerged in the Western world in the 1960s as a collective cultural elaboration relating to the possibility of preserving (where possible) or restoring the natural balance and functioning of ecosystems threatened or already compromised by the processes of industrialization, globalization and urbanization.

Compared to the ideal of capitalist economic growth, environmentalist culture brings about a revolution of the collective imagination, replacing the mechanistic metaphor, through which ecological processes were interpreted until then, a participatory knowledge, embodied in bodies and rooted in places.

"The innovative contribute of environmentalism in philosophy, politics and society is the description of the world as an interrelated system. In any complex system, the activity of the individuals might have hardly-predictable consequences on the whole system. According to reports carried out by several scientists, the western-world technology and its production system causes pollution, environmental imbalances, interruptions of natural cycles and an unequal distribution of the resources. It did not take long for radical voices within the environment movement, and critical voices in the social sciences and humanities, to question not just the side-effects of economic growth but also the phenomenon of economic growth itself and the broader processes of modernization."

The birth of modern Environmental Though







- world as an interrelated system (F.Capra)
- The Limits to Growth : 'limits-to growth' debate (the Meadows)
- Silent Spring: pollution (R.Carson)
- The Population Bomb : overpopulation (P. and A.Erlich)
- clorofluorocarbon and ozone (Rowland and Molina)
- The closing circle : natural circles become open and ecomarxism (B. Commoner)
- deep ecology and biregionalism (A.Naess, M. Bookchin)
- Small Is Beautiful (B.Schumacher)



#### Green diplomacy and the mainstreaming of the environmental issue

The environmental issue receives institutional legitimacy with the first United Nations Conference on the Human Environment held in Stockholm in 1972, on the occasion of which, for the first time, all participants recognize the seriousness of environmental problems and undertake to work jointly to identify common values and strategies aimed at protecting the global ecosystem.

In the Brundtland Report entitled Our Common Future (1982), the concept of sustainable development is defined.

This expression prefigures the possibility of decoupling economic development from the processes of pollution and depletion of resources, generating growth without compromising the regeneration capacity of ecosystems.

From then on, environmental issues became central to the work of the UN which promoted a very high number of summits (among the best known, the Rio de Janeiro Earth Summit - 1992, the Johannesburg Summit - 2002 and the Rio Summit +20 - 2012) and thousands of declarations and protocols relating to the multiple aspects of the relationship between society and the environment.

### 1992 U.N. Conference on Environment and Development ('the Earth Summit'), Rio de Janiero

- Climate convention
- Convention on Biodiversity
- Statement on Forest Principles
- Rio Declaration
- Agenda 21

- $\cdot$  The consumption;
- · The distribution of income;
- · The sustainability of agriculture in countries with a commercial economy and in the global South;
- $\cdot$  The protection of forests;
- $\cdot$  The conservation of the genetic patrimony;
- · Aid to the poorest countries;
- $\cdot$  Water management;
- $\cdot$  The regulation of gaseous emissions (in particular CO2) which affect the climate.



Photo Wikipedia

# World Summit on Sustainable Development, Johannesburg 2002

- Johannesburg Declaration on Sustainable
   Development and the Plan of Implementation
- Partnership (governments, industry and NGOs)
- South concerned with environmental issues; North support economic globalization

# What on Earth Have We Done

As the 2002 Earth Summit gets under way, the world appears no better a place than what it was at Rio. Major disagreements are likely to derail the Johannesburg jamboree.

Air Air pollution has now become a major killer with three million people dying of it every year.

Carbon emissions doubled in three decades. Global warming is now a serious threat.

US carbon emissions are 16 per cent above 1990 levels making it a major polluter.

Forty per cent of world population now faces chronic shortage of fresh water for daily needs.

Half the world's wetlands have been lost and one-fifth of the 10,000 freshwater species is extinct.

Contaminated water kills around 2.2 million people every year. Since 1990, 2.4 per cent of the world's forests has been destroyed. The rate of loss is now 90,000 sq km every year.
 Now two-thirds of the world's farm lands suffer from soil degradation.
 Half the world's grass-lands are over-grazed.

Wildlife

Land

■ 800 species have become extinct and 11,000 more are threatened.

India is 25 per cent short

of its fodder needs

Almost 75 per cent of the world's marine captures is overfished or fully utilised. In North America, 10 fish species went extinct in the 1990s.

Of the 9,946 known bird species, 70 per cent has declined in numbers

#### People

The world added 800 million people since 1990. In 2000, global population was 6 billion, up from 2.5 billion in 1950.

In 10 years, the world will have to feed and house another billion.

Photo India Today

### Kyoto Protocol, 1997

Joint Implementation (JI): if two industrialized countries that have signed reduction commitments carry out a project aimed at reducing
greenhouse gas emissions, the investor country is credited with the emission rights of the host country. The investing country will then be able
to produce a greater quantity of greenhouse gases, which must in any case be equivalent to the reduction obtained in the host country.

• Clean Development Mechanism (CDM): unlike JI projects, in CDM projects the partners of industrialized countries are developing countries that have not signed reduction commitments. In this case, therefore, the emission rights are not transferred, but created. The investor country can emit a greater quantity of greenhouse gases without the host country necessarily having to reduce its total emissions.

• Emissions trading (EIT): industrialized countries that have committed to reducing greenhouse gas emissions can exchange excess emission rights on the emissions market. It is also possible to exchange accreditations that come from climate protection projects carried out abroad. It is up to the individual countries to establish the criteria for admitting their companies to the emission rights market.



### New principles in international action

New fundamental principles for international action towards environmental protection have been introduced both in official declarations and in ordinary communication, including the concept of carrying capacity and ecological footprint (Rees and Wackernagel 1994), the precautionary principles (Gollier et al. 2000), common but differentiated responsibility (United Nations Conference on Environment and Development, 1992) and the framework of environmental rights (Boyle et al. 2009).

#### **Ecological footprint and carrying capacity**

Sustainable development goal is said to be achievable by improving the quality of human life without damaging the carrying capacity of the supporting ecosystems. The Earth is presented as the supporting system of human life with a determinable 'carrying capacity' defined by upper limits that are set by techno-economic interventions. Carrying capacity refers to the number of individuals who can be supported in a given area within natural resource limits, and without degrading the natural social, cultural and economic environment for present and future generations. The carrying capacity for any given area is not fixed. It can be altered by improved technology, but mostly it is changed for the worse by pressures which accompany a population increase. As the environment is degraded, carrying capacity actually shrinks, leaving the environment no longer able to support even the number of people who could formerly have lived in the area on a sustainable basis. No population can live beyond the environment's carrying capacity for very long.

The Ecological Footprint has emerged as the world's premier measure of humanity's demand on nature. It measures how much land and water area a human population requires to produce the resource it consumes and to absorb its wastes, using prevailing technology. Conceived in 1990 by Mathis Wackernagel and William Rees, the Ecological Footprint is now in wide use by scientists, businesses, governments, agencies, individuals, and institutions working to monitor ecological resource use and advance sustainable development.

(Wikipedia)

#### Human overpopulation / human population overshoot



Latest version in this language: Version for electronic vote | Published on: 01 Sep 2020

growth-world-overshoot-day/11320990

inability/population/

IUCN

NOTING that the United Nations estimated global human population at 7.7 billion in 2019 and forecasts that the 2050 population will be between 8.9 billion (low variant projection) and 10.6 billion (high variant projection);

https://www.abc.net.au/news/science/2019-07-25/population-

https://en.wikipedia.org/wiki/Human overpopulation

**WINEWS** 

#### SCIENCE How many humans can Earth sustain? And what does it mean if we've already

#### How many humans can Earth sustain? And what does it mean if we've already passed it?

ABC Science / By environment reporter Nick Kilvert for Life Matters Posted Thu 25 Jul 2019 at 3:02am, updated Thu 25 Jul 2019 at 5:06am





In the 1970s, German law established that the public sector not only had to repair environmental damage, but also had to avoid it, through appropriate planning or through the prevention of activities considered potentially harmful.

#### **Precaution principle**

"According to the EC, the precautionary principle can be invoked when a phenomenon, a product or a process can have potentially dangerous effects, identified through a scientific and objective assessment, if this assessment does not allow the risk to be determined with sufficient certainty. The Commission stresses that the precautionary principle can only be invoked in the event of a potential risk, and that it cannot in any case justify an arbitrary decision. Recourse to the precautionary principle is therefore justified only when it meets three conditions, namely:

- identification of potentially adverse effects;
- evaluation of available scientific data;
- the extent of scientific uncertainty.

The authorities in charge of risk management may decide to act or not to act, depending on the level of risk." (Eur-Lex)



**The Precautionary Principle** 

#### **Environmental economics vs ecological economics**

"Environmental economics is a sector of neoclassical economics that deals with the evaluation, monetization (mainly through the cost-benefit analysis method) and management of environmental damage resulting from the exploitation of natural resources, through the use of economic policies such as regulations, quotas, taxes and pollution permits. The most well-known expression of this economic approach is the Coase theorem (1960), which treats environmental damage as negative externalities, easily monetizable and, in the absence of transaction costs (costs necessary, in terms of time and money, to define the agreement), which can be negotiated privately, without the necessary intervention of the state. Born in the context of the environmentalist protest against the policy of growth, the ecological economy is, on the other hand, an interdisciplinary research sector that conceives economic activity as a subset of ecology. It involves the collaboration of economists, physicists and biologists in order to identify conduct strategies aimed at preserving natural resources and limiting the environmental impact of economic activities, rather than providing for the management and ex post monetization of the damage inflicted on them. environment. The origins of ecological economics are traditionally traced in the works of the American economists Kenneth Boulding (1966) and Herman Daly (1973), and the Romanian economist Nicholas Georgescu-Roegen (1971). " (V. Di Giovinazzo)



### Mainstreaming environmental issues

Environmental Politics = a set of principles and intentions used to guide decision making about human management of environmental capital and environmental services

• a combination of environmental sustainability and economic development (win-win strategy)

• increase of scientific knowledge (language of truth) determines increase of political awareness

 normalised solutions = rational and agreed-upon responses to environmental issues

#### $\rightarrow$ Critics of Sustainable Development paradigm

conventional environmental politics is normalised and mainstreamed under the same modernist frame it apparently is called to challenge; it is based on a hidden form of normative universalism, whose search for consensus through discourseoriented politics, still relies on the dualistic imaginary enabled by rationalist tradition



In this process, the potentially revolutionary message of environmental thought has been gradually diluted into a multitude of new reference principles and tools for measuring the anthropogenic impact on ecosystems.

Environmental thinking thus undergoes a double process of normalization:

- epistemological: what counts as truth about the state of the world and which interpretative paradigms are to be considered reliable has been defined;
- politics: it converges on norms, indications, rules that can be considered as socially normal.

Many large companies, therefore, embrace the ideal of sustainable development, although this often produces only a superficial revision of the corporate image (called greenwashing) rather than real transformations of action strategies.

So, over time, although they have established themselves as key issues on the international political agenda, environmental issues have undergone a progressive "depoliticization", losing their bite in favor of technocratic and compromising positions.

Environmental thinking has transformed so as to know of opposition to knowing of domination.

- environmental values as something worthwhile to invest in
- world saved by more and better managerialism
- few annoying trade-offs for local population
- 'laboratory places' and 'showcase places'
- green washing

### Pericolo greenwashing: come riconoscere i falsi prodotti ecologici

GUIDA. Etichette ingannatrici, pubblicità fuorvianti, lessico confuso: orientarsi nell'universo delle aziende sostenibili è un po' come avventurarsi nella tana del Bianconiglio di Alice. Ci sono cappellai matti, regine sconclusionate e rose verniciate da individuare

https://www.ecodibergamo.it/stories/eppen/extra/green/peric olo-greenwashing-come-riconoscere-i-falsi-prodottiecologici\_1417630\_11/

The theory of ecological transition, which has emerged in the public debate in recent years, has its roots in the study of technological innovation systems of a managerial nature and requires that public governance mechanisms be guided by the indications of experts, with economic interventions aimed at change collective behaviors.

The theory of ecological transition is close to realistic and institutional positions, and therefore identifies in the industrial sector and in private companies the key players to develop new sustainable industrial chains or transform existing ones, thanks also to the creation of favorable regulatory frameworks by public institutions.

However, this perspective presents the traits of the scientific solutionism that has accompanied the depoliticization of environmental issues over time.

#### DOCS +video https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal\_it



### Eurobarometer 92.4: Attitudes of European citizens towards the Environment -2020

QD2 From the following list, please pick the four environmental issues which you consider the most important. (MAX. 4 ANSWERS)

(%)



 QD2 From the following list, please pick the four environmental issues which you consider the most important. (MAX. 4 ANSWERS)
 (% - THE MOST MENTIONED ANSWER BY COUNTRY)



Base: all respondents (n=27,881)



QD8 In your opinion, which of the following would be the most effective ways of tackling environmental problems? (MAX. 3 ANSWERS)

Base: all respondents (n=27,881)







Base: all respondents (n=27,881)

#### (MULTIPLE ANSWERS POSSIBLE) (%)

QD4

Have you done any of the following in the past six months?

#### The social construction of nature: ecological modernity and reflective modernity

In analyzing the environmental debate, critical geography has shown how this is characterized by the antithesis between two main approaches.

The realistic approach, adopted by international organizations, large environmental NGOs and the business world offers a representation of environmental problems whose (presumed) objectivity is based on reference to scientific data, and on them it elaborates intervention strategies aimed at restoring the original balance of ecosystems.

The realist positions call for a new ecological modernity driven by competitiveness and technological innovation.

The sociologists of the last generation of the Frankfurt School since the nineties have advanced a constructivist position that interprets environmental issues as cultural constructions, strictly connected to the relationship between society and the environment.

Constructivists advocate a reflexive ecological modernization based on a rethinking of the functioning of capitalist societies.

The best-known constructivist theory, proposed by Ulrich Beck, argues that we live in a society in which the logic of risk that is at the heart of the technological and political functioning of advanced industrial societies dominates and produces global threats independent of class, ethnicity or belonging. cultural.

This theory argues that ecological problems persist as they are generated by the same economic, scientific and political institutions that are called upon to solve them, but it underestimates the importance of people's living conditions in being able to deal with environmental problems differently.

#### **Deconstructing** mainstream

Since the 1990s, mainstream environmental policies have been the subject of precise and radical criticism.

The theory of political ecology, of Marxist and postcolonial inspiration, focuses on the links between environmental degradation and socio-economic marginalization, challenging the apolitical interpretation of institutional environmentalism.

Geographer Edward Soja explained that the cause of spatial injustices lies in the fact that the environmental and geographical circumstances in which different people live play a crucial role in determining the distribution of opportunities, material and immaterial wealth, services and resources.

Disequality  $\rightarrow$  Injustice

- Inequality refers to an imbalance, the lack of equality
- Inequity refers to unjustified and discriminatory inequality



The systemic barrier has been removed.

### Social Justice



# Spatial critique to social justice

- Justice as equality (distributive justice): Everyone should get the same amount of what we are assigning
- 1970s: distributive task for the state (Keynesian policies)
- Crisis of the 70s + globalization of the 80s-90s: weakened the power of the state in guaranteeing social justice
- Criticisms: unequal distribution to ensure equality (Rawls, 1971)

- The factors that determine the quality of life are not distributed equally in space: the notion of social justice is abstract
- One size fits all justice does not help everyone equally
- Producing fair conditions = understanding the geography of injustice

# Exercise Space matters!







Where are people dying? SMR for respiratory disease Ed-Line & Crown copyright

Where the cars? Proportion of households with 2 or more cars. Ed-Line & Crown copyright



Map: Friends of the Earth







#### **Social Justice**

A form of non-procedural justice referring to the role played by government in promoting the just distribution of benefits and costs throughout society

#### Spatial Justice

...adds that the distribution of opportunities, material and non-material benefits, services and resources are not equally distributed across the geographical space – and this form of unequal distribution overlaps with the unequal distribution occurring through the social corpus

stem economicemono

#### **Environmental Justice**

... signals that a close link exists between the spatial distribution of kind of population groups and the location of origin or manifestation of environmental problems (ecologically degraded sites, polluted areas...)







### Climate changes: geo-ecological alterations



- extreme weather conditions
- reduction of the ozone layer,
- increased risk of fire
- loss of biodiversity
- stress for food production systems
- global spread of infectious diseases

### For instance, water impacts:

- Warmer water temperatures affect water quality and accelerate water pollution
- In some areas, shrinking glaciers and snow deposits threaten the water supply
- Flash floods
- Human demand for water on the rise
- Changes in waterborne diseases



### Probability of vulnerability phenomena



very high: interactions between climate change and urbanization



high: Interactions between climate change and global economic growth



media: interactions with government and social structures that already face other pressures, such as limited economic resources.



Photo Smith, Dan; Vivekananda, Janani (2007). <u>"A climate of conflict"</u>. International Alert



long-term fluctuations in the frequency of wars and population changes have followed cycles of temperature change since the pre-industrial era

> Photo Smith, Dan; Vivekananda, Janani (2007). <u>"A climate of conflict"</u>. International Alert

Climate change> major conflicts

- The war in Darfur 2003-2009
- Syrian Civil War 2011-
- Islamist uprising in Nigeria 2009-
- Somali Civil War 1986-
- Conflicts between shepherds and farmers in Nigeria, Mali, South Sudan 2008-
- Northern Mali conflict 2012-

#### THE DOUBLE-HEADED RISK

The consequences of consequences of climate change include a high risk of armed conflict in 46 countries with a total population of 2.7 billion people, and a high risk of political instability in a further 56 countries with a total population of 1.2 billion.

#### Map key:

- A: States facing a high risk of armed conflict as a knock-on consequence of climate change B: States facing a high risk of political
- instability as a knock-on consequence of climate change C: Other states

#### Technical note

The IPCC's Fourth Assessment Report of 2007 shows that global warming will have global effects, varying in both kind and degree.

- Research for this report identified 102 countries" as being at risk of significant negative knock-on socio-political effects, using three criteria for selection-1. Their presence on a variety of international watch lists, the UK Department for International Development's 'proxy list' of Fragile States, the Giobal Peace Index ranking of 121 states (bottom 50 positions) the International Crisis Group crisiowasch' list, the World Rank's list of Low Income Countries Under Screek,
- 2. The presence of an operational UN procekeeping force;
- The prospect of, or their engagement in, economic or political transition [s.g., from automics) towards democracy or leadership succession].

Within this group of 102, 45 countries were identified as facing a high risk of armed conflict. Primarily shese are countries with current or recent experience of armed conflict, because this is a reliable indicator of propensity to further violence. In addition, particularly weak institutions of government and very poor economic performance were used as guides to the salection.

The larger map does not make predictions but indicates risk. It should be borne in mind that armed conflicts vary widely in their lavels of lathality and in whether they occur at a local, national or regional

The smaller map shows countries' exposure to climate change, based on the A1 scenario (approximately "business as usual") used by the IPDC.

"A full listing of these countries can be found at the end of the references on page 64.



Impacts on international security

#### LEZIONE ALBERTO CORBINO



### Environmental Conflicts

An environmental conflict is characterized by a qualitative or quantitative reduction of natural resources or commons (usable land, water, biodiversity, flora and fauna, minerals and finite sources of raw materials in general) in a given area and by the presence of forms of opposition or resistance from civil society (i.e. involved communities, social and environmental organization, local committees, stakeholders groups).

The action repertoire ranges from claim making, demonstrations, boycotts, strikes, legal actions, civil disobedience and international campaigns; and often involves together with local communities, also national or international networks

#### Taxonomy of conflicts

1. environmental conflicts generated by the socio-political consequences of environmental degradation (Libiszewski, 1992; Homer-Dixon, 1994);

2. environmental conflicts for the distribution, control and use of environmental resources and goods (Martinez-Alier, 2002);

Sistemi economici mondial

+ environmental conflicts as preventive action toward initiatives which are reputed to be harmful in terms of environmental justice

### 1. Scarcity conflicts





education and health



### 2. Ecological distribution conflicts

ecological distribution: "the social, spatial and inter-temporal patterns of access to the benefits obtainable from natural resources and from the environment as a life support system, including its 'cleaning up' properties. The determinants of ecological distribution are in some respects natural (climate, topography, rainfall patterns, minerals, soil quality and so on). They are clearly, in other respects, social, cultural, economic, political and technological" (Martinez-Alier)



instead of stressing the cause of environmental degradation, from which any kind of traditional conflict can emerge, here we try to grasp the environmental specificity of a conflict



#### http://ejatlas.org/



#### Businesses, rights and conflicts

### HR and the Environment

Environmental concerns as (almost exclusive) matters of nature (i.e. ecosystems) protection from "dangerous levels of pollution in water, air, earth and living beings; major and undesirable disturbances to the ecological balance of the biosphere; destruction and depletion of irreplaceable resources; and gross deficiencies, harmful to the physical, mental and social health of man [sic]" (U.N. 1972, par.3).

### UN Special Rapporteur on Human Rights and the Environment



Site: UNEP



### EHR: a controversial defintion

 Beyond nature-related issues: "HR bodies have said that in order to protect rights to a healthy environment, to life, to health, to property, to an adequate standard of living, it is necessary to protect the environment; and to protect the environment, it is necessary to provide rights of access to information about the environment, to participation in environmental decision-making, and to remedies for environmental harm" (OHCHR, 2014)

→ Substantive + procedural rights

"This effort... has identified two sets of rights closely related to the environment: (a) rights whose enjoyment is particularly vulnerable to environmental degradation; and (b) rights whose exercise supports better environmental policymaking. At the risk of oversimplification, many of the rights in the first category – that is, those at risk from environmental harm – are often characterized as substantive rights, while many of the rights in the second category – those whose implementation supports stronger environmental policies – are often considered procedural rights " (A/HRC/22/43)

→ the best way to respect the set of substantive rights is by respecting procedural rights (information, participation and access to remedy)

**Environmental** conditions they can indirectly guarantee

Social conditions that allow their fulfillment with a combination of

substantive rights (e.g. rights to **life**, **health**, food, water and property...) procedural rights (e.g. rights of expression and information, to political **participation** and selfdetermination, protection of vulnerable groups, redress)

whose violations are likely to both cause or to be caused by environmental harms; and whose enjoyment is coherent with environmental protection,
 access to environmental policy-making processes and to remedies.



Photo: Amensty International

#### Influences on EHR definition:

- 1. The HR Council mandate to J.Knox: take into account not only the views of "Governments, International bodies, national human rights institutions", but also to consult "civil society organizations, the private sector and academic institutions"
- 2. Good practices carried out by noninstitutionalized actors (activism and research)
- 3. HR defenders "She has received, and continues to receive, allegations indicating that security guards employed by oil and mining companies allegedly use death threats, acts of intimidation and attacks against defenders who denounce the perceived negative impact of the companies' activities on the enjoyment of human rights by local communities" (A/65/223)

### FoE's Our environment, our rights : How this characterises EHR



1. the right to a sustainable livelihood
2. the right to a clean and healthy
environment
3. the right to water
4. the right to food safety and security
1. the right to know
2. the right to decide
3. the right to resist
1. rights for environmental refugees
2. the right to claim ecological debt
3. the right to environmental justice

### Friends of the Farth Curacao



company, PdVSA, for a modest fee Furthermore, the EIB approved the loan

The environmental pollution caused by the SCP plant in Ruzomberok is a main reason for the town's status as a highly polluted area. The town and surrounding areas are well known throughout the Slovak Republic for the unbearable stench caused by the plant's emissions. In 1999, more than 3,000 inhabitants signed a petition against the company's long-

term pollution of their local environment. In spite of serious health problems in the town an

request despite the fact that several ongoing legal proceedings submitted by affected local citizens concerning violations against their rights to public participation had not yet been settled. The local NGO has requested that SCP increase production only under two conditions: the installation of an air quality monitoring system, and the undertaking of a serious analysis of the local health situation both before and after project implementation. The Ruzomberok case is one in a long list of FIB loans that have been made with neither

transparency nor public participation Ironically, the Bank itself portrays the project as a positive one, and had promised that "significant environmental improvements would result

ight to claim cological debt

communities seek compensation for impacts of yacyretá mega-dam

complex hydroelectric projects in the world, and a striking example of the environmental and social rights violations caused by large dams. Affected communities in Paraguay and Argentina are currently claiming the right to compensation and remediation for the extensive damage done to their lives and Construction of the 67-kilometre dam across the Paraná River, joining Argentina and Paraguay, began in 1983 with funding from the World Bank and Inter-American Development Bank. Ever since, the project has been plagued with delays, corruption,

Yacyretá is one of the largest and most

bank policies; the reports of the investigatio on this second claim have not yet been issued Friends of the Earth Paraguay is calling for th Yacyretá Binational Entity to compensate for damages that have been caused by ti dam. They propose the implementation of a debt payment mechanism to finance compensation, the mitigation of pas damages, and reinvestment in affected communities. They are calling for the They are calling for th development of programs to restore watersheds and key ecosystems, to implement sustainable agriculture and to disputes, political instability and abuse of power. Attempts by civil society to participate reinvigorate towns and cities. They also war international financial institutions an the decision making process have been met governments to create a 'remedy and reinvestment fund' in order to restore the

quality of life of affected people.

by violation of bank policies. Yet to date, no

credible action has been taken. In 2002, a local

community organization presented a ne

claim highlighting the ongoing violations of

lood and oil in the

Sistemi economici mondiali

the precautionary measures ... serves to call

attention to the Ecuadorian government's severe and systematic practice of violating

Sarayaku, which means "river of maize" is indigenous peoples both within Ecuador and home to some 1,000 people who live amidst globally, the Ouichua are not ready to let 135,000 hectares of pristine forest in the down their guard. Even with the world's eyes Ecuadorian Amazon. However, oil flows under upon them, their people continue to suffer the territory of the Quichua people, and as a from aggressions as well as repeated public result their lives and livelihoods are threats by the Ecuadorian authorities to increasingly under threat from transnational militarize their territory in order to allow the Argentinean oil company CGC to take control corporations and the Ecuadorian government. of their lands and livelihoods. This case may be In December 2003, a group of people from only the beginning: in July 2004, the oil-thirsty Sarayaku on their way to a peaceful Ecuadorian government declared a "total opening" of the southern Ecuadorian Amazon for the oil industry.

demonstration in protest of oil activities vithin their territory were viciously attacked by aggressors. Shortly afterwards, the Inter-American Commission on Human Rights more information extended the Precautionary Measures it had additional six months. Quichua legal counsel lose Serrano observed that "the extension of

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around here..

"Many states ignore or are unaware of international and regional conventions and regional agreements, giving free reign to transnational corporations to advance destructively and with impunity" (FoE, 2004).

In 1953, a year before Curacao acquired autonomous status within the Dutch Kingdom the colonial government exempted Shell from all environmental obligations. The newly acquired autonomy was thus largely powerless against the biggest employer and polluter on the island.

In 1918. Shell began construction of an oil refinery on Curaçao, which lies just 90 kilometers off the coast of Venezuela As Curaçao was a Dutch colony, this was a profitable arrangement for both the oil glant and the Dutch government. Venezuelan oil could be refined close to Venezuela but on Dutch territory, which was good for Shell's profits and did not risk giving the Venezuelans the means of refining their own oil.

In 1985, Shell abandoned the refinery. Before leaving, and following consultation with the Dutch government the company secured a declaration of immunity from the governmen of Curacao. The declaration stated that Shell would not be held liable for any environmental damage that its activities had inflicted on the island over the 70-year period of its operations In return for this immunity, Shell sold the refinery to a government agency for less then US\$1, a deal that both parties portraved to the public as a win-win situation that would boost local employment. The government then leased the refinery to the Venezuelan state oil



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#### https://www.unglobalcompact.org/

- Environmental Human Rights challenge global governance actors (most notably private companies) to reconsider their social and environmental commitment as this needs to go beyond the respect for national or regional environmental regulations, and rather requires to meet a variety of intertwined expectations of different stakeholders, linking together society, democracy and nature-related issues.
- In consideration of the global governance framework described by EHR and related UN work, can we claim that business companies' (including MNEs and NEs) involvement in environmental conflicts, disputes and controversies, in many cases (despite not all of the cases) is not just a matter of disagreement upon development trajectories (as suggested by most of business ethics literature), but rather a matter of EHR(alleged) violations business companies can be liable of?



### open issues

- States have an obligation to adopt a legal framework that protects against environmental harms interfering with the enjoyment of HR, and this interference includes harms caused by corporations and other non-state actors
- U.N. has no authority to control or regulate private companies' behaviors: only voluntary codes of conduct, environmental standards(EMSs or ISO 14000 standards), sector-specific programs, multi-stakeholder partnership (Johannesburg 2002), e.g. Global Compact



### Sixth Assesment Report. Impacts, Adaptation and Vulnerability - IPCC

(270 authors from 67 countries assessed the impacts of climate change on ecosystems and human communities at global and regional levels)

#### https://youtu.be/25QlQVnL15M

https://www.repubblica.it/green-andblue/2022/02/28/news/rapporto\_ipcc\_cambia menti\_climatici\_2022\_impatti\_adattamento\_vu Inerabilita-339629259/

## INTERGOVERNMENTAL PANEL ON CLIMATE CHARGE

### **Climate Change 2022** Impacts, Adaptation and Vulnerability

Summary for Policymakers



#### Summary for Policymakers https://www.ipcc.ch/report/ar6/wg2/resources/spm-headline-statements/

Human-induced climate change, including more frequent and intense extreme events, has caused widespread adverse impacts and related losses and damages to nature and people, beyond natural climate variability. Some development and adaptation efforts have reduced vulnerability. Across sectors and regions the most vulnerable people and systems are observed to be disproportionately affected.

...Climate change impacts and risks are becoming increasingly complex and more difficult to manage. Multiple climate hazards will occur simultaneously, and multiple climatic and non-climatic risks will interact

...adaptation progress is unevenly distributed with observed adaptation gaps

... The effectiveness of adaptation to reduce climate risk is documented for specific contexts, sectors and regions (*high confidence*) and will decrease with increasing warming

...Climate resilient development is enabled when governments, civil society and the private sector make inclusive development choices that prioritise risk reduction, equity and justice

...Safeguarding biodiversity and ecosystems is fundamental to climate resilient development

... It is unequivocal that climate change has already disrupted human and natural systems.



Main concerns from Factsheets

https://www.ipcc.ch/report/ar6/wg2/about/factsheets

### EXERCISE

Select a set of conflicts by Country or Company and identify commonilities among them including (still not limited):

- Main issues at stake
- Geographical location (macro-regional areas) for company-related conflicts; main companies involved (kind or name) for country-related conflicts
- Involvment of public institutions
- Principal impacts (environment, health, social...)
- Conflict outcomes
- Other common traits