



London & SE Region
United Nations Association

2010 SUMMER COUNCIL: THE ROAD TO MEXICO REPORT

The Region's 2010 Summer Council concluded successfully on 24 July, hosted by UNA Brighton and Hove.

The Council meeting, entitled "The Road to Mexico" was a follow-up to the Region's Climate Change conference at the International Maritime Organization in April 2009.

Outcome of the Summer Council would contribute to UNA-UK and HM Government's climate change policies in the run-up to COP-16 in Cancun in November / December 2010.

For more information about the Region's Climate Change focus, visit:

www.unalondonandse.org/Climate_Change.htm

The Region's Chairman, Neville Grant, provided this report.

2010 London & Southeast Region Summer Council

The 2010 Summer Council meeting took place in Brighton on 24th July. Many thanks to Brighton and Hove UNA for hosting this event. The purpose of the meeting was to make recommendations to UNA and HMG on policies to consider at the climate change conference at Cancun in November/December 2010. Three speakers gave presentations.

Bernadette Vallely, Chief Executive of the Women's Environmental Network spoke on "The Impact of Climate Change on Women". She pointed out that climate change had a disproportionate affect on women. For example, in many developing countries in particular it was women who were responsible for childcare, and for many tasks such as collecting firewood and water. And as 80% of the world's farmers were women (even though only 2% of the land was owned by women), their livelihoods and food production was seriously at risk; and for many reasons, whenever a natural disaster struck, it was women who suffered in particular.

Polly Higgins, barrister and Advocate of Planetary Rights, examined proposals that a new international crime of 'Ecocide' or destruction of the earth's ecological systems should be created, falling in international law under the category of "Crimes of aggression", to be tried by the UN International Criminal Court. It would for instance make any director of a company involved in illegally cutting down rainforests individually responsible for the crime, as well as those financing that company, irrespective of whether their own country had signed up to the law. (Polly Higgins' draft of the new law can be found on www.thisisecocide.com)

She also proposed that there should be a United Nations Declaration of the Rights of Mother Earth, which can be adopted by different countries voluntarily. This would be like the UN Declaration of Human Rights, which gradually became internationally adopted and has over time had a huge impact on international law. This received considerable support at a conference in Bolivia in April this year.

It should be noted that the United Nations Framework Convention on Climate Change includes a proposal for a Declaration of Rights of Mother Earth: "The 20th century has been the century of the human rights. First, with the approval of the civil and political rights in 1948, and second, with the approval of the economical, social and cultural rights in 1966. Now, the 21st century has to become the century of the Rights of Mother Earth and all natural beings."

<http://motherearthrights.org/>

This is a report by Naomi Klein about the meeting on 23rd April in Bolivia to try to get this to happen:

www.guardian.co.uk/commentisfree/cifamerica/2010/apr/22/how-bolivia-transformation-could-change-world



Debbie Tripley, Chief Executive of the Environmental Law Foundation, looked at environmental problems 'bottom-up' through the local planning system in the UK. The Environmental Law Foundation advises low income individuals and groups who are fighting planning decisions which allow environmentally damaging development. They are working to have the objectives of the UK Climate Change Act (UCC), the UK Marine Act and the EU Biodiversity Directive made part of the National Planning Framework. It is the CCA which makes a UK commitment to cutting CO₂ to 80% below 1990 levels by 2050. She thinks our environmental law needs to be more radical. The phrase 'sustainable

development' is actually a curse because in practice economic interest always outweighs environmental and social interest. Cost should not be a barrier to justice as it is at present: the community should be properly consulted at an early stage, and the legal principle of a duty of care needs to be extended to the environment.

Following the presentations, the participants took part in Action Workshops to work out concrete proposals to present to UNA and HMG. It was pleasing to report that UNA-UK new director, Phil Mulligan, took an active part in the proceedings.

Action Workshops

I. Women & Climate Change | Chair: Jack Hazelgrove, Chair, UNA Brighton

- The group discussed the ways in which, as Bernadette Valley had made clear, climate change affects women far more than men – in terms of health, poverty, and through institutions such as farming etc. (These impacts are spelled out in the Women's Environmental Network Briefing Gender and the Climate Change Agenda)
- Whilst the MDG proposals are good on recognising gender issues, this is not the case with UNA publications on climate change, where the effects on women receive much less focus. The issue was barely raised at Copenhagen.

The following policy proposals were suggested:-

1. The UK's Mexico negotiating team should be trained in the awareness of the gendered impacts of climate change and take this into account in their negotiating position.
2. The effects of climate change itself on women should be addressed but so also should the effects of mitigation strategies. Some mitigation strategies will adversely affect women e.g. strategies on food which lead to a large agri-business approach will be very detrimental to the large majority of small and subsistence farmers who are female.
3. The UK Government should propose and support gender auditing as a standard approach in all climate- change strategies.
4. Women at all levels should be much more heavily involved in framing and implementing gender-sensitive climate change issues.

II. Advocacy at local level | Chair: Roger Hallam, Chair, Enfield and the Barnets UNA

In this workshop, **general issues** were first considered, notably:

- Inclusiveness: the need to involve more citizens in combating climate change at the local level
- Awareness: the need for citizens to appreciate both the general issue of climate change and also the ways it can impact at local level
- Education: knowledge of the right of citizens to participate in decisions bearing on climate change in local areas and of the means of influencing local policy

We then turned to some **specific mechanisms** for UNA branch activity -

- Working with schools and colleges particularly through MUNGAs and MOSCOs with a climate change theme, so addressing substantive issues and encouraging the development of negotiating skills
- Promotion of ECO clubs in schools
- Networking with local groups active on climate change, such as Friends of the Earth, Greenpeace and (in a non-political sense) the Green Party
- Promoting local events and debate on climate change-related themes

Finally we asked what were **UNA's credentials** in stimulating climate change debate locally -

- Because the UN has been the prime mover in promoting global awareness from the 1972
- Stockholm Human Environment Conference to Kyoto, Copenhagen and the IPCC today
- Because the UN is committed to sustainable development, as indicated in the MDGs
- Because the UN represents the bond between current and future generations



III. Ecocide | Chair: Sheila Kesby, Canterbury UNA

1. Introduction to Ecocide

The workshop recapped Polly Higgin's earlier presentation.

As a solution to world-wide and extensive environmental pollution and degradation, it is proposed that the term 'Ecocide' be adopted, and that Ecocide become the 5th international Crime Against Peace under the auspices of the International Criminal Court. *(Note: The International Criminal Court was formed in 2002 to prosecute individuals for breaches of 4 crimes against peace – genocide, crimes against humanity, war crimes & crimes of aggression.)*

Ecocide is defined as "the extensive destruction, damage to or loss of ecosystems of a give territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of the territory has been severely diminished." From the 11 points made to describe the Crime of Ecocide

(www.thisisecocide.com/thesolution/) in more detail, 3 have been selected as the most relevant to this workshop:-

- Ecocide is a crime against peace
- Ecocide is preventive. It is a crime focused on preventing harm, rather than focusing on blame. This entails the enforcement of standards of conduct and care.
- Ecocide protects public interests by creating a pre-emptive obligation not to damage, destroy or create loss of ecosystems, emphasis shifts from the protection of individual (and corporate) interests to the protection of public and societal interests.

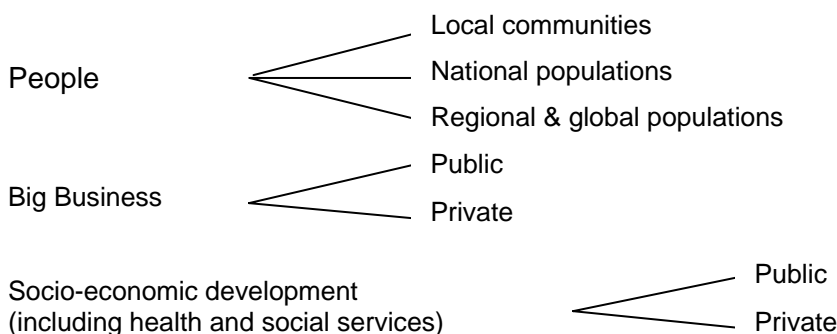
2. Basis for Discussion

The group accepted the chair's suggestion that the concept of the UN Culture of Peace be used as a framework or context for discussing how to progress with the Ecocide cause.

This does not rule out lobbying and campaigning nor does it let multinationals and governments off the hook. Instead, it enables us to understand our own role in ecocide and thus to build comprehensive strategies that address all aspects of the issue on all levels. So that, as well as signing petitions and going on marches, we can make the various adjustments in our daily living necessary to avoiding environmental degradation.

3. Main Points arising from the Discussion

- Polly Higgins reiterated that in order to prevent it, ecocide should be criminalised, otherwise multinational and corporate business will continue to damage the environment on the grounds that 'it is not a crime' to do so. They build the risk of being fined for environmental damage into their costs. Further, ecocide as a crime will make certain types of investment on the part of financial institutions a criminal activity. While agreeing in principle, the group raised other points concerned with details.
- There is the issue of process: i.e. rather than prohibit the extraction of oil or coal, ways of doing it that does not cause "...extensive destruction, damage to or loss of ecosystems of a give territory..." should be developed. This led us to other points.
- As it stands, the definition and description of ecocide are open to misunderstandings that will cause people to perceive and conceive the same thing in different ways. Therefore, for legal purposes, all terms such as 'extensive destruction' need to be defined.
- Given the inter-connectedness of the planet, the parameters and exact nature of an 'ecosystem' need to be clarified, again for legal purposes.
- Finally, a method needs to be established by which the needs and interests – cost/benefit, loss/gain and health/sickness etc. - of all concerned with a developmental project can be fairly balanced between:





- When devising strategies to prevent ecocide, 2 points should be considered:
 - Focus more on inhibiting demand rather than supply
 - Downgrade or abolish 'economic growth' as the most important single measure of a nation's or region's success and development (cf Amartya Sen and 'welfare economics')

4. Decision

It was agreed that as well as sharing its perspective with the Crime of Ecocide, the concept of the Culture of Peace is part of the UN's overall approach to the development of people rather than institutions and systems. Therefore, the concept provides a general framework for constructing strategies to:

- Work towards achieving the objective of where Ecocide becomes the 5th international Crime Against Peace under the auspices of the International Criminal Court (ICC).
- Guide individuals in not only achieving this objective, but also in taking action to prevent ecocide in their daily lives within their families and communities.

5. Proposals for UNA L&SER's Action Plan

In April this year, Polly Higgins submitted the ecocide proposal to the UN Law Commission. So far there has been no response or any evidence that ecocide is being addressed in any other part of the UN System. Therefore, bearing in mind that the ICC was established by the concerted and sustained effort on the part of several UN organisations and NGOs, we believe that the UNA as the prime civil society organisation for the UN in the UK, should take up the cause of ecocide and promote it in the following way.

- In consultation with Polly Higgins, undertake the investigation (Include the factual and statistical report on the damage and destruction to the planet written by Pavan Sukdhev as part of the activities to commemorate 2010 as the Year of Biodiversity) and discussion necessary to address the points in (3) above, and then use this to:
 - Prepare a case for making ecocide the 5th crime against peace under the auspices of the ICC.
 - Prepare a strategy for how people may help to prevent ecocide in their daily lives within their families and communities.
- Approach the Region's Policy Sub-Committee through its leader, Roger Hallam, to prepare a resolution that will ensure that the cause of ecocide be incorporated into UNA-UK active policy statement.
- Make Ecocide a Key Topic in UNA-UK's Annual Lobby of Parliament in October 2010
- Propose to UNA-UK that as part of its on-going work on Climate Change that Ecocide be its main feature in this year's Lobby of Parliament
- As part of its launch, prepare a clear strategy for UNA regions, branches, networks and individual and corporate members to activate the Lobby in their own areas throughout the Parliamentary Session.

In Conclusion this proposed action plan gives the London and SE Region the opportunity to carry forward two of its initiatives. The first is the provision of support to our membership, and the second is our UN Roadshow.

In respect of the second, the Roadshow focuses on the UN Decade of the Culture of Peace, which ends this year. Despite having had little or no coverage in the general media, and having been sidelined by the warfare of the last ten years, its essence is still right and worthy of continuance beyond its allotted Decade. And one way to ensure this is to incorporate it, without losing it, in other new and on-going initiatives.

When he first told us about it at the 1999 Annual Conference, Malcolm Harper (then UNA director) said that the Culture of Peace should underpin everything we do.



IV. A fourth workshop looked at several different issues | Chair: Neville Grant, Blackheath & Greenwich UNA

1. Local activity

The syndicate noted the reference by Debbie Tripley, Chief Executive of the Environmental Law Foundation (ELF) to the Aarhus Convention (1998), an initiative of the UN Economic Commission for Europe (UNECE). David Wardrop of Westminster UNA reminded the group of its significance. Ratified by the UK in 2005, the Convention

- links environmental rights and human rights,
- acknowledges that we owe an obligation to future generations,
- establishes that sustainable development can be achieved only through the involvement of all stakeholders
- links government accountability and environmental protection
- focuses on interactions between the public and public authorities in a democratic context.

The subject of the Convention goes to the heart of the relationship between people and governments. The Convention is not only an environmental agreement; it is also a Convention about government accountability, transparency and responsiveness. Described by Kofi Annan as "the most ambitious venture in the area of environmental democracy so far undertaken under the auspices of the United Nations", we felt that we should seek to raise the profile of this little known initiative and link it to the Coalition Government's developing policies in public participation in voluntary civic activities.

Among the forty signatories is the UK, which ratified the convention in February 2005.

The group agreed that UNA members should seek guidance from the Environmental Law Foundation in setting out how to go about this but interestingly, the search engine on ELF's excellent website does not mention the Aarhus Convention. Maybe its members do not rate it as more than a helpful indicator; but UNA might see itself as better placed to pursue a widely welcomed UN initiative. [Note: the DEFRA search engine does not register Aarhus either!]

2. International activity

The syndicate proposed that L&SER set up a Working Group to explore existing initiatives which seek to link environmental protection programmes with peace-oriented ethics. There are existing charters such as The Earth Charter. The World People's Conference on Climate Change and the Rights of Mother Earth hosted by the Bolivian government in April 2010 also deserves study. But these are uncharted waters and maybe a new nomenclature is needed.

References: www.unece.org/env/pp/welcome.html; www.elflaw.org/site/index.php?id=1

Neville Grant, Chairman
July, 2010