

October 22, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

As the United States reenters the negotiations on climate change, we urge you to renew the United States' role as a world leader by (1) acknowledging the dire effects of climate change on human lives, especially on the world's most vulnerable individuals and communities, and (2) renewing the United States' commitment to promote social justice worldwide by ensuring that human rights and humanitarian concerns are formally integrated into all mitigation and adaptation strategies adopted both at the Copenhagen conference and afterward.

The impacts of climate change threaten the lives of people across the world. We need look no further than Hurricane Katrina for a sobering example of the critical link between the global climate and human rights. Despite strong warnings of impending catastrophic weather patterns, few steps were taken to protect vulnerable populations in and around New Orleans or to put in place adequate response mechanisms, such as evacuation assistance, relief aid, and emergency health care. As a result, thousands of citizens lost their homes and were trapped for days without proper sanitation, food, or access to water. Many died. Those most affected were low-income communities and people of color who already lacked a voice in the policies that shape their lives. Hurricane Katrina demonstrates the urgent need to address inequality before disaster strikes. So long as inequalities persist, underrepresented populations will continue to suffer the most during disasters and disaster response measures.

Hurricane Katrina provides but one example of the need to apply human rights and humanitarian standards when considering, adopting, and implementing domestic and international policies related to climate change. We know, for instance, that mitigation measures are invaluable for slowing emissions and global warming, but can also have unintended consequences. For example, while policies encouraging biofuel production can decrease emissions and bring benefits to certain farmers, they can also reduce the land available for food production. In turn, heightened land scarcity means less food production and can lead to higher food prices and an increasing inability for struggling communities to adequately feed themselves. Moreover, such policies may further disenfranchise already marginalized groups, including girls and women, who often endure the worst effects of increased community stress. The U.S. position must be to "do no harm" to human rights while striving to lower costs and reduce carbon emissions. Therefore, any climate policy addressing emissions must include a mechanism to account for such unanticipated human rights impacts. We

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urge you to promote a final agreement at Copenhagen that provides for a human rights review of all mitigation policies.

We also call upon you to implement adaptation policies that are human rights-sensitive. Such an approach will build equality and resilience into adaptation response measures, further assisting communities as they combat critical situations including decreased productivity in agriculture and forestry; increased mortality from malnutrition, heat waves, floods and droughts; desertification; increased water shortages; and greater frequency of extreme weather events. As with mitigation policies, adaptation policies can unintentionally create their own host of human rights concerns. For example, a policy to relocate coastal communities faced with rising sea levels may exacerbate existing cultural, economic, and political stresses on dislocated individuals, as well as on the communities into which they resettle. Therefore, adaptation measures should not only be increased, but also reviewed for their human rights implications.

As of yet, there is scant recognition of these very tangible human rights concerns in the text of the proposed Copenhagen agreements. Even more problematic is the lack of a dedicated post-Copenhagen process by which governments, experts and NGOs can identify the appropriate standards and rights-based practices relevant to climate impact assessment and adaptation. Proactive consideration and incorporation of human rights and humanitarian norms into climate policies will help minimize the adoption of unjust practices, decrease human suffering, and ultimately be less expensive than responding to human rights violations after they have occurred. Such a process will also be critical to assuring that the United States' and other states' financial contributions do not inadvertently violate the dignity and rights of the world's most vulnerable communities.

We urge the United States to commit to incorporating a human rights framework at Copenhagen, and to initiate an international process beyond Copenhagen to address the human rights aspects of climate change. By doing so, the United States will continue its long-term commitment to poverty alleviation and to the promotion of human rights worldwide, and also to working cooperatively with the international community to address the needs and interests of all stakeholders.

We welcome the opportunity to further discuss these suggestions with you and your Administration in order to make climate justice a reality.

Sincerely,

Advocates for Environmental Human Rights, New Orleans, Louisiana
Center for Law and Global Justice, University of San Francisco School of Law
Center for Law, Energy & the Environment, University of California, Berkeley, School of Law
Center on Race, Poverty & the Environment, San Francisco, California
Columbia Law School Human Rights Clinic

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Earthjustice, Oakland, California

Environmental Justice Resource Center, Clark Atlanta University

Human Rights Advocates, Berkeley, California

Human Rights Institute, University of Connecticut

International Indian Treaty Council, San Francisco, California

Miller Institute for Global Challenges and the Law, University of California, Berkeley,
School of Law

National Network for Immigrant & Refugee Rights, Oakland, California

Organization for Human Rights & Social Justice, New York, New York

Refugee and Human Rights Clinic, University of California, Hastings College of the Law

University of Iowa Center for Human Rights

Urban Morgan Institute for Human Rights, University of Cincinnati College of Law

US Human Rights Network, Atlanta, Georgia

World Organization for Human Rights USA, Washington, DC

Cc: Assistant Secretary Kerri-Ann Jones, Bureau of Oceans and International Environmental
and Scientific Affairs

Assistant Secretary Michael H. Posner, Bureau of Democracy, Human Rights, and Labor

Assistant Secretary Eric P. Schwartz, Bureau of Population, Refugees, and Migration