

A GLOBAL CLIMATE CHANGE EMERGENCY STATEMENT FOR COP29 from November 30-December 12 2024 in Baku, Azerbaijan.

RECALLING THAT In 1988, at the Climate Change Conference in Toronto, three hundred global scientists, along with other participants, concluded:

Humanity is conducting an unintended, uncontrolled, globally pervasive experiment whose ultimate consequence could be second only to a global nuclear war. The Earth's atmosphere is changed at an unprecedented rate by pollutants resulting from depositions of hazardous, toxic, and atomic wastes and from wasteful fossil fuel use. These changes represent a major threat to international security and are already having harmful consequences over many parts of the globe.... it is imperative to act now."

In the Conference statement, the Changing Atmosphere Conference in 1988 called for the global community to Reduce CO2 emissions by approximately 20% of 1988 levels by the year 2005 as an initial global goal. Clearly the industrialized nations have a responsibility to lead the way both through their national energy policies and their bi-lateral multilateral assistance arrangement.

AWARE THAT in 1992, under article 4 of UNFCCC developed states made a commitment to return to 1990 levels by the end of the decade (i.e. 2000) (Article 4, UNFCCC);

RECALLING THAT in September 2007, at the UN, the Chair of the IPCC Rajendra Pachauri supported, "moving from a meat-based diet to a plant based diet.

RECALLING THAT In 2009 at an IPCC press conference at COP15, it was proclaimed that at a 2 degree rise in temperature, the poor, the vulnerable and the disenfranchised would not survive, at 1.5, they might

AWARE THAT in 2013, all member states adopted Sustainable Development Goal 13- Climate change presents the single biggest threat to development, and its widespread, unprecedented impacts disproportionately burden the poorest and most vulnerable. Urgent action to combat climate change is needed

APPRECIATING THAT in 2015, at COP 21, Secretary General, Ban Ki Moon, in Paris, urged states to negotiate with a global vision NOT with vested national interests

WELCOMING ON August 4 2019 Secretary General Antonio Guterres stated: We are facing a grave climate emergency. We need urgently to accelerate with Climate Action for the transformation the world needs. This is the battle of our lives. It is a battle we can win. It is a battle we must win.

IMPLEMENTING sdg13, achieving a global vision, addressing the climate change emergency, and keeping the rise in temperature below 1.5 c would involve:

- (i) Fulfilling article 2, The ultimate objective the UNFCCC Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system;**
- (ii) Being determined to protect the rights of future generations, and to invoking the precautionary principle (Where there are threats of serious or irreversible damage from climate change, lack of full scientific certainty should not be used as a reason for postponing such measures to prevent the threat); and enforce the pollution pay principle**
- (iii) Supporting the principle of common and differentiated responsibility, compensating for historical emissions,[Loss and damage and instituting a fair and just transition for workers and communities affected negatively by the new vision;**
- (iv) Ending subsidies for fossil fuel, and the investment in fossil fuels;**
- (v) Ending fossil fuel exploration, production and distribution through infrastructure such as pipelines and tankers and closing LNG ports**
- (vi) Conserving carbon sinks -such as old growth forests and bogs, planting trees, ensuring food security and strengthening conservation of biodiversity,**
- (vii) Promoting nature-based solutions, including moving away from car dependency and instituting socially equitable and environmentally sound public transit and energy such as solar, wind, tidal, and geothermal, and avoiding all false solutions such as nuclear, geo-engineering, fracking and biofuels;**
- (viii) Reducing the global military budget by 75%, signing and ratifying the Treaty on the Prohibition of Nuclear Weapons, ending the exemption of greenhouse gases emanating from militarism, and transferring the savings to address the climate change emergency**

(ix) Making a commitment to use the baseline of 1990, and given the climate change emergency, in COP 27 to use time lines and targets reflecting existing and emerging science such as 50% below 1990 levels by 2025 ,75 % below 1990 levels by 2030, 100% below 1990 level by 2040 and decarbonization with 100% ecologically sound renewable energy by 2050,The state delegates must be provided with all the emerging science before attending the conference . For too long the negotiators have not been sufficiently briefed on the science

(x) revoking the call for "net zero" because the call condones business as usual with increasingly dubious offsets

(xi) Addressing the climate change emergency would also require, in each article at COP 27 a striving for consensus with a fallback of 75% without compromising the developing countries

(xii) Seeking an advisory opinion from the International Court of Justice on whether the developed states have failed to comply with the objective of the UNFCCC and have not prevented dangerous anthropogenic interference with the climate system

(xiii) Ratifying the UN Treaty on the Prohibition of nuclear weapons whose use would cause a humanitarian and ecological catastrophe

(xiv) Concurring with a number of states about the accreditation and dominance of the fossil fuel companies

In 2024, the United Nations General Assembly sought a legal opinion from the International Court of Justice on climate change

The response was the following: not only what states are required to do under international law to avert further climate change through both now and in the future, they also have to assess the legal consequences under these obligations both through what they do and fail to do have caused significant harm to climate systems in other parts of the environment and harm to future generations as well as for those countries by virtue of geographical circumstances are vulnerable to adverse effects of climate change

However a legal opinion from the ICJ is not legally binding

The international court of Justice can, however provide interpretations of international law via customs or treaties such as the UN Framework Convention on Climate Change UNFCCC

All states are party to the UNFCCC and the objective of the convention is :under article 2: it reads:

In accordance with the convention, stabilization of greenhouse gases at a

level that would prevent dangerous anthropogenic interference with the climate system such

a level should be achieved within a time frame to allow ecosystems to adapt naturally to ensure food production is not threatened and to enable economic development is done in a sustainable way

Under article 3 principles

The parties should take precautionary measures to anticipate, prevent and minimize any adverse effects on developing countries. Lack of full scientific certainty should not be used as a reason for postponing such measures

Given that the developing countries are the most affected but least responsible by climate change

Perhaps the developing countries could launch a case at the international court of justice

Joan Russow

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