

Legal Strategies for Climate Change Adaptation by Vulnerable Communities

The course was presented by Dr. Dayna Nadine Scott, Legal Research Fellow at the Center for International Sustainable Development law (CISDL) and Assistant Professor at the Osgood Hall Law School in Toronto, Canada. The course included a hands-on exercise of legal writing in presenting climate change threats to vulnerable communities as a human rights issue.

Dr. Scott gave an overview of the International Law on Sustainable Development (ILSD) and highlighted references to Sustainable Development in the UN Framework Convention on Climate Change (UNFCCC), while outlining the principles of sustainable development and examined how they applied to climate change. Reference was made to the developing works around the issues of adaptation and vulnerability. She defined adaptation and vulnerability in the context of the climate change debate, and showed how the concept of adaptation is currently addressed in international climate law.

Dr. Scott elaborated on tips for designing effective adaptation strategies and stressed the need to focus on adaptation, not on mitigation. Adaptation, she explained, can be passive, reactive or anticipatory. She recommended taking the anticipatory approach for better planning, including of potential costs. With regards to vulnerability, Dr. Scott stressed the importance of considering the magnitude of climate change as well as the sensitivity of the diverse and distinct countries and communities concerned. She also pointed out that the impacts of climate change is uneven and referred to the 2007 IPCC report which recognizes that those least responsible for climate change are the most severely affected by it.

Finally, the Inuit Circumpolar Conference (ICC) petition to the Inter-American Commission on Human Rights was presented as an example of how human rights law could support a claim on behalf of a vulnerable community. The motivation of the Inuit in this claim was to raise the awareness about the effects of climate change on their livelihood.