

## **COMPTE-RENDU**

Recently said to be "terrifying" by Prince Charles, climate change impassions the British people. S. Caney considers it from the viewpoint of political philosophy, discussing how to share the burden generated by the evolution of the climate.

According to the Intergovernmental Panel on Climate Change established by U.N. institutions, the rise in earth temperature will have considerable effects, causing the loss of arable land and small islands, floods, droughts and diseases. These negative consequences will particularly affect the poorest of our planet.

Three principles can be called upon to determine who should bear the consequences and the costs of climate change, by taking preventive or corrective measures.

The (most traditional) "polluter pays" principle can be used if one also acknowledges its limits. First, not all climate changes are due to human activities, which implies that in the absence of polluter, there is no payer. However, all effects of climate change have to be treated, whatever their origin. Second, part of the pollution results from the activities of past generations, which disappeared and are no longer able to pay. In addition, it would be unfair to shift the burden onto the poor who pollute to secure for themselves the minimal conditions of a decent life. The same applies to those who polluted in the past without knowing the long-term consequences of pollution nor the risks that it implied. Lastly, some polluters will find ways to escape from their obligation to make up for the damage related to pollution. For all these reasons, the "polluter pays" principle is incomplete and must be accompanied by another principle which can fill in the gap.

"Beneficiary pays" could be a second principle of burden-sharing, according to which the burden of prevention or compensation of damages rests on those who profit from the polluting activities without having caused them. This principle encounters several objections: it cannot apply to the damage caused by past generations and, since the people currently living would probably not have been born if industrialization - the main cause of current pollution - had not taken place, one can argue that industrialization does not profit them at all. Lastly, it is difficult to impose an obligation simply deriving from a benefit which was not voluntarily accepted, if the value of this benefit is not overwhelming.

A third way is the "ability to pay" principle, i.e. shifting the burden onto the rich. Admittedly, they could argue that it is unjust to have their group compensate a damage which they did not cause but this argument could be turned over against them since, in the absence of any action, the damage is suffered by the poor who are not responsible either. However, it would be necessary to distinguish those who grew rich from climate endangering activities and those whose wealth has other origins, and to demand a more important contribution to the former.

In his conclusion, the speaker proposed four principles:

- all have an obligation not to pollute beyond the quota which they can be allocated in a sustainable way;
- those exceeding their quota have an obligation to compensate;
- the incompleteness of the "polluter pays" principle is filled by a contribution of the richest, particularly of those who got rich by climate endangering behaviour;
- these people also bear the responsibility to establish institutions supporting the compliance with rules on climate.

An animated discussion followed D. Butt's comment. Several questions were related to concepts: difference between a polluter and a beneficiary, identity of the agent responsible for pollution (individual, company, state, international institutions), concept of "climate endangering behaviour". In his answer to other questions, the speaker also put forward considerations of effectiveness - surprisingly absent from the rest of his talk - in favour of his proposal. He reaffirmed his belief in the distinction of the three principles of responsibility since, even if two of

them should be applied jointly, they have different consequences, with regard to the identity for the debtors as well as to the distribution of the respective contributions.

Synopsis by **Henri Culot** (Young researcher, Applied Global Justice Network, Oxford )