

Farhana Podcast Episode

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SPEAKERS

Jessica Knezy, Zoe Varenne, Farhana Yamin, Sam Coleman, Tom Pegram

Tom Pegram 00:01

Hi, and welcome to 'Imperfect Utopias' based out of the UCL Global Governance Institute. This is a podcast about the challenges facing humanity and possible global responses. If you're new to the show, and you want to get a list of our favourite books and the resources, listen to past shows, and join our community go to ucl.ac.uk/global-governance.

Tom Pegram 00:35

So it's a real pleasure to have Farhana Yamin here with us today, Farhana is an internationally recognised environmental lawyer, climate change policy expert and a justice activist. She brings with her a wealth of experience within and outside the corridors of science and power. She served as an author for the Intergovernmental Panel on Climate Change, in the late 90s. She advised the European Commission on how to design the European Emissions Trading directive. And in more recent years, she has negotiated at the UN on behalf of the Marshall Islands, and was the lead proponent of the net zero emissions by 2050 target in the Paris agreements. Reflecting her belief that more radical action is now required to deliver on the Paris agreement Farhana joined extinction rebellion in November 2018 and has taken an active role in nonviolent direct action, including gluing herself to Shell's London offices last year. And we were lucky enough to have Farhana join us at UCL between 2013 and 2018 as a visiting professor at UCL. And during this time, she also set up track zero, an organisation which promotes strategic coalition building to pressure governments into action, and closer to home, in fact, in our own very own postcode, she's also coordinator of the Camden Council's 'Think and Do' community climate and eco action pop up. So thanks so much for joining us today Farhana, lots to talk about. I should also introduce the rest of the pod crew on the call who will be throwing in some questions. Perhaps you can all just say a brief Hello.

Sam Coleman 00:36

Hi, my name is Sam Coleman. I primarily handle the audio editing for the podcasts, and occasionally dabble a little bit in research and I'm looking forward to this conversation.

Jessica Knezy 02:28

I am Jessica. I handle the video editing. And I am super excited to have you here today.

Zoe Varenne 02:34

Hi, I'm Zoe, I do some of the research and more of the like admin and dip in wherever I can. And I'm really looking forward to this conversation.

Tom Pegram 02:42

Great. And I think it's probably worth also Time Stamping this conversation. So it's 2pm on the 6th of November, and we're still in the painfully slow grind of ballot counting in the US presidential elections. But a Biden presidency is now looking likely. I mean, some like Michael Mann have suggested that nothing less than the fate of the earth hinges on the outcome of that election. Others might be a little more circumspect. Given the scale of the task ahead of us, this decade, if global heating is to be limited to 1.5 or more probable 2 degrees, and echoing increasingly alarmed calls for action by the IPCC Farhana has said recently that, "we need to stop talking about climate change as a future problem. We really only have a short space of time to start making fundamental changes. The time for action really is now." So perhaps I could begin Farhana by asking you to cast your mind back to the 1990s, Greta Thunberg recently tweeted that over half of all global CO2 emissions have taken place since 1990. And it is kind of astonishing that this has happened in just the last 30 years, and perhaps a sobering reality check for anyone who doesn't understand the massive inertia in the system. So I was wondering, looking back to when you enter climate politics in the early 90s, could you have conceived of this emissions trajectory?

Farhana Yamin 04:16

Um, no, we didn't think emissions would rise this fast and that the climate impacts would be so severe, so fast, actually. So, but both sides, and I guess that the shortest answer is, you know, the rise, the rapid rise and industrialization of larger countries like China and India. The very rapid escalation of deforestation in the Amazon and in rain forests, the huge consumption and switch to meat based diets in those traditional societies too. All of these have combined in a very toxic mix, to you know, lead to an intensification of a trend that was there for actually hundreds of years, which was, you know, a sort of limp, limitless approach to nature. And we've now realised nature is finite, nature is being damaged. And, in fact, we're facing, you know, the sixth mass extinction. And many of our, you know, indicators, you know, global indicators, and tipping points are close to, have already been breached. And none of that scientific knowledge was there, in the first IPCC reports, you know, back in 1990, which alerted the UN system. And there were some issues that we now know, such as ocean acidification that did not even feature in those earlier reports, and that no one had thought about it, no one had thought, on that scale, about issues like the acidity of oceans being impacted by human activities, you know, to imagine the vastness of what we're doing, it's sort of unbelievable, and no one had really understood impacts such as a shutdown of the ocean circulation systems, through the introduction of salt water and melting of the, you know, and so yeah, in a nutshell, you know, these things have become more evident over time. And as science has solidified, it's sadly, you know, shown more and more irreversible, more and more, you know, significant and serious impacts. And the plus sides of global climate change, which we had kind of thought about, you know, that global warming may lead to increased growing seasons, for example, allow for greater food production, those are not being borne out, in particular. So we were not

seeing any gains, you know, and that was a full set of ideas that influenced, I think, especially the northern hemisphere countries, largely the richer countries to kind of think there was, you know, some upsides of this, that maybe would all be taken care of in the future, and it wouldn't be so bad. So there was a lot of complacency and maybe, you know, a pros and cons kind of approach, instead of thinking this was a huge and very toxic problem that had to be dealt with immediately.

Tom Pegram 07:18

Yeah, I mean, I think it's almost quite shocking for us in 2020, to read the newspaper headlines, I saw one recently from 1995, in the New York Times, which was basically saying, you know, we're not sure whether global warming is necessarily anthropogenically caused. So that kind of debate was public, and still very much, you know, it was a challenge position as late as the mid 90s. And I also wonder, to what extent the early 90s were informed by earlier debates in the 70s, the Stockholm summit, the Limits to Growth reports. I mean, there were people talking about these issues in a systemic fashion, as early as the 70s. But it doesn't seem as if that really informs the negotiations or discussions in the 90s. And I wonder to what extent, you know, how do we explain those kinds of blind spots beyond what you've indicated, in terms of, in terms of accumulating scientific evidence of rapid tipping point, and so on?

Farhana Yamin 08:22

Yeah, I mean, that's a great question. Looking back, you know, when I sort of became active as a social scientist, as an advisor, there were voices, very significant Southern voices, actually, from the global south, saying, you know, this was the climate crisis, the biodiversity crisis, you know, forests were being burnt down then, we almost had a forest treaty in 1992. You know, they were saying, actually, this is a systemic problem. This is a problem that links capitalism, colonialism, you know, racism, imperialism, and that this is a continuation of a series of patterns affecting consumption, and production. So you know, this lifestyles and consumption and luxury emissions were very much part of the vocabulary part of the debates in the late 80s and early 90s. And I think they didn't break through because the dominant narrative at the time was that capitalism would fix it. And, you know, you had the demise of the socialist economies, you had, essentially the whole world sort of accepting that capitalism was the right model to embrace and that actually, you know, the, you know, that that, that that using market based tools and regulating capitalism the right way, was the best approach for the global economy. So I think a lot of those initial ideas that linked you know, different theoretical and empirical understandings, and that pointed to more systemic solutions were just brushed aside, they didn't make they didn't make political traction, you know, it was all the 90s is dominated by globalisation and opening up the world to free market principles and removing trade barriers. It's all about, you know, the rise of the WTO. which ironically, you know, we're now at a point where even those rules are being dismantled the rules that were going to regulate globalisation, so it could be kinder and better and greener, are, frankly being dismantled. And maybe that's one of the things that might be reversed in a, to some extent, with a Biden presidency. But right now we're seeing a great dismantling of the regulatory parts that were supposed to control unfettered capitalism, and I'm speaking in those terms, because I feel that's very much part of my journey. Although I started life in a, you know, with a lot more sympathy and understanding of the systemic challenges. You know, I became very convinced that markets and carbon prices and emissions permits would solve it, you know, that using the right sort of levers of power of regulation with a, you know, savvy, clever mix of market instruments and education, we would kind of fix this. And sadly, that's not happened, because the fundamentals, which is a

massive increase in throwaway culture, and consumption, a massive overuse of natural resources, has continued unabated. And the consumption in essentially richer Western countries, as we used to call them in the East has been matched by the, you know, the West has been matched by the east by the global south. So everyone is, you know, now part of the same economically destructive sort of cycle. And the relatively innovative instruments that we had have, have failed. And I feel that that very keenly. And that's my own journey, as well, what, you know, going from designing the emissions trading system of the European Union to seeing it have very little impact really on, you know, transformation in the EU itself. Carbon prices being put forward time and time, again, through academic work, through advisors, through all sorts of institutions and need to be,

Farhana Yamin 12:27

you know, gutted when they actually came to be adopted by Parliaments and legislatures, and by treasuries that just, you know, handful of countries who have a handful of carbon taxes that don't really impact sufficiently, what they're trying to sort of regulate. So I feel like, and just sort of blaming consumers and expecting them to make the right choices, has also not worked, you know, this isn't a problem that you can just fix through individual consumption patterns alone, you know, through just shopping and buying the right thing, that that helps, but it doesn't help enough. And, you know, consumers can't make those sorts of decisions every day for the for the, for every single thing in their shopping bags, and trolleys, you know, when you require a transformation of land use across the world, that's not an individual choice, when you require a transformation of energy and battery storage and micro grids. That's not stuff that you can influence as an individual too much. And so not understanding the political nature of these choices and how much of a transformation was necessary. You know, we stuck a little bit to the incremental and what was safe?

Tom Pegram 13:35

Yeah, I mean, I think there's been quite a lot of self-reflection within the political science academic community, too, as to whether we've done enough to really identify those structural systemic drivers. And indeed, what solutions might look like. And something I've been struck by somewhat in the focus on technology as a fix is perhaps a bit of a lack of humility. There seems to be the sense that climate change is ultimately an engineering problem. There are sort of solutions that can be engineered. But of course, when it comes to technology, the carbon capture storage facilities, and this is untested technology. And when it comes to deploying market mechanisms to solve climate change, we really don't we don't know whether that that can actually work. I mean as you've indicated, ultimately, it is the sort of embedded behavioural consumption dynamics that needs to be addressed. per capita carbon emissions in the US are at 17 tonnes per year, I think, which is over double anywhere else in the world. And I understand that on average, per capita emissions would have to come down to two tonnes per individual, globally, of course there's a lot of inequality and other variability there to be explored. So this is a really challenging question. And in more recent years, certainly since Paris, a lot more emphasis has been placed on citizen power and bottom up decentralised action to address climate change. And you've been involved some in some really interesting initiatives. And this does mark a shift from kind of the earlier top down command, control, inter-governmental approach. And I guess it's also distinctive to the kind of the decentralised market mechanism approach as well. But what do you think are the prospects for combining sort of the best of both of these worlds kind of the top down decisive governmental action which is required, given the imminent timeframe we're talking about here, but also

sort of fertilising those big kind of cultural shifts, in a sense, at the, at the bottom up level within the community to tackle to tackle the climate emergency?

Farhana Yamin 16:11

Yeah, I think we were over invested in the research, Techno managerialist mindset. And so actually, the need then to build movements and to empower and imagine and allow citizens on their own to experiment and to create different forms of well-being and, you know, address change locally, was under invested in and I speak also, because I had spent a few years in philanthropy and background. And we were very much, you know, following that global framework, national legislation, good science, good communication, good narratives, but we really, really didn't invest and emphasise the role of people and the role of community based action and the role of local government and the role of, you know, even cities that came relatively late, you know, if you look at all the sort of initiatives that are looking at, and supporting cities and sub national actors, they're all around 10 years old, actually, maybe slightly over roughly like the C 40, which is around now, you know, as was set being set up only sort of 10, 12 years ago.

Farhana Yamin 17:29

So I think it's absolutely critical to act on all fronts, and every locality is a site for experimentation and imagination, and people are really deeply invested in their neighbourhoods, and that's where they live, but actually, for a long time, you know, people, people were sort of almost encouraged to think of themselves, especially in the progressive green space as global citizens, and not to worry too much about where they lived, it was all the emphasis was on being a global citizen. And I think you're seeing a big backlash against that in recent times. And that the counter narrative was then to be a nationalist and be sort of parochial, you know, that was, that was like the choice it was. And for most of my friends and me included in the policy community, it was very exciting to go off to COPs and the UN and be a global citizen and go to workshops here and there and, and essentially neglect and under emphasise, you know, what was needed? What, what would my high street need to look like? If climate action was real? What would be the difference if we took nature seriously, in our own parks, in our own buildings, if our in our own civic spaces, you know, what, what's the difference that the SDGs make, if they're to be the goals that guide us all in leave no one behind, you know, no one's heard of these concepts in the high street, nothing looks different. So that's one of the reasons why, sort of at the end of last year, actually, year after I sort of joined extinction rebellion, I was like, you know, it's also really tiring to just go around protesting all the time, and it's exhausting it's essentially a negative thing. And you can't keep doing it every Saturday, I just want to live a nice life, I want to be with my community. So we sort of pioneered this idea, I came up with this idea of, let's create a Think and Do space, a solution centre that's local, you know, instead of a think tank that is constantly writing policy reports for someone else, let's, let's create the policy and see if we can figure it all out on how to make it happen locally. And maybe there could be 1000s of these, maybe every high street should have one, you know, every Ward level let's see what it would look like. So that's one of the experiments that we tried, you know that we were very lucky with the support of Camden Council, which has a very good record of trialling and experimenting and having participatory approaches. We essentially on the back of the Climate and ecological emergency that Camden had declared, first of all established a citizen's assembly, it was the first climate citizens' assembly actually in the world was in Camden. So we're very proud of that. And then that recommended, you know that there should be more spaces for citizens to come together and

create collaborative actions, you know. And then with the council, we converted this disused cafe, which was on our high street in Kentish Town very near where I live. And for around sort of six months, that became a hub. And it was sort of subversive because it's a shop where you bought nothing. So actually, you're already creating a space, where you're kind of slightly subverting the norm of what it is to be in a high street to walk in, there was always free cups of tea and coffee, people often gifted food cakes, the council were very generous and provided support and time for opening it. But by and large, it was the community groups themselves, who came together organised events, and it took off, you know, in a massive way. And it showed, there was this huge appetite for people to come together. And there was a huge appetite to collaborate and weave together different elements of things that people were needing. And often they wanted just some advice or support from the council. And they're there that they were the council officers, they weren't locked away in an office block somewhere in Kings Cross, there they were. So it was very exciting. And I still feel the future is, should involve more and more of these kinds of experiments. And more and more Think and Do spaces and the words Think and Do are, again, coming back to this set of ideas that we've over invested in the thinking and the strategies and the top down stuff, and for want of a better word, the intellectual sort of input, actually, the doers are often, you know, seen of as an afterthought, you know, it's very glamorous to go around doing strategy, no one wants to do implementation. And it's actually we all have to be thinkers, we all have to be doers, we all have to think and act differently. And figuring out that for ourselves, our families, our communities is as exciting, as you know, publishing your next report telling everybody else what to do you know, let's do that for ourselves. So that's my sort of vision to try and I guess, correct for the fact that I too, was over invested. And I was a bit bored, to be honest, I felt. Yeah, I felt very burnt out after Paris, I took time off, I felt

Farhana Yamin 22:28

there was a lot of, you know, I went through quite a period of depression myself thinking, you know, what, have all the reports that I've written, you know, what have they achieved, you know, because in 2017, when, frankly, the Trump presidency took over and announced, they were going to withdraw from Paris as they have done, it felt like we'd sort of failed, you know, and we'd failed the small islands that I'd represented, we'd written 1000s of papers and reports saying 1.5 degrees was too much. And that, you know, the world was, so I felt, and I still continue to feel that sort of part of me that wants to go off and write a book and do more research. But there's a part of me that's a bigger part that is, you know, it's more important to, to be more active and an activist, it's much more important that I spend that time that I would have written a peer reviewed paper and been really proud to spend that time, you know, supporting the voice and the ideas of others and making stuff happen in the real world. And it's not that I, you know, don't understand the importance of global frameworks or national legislation, it's just that it has to be complemented all the time by far more active citizens. And I think all researchers should be as active in their communities, whatever issue that is, whatever your entry point. And, you know as I say, you know, it's, you know, put the word activist on your CV, everyone should have that. And that's why I always say, international lawyer and activist to sort of signal that a bit.

Tom Pegram 24:01

Yeah, I mean, it speaks, I think, to perhaps the more general trend towards specialisation and sort of being in your silo. And perhaps it's time to break down some of those barriers. And Jessica Green, high profile political scientists recently wrote an article exactly saying that calling for academics to put activist

on their CV as well. So I think the movement is in that direction. So I know Sam's got a question. Sam, do you want to come in?

Sam Coleman 24:30

Yeah, sure. I just wondered if you could talk more Farhana about your work with Small Island nations? And what some of the challenges were, or some of the similarities with that acting local mentality that you found in the Camden community hub? And what are some of the challenges of the more immediate climate risks compared to what you were referring to earlier for strategies and the reports and then finally on that, how, where does Think global act local sit within that, especially relating to the small island nations?

Farhana Yamin 25:08

Well, um, Camden has a population of around 262,000 people, right, sort of a quarter of a million. And many of the countries that I have acted for have been well below that, like the Marshall Islands has a population of 76,000 people. One of the countries I active for Niue has, you know, about 6000 people. So, so some of these are very small countries, especially in terms of landmass and population, but they're actually very large in terms of, if you look at the marine boundaries, so we call them, you know, small islands, you know, they have a, they have a geographic and, you know, cultural sort of presence that's much sort of larger, which is very sort of different. I think, you know, for me, it's quite painful, talking about some of the things that I've learned, you know, about their history, like the Marshall Islands, for example, was, you know, handed back and forth between, you know, different empires, you know, for the last 150, sort of years after it was settled originally by the Pacific Islanders themselves, who had been there for 3000 years. So, especially after the Second World War, there was one of the islands of the Marshall Islands called Bikini and it was the test site of, you know, multiple nuclear weapons, you know, many of these Pacific Islands were not liberated, and the reverse happened to them after World War Two, they were used as military bases or, you know, taken over, and that's still happening.

Farhana Yamin 26:49

And for them, climate change has come along, you know, in the 90s. Climate chaos has come along in the 90s. In many cases, when they were just liberating themselves and becoming independent and having, you know, struggles of, you know, anti-colonial struggles, they didn't many of them didn't reach full independence until the 80s and 90s, actually. So it's very sad in a way that they grappled with so many problems over the last 100 years. And now finally, they are sort of free but now they have this invisible set of gases and consumptions and lifestyles, you know, from elsewhere that are, you know, jeopardising the in habitability of those countries right now. And so there's a huge difference between that and what's happening in Camden. It's true that in Camden, we have a massive number of people in Camden, Bangladeshi community, the Somali community. There's a huge diversity of people whose original mother homes motherlands are really deeply impacted by climate change, like Bangladesh and so forth. But I think, you know, there's also vast differences. We have, essentially a welfare system, it may not be adequate, but it's still there. We have safety nets, we have National Health Service, we have national security, we have a police we have, you know, all sorts of things that are education that is not imperilled in the same way, as some of these countries are finding now, especially with COVID, when they are facing massive debts, and so forth. So I feel that there's a lot of similarities, but there's

also huge numbers of dis, you know, there's sort of connections between diaspora and different populations. And, you know, in terms of wealth and class, there's huge differences. Also, in Camden, you know, how 40% of Camden doesn't have access, the children don't have access to the internet, you know, and that's been revealed by COVID. Because they couldn't, they couldn't all log on and sign on to school lectures by zoom. So there's a lot of disparities in the world, and there's a lot of inequalities and there's a lot of unfairness and just injustice. And I guess what's unites me is, you know, I can see all of that and I'm fighting all different fronts. And I feel that their own courage and resilience of trying to survive through so many hardships for the last 100 years is what inspires me as well, you know, and President Hilda Heine, who was the President, I was advising in the last few years, she's there's been a change of government so she was the president until 2018. You know, she said, Yeah, we've battled with so many things, you know, in the past and climate change is now one more thing that we have to face. And you know, the difference is that it's irreversible and forever. You know, and you know, over 1000s of years, sea level rise would lead to a complete wiping out of their islands you know, these islands are often one metre or only two metres at the most above sea level. So over 1000s of years, we will have changed the entire physical world map, you know. And that's, that's something that I still find very difficult emotionally, psychologically, to grapple with and all of that all of their cultural heritage. You know, the Marshallese had worked out a system, many Pacific Islands had of navigating using waves. So the texture and depth and the way in which waves work were for them, you know, they could navigate through that, not even using stars actually just how waves look and feel, and which is incredible, right? We've and we've lost that knowledge, because the last seafarers who had that knowledge are very far and few between them, they have some written records of how that worked. But we're losing immense cultural knowledge, we're leaving people to face displacement. There's already migration issues, because you know, the younger generation no longer feel there's a home that they can live on, you know, they don't want to invest in those houses, if they're going to be devastated by tides. And if there's going to be salt, water intrusions, if there's going to be hurricanes and typhoons, you know, the whole time. So

Farhana Yamin 31:20

sorry, I've gone on and on a bit, but I just, I just feel like that is perhaps on us, you know, we cannot prevent nature from being so unkind to us. But we can be kind to each other as systems, we can act on the basis of compassion and solidarity on the basis of human rights and on the basis of not inflicting more loss and damage on countries that have done very little to cause this problem, and who are now on the receiving end of the worst of those impacts. Yeah, that's, that's what keeps me sort of going.

Tom Pegram 31:55

Great. Sam, do you have a follow up?

Sam Coleman 31:58

Yeah, I actually just wants to ask, what is it like representing or working for one of those small island nations? And do you feel a different sense of duty? If you're working with a country that is not your own? And there's that sense of representing their interests, or being unbiased by your own upbringing, or your own way of perceiving the world? And what some of those challenges? Because obviously, we'll never truly be able to understand another person's way of life or viewing the world? And what are some of the challenges that you found in working with a real diverse range of people?

Farhana Yamin 32:42

Yeah, that's quite good. Good question. So lawyers, when you train, you know, you know, that you'll be acting for clients, and you don't expect to have the same background necessarily, or be of the same ethnic or cultural group as your clients. And so I guess, I did my training, and I trained to be a solicitor, and, you know, I have a very clear relationship, that these are my clients, I don't have to be the same nationality, or, you know, understand them in the same ethnic, you know, and their culture in the same way, I have to do my job for them as a lawyer really well. And that means understanding, obviously, what their position is, you know, helping them understand what's at stake, that's my job to translate that into, then, you know, the opportunities that they have, in the context of these negotiations to, to make their voice heard to, to be involved in decision making, to represent them to really champion their, to really champion them and to, you know, sometimes I can use my voice as happens in a court of law where a lawyer speaks on behalf of their clients, but sometimes clients do a better job, you know, and you let your clients speak, and, you know, they are the best advocates themselves. So, yeah, it's just understanding some of that I took a decision, sort of, after actually around 10 years ago, 2009, that I wasn't going to speak on behalf of the islands, I would always act behind the scenes, and I would write speeches and talking points, because I felt, you know, it was better for them to, to speak, I might be more articulate, you know, they might be less competent, but it was my job to actually, you know, support them. And, and that was, that was a really good decision for me. And I think not everyone in that advisory space made that same decision, but increasingly that became the norm. That, you know, the countries themselves originally, were sort of more happy for you to represent them and formally to speak on their behalf in the negotiations or to the press or to... and over time, you know, it felt more uncomfortable and it was like actually, you know, the world wants to hear from you, they don't want to hear from me. And you know, it's much better if I help support you in every way, whether it's drafting a speech or helping write talking points or making sure just frankly, that you'll turn up to the press conference at the right place in the right time, and I just carry a briefcase for you. So that's, that's some of them sort of professional challenges, but I think it's, you know, sometimes helps to have that objectivity and that sort of sense of professional boundary, you know, which is, to me quite important. It's all- it's involved some strange things, because, you know, I'm originally Pakistani, I often wear my Pakistani clothes, and so on, I've grown up in Britain, I have a great, you know, I have a British accent. So yeah, it's turning up sometimes and acting for a small island, you know, people would often find that quite puzzling. Who is this British? Are you British? Are you Pakistani? Are you from the Marshall Islands? Who are you? You know, so people often want to collapse and make stuff very easy. And, you know, be it would be, you know, harder sometimes to explain to people what the link was, but I think, I think, you know, there are many other kinds of advisors in the negotiation. So you would, you know, they have scientific advisors, they have legal advisors, they have communication advisors. So it's become a bit easier over time. But I think, originally, when we all started, you know, in 1991, I started but my colleagues had started from 1989. You know, there was definitely a lot of raised eyebrows in the UN is like, Who are these sort of British lawyers who have suddenly arrived, you know, acting for all these small islands, you know, Who the hell are they? But then it became more commonplace, I think. And yeah.

Tom Pegram 36:49

thanks, Sam. Yeah, I imagine that also give you a pretty acute sense of the degree to which these kinds of voices actually had standing in the kind of core decision making forums within the UN within the climate negotiations, which of course, is an ongoing concern. I know that. I think Jess has a question. Jess do you want to come in. Yeah.

Jessica Knezy 37:13

You've spoken a lot about the consequences of climate change in the context of the small island nations, environmental degradation, degradation and loss of culture. And I think we can all agree that the consequences are disproportionately placed on the Global South. However, we do see evidence in the Global North, we've got, you know, fires happening in the pacific northwest of the United States. So my question is, what do you think drives countries to defect from environmental treaties? And going back to Kyoto? How did that experience impact the structure of the Paris agreement? And in the future, do you think there are possibilities or even desires for harder compliance mechanisms to be integrated into these agreements?

Farhana Yamin 38:03

Yeah. Well, let me start backwards, I guess, um, you know, Kyoto was the sort of high mark of the more legal top down science driven approach, with harder compliance mechanisms attached to it. You know, and that was negotiated in 1997, it had a quasi-digital compliance structure. It's still going, it's not dead, you know, it's still there, actually. But why did why did it not? Why didn't it attract, primarily the US, it didn't attract the US, because the US argued repeatedly that actually it was unfair, in exempting, you know, larger countries like China and India mainly, and that it was an uncompetitive playing field, and that they should be included. So I think that, that that narrative came from this sense of a moral and ethical framework about fairness. And in this cut, in this case, the richest country in the world, with the highest per capita emission and huge historic emissions too, you know, were saying that countries that were not on a comparable position should have exactly the same legal conditions applied to it. That was the original Kyoto critique of Kyoto that George Bush, you know, you know, gave and I think that that sense of unfairness shows how fundamental you know, moral and ethical principles are in shaping narratives and public narratives too. So the cry that it you know, Kyoto was unfair, the same cry now that you see the Trump presidency America first that somehow you know, the burdens being put on the American economy and American citizens are disproportionate is, is fundamental. So I feel like, you know, paying more attention to fairness issues, and how fairness is perceived and mediated. And why fairness and then narratives like looking in hindsight, were manipulated by certain actors, you know, to sort of pull down this treaty, because that's what they wanted. You know, at the time that a lot of the fossil fuel industry and a lot of the greenwashing and lobbying efforts went into reinforcing that unfairness narrative. So yeah, countries defect for different reasons. But I think, you know, the US also has a really long track record of getting global agreements, and then defecting because it can, it's great for the US, for the rest of the world to comply to rules that it doesn't, you know, comply with or can choose to comply with or not comply with. So Kyoto isn't the only treaty that this has happened to, you know, there's dozens and dozens of other treaties across many thing and that's to do with its the US is this proportionate economic, military and diplomatic and financial power, that it doesn't have to, no one can enforce and bring the US to heel, possibly now China as another thing, but then they would be in a dual relationship. And, and that's what made Paris different. So Paris, tried to create a framework

where each country would essentially feel it had made a fair contribution itself. And so there's this notion of nationally determined contributions, the word commitment got deleted as well, because that's too hard language. Right. So you started off, we all wanted nationally determined commitments. We didn't want nationally determined contributions. Contributions is obviously a softer word, you can hear it like commitment legal. So all of these, you know, words signify a massive difference in the way in which fairness issues were dealt with. And one of the fundamental, you know, points of contention that was let go by the US administration, and accepted in the end by China and all of the developed, developing countries was, you know, a sort of comparable treatment, like everyone decides for themselves what's fair, this, this fundamental principle of common but differentiated responsibilities, which had put a certain group of countries in a position of making a lesser contribution than others developed, developing country distinction, which was fundamental to the climate treaty, fundamental to Kyoto, and is less so and is fudged in in the Paris Agreement are ways in which these things are different? And you know, time will tell, you know, we will, is it today's, but I've lost track of time. But anyway, it's two days since the November 4th is when, you know, the US has formally withdrawn from Paris. And, interestingly, I think 60% of the US population and 60% of its GDP, is still Paris compliant, they are part of this initiative, we are still in. So actually, you know, ironically, the, the there's been a galvanization of energy and support from, from the states from sub national actors from companies and businesses all pledging to be Paris compliant, no matter what is done officially. And it might be 75 days, I guess, till day one of Biden's presidency before the US is signed back in. But it makes a huge difference. And I certainly feel it's a very long answer that we'll never go back to that multilateral rule brown, transparent, more judicial way, that was signalled by the architecture of Kyoto. You know, that was, as I said, the high mark. And it's, it's not going to happen because we now have Paris.

Farhana Yamin 44:13

And I think countries like China, India, Brazil also wanted their own flexibility. So they didn't want to be boxed into a kind of two part, three parts sort of category categorization. And I think there are some ups in that, you know, I think, as a lawyer, we tried so for decades to come up with sort of definition and categories and how you would go from one category to another category, but actually, they're all pretty clumsy and really difficult. And, you know, going back to your first question, Tom, you know, no one foresaw the rapid you know, rise in in in emissions and industrialization of India, China, Indonesia, that East Asian economies and large parts of the developing world. So that wasn't predicted by the economic models actually back in the 90s, early 90s. That was a surprise, how that went. So I feel like yeah, maybe the law, you know, shouldn't be overly rigid. Especially international law, because it takes like a decade each time, it's taken a decade to get a treaty negotiated, entered into force and implemented and I've I span all three decades, like the climate change convention, the Kyoto Protocol now Paris, and I feel a bit tearful and sad, but you know, yeah, if we had a yeah, we had a rejection of, of Kyoto by George Bush. And we lost basically eight years as a result of, you know, a breakdown in multilateralism, and a very hostile backlash against, you know, climate action in the US. And, you know, I hope fingers crossed that we don't lose eight years, we've lost four years, again, because the Trump presidency has been very hostile, you know, led and supported and championing, you know, the fossil fuel industry, essentially. And so if we lose another four years, we will be really at a critical point. And it will make progress so much more difficult. So, yeah, fingers crossed, you know, by the time this podcast goes out, we'll be in a better place and not in that, not in that place where we lose yet another decade.

Tom Pegram 46:38

So I would like to just ask, perhaps provocative question Farhana, on the back of that. I mean, historians are quite keen on, you know, the counterfactuals, what would have been? And I'm just wondering, do you think if the US wasn't such a dominant force in negotiations, at China, in the EU might have come to a more robust, understanding robust, enforceable agreements in 2015? Is that a possibility? And do we need to keep alive the possibility of a more robust intrusive top down apparatus, not exclusively, top down apparatus, but as part of the mix, given the kinds of timeframes that we're dealing with here? What needs to happen within, you know, a decade or so?

Farhana Yamin 47:26

Yeah, I feel, um, I feel like in the end, whether it's in our household or the playground, or school or workplace, you know, we develop rules for bullies. And for those who don't do their fair share, or those who are incompetent, you know, it's a mix of things, we always, we have to address that. And in climate change, it's a mix of all of those things, you know, of not doing your homework, not bothering to change your economy, not listening, using your power in an aggressive way to stop others even going ahead. That's what's happened in the US, you know, driven by very powerful vested interests, you know, very powerful vested interests who have a disproportionate say, in the political system. So it's not the publics, the publics everywhere for decades have been behind strong climate action, they don't have the same lobbying power, they don't have the same market power, they don't have the same revolving door. You know, the reason I glued myself to Shell, you know, in April 2019, was, you know, a report came out from influence map, you know, which you can read it, it's like \$1 billion, has been paid by the fossil fuel companies since Paris, you know 1 billion since 2015, for lobbying, marketing and greenwashing and controlling the narrative. That's not fair. So I fee, like we, you know, we need to act and create now different systems to regulate that. So some of the new things that are being put forward, and that should be taken seriously, is restricting or curtailing all rights of polluting industries to participate in our regulatory decision making, you know, kicking out the polluters, that's what happens in the tobacco industry. And in the tobacco treaty, you can't be a polluter, you can't be a, you know, but at the same table, you know, you're, like leaving the foxes in charge of the chickens. You know, it's like, you can't be at the same table. And you have to be excluded from decision making. And there are, you know, different ways of doing that. I think also trade barriers, you know, so trade incentives and also punitive measures to protect those countries who are doing their fair share of the homework from those who are not. And at the moment, you know, Paris didn't do that Paris took a incentivizing, let's just create a nice club and give everybody flexibility approaches didn't address the: What about the countries that refuse to do anything? And when it's the most powerful country in the world that has extensive military, economic, financial trade leverage, it's really hard for other countries to, to sort of step up and create those norms and rules and have them enforced. And I think that the only way that it can be done is then with other major actors like the EU, which has said it will look into, you know, ways in which trade can be used and to have tariffs and trade, you know, adjusted, essentially. So you have to break the free market rules in order to protect certain things. So the EU and China and other economic blocs would have to agree to those rules. And I hope that, that will happen, I think we've put it off every time actually, countries don't want to do that. And it's really difficult to persuade trade ministers to, to put green issues into their agenda. So but I think we're going to have to do that if, if over time, you know, this happens, again, as I said, hopefully, in 75 days, you know, the US will come back into Paris.

And the good thing is that we're also I must stress the good thing, you know, as I said, vast parts of the, the world are moving ahead, irrespective of what the politicians do it's the politicians who are out of sync in certain countries underneath it, you know, the energy economics, the economics of renewables are so different, that it doesn't make any sense, even though they can delay things. So I think, you know, even if coal, even if Trump is re-elected, you know, he can't really revive coal, except for a period of years, because it's, it's not possible, it doesn't make any economic sense anymore, when you've got clean energy that's price competitive or cheaper. So he can't change those basic economic facts, he can just resist them, and he can plough yet more public money, like my money, taxpayers money, your money. And that's what's happening increasingly, these bigger, you know,

Farhana Yamin 52:13

business, as usual, incumbents are using our taxpayers money. And again, over time, citizens don't normally accept that, you know, you're seeing that very clearly. Now, in some countries, not in the UK, sadly enough, but the bailouts are being attached and given with conditions, you know, to be greener, or to spend some of that bailout money, which is my money or yours, you know, domestically or to support domestic, you know, revival or whatever. And so with conditions, so I think, yeah, I think we do need a different kind of architecture that is complimentary and deals with the sticks, and we don't have enough sticks. We have lots of carrots. And sometimes we need the sticks as well as the carrots.

Tom Pegram 53:04

More sticks. Yeah, well, let's hope a Biden presidency would be an accelerant and not a break on the multilateral process moving forward. So I'm aware of your time Farhana, I'm going to hand over to Zoe to ask the last question. Zoe?

Zoe Varenne 53:25

Yeah. So I was wondering what you think about encouraging young people to participate in civil disobedience? Because arguably, well, not arguably, but climate change is a problem for everyone. So really, everyone should be getting involved. But if older generations are maybe more reluctant, do you think that young, that the younger generation should be engaging in civil disobedience to sort of speed along or maybe apply pressure? And as you say, you know, a stick?

Farhana Yamin 53:52

Yeah. My, my short answer is no, I have four children, from 26 to 13. And I feel it's on us, the older generations to do that, you know, we've benefited most, we are your protectors, it's on us, the older generations to do the nonviolent disobedience, and to let you guys have a nice life. You know, that's what I feel. And in fact, I think one of the nicest things about extinction rebellion, although it's very multi-generational, and the student strikes, you know, have played an enormous role. I think, actually, there was a huge numbers of older people, you know, from Christians, to women to grandmothers who really understand that that's, yeah, that's on us. You know, we should do that. That's what I feel. I feel you've got enough headaches coming up. You know, irres- even without COVID you have enough challenges we've left a very diminished world, you know, we've raided all our treasuries we've used up, you know, more than our fair share. So I think there is a huge intergenerational issue. But I'm very happy that you guys and younger people and students, and I hope UCL, you know, is a hotbed of that and remains so, you know, keep us on our toes and keep pushing and, you know, ask for more, because there's been a

lot of acceptance of incrementalism, and, you know, a bit of complacency and maybe a little bit of laziness and fearfulness. And actually, we need our young people to demand more, and say, and speak up for, for your generation and for the planet and for each other, you know, and yeah, I find that inspirational as a contribution. But yeah, I don't, I don't want my 13 year old missing schools. I don't want him on strike. I feel like he should be enjoying this time in his life. He shouldn't be burdened by climate anxiety. He shouldn't be burdened by not having an economic future. He shouldn't be burdened by, you know, having this huge debt ridden economy. No jobs to look forward to or jobs in, you know, yeah, don't plan it. I feel yeah it's my job as mother as a, as someone who's benefited from the system, frankly, as well to step up and do that. Yeah.

Tom Pegram 56:40

Yeah. Thank you Farhana. And on the topic of asking for more, does anyone have a follow up final, final question?

Jessica Knezy 56:51

Not a question. Just a comment, I wanted to say that, for us looking forward, we really admire the work that you specifically and people in your field have done to prepare some kind of a framework for work going forward. So I want to thank you for being here today and for everything that you have done, and what you've built for us.

Farhana Yamin 57:16

Oh thank you.

Tom Pegram 57:19

Yeah, I'd certainly like to echo that. Thank you so much Farhana, for your time, thank you for such a rich conversation. It's been fascinating, actually, everything from the, you know, the historic history of the Marshall Islands through to the intricacies of Kyoto and the Paris agreements. And, yes, thank you so much, and we wish you the very best in your future work. And we look forward to staying in touch and we should visit the hub in Camden.

Farhana Yamin 57:44

Yeah, well, we got a new bigger hub, which you know, because of COVID restriction hasn't been quite as inclusive. And you know, we've haven't had the same, but we did go online and create lots of online events. And I hope that UCL will set up its own thinking doing involve students, and there's plans to do that it was kind of again put on hold. So yeah, thank you so much. And maybe we look forward to a time when we can all meet in person and do an event you know, or yeah.

Tom Pegram 58:13

Definitely. I hope so. Thank you.

Farhana Yamin 58:15

Thank you. Thank you. I've really enjoyed talking to you all and yeah, thanks for doing this. You know it's important.

Tom Pegram 58:24

Doing what we can. Thanks a lot. Thank you Farhana.

Farhana Yamin 58:26

Okay, take care. Bye

Tom Pegram 58:28

Bye. Thanks for tuning into imperfect utopias to get access to all of our content, and to stay up to date with future zoom calls, workshops and events and more. Check us out@ucl.ac.uk/global-governance. If you like this content, please do leave us a comment and subscribe. Until next time!