



# NATIONAL PEOPLES TRIBUNAL ON CLIMATE CRISIS

16<sup>th</sup> November 2010 | India Islamic Centre, New Delhi

## Press release

### **Farmers, workers, migrants, fisher folk, and tribals seek compensation from the developed countries for climate crisis, ask COP to take note of their miseries**

New Delhi, Nov 16. Narrating stories on how climate change has affected their lives, agriculture and food security, climate victims from all over the country participating in a National Peoples Tribunal on Climate Crisis held at India Islamic Cultural Centre (IICC) demanded justice from the national government and from the developed countries for creating this crisis.

The Chief Guest, Shri Kailash Vijayvargiya, Minister Industries and Commerce, Govt. of Madhya Pradesh addressing the Tribunal said that developed countries are responsible for bringing about this crisis and, therefore, they must address the rights and claims of these people immediately. He also said the government should make all the efforts possible to redress these impacts. He emphasized that policy planning needs to factor in climate change because it is now an established fact.

Ms. Nisha Agrawal from Oxfam India said that the crisis is irreversible and needs global collaboration, the developed as well as developing countries need to think and act collectively in a rights based manner to address climate change. She added that world over people have started bringing claims and suits against climate culprits and also national governments and are looking at litigation as a means to enforce climate justice and ask for stronger legal framework for climate stabilization.

*“The poor in India depend on agriculture and are particularly vulnerable to the affects of climate change since they are largely dependent on rainfed agriculture and the vagaries of nature hit them the hardest. Give the urgency of this issue, Oxfam India is committed to working with all aspects of the state—the executive branch, members of the parliament, and today, the judiciary—to try and raise awareness about the need to act urgently on this issue. As a rights-based organization, we believe that the right to life and livelihood of poor people are getting adversely affected by climate change, and that we need to look for legal spaces and legal frameworks, nationally and internationally, where they can demand climate justice and adequate compensation for their losses,” she said.*

Justice Pana Chand Jain (Retd.) the Convener of the Tribunal said that the Supreme Court of India has given such an expansive interpretation of the Art. 21 of the Constitution of India that protection of food security, livelihood and health of the people is the right of the citizens and can be enforced despite minimal legal framework on climate change. He also stated that there is an urgent need of the International Tribunal on Environment and Climate which can enforce the binding provisions in the Kyoto Protocol.

A number of victims from different states, occupations, agroclimatic zones gave evidence before the Jury consisting of Justice Panachand Jain, Justice V S Dave, Justice A K Srivastava, Dr. Syeda Hameed (Member Planning Commission), Prof. A R Nambi (MS Swaminathan Research Foundation), Prof. Jaya Mehta (Economist), Mr. Hari Jai Singh (former President Editors Guild of India) . Animesh Giri from south 24 pargana District, West Bengal said local ecology has been affected so much that indigenous fruits and products which were the main source of their food have completely vanished. Mrs. Kothabbai from Baran, Jaipur blamed climate change and developed countries for bringing the misfortune of losing their lands and becoming migrants.

Ms. Ajantha, representing fisherwomen from Negapattinam, Tamilnadu said that their lives have gone completely out of gear due to change in the weather cycle and frequent extreme climatic events. Mr. Nilo Malli from Koraput, Odisha deposed that marginal farmers who are already a victim of agrarian crisis have been further pauperized and turned into menial labour. Peasants have not only lost their food security and livelihood but their dignity also. Ms. Prabhati Deve described how climate change has severely affected lives of small farmers, and cattle breeders like her. She added that there is no fodder for the animal and no food for the people in home, and asked how she can take care of the family when her husband has migrated and she is the only one to take care of the children and aged and ailing parents.

The averments of the victims were corroborated by the specialists and experts before the Jury. Dr. Suman Sahai from Gene Campaign said that agriculture and food security is going to be hit hardest in the climate crisis and it is very unfortunate that production in the countries who have contributed to the crisis is likely to increase or remain unaffected while poor countries and communities who have hardly any contribution in bring the crisis will face the brunt. Mr. S Janakarajan from Madras Institute of Development studies said that increasing salinity of the soil and groundwater has severely affected the agricultural production and fisheries.

Dr. Alka Awasthi said that specially in the context of Rajasthan, the government needs to take multipronged strategy to revive agriculture and ensure food to people in the state. Mr. C P Sinha, from IWRS, Patna said that his research on rainfall and temperature variability in the last hundred years in the district of Darbhanga, Bihar has revealed an increasing trend in the temperature and decrease in precipitation. Mr. Anshuman from DCRC, West Bengal attested the fact of increasing climate variability and huge impacts on the life of small and marginal farmers.

After hearing the testimonies from the victims and the specialists, the Jury, in their verdict said that developed countries should own their responsibility in bringing about this crisis and must compensate affected countries and communities. Pointing out that there are different sets of obligations at different levels especially as a member of international community, as a nation and as an individual citizen, the jury said everyone has to take responsibility for solving the problem. The Jury acknowledged that the issues of causality and state responsibility are two big hindrances in development of jurisprudence on climate change, however, they added that global juridical opinion is moving towards accepting this fact that climate change is manifesting, it is irreversible and need to be addressed. Speaking on behalf of the Jury Justice V S Dave said that there is an urgent need for unambiguous legal framework to redress climate change impacts on the range of rights of people, many of which are already protected under the Constitution of India, International Covenant on Economic Social Cultural Rights and other important treaties on the rights of women, indigenous populations, environment, and bio-diversity. The Jury also pointed out that there was a need for a climate literacy movement.

The Tribunal ended with more than 300 participants from all over the country taking a pledge to protect the environment and mother earth. Ms. Moutushi Sengupta from Oxfam India said in the valedictory session that Oxfam will convey these sentiments and claims of people in the coming COP 16. Mr. Sharad Joshi from beyond Copenhagen who organized the Tribunal said that it is a pertinent time to intervene at the global and state level, and Beyond Copenhagen will definitely present these arguments and concerns before the official delegation of India, and the delegation of other South Asian Countries and the COP 16.

**Note:**

For more details about the National Peoples Tribunal, Please Contact-

Manish K Jha

Pairvi

G-30, First Floor, Lajpat Nagar-III, New Delhi-110024

Ph: 09711896089, 011-29841266

Email: manishjha14ap@gmail.com, pairvidelhi1@gmail.com