Chapter 4

Sustainable Development in the Context of International Climate Change Law

4.1 Introduction

Climate change touches two questions of fundamental importance: human-kind’s interaction with and relation to nature and humanity’s relationship with itself. The principle of sustainable development addresses the same questions. Climate change, however, not only lifts these questions into a real-world scenario, but urgently demands a practical answer. In other words, climate change requires the international community to define what it means by sustainable development. It poses the challenge of integrating ecological limitations into all other aspects and sectors of human life, both in an intragenerational and intergenerational context.

The apparent, albeit complex, symbiosis of the challenge of tackling climate change and sustainable development has been captured by the Intergovernmental Panel on Climate Change in its 2007 Fourth Third Assessment Report:

A key finding is that through climate mitigation alone, it will be extremely difficult and expensive to achieve low stabilization targets (450 ppmv CO₂) from baseline scenarios that embody high emission levels … Achieving low emission baseline scenarios consistent with other principles of sustainable development, that is viewing climate change through a sustainable development lens, would illustrate the significant contribution sustainable development can make to stabilization.¹

¹ IPCC, Sustainable Development and Mitigation, in: Climate Change 2007: Mitigation. Contribution of Working Group III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, 696. Already the Third Assessment Report commented at this relationship in the following way: “The climate change issue is part of the larger challenge of sustainable development. As a result, climate policies can be more effective when consistently embedded within broader strategies designed to make national and regional development paths more sustainable. This occurs because the impact of
Similarly, the 2001 UNFCCC Marrakech Ministerial Declaration assumes a close connection between measures undertaken within the climate regime and the aim of sustainable development. The Preamble of the Declaration expresses the belief of the negotiators that ‘addressing the many challenges of climate change will make a contribution to achieving sustainable development.’

The importance of successful climate change strategies as one of the main issues in the context of sustainable development was reaffirmed at the 2002 Johannesburg World Summit on Sustainable Development. Recalling the pre-ambular wording of the Climate Convention, the ‘Plan of Implementation’ states that ‘change in the Earth’s climate and its adverse effects are common concern of humankind’ and refers to the UNFCCC as being the key instrument for addressing climate change, a global concern” and affirms the “commitment to achieving its ultimate objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, within a timeframe sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner, in accordance with our common but differentiated responsibilities and respective capabilities.”

The analysis of sustainable development in the context of the climate regime aims at providing a better, more practical understanding of the concept. At the same time, there is a positive feed-back loop. A better understanding of the principle of sustainable development is not only a desirable side-effect of this analytical endeavour, it is a necessary condition for the success of the international climate regime. As long as the claim of conceptual uncertainty surrounding sustainable development remains, also the development of an international consensus on climate change is hindered, if not endangered. But as long as the climate regime remains ineffective, it impairs the achievement of sustainable development. Long-term solutions to resolving the threat of climate change...