

## Workshop report

### The climate crisis: Future-proofing human rights research, teaching and practice

Groningen Centre for Health Law / Tilburg Law School /  
Netherlands Network for Human Rights Research  
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## Introduction

On 26 September 2023, the Groningen Centre for Health Law at the University of Groningen and Tilburg Law School co-hosted a workshop titled 'Future-proofing your human rights research: Climate change as a cross-cutting issue for human rights research.'

### Workshop aim

Increase capacity to integrate climate change into human rights research, teaching and practice.

### Workshop objectives

1. Strengthen understanding of the relevance of climate change to human rights research, teaching and practice.
2. Build capacity to integrate climate change into existing and planned human rights research, teaching and practice, as appropriate
3. Identify opportunities to establish or strengthen (existing) research, teaching and practice network(s) on law, human rights and climate change.

This report summarises the background and focus of the workshop and notes the key recommendation from the participants in the concluding discussion.

## Background

Climate change is the pre-eminent threat to human and planetary health. Its impacts are already widespread and disruptive for many communities and are expected to worsen in the coming decades. Urgent action is needed: according to the Intergovernmental Panel on Climate Change (IPCC), the scale of (in)action until 2030 will determine our futures, including those of future generations, for centuries to come. As affirmed by State Parties in the UNFCCC Glasgow Climate Pact: we are in the 'critical decade' for climate action. By extension, this means we are in a critical decade for acting on climate change for the protection of human rights. Climate change impacts on human rights in at least three major ways.

First, the necessary decarbonization of our societies requires rapid and major reductions in greenhouse gas emissions. These will entail deep transformations of societies implicating virtually all human rights. These impacts can be for the worse, or for the better, depending on the design of interventions.

Second, the disruptive effects of climate change are increasingly physically visible and felt. Human rights impacts will be increasingly severe in the coming years, including for women, children, indigenous peoples, migrants, and other communities vulnerable to climate change, across Global South and the Global North. Significantly, climate science predicts that at certain levels of unabated global warming, we may be facing 'tipping points': "critical thresholds beyond which a system reorganizes, often abruptly and/or irreversibly" (IPCC 2021).

Third, human rights-based approaches must underpin the consultations with affected communities and the participation necessary in State decision-making around climate change mitigation, adaptation, and loss and damage.

Climate change is thus a pervasive factor for the universal enjoyment of human rights, both now and for generations to come.

## Workshop description

The workshop was attended by students and staff from Groningen University, Leiden University College, Radboud University, Tampere University, and Tilburg University. The workshop was supported by a grant from NNHRR.

The convenors were Dr Dalia Palombo, coordinator of the NNHRR working group on business and human rights, Dr Antenor Hallo de Wolf and Dr Marlies Hesselman, both members of the NNHRR working group on business and human rights, Dr Lottie Lane, member of the NNHRR working group on human rights in the digital age, and David Patterson.

The morning sessions presented the climate crisis from different human rights perspectives. [Dr Marlies Hesselman](#) outlined the current state of climate science, drawing on recent IPCC reports' conclusion on remaining carbon budgets and the [Climate Action Tracker](#) on climate commitments and policies in place. Dr Palombo explored how the NNHRR business and human rights working group tackled issues such as [Investor-State Dispute Settlement \(ISDS\) mechanisms through a decolonisation and climate change lens](#). [Dr Otto Spijkers](#) noted the emotional toll of climate change on students and [researchers](#) – with despair increasing even among [climate scientists](#) – and discussed some different approaches to teaching climate change. The group as a whole discussed how climate

change is relevant to their ongoing human rights research and teaching, and in applications for funding.

The afternoon sessions comprised group work to address the following questions:

- How does climate change impact the legal questions we ask, the topics we research, or our methods and theories?
- How does climate change avoidance (including denial of severity and impact) affect our research and teaching?
- How can we mainstream climate change into existing and planned human rights research and teaching?

A plenary discussion following with group reports and discussion of the following questions:

- What are key opportunities for integrating climate change better?
- What are bottlenecks, or question marks? (e.g., LMIC and HIC differences)
- Where can synergies be made most easily, where is it harder?
- Other issues arising

The workshop concluded with a discussion of recommendations for next steps to increase capacity to integrate climate change into human rights research, teaching and practice.

## Post-it notes of working group discussions

### 1. How does climate change impact the legal questions we ask, the topics we research, or our methods and theories?

- It is a societal issue and a phenomenon that has negative harm on humanity and nature:
  - Regulation – law as a body of neutral rules
  - Decision-making – law as a flow of authoritative decision makingImpact will be different
- Methods: 'bottom up' / community based. Questions: urgency - solution oriented. Topics: varied – identify the extent of the impact of climate change on human rights
- Topics: all human rights are important. Questions: climate change has an underlying impact on questions. Methods / theories: We should find an environmental-based approach ('lens') to apply methods – multidisciplinary.
- Affects the actual topics: have to feature in climate change where we can. Methods / theories: challenging, requires creativity, critical approach to existing system. Altruism. Multifaceted.
- Impacts social, ethical, political questions and objectives therefore important questions for law, policy and research. Changes the world empirically therefore impacts the phenomenon we observe and analyse.
- Climate change exposes systemic failures. It influences me to put systemic failures at the centre of my research. Methodology: Linear vs circular approach - it changes how climate change impacts our research. Basis of approach? (lens HR v environment v nature conservation) framework impacts the research question.

- HR research on climate change needs to be interdisciplinary (political science, social science, natural science) what works... behavioural science... do we actually do this?
- Explore diversification of legal research methods e.g., empirical research methods
- Decolonise / diversify research theory / methods? (positivists, natural, critical)
- People are not asking / raising climate change issues besides those researching 'climate change'

## **2. How does climate change avoidance (including denial of severity and impact) affect our research and teaching?**

- Avoidance makes me question inequality and anxiety – a part of the world avoids the climate question because it is too stressful to deal with it. Another part avoids the question because it has no means to address it (other short term priorities). Only those in the middle between these extremes are actually taking climate change seriously.
- Politicisation of discourse – activism / wishful thinking
- Social impact of our research
- Need for dialogue with people avoiding climate change.
- Self-censoring (or minimising) so as not to appear too alarmist / radical / distressing and fear of a combative response (from students, readers and others – maybe even colleagues and supervisors). Scoping and limiting content too much and avoiding looking the gorgon in the face. Double-trap: cultivated ignorance and entrenched opinions.
- Limits open discussion / creative solutions. Label 'activist'. Grants / publishing opportunities. Politicisation of education.
- It challenges lecturers to create a safe space in class. It makes me, as a lecturer, reflect on the narrative I present.
- Working on false premises: incomplete picture – less socially relevant. In teaching – increase anxiety in students. Isolating.
- It impacts the societal impact of our research. It impacts science development in general (how disciplines affect each other). It impacts the law-making / reform: interpretation of the law an, ultimately, the protection of rights.
- Fear of being seen as activist researcher / teacher (left indoctrination website)
- Psychological resistance to asking complex / systemic questions?
- Avoiding stressing students.
- Avoidance arising out of not feeling directly / sufficiently impacted (yet)

### 3. How can we mainstream climate change into existing and planned human rights research and teaching?

- Community of practice on climate change in human rights research / teaching (inter/intra faculty) (academic network)
- Mainstream climate change through introduction of criteria to consider climate change in (part of ) research proposal and teaching.
- Teaching climate change by framing it in light of other historical struggles (HIV, ozone)
- More funding of climate related research
- Organise a public lecture on climate change law and human rights around the Conference of Parties
- Academic outreach and education on climate change (and human rights!) by experts / law students to high school students and others: activate students
- Engaging / empowering students to design part of curriculum or practical / activist assignment (e.g. design rights-based promotion campaign, litigation strategy)
- The NNHRR needs a working group on human rights and climate change! let students practice with exam questions on climate change. Moot courts on climate change. when you mainstream, be inclusive
- Interdisciplinary research. Allow for more creative / open approaches to (human rights) law. Anthropocentric v eco-centric approach. Include experiences / research from scholars from global north and south – invite them for talks. Essay prompts.
- Multidisciplinarity. Applying more social-legal methods. Structural changes in academia (e.g. funding criteria, collaboration among peers) do a better job in science courses.
- Deconstructing climate change into smaller issues to be addressed in the appropriate human rights research.
- Intersecting existing social, political, economic and other factors in areas of human rights. ‘asking the climate question’ (but also asking the other question’) Marie Matsuda. Challenge instability, acceleration and planning question of ‘how’ but also ‘when’ is it useful / appropriate?
- Connecting our topic to climate change (think about the impact). Connection our methodology / approach to climate change (reconceptualization). Exam questions / moot courts that relate to climate change. Multidisciplinarity (within laws and beyond law). Methods: socio-legal methods. Funding in academia – impact on society. Science communication) both in teaching but also political discourse. Ask questions beyond the obvious – critical approach. Mainstreaming v being inclusive (context based knowledge)

## Flipchart notes of plenary discussion

### **Bottlenecks / question marks**

- Interdisciplinary (language, theory, presumptions, paradigms)
- Communicate – mainstreaming human rights / climate change
- Limitations human rights / climate change
  - o Inclusivity
  - o Alternative ways to set the framework
  - o Rights of nature (eco-centric) v people's rights (Anthropos)
  - o Reframing rights – collective rights / nature rights
- Where to stop? Tensions human rights v climate change

### **Opportunities**

- Develop a teaching guide / MOOC
- Working group organised by NNHRR which engages students
- Working group on human rights and climate change
- Establish a community of practice on human rights and climate change
- Momentum for speaking about human rights in other for a / disciplines
- Internships, courses in other faculties
- Use climate change to advance human rights education
- Diverse groups (e.g., indigenous peoples) are becoming more fluent in human rights language – entry for climate change
- Enriching human rights scholarship – 'future-proofing' human rights research
- Rebalancing our approach – get back to integrity – move out of siloes
- Include climate change as a 'topic' or a 'methodology'
- Climate change can increase the validity of / interest in research applications
- Asking the other question (Marie Matsuda) – look for the other questions e.g., gender, racism in climate change and vv.

### **Wishes**

- Teaching guide – share practices in teaching
- Explore 'is human rights law in a crisis'
- NNHRR working group - include non-legal education – explore tensions human rights / climate change
- Guest lecturers for other disciplines
- Opportunity for teachers and students to engage together on climate anxiety
- Find better ways to communicate science e.g., cartoons, sketches
- Getting support from our universities

## Outcome

### *Proposal for a NNHRR working group on human rights and the climate crisis*

The key recommendation from the workshop was a proposal for a [NNHRR working group](#) on human rights and the climate crisis. The proposed working group will bring together academics studying the multifaceted ways in which climate change affects human rights. The working group will be open to all NNHRR members seeking to understand how climate change is an underlying cross-cutting issue that affects all our human rights research.

The working group will be open to all seeking to understand how climate change is an underlying cross-cutting issue that affects all our human rights research. In short: how does climate change impact the types of research questions we ask? Without considering the impacts of climate change on all areas of human research, can human rights research be sufficiently 'future proof'? How to ensure that human rights research is relevant in 2030, 2040 or 2050, in light of the climate crisis? Even more fundamentally: what role do and can human rights - as a largely anthropocentric 'human-oriented' construct - play in this 21st era of climate crisis? Is there a need for more radical, green, ecological and eco-centric approaches, for example as represented by the concept of 'rights of nature'? The working group will be explicitly open to different interdisciplinary perspectives on the study of human rights, as well as different methodological approaches and theories, i.e. ranging from positivist studies to critical studies.

### *Proposed activities*

This working group aims to meet at least three to four times a year, through:

- An annual panel discussion (and side events) at the Annual Toogdag
- An annual seminar for the WG, but open to all members of the Network, on urgent topics of human rights and the climate crisis. Topics for seminars may include, provisionally:
  - o The concept of the right to a stable climate
  - o The concept of the rights of nature
  - o Critical or eco-centric approaches to human rights: climate change as a theoretical challenge to human rights law
  - o Frontiers of climate change litigation
  - o Eco-anxiety among human rights students and academics
  - o Climate change and the human rights of migrants
  - o Human rights of future generations
  - o Teaching about climate change and human rights
  - o Impact of climate change on socio-economic rights of the present generation
  - o Climate change and issues of equality
- Closed (online) meetings where junior and senior members pitch their ongoing research

The working group will also establish an optional online register of research interests and contact details to facilitate networking among the members. In addition: *collaborations will be sought with other working groups on specific issue areas may be of interest to the working group members, e.g. topics of 'climate migration and human rights', or 'climate change, business and human rights'.*

Based on the workshop in Groningen in September 2023, there are also three additional aspects on which this working group might engage in the short term. First, there is a clear appetite amongst prospective working group members to *improve synergies between academic human rights research and teaching, as well as public outreach*. How to balance research findings with teaching students, or

educating the wider public, whilst navigating the tightrope between ‘hope’ and ‘despair’? To address this specific need, the working group will include a “Community of Practice on Teaching Human Rights in the Climate Crisis”, which will facilitate sharing of (best) practices.

Second, the working group will explicitly aim to address *issue of climate/eco-anxiety and mental health around the climate crisis*, including as this impacts on human rights academics and students. The challenges associated with researching and teaching on a topic that is so potentially disruptive to our current ways of life need to be acknowledged and may benefit from peer-support network.

Third, the WG is interested in exploring *different ways of approaching the topic of climate change and human rights methodologically*. Discussions at the Groningen workshop, which merit further attention, included the question of what happens to existing human rights research areas, or one’s research question, if ‘climate change’ is integrated as a systemic issue. Does this lead the formulation of new or novel research questions or perspectives? How to put this in practice? In addition, there was an interest in exploring legal research methodologies for human rights and the climate crisis aside from more classic methodological approach, such as critical approaches, e.g. Third World Approaches to International Law or Indigenous Perspectives.

Based on this methodological perspective, the working group on human rights and the climate crisis may also be able to *contribute to the NNHRR PhD Training Programme*.

## Annexes

### Annex 1 Agenda

**Date and time:** Tuesday, 26 September 2023, 9:30 – 17:00  
**Venue:** Diephuiszaal in the Röling Building / Rölinggebouw (new Faculty of Law), ground floor, University of Groningen

#### Workshop aim

Increase capacity to integrate climate change into human rights research, teaching and practice.

#### Workshop objectives

4. Strengthen understanding of the relevance of climate change to human rights research, teaching and practice.
5. Build capacity to integrate climate change into existing and planned human rights research, teaching and practice, as appropriate
6. Identify opportunities to establish or strengthen (existing) research, teaching and practice network(s) on law, human rights and climate change.

#### Draft agenda

9:30-10:00 Participant arrival. Registration. Coffee/tea.

#### Session 1

10:00 **Welcome and introductions**

Review of agenda

**Status of climate science**



Dr Marlies Hesselman, Faculty of Law, University of Groningen

Participatory exercise

**Integrating climate change into human rights research**

Prof Dalia Palombo, Tilburg Law School, Tilburg University

**Climate anxiety in human rights / academic research and teaching**

Dr Otto Spijkers, Leiden University College (LUC), The Hague

**Plenary discussion**

12:15 Lunch

**Session 2**

13:15 **Group work**

Each group addresses the same questions.

1. How does climate change impact the legal questions we ask, the topics we research, or our methods and theories?
2. How does climate change avoidance (including denial of severity and impact) affect our research and teaching?
3. How can we mainstream climate change into existing and planned human rights research and teaching?

15:00 Refreshment Break

**Session 3**

15:15 **Group reports** (5 minutes each group)

15:30 **Plenary discussion**

- What are key opportunities for integrating climate change better?
- What are bottlenecks, or question marks? (e.g., LMIC and HIC differences)
- Where can synergies be made most easily, where is it harder?
- Other issues arising

16:30 **Recommendations and next steps**

16:45 **Closure**

## Annex 2 Convenors and participants

### Convenors

#### **University of Groningen**

*Department of Transboundary Legal Studies (TLS)*

Dr Antenor Hallo de Wolf

Dr Lottie Lane

*TLS / Groningen Centre for Health Law*

Dr Marlies Hesselman

David Patterson, PhD Candidate

#### **Tilburg University**

*Tilburg Law School*

Prof Dalia Palombo

### Participants

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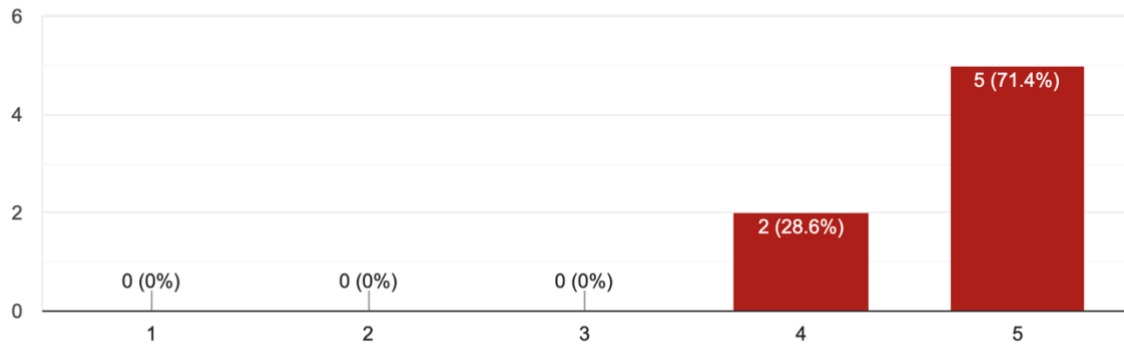
U Groningen

### Annex 3 Exit assessment

Participants were sent an online questionnaire after the workshop to gather their feedback on the workshop and suggestions for follow up. Ten participants received the questionnaire. Seven participants responded. Scoring is from '1=not at all achieved' to '5=completely achieved.'

The workshop had three objectives. These were listed on the workshop agenda. To what extent did we achieve the following workshop objective? Strengthen understanding of the relevance of climate change to human rights research, teaching and practice.

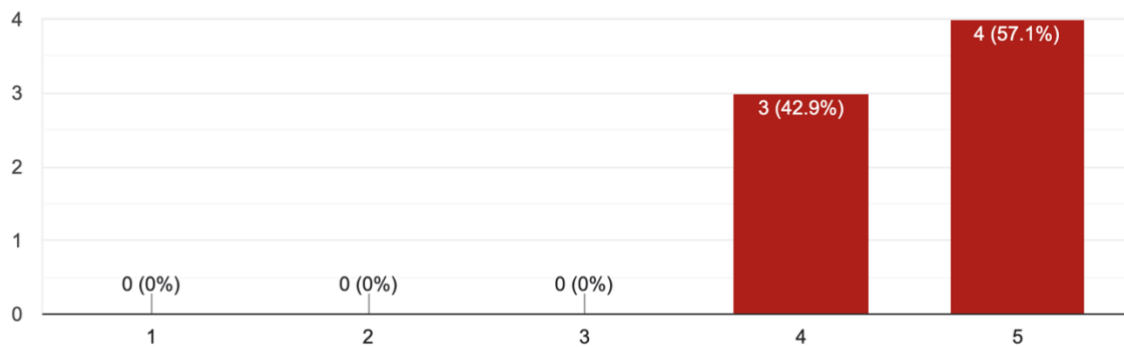
7 responses



[Note: above should read 'Strengthen understanding of the relevance of climate change to human rights research, teaching and practice.']

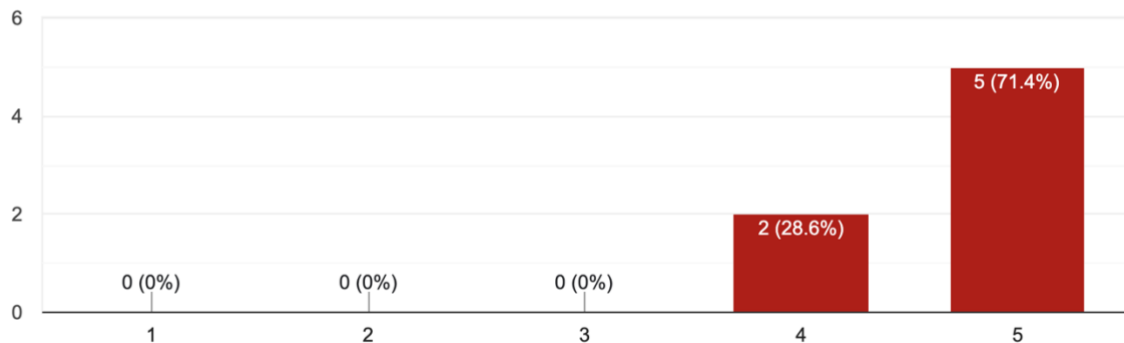
To what extent did we achieve the following workshop objective? Build capacity to integrate climate change into existing and planned human rights research, teaching and practice, as appropriate.

7 responses



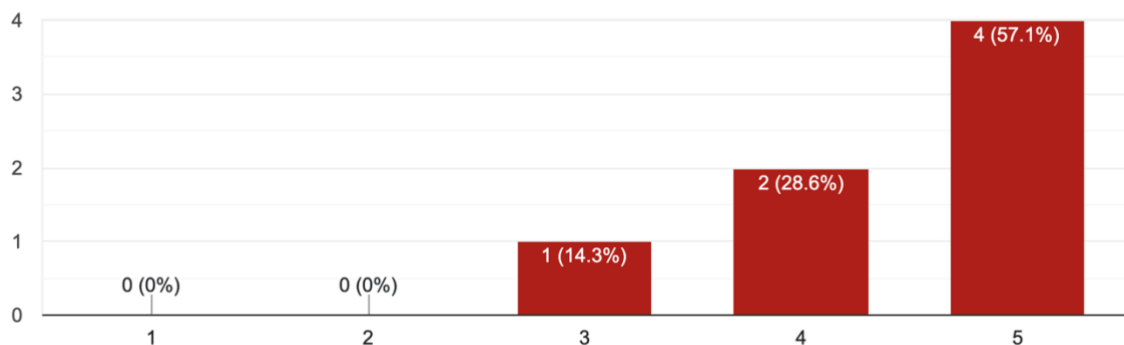
To what extent did we achieve the following workshop objective? Identify opportunities to establish or strengthen (existing) research, teaching and pr...etwork(s) on law, human rights and climate change.

7 responses



Overall, to what extent did we achieve the workshop aim? Increase capacity to integrate climate change into human rights research, teaching and practice.

7 responses



Overall, what worked well? 7 responses

- We had an open and honest discussion about a challenging subject.
- The group discussions
- The interactive usage of cards that we put on the wall. It opened up a dynamic dimension for me. It put emphasis on doing things rather than just sitting there, listening and asking questions. It was very useful! Also, the room worked for me. There was a lot of space there.
- This was a great exploratory workshop, and definitely opened up a lot of space for continued discussion and collaboration. Very glad to have joined! I think the workshop clarified a lot of challenges and opportunities that we (or at least I) already faced, and it was really valuable to see how other human rights researchers are also facing (and to some extent managing) them already.
- the small group size, very open atmosphere and discussion-based format. the discussions were led well by the session organisers.

- everything was great, the event fostered an environment that invited us to share our thoughts and discuss about different issues
- The group work was very productive, insightful, and well-designed.

*What was missing, or could have been improved? 5 responses*

Nothing

N/A

- In terms of the capacity building objectives, I think the workshop made significant headway in a single day. Perhaps it was a little ambitious to think that we would identify challenges/opportunities and substantially build capacity all in this first workshop. A working group, community of practice, or some other form of on-going contact is probably needed - and this seemed to be the consensus in the group.
- perhaps a more substantive lecture on human rights and climate change: recent developments (such as case law), existing research, etc.
- maybe more people that don't focus their research necessarily on climate change

*We had space for 20 participants, but on the day we only had 10 participants in the room. Three more registered but could not come for personal reasons. They are nonetheless interested in keeping in contact about climate change and human rights. Why do you think more people did not request to join the workshop? You can suggest several reasons if you wish.*

- I have no idea, You should ask this question to the people that did not come, not to the people that did come.
- Maybe ask members of each University to promote the workshop among their colleagues.
- Busy schedule as regards teaching and research. The workshop was organized in week 4. Perhaps more people would have joined if it was after the teaching period?
- Speaking for my own colleagues, I know there were some others who were interested but not available on the day. Also, in terms of reaching the right people I think perhaps this workshop was particularly of interest to PhD and other early-career researchers (who made up a majority of attendees). It may be that these groups are in general less likely to already be members of the NNHRR and thus to be notified about upcoming events. Anecdotally I know some colleagues who were not aware of the event but were interested when it was mentioned. Perhaps there are other lines of communication to reach people outside the network?
- full day commitment, and Groningen is fairly out of the way for many. Perhaps the invitation could have been circulated more widely as well?

*Please add other comments or suggestions, including for future workshops or other activities related to human rights and the climate crisis. 5 responses*

- Human rights as a language of hope in times of apocalypse; climate change as a challenge to human dignity; choosing between climate apathy and climate anxiety; human rights as tool to challenge ambitious climate change policy; etc.
- Great workshop! Very enthusiastic about a working group on human rights and climate change, and happy to become a member and help organizing things.

- As mentioned, a working group or other community of practice would be very valuable. Especially valuable would be events to open greater lines of communication and dialogue between human rights researchers and those in the natural (climate) sciences.
- already discussed during the workshop. very interested in an activity related to discussion the relationship and tensions between a human rights-based approach to climate change and one that is more eco-centric in nature, such as the rights of nature movement.
- I would like to thank the organizers for the great workshop.