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**Security Council Open Arrria Formula Meeting  
The Role of Climate Change as a Threat Multiplier for Global Security**

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Excellences and ladies and gentlemen:

Thank you for the honor of appearing before this extremely important meeting today.

As others today are explaining in detail, sea level rise and loss of food and water security as a result of climate change are already occurring and under all projections will get much worse in the coming decades. One of the worst effects will be displacement of large populations. On June 18 the UN Refugee Agency estimated that nearly 60 million people are now displaced by war, conflict and persecution, the highest level ever recorded. Most estimates of the number who will be displaced as a result of climate change in the second half of this century are considerably higher than that. And while the people who are currently displaced by conflict will hopefully be able to return home some day, the people from areas swallowed by rising seas will never be able to go back.

Several legal scholars have studied the role the Security Council could take to address climate change. Today I will summarize the legal options that have been presented. We will post a more detailed paper, together with supporting articles and documents, on the web site that Spain and Malaysia are establishing in connection with this meeting, and also on the web site of the Sabin Center for Climate Change Law at Columbia.

The principal basis for Security Council action on climate change is Chapter VII of the UN Charter. In particular, Article 39 states that the Security Council shall determine the existence of any threat to the peace and shall make recommendations, or decide what measures shall be taken within the Security Council's broad powers.

The options available to the Security Council generally fall into one of two categories: mitigation, which is chiefly the reduction of greenhouse gas emissions; and adaptation, which is preparing for and coping with the climate change that occurs.

Of course the Framework Convention on Climate Change is the principal international instrument dealing with both mitigation and adaptation. As everyone here knows, the next Conference of the Parties will be held in Paris in December, and the hope is to emerge with a new comprehensive agreement.

Some have suggested that the Security Council could take on the task of enforcing the obligations that states assume under the eventual Paris agreement, acting under Chapter VII. But

it appears that the key mitigation pledges will be voluntary and unenforceable by their own terms. Moreover, there are obvious political obstacles that would certainly impede any enforcement measures against the largest emitting nations.

For similar political reasons, it is difficult to imagine the Security Council taking two other paths legally available to it. The first is to take quasi-legislative action, along the lines of Resolutions 1373 and 1540, and impose entirely new emissions targets independent of the Framework Convention. The second is to use Section 96(a) of the UN Charter and ask the International Court of Justice for an advisory opinion on, for example, whether high-emitting states are obligated by the no-harm rule or other principles of international law to reduce their emissions to levels that no longer pose security threats.

More promising actions may be taken with respect to adaptation, and in particular migration.

The Security Council unquestionably has the authority to respond to discrete security threats as they occur, even without establishing a causal link to climate change. If there is an international crisis that poses a threat to peace, of whatever origin, the Security Council could act.

But all would agree that anticipating and trying to prevent crises before they occur is immensely better. Along those lines, the Security Council could take an active role in investigating and addressing the likelihood of human displacement and other threats to security.

I will suggest one possible path. It appears that the Paris conference will result in nonbinding pledges from member states, to be followed in later years by pledges for greater ambition. It further appears that the pledges made in Paris will not add up to enough to stay within the two degree objective.

The Security Council could ask the Secretary General to undertake an independent evaluation after Paris of where we stand. This could look at several possible future scenarios regarding whether we do better or worse than the Paris pledges. The Security Council could consider the consequences for security of each of these scenarios, and assess the likelihood of each outcome. If it concludes that the probability of a serious degree of displacement is high enough to pose a genuine threat to peace, then the Security Council could consider launching a major effort aimed at minimizing the displacement that will occur, and coping with the displacement that will nonetheless happen despite best efforts. This effort could start an international process of sound planning before a grave crisis actually begins; and it could also spark recognition of the need for significantly greater efforts at mitigation. Climate change offers the Security Council the opportunity to be proactive in preventing threats to the peace.

Thank you very much for your time and attention.