

MEDIA RELEASE

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ENVIRONMENTAL RESPONSIBILITY AND ECONOMIC AMBITION - ISSUES FOR NET ZERO

Few decision-makers are aware that climate change litigation is a global phenomenon increasingly placing governments and corporate entities at risk of facing strategically targeted allegations of climate harm across multiple jurisdictions, including:

- Claims challenging the ambition of a government's overall climate policy responses, or a failure to integrate climate considerations into decisions on a given project or sectoral policy; and
- Litigation attributing personal responsibility by government and corporate decision-makers for failing to adequately manage climate risks, particularly in the context of human rights.

From a legal perspective, one of the greatest emerging risks of current policies, aimed at assisting government or business to achieve 'net zero' in accordance with our obligations under international law, is an ongoing failure to consider human rights, and the fundamental role of food security in the context of environmental protection.

This is a key message of **Ms Caitlin McConnel**, sixth-generation farmer, legal strategist, and prominent agribusiness leader in her address at Australia's key food security event. The Crawford Fund annual conference, *Progress and Prospects for Climate-Resilient Agrifood Systems: Actionable Recommendations for Policymakers and Practitioner* is to be held in Parliament House, Canberra on 11-12 August.

Speakers from around the globe and Australia will offer their solutions for transforming agrifood systems in response to climate change, addressing the trade-offs between food production and net-zero targets, pursuing sustainable intensification, and promoting inclusivity and equity.

"Since ratification of the Paris Agreement in 2015, policy aimed at building climate resilience has largely focussed on holding the increase in global temperatures, whilst making finance flow consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. This spurred the introduction of buzzwords such as 'ESG', 'net zero', 'climate-smart' and 'natural capital' that are now common in day-to-day vernacular," explained Ms McConnel.

"When considering what these 'buzzwords' require of us, it is arguable that such terminology demonstrates a focus by government and business to value natural assets and food security through a numerical lens of economic growth and development. Whilst such interpretation can help promote innovation or incentivize environmental protection, it may not necessarily be how courts of law scrutinize decision-making in the context of climate change treaties, particularly given the International Court of Justice opined in July 2025 that such treaties establish stringent legal obligations upon Member States."

"The Paris Agreement was entered into in pursuit of the United Nations Framework Convention on Climate Change. Both reiterate that when taking action to address climate change, governments and businesses must not threaten food production and must consider their respective obligations on human rights. Indeed, there is a fundamental priority of safeguarding food security, food production systems, and Mother Earth."

"As a result, governments and business need to be more aware of the potential legal implications of juggling environmental responsibility with economic ambition," she warned.

"Courts of law across multiple jurisdictions are now scrutinizing the alleged failures by government or business to consider the aesthetic and spiritual value of nature in the context of human rights, through strategic litigation targeting overall climate policy responses, and even the personal responsibility of decision-makers."

"In keeping with guidance from the United Nations, a broader definition of food security and consideration of its fundamental role in our satisfaction of human rights and environmental protection, must be adopted to ensure that we find a working compromise between economics and human prosperity, in accordance with our obligations under international law," she concluded.

