

**John Kerry Keynote Speech 2021 ABA Hybrid Annual Meeting  
August 5, 2021\***

Thank you so much to the members of the American Bar Association for the opportunity to speak with you today. And thank you also for your commitment to what so many now consider the challenge of our times.

The struggle to tackle the global climate crisis is about protecting and preserving this very fragile world that we are privileged to share. It's also about understanding that it costs more not to respond to the climate crisis, than it does to respond. And clearly the sooner and more people understand that, the sooner we may get the action we need.

This challenge is about knowing that it's the work of each of us, each of you, to help shape a better future that is going to make the difference. It is also, and I mean this without exaggeration, it's about survival. How we meet our collective responsibility is a political question, not about partisanship or ideology, but about the simple capacity of our institutions to come together and to do big, transformative things.

Six years ago, when the Paris agreement brought countries together, I had the privilege of leading our negotiating team. The agreed objective was to hold the increase in the earth's temperature to quote “well below 2 degrees Celsius above pre-industrial levels” and “to pursue efforts to limit that temperature rise to 1.5 degrees Celsius.” Yes, the agreement was an historic show of unity in the face of a global threat, and it is making a difference today, but not enough, my friends.

Countries put forward initial targets, what are called nationally determined contributions or NDC's in the language of the Paris agreement. And those NDC's would reduce warming by about a full degree Celsius. Just achieving that was in fact crucial progress pulling us back from the brink of an inconceivably dangerous future and even at that point in time those initial NDC's did not put us on a path to meet the agreement's temperature objective. That's why the agreement was designed to be a long-term endeavor, with NDC's increasing in ambition over time as we began to understand better what we were accomplishing and what we were not accomplishing.

Since Paris, it has become clearer and clearer that parties need to significantly raise the ambition of their NDC's and to take other actions. We're already seeing dramatic impacts of the roughly 1.2 degree increase. To double that increase would be to invite catastrophe, and yet that is the track that we are on. So, we have to focus urgently on keeping a 1.5 degree centigrade limit within reach and much more warming than that, we have to realize the life on our planet will become increasingly unrecognizable.

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\* Transcribed by Ava Walrond for the Legal Pathways to Deep Decarbonization Project.

The current impacts are palpable and most of them, my friends, are irreversible, but even more horrifying is what the world will look like in the near future, unless we do change course. We're now looking at a world where we expend so much money and effort just coping with disasters that we're in some degrees limited in our ability to invest in tomorrow. And that undermines progress and everything that we've been fighting for. No country, rich or poor, will be spared. And this is not the world of science fiction. Please, dispel yourselves of that. This is the reality and we were forewarned. Everything the scientists have been telling us for 30 years will happen, is in fact already happening, but bigger and faster than was predicted. And you don't need to be a scientist to know that what lies ahead is a world that no one, and certainly no one with a great capacity to make change, would be content to leave behind for younger generations.

Given the current climate forecast, we can no longer treat the climate crisis as a discrete issue and choose at our own free will whether or not to engage in our work or in our practice. A rapidly shifting climate is the context within which law, economies, and culture are going to develop in this century. Warming is opening up the Arctic, thereby potentially generating new international conflicts and imperiling peace and cooperation. Precipitation patterns are departing from historic norms, with floods disrupting supply chains. At the same time, what we do or fail to do to mitigate climate change, to decarbonize our global economy, and preserve biodiversity will have significant consequence. Almost without exception, the climate crisis and our responses to it will engage and provoke actors, institutions, and legal mechanisms at all scales. In short, you are all climate lawyers now, whether you want to be or not. Facts, evidence, and science all make clear that we have a narrow window to avoid the worst consequences of this crisis, and there's a place for lawyers to help hold back the tide and create new pathways.

Scientists and engineers are key to diagnosing the climate crisis and prescribing treatment interventions to help us meet temperature targets, but there's an indispensable place for lawyers as well. We will need lawyers to aid those displaced by climate fueled storms, and nonprofit lawyers to assist individuals and communities after devastating fires. There'll be local attorneys working tirelessly to recover the soaring cost of adaptation and disaster recovery that would empty public coffers. There are the bankruptcy lawyers assessing the infrastructure risks to their clients and advising on safer, wiser planning. Lawyers will be crucial to all aspects of the multiple transactions necessary to expedite the energy transition and innovative strategies for deep decarbonization ahead of us. There'll be questions of financing and construction contracting, land use, procurement. Some of you will write the laws that will drive these transformative interventions, others of you will administer and enforce them, and some of you may negotiate the international arrangements that help the world address the climate crisis in all its manifestations.

The world needs to cut emissions. Greenhouse gas emissions, CO2 emissions particularly. And we need to cut them by at least 45% by 2030, in order to be on a credible scientific path by mid-century to net zero. 45%, not just in some countries or some regions, but in the world over. That makes this the decisive decade, and it makes 2021 a decisive year.

To meet the challenge, at the Leaders Summit in April, the United States announced an ambitious target of reducing our emissions over the next 10 years, by 2030. We would reduce by 50-52 per cent below 2005 levels, and President Biden has announced bold policies to back that up. The biggest step of all this decade is scaling up the development of a global clean energy economy. By 2030 we have to speed up the deployment of the clean technologies that we already have. We have to put them on super steroids and deploy, deploy, deploy. According to the International Energy Agency, that means we must deploy the equivalent of building the world's biggest solar plant, every day, for the next decade. Ramping up renewable energy from wind and solar by four times what it is today, to reach 1000 GW installed per year, in 2030. That's what we have to do but it's only part of it. We must also develop, demonstrate, and scale-up emerging technologies during this decade, so that they can play a major role in decarbonizing the global economy by 2050.

We do all this knowing full well that no country and no continent alone can solve the climate crisis. Every country on the planet has to do two things: reduce emissions and prepare for the unavoidable impacts of the climate crisis. American innovation and industry can be at the forefront of both of those efforts, and lawyers will be key to both. We need your skills, your expertise, and hard work to lay the legal pathways and to expedite our progress along that path, to identify existing laws that help implement the needed changes, to amend the laws that are a hindrance, and to draft the new laws that will turn novel ideas into implementable innovations.

In 2019, in recognition of the urgency of the crisis and the significance of your contribution, your house of delegates of the American Bar Association adopted a resolution urging all levels of government to recognize their obligation to address climate change and take action, to reduce U.S. greenhouse gas emissions to net zero or below as soon as possible, consistent with the latest peer reviewed science, and to contribute the U.S. fair share to holding the global average temperature to the lowest possible increase above pre-industrial levels. The ABA further urged lawyers quote, “to engage in pro bono activities to aid efforts to reduce greenhouse gas emissions, and adapt to climate change, and to advise clients of the risks and opportunities that climate change provides.”

The good news, my friends, is that the proof is all around us, that we can do it with your help. Clean energy technologies are already cheaper than fossil fuels, and we have a playbook to do the same thing across many other emerging clean technologies. Reaching global net zero emissions represents the greatest transformation, with the greatest economic promise, since the

Industrial Revolution. So we now have to match policy to potential. Help us please to make that match. Whether you serve in a local government, a law firm, corporation, or a non-profit, your area of expertise is relevant and the climate crisis will undoubtedly shape your field of practice. Change is guaranteed and a new path is inevitable. Your success, our success, in charting the safer path for our children, will depend in no small part on your willingness, each and every one of you, to help steer and accelerate this transformation.

All of it should be guided by one critical truth: there is still time, right now. There is still time to keep a 1.5 degree future within reach. But we have to make decisions. We cannot procrastinate. We cannot allow business as usual. If America fails to lead the world in addressing the climate crisis, we will be living in a very, very different place. If we succeed, we will capitalize on the greatest opportunity to build a more equitable, healthy, and sustainable society, and we can protect this incredible planet. Those are the paths, the choices, that we face right now. We have to use all of us, each of our tools available, each of our areas of expertise, in order to achieve the 1.5 future that we urgently need. And with your partnership and sustained engagement, I believe we can get there in time. Let's do this. We can get this done. It's not a lack of capacity. It's a lack of willpower. And you, I think, can help us make the difference.