

RIGHTS FOR ACTION

Putting People at the Centre of Action on Climate Change



**Mary Robison
Foundation**
Climate Justice



Video



Resource

First published: August 2015
2nd Edition: November 2015

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INTRODUCTION

THE LINKS BETWEEN HUMAN RIGHTS AND CLIMATE CHANGE

“There is virtually no aspect of our work that does not have a human rights dimension. Whether we are talking about peace and security, development, humanitarian action, the struggle against terrorism, climate change, none of these challenges can be addressed in isolation from human rights.”

Ban Ki-moon, Secretary-General of the United Nations, 2008

About Climate Justice

Climate justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable people and sharing the burdens and benefits of climate change and its resolution equitably and fairly. Climate justice is informed by science, responds to science and acknowledges the need for equitable stewardship of the world’s resources.

Climate justice is concerned with both the injustice of the impacts of climate change on people in vulnerable situations and finding an urgent, fair and effective response to the climate crisis that protects people and their rights while keeping global warming as far below 2°C as possible. Importantly climate justice is also about making sure that benefits arising from climate action, such as access to sustainable energy, are shared equitably.

The Mary Robinson Foundation - Climate Justice (MRFJC) is a centre for thought leadership, education and advocacy on the struggle to secure global justice for those people vulnerable to the impacts of climate change. The work of the Foundation is guided by seven core principles. These principles can be found in Annex 1 of this document.

Human rights are the inalienable entitlements of all people, at all times and everywhere. In the face of climate change, the global community must strive to respect and protect human rights, not just by mitigating the impacts of climate change, but also by ensuring that the response to climate change is good for people as well as the planet. This resource has been compiled by the Mary Robinson Foundation – Climate Justice to assist policy makers in designing climate change related actions that fully respect human rights.

Human rights and climate change are linked in three key ways:

- i) Climate change has implications for the full range of human rights, particularly for people living in situations of poverty, marginalisation and vulnerability.
- ii) A failure to integrate human rights into climate action can undermine people’s rights.
- iii) The integration of human rights into climate change policies can improve effectiveness and result in benefits for people and the planet.

The first three sections in this document will explore each of these linkages in turn. Each section will provide supporting information and case studies to illustrate how a people-centred, developmental approach to climate action can more effectively address the impacts of climate change and secure climate justice.

The final two sections will discuss steps taken by the international community to date to act on the linkages between human rights and climate change; and near term opportunities that can be taken to strengthen the integration of human rights into climate action before the new climate agreement comes into force in 2020.

SECTION 1

CLIMATE CHANGE HAS IMPLICATIONS FOR THE REALISATION OF HUMAN RIGHTS, PARTICULARLY FOR PEOPLE LIVING IN SITUATIONS OF POVERTY, MARGINALISATION AND VULNERABILITY

Differences in vulnerability and exposure arise from non-climatic factors and from multidimensional inequalities often produced by uneven development processes (very high confidence).¹

Resolutions of the Human Rights Council (HRC) and the findings of the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) leave no doubt that climate change is undermining human rights.

The IPCC Fifth Assessment Report highlights the current and future impacts of climate change on people in the context of food security, health, access to water and personal security. The report clarifies that while people all over the world are vulnerable to the impacts of climate change, the poor and marginalised are most vulnerable. The IPCC attributes difference in vulnerability to non-climatic factors in particular inequality and uneven development.

This confirms assessments made by the HRC that the impacts of climate change will fall hardest on those people already in vulnerable situations due to factors such as geography, poverty, gender, age, indigenous or minority status and disability. A comprehensive study by the Office of the High Commissioner for Human Rights in 2009² detailed the adverse impacts of global warming on a spectrum of human rights, including the right to life, the right to adequate food, the right to water, the right to health, the right to adequate housing, and the right to self-determination.

There is agreement from the climate and human rights communities that the impacts of climate change undermine human rights. Figure 1 illustrates the links between climate change impacts and human rights.

Life on the front lines of climate change

Sea level rise has forced the people of the Carteret Islands to leave their land and relocate on mainland Papua New Guinea. Erosion and salt water intrusion made it impossible to sustain their food gardens and as a result the rights to food, water and health of the islanders were affected. The act of leaving their island atolls has also affected the cultural rights of the Carteret Islanders as they must leave the land of the bones of their ancestors and negotiate a new life as outsiders near Bougainville.



The Faces of Climate Change – Ursula Rakova
https://www.youtube.com/watch?v=loX_c6bFEFY

¹ IPCC (2014), *Climate Change 2014: Impacts, Adaptation and Vulnerability* (p.40) available at: <http://1.usa.gov/1IN6FRZ>.

² OHCHR (2009), *Report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights* available at: <http://bit.ly/1KiSvYS>

³ MRFCJ (2014), *Zero Carbon Zero Poverty the Climate Justice Way* (p. 14) available at: <http://bit.ly/1lmVPRq>

FIGURE 1
Climate change impacts, anticipated effects on human and social systems, and the human rights adversely affected.³



SECTION 2

A FAILURE TO INTEGRATE HUMAN RIGHTS INTO CLIMATE ACTIONS CAN UNDERMINE PEOPLE'S RIGHTS

People who are socially, economically, culturally, politically, institutionally, or otherwise marginalized are especially vulnerable to climate change and also to some adaptation and mitigation responses (medium evidence, high agreement).⁴

If human rights obligations are not taken into account when designing climate actions they risk having negative impacts on people's lives, particularly if they already live in vulnerable situations. Climate actions that are designed without the participation of local communities risk being rejected by the people that are critical to their implementation or may lead to conflict. Climate projects that lead to the displacement of people and communities due to land-intensive activities such as hydroelectric reservoir construction, forest protection, and plantation development for bioenergy or carbon sinks, for example, pose potential risks to human rights including the right to land tenure, access to vital resources such as water, and the livelihoods of persons living in or dependent on the affected land, as well as the right to cultural autonomy.

There are already examples from the UNFCCC's Clean Development Mechanism and REDD initiatives that illustrate how climate action can violate human rights. For instance, the construction of the Barro Blanco Dam - a Clean Development Mechanism project in Panama - will flood townships and damage the livelihoods of the Ngäbe-Buglé indigenous peoples reliant on the Tabasará river⁵. This is an example of what can happen when local and indigenous peoples' rights to participation are not adequately respected

and their needs addressed. Figure 2 summarises some of the direct and indirect risks to human rights from climate action. It is important to note that these risks can be mitigated by protecting, respecting, promoting and fulfilling human rights in all climate actions.

The Mary Robinson Foundation - Climate Justice has assessed⁶ the potential risk to human rights from intensive climate action and found that while climate action to deliver a rapid phase out of carbon emissions presents potential risks to human rights, even greater risks to human rights arise from the profound impacts of climate change, especially if temperature increase exceeds 2°C, which becomes increasingly likely if mitigation is delayed.

The Foundation found that there is good reason to believe that risks posed by mitigation can be dealt with, provided there is an ambitious and fairly shared global effort to achieve a rapid carbon phase out while preserving human rights, and a commitment to integrating human rights and equity in all national climate policies.



Zero Carbon, Zero Poverty – The Climate Justice Way
<http://www.mrfcj.org/pdf/2015-02-05-Zero-Carbon-Zero-Poverty-the-Climate-Justice-Way.pdf>

FIGURE 2
Potential direct and indirect risks to human rights from climate action

POLICY RISKS	
DIRECT IMPACTS	INDIRECT IMPACTS
<ul style="list-style-type: none"> • Inadequate consultation with citizens and communities • [Violent] displacement of people and communities • Exclusion from, or diversion of, essential resources 	<ul style="list-style-type: none"> • Increasing food prices and energy costs • Loss of livelihoods for communities employed in fossil fuel sectors • Diminished developmental progress reducing countries' overall ability to provide conditions for the realisation of rights

⁴ IPCC (2014), *Climate Change 2014: Impacts, Adaptation and Vulnerability* (p.6) available at: <http://1.usa.gov/1IN6FRZ>

⁵ Read about a case being taken by the Environmental Advocacy Center in Panama and others against the Panamanian Government as a consequence of the lack of adequate consultation with the Ngäbe people: <http://bit.ly/1Pmtws1>

⁶ MRFCJ (2014), *Zero Carbon Zero Poverty the Climate Justice Way* available at: <http://bit.ly/1mVPRq>



“Climate change, exacerbated by increasingly scarce natural resources, biofuel policies and financial speculation trends, is having a domino effect for food and nutritional security for the world’s poorest and most vulnerable people”.

Olivier de Shutter, former UN Special Rapporteur on the Right to Food (2008-2014)

BIOFUEL POLICIES UNDERMINING THE RIGHT TO FOOD

It is generally accepted that the diversion of corn production to ethanol for biofuels was a significant contributor to global food price increases during 2007-2008. This led to heightened food insecurity with the worst effects on poor and vulnerable people. This example illustrates the risks to human rights, in this case the right to food, by climate policies when they do not consider potential risks to human rights in their design.

In a series of reports (UNHRC 2008, 2009; De Shutter 2010) the Special Rapporteur on the Right to Food has outlined a variety of ways in which both climate change and climate mitigation may

impact food security, and offered suggestions for improving the protection of the right to food. Many of these address the nature of obligations of countries to provide assistance, and ensuring that it is provided in a timely, participatory and non-discriminatory manner.

A commitment to respecting human rights obligations in the design of climate policies can help to reduce the risk of these negative impacts on people’s rights in the future.

SECTION 3

THE INTEGRATION OF HUMAN RIGHTS INTO CLIMATE CHANGE POLICIES CAN IMPROVE EFFECTIVENESS AND RESULT IN BENEFITS FOR PEOPLE AND THE PLANET

“A human rights framework would help to make clear that governments don’t leave behind their human rights obligations when they walk through the doors of the climate negotiations.”

John Knox, UN Special Rapporteur on Human Rights and the Environment⁷

There are many potential synergies between climate action and the improvement of people’s lives, including the enjoyment of their human rights. The transition to low carbon, climate resilient development will bring benefits including employment in growing clean technology sectors, reductions in air and water pollution, and the expanded provision of clean energy to energy-poor communities, critical for the realisation of the right to development.

Access to information and participation in decision making are fundamental human rights, essential for the protection of other basic rights, as codified especially in Principle 10 of the Rio Declaration⁸ and the Aarhus Convention⁹. Experience shows that when local communities’ rights to access to information and to participation are at the heart of the design and implementation of a climate action, local people can help to inform the project and engage with it to maximise the potential for success. Experience from the forestry sector shows that community owned and managed forests, facilitated through recognition and protection of the forest rights of indigenous peoples and local communities deliver greatly enhanced outcomes for people and the climate¹⁰. Likewise the inclusion of women in climate decision making is something that has received growing attention in recent years and will greatly improve the effectiveness of climate policy¹¹. States have also acknowledged the importance of women’s participation through Decision 23/CP.18, to enhance the participation of women in climate change negotiations¹².

The following five case studies provide examples of how human rights can inform climate action. Drawn from Costa Rica, Niger, the Arctic, Ecuador and Vietnam these examples have both strengths and weaknesses – none offer the perfect example of how best to incorporate human rights into climate policy. They do, however, offer a basis for learning that can be built upon. Most importantly, they tell a story of the people at the heart of climate action and offer an insight into how lives can be improved and rights realised through responses to climate change.

⁷ Quote from article titled “Recent UN talks highlight need to include human impacts of green projects” available at: <http://bit.ly/1L7Lpfx> [Accessed: 13/08/2015]

⁸ UNEP (1992), *Rio Declaration on Environment and Development* available at: <http://bit.ly/1cj1ljZ>

⁹ UNECE (1998), *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters* available at: <http://bit.ly/1L7JJ35>

¹⁰ WRI (2014), *Securing Rights, Combating Climate Change* available at: <http://bit.ly/1jWi9f7>

¹¹ Global Greengrants Fund, INWF and the Alliance of Funds (2015), *Climate Justice and Women’s Rights* available at: <http://bit.ly/1C7Eh9M>

¹² UNFCCC Decision 23/CP.18 Promoting gender balance and improving the participation of women in UNFCCC negotiations and in the representation of Parties in bodies established pursuant to the Convention or the Kyoto Protocol available at: <http://bit.ly/1YkSvE>



Janet and Eduardo Obando run their small family livestock farm near Buenos Aires in Puntarenas, Costa Rica. Enabled by the General Environment Law that was adopted by the government of Costa Rica in 1995, they took part in trainings to improve their agricultural practices, make their farming more sustainable and contribute to a healthier environment in Costa Rica. They now contribute to global climate action while enjoying the benefits of a more secure income and improved well-being. Puntarenas, Costa Rica. (Credit: UNDP/ LECB)

THE RIGHT TO A HEALTHY ENVIRONMENT

Rights based Nationally Appropriate Mitigation Action that promotes livelihoods and reduces poverty

Eduardo and Janet Obando and their children live near the village of Buenos Aires in Puntarenas, Costa Rica. They are hardworking livestock farmers who are motivated by a desire to earn enough money for their children’s education, to improve their well-being and to maintain a productive and beautiful farm.

Eduardo and Janet heard about Costa Rica’s livestock NAMA – a nationwide project to reduce greenhouse gases from the livestock sector – from their local representative of the Southern United Livestock Producers Chamber (CGUS). What they heard made sense to them and built on training in sustainable agriculture they had received from the Ministry of Agriculture and Livestock over a 9 year period. A technician from the Livestock Corporation – CORFOGA – came to see them on their farm and explained the benefits of the new project and how they could get involved.

The Obando family was able to access information and advice from CORFOGA, who also organised field trips to other farms participating in the project. They applied for and received a loan, subsidised by the Ministry of the Environment and the Ministry of Agriculture and Livestock, from the Banco Nacional de Costa Rica. They invested the money in improved pasture management, tree planting for live fences and fodder banks. The result is that they have healthier cattle, higher yields of milk and more cheese to sell. They are also very aware that they are playing their part in safeguarding the local

environment through more efficient use of fertilisers which is protecting the water springs on which they depend and by planting trees to improve biodiversity.

The Obando’s farm is one of 45,000 livestock farms in Costa Rica. Agriculture and livestock accounted for 6.2% of GDP in 2013 and employment for 14% of the workforce¹³. Livestock production is responsible for 30% of Costa Rica’s greenhouse gas emissions¹⁴. Costa Rica’s long standing commitment to environmental protection and sustainable development means that it has set itself the ambitious target of carbon neutrality by 2021, despite the fact that its contribution to global carbon emissions was only 1.7 metric tons per capita in 2011. This compared to the US which emitted 17.5 metric tons per capita in 2011¹⁵.

In 1994 the Constitution of Costa Rica was amended to incorporate the right to a healthy and ecologically balanced environment. The General Environment Law¹⁶ adopted in 1995 expands on the right to a healthy environment found in Article 50 of the Constitution. One of the principles on which the law is based is that the environment is common heritage and that the State and individuals should participate in its conservation and sustainable use. Another principle on which this law is based is that the State is obliged to ensure the rational use of the environment in order to protect and improve the quality of life of inhabitants of the country. The State is also required to promote economic and

environmentally sustainable development, defined as development that meets basic human needs without compromising the options of future generations¹⁷. Prof John Knox, UN Special Rapporteur on Human Rights and the Environment, noted in 2013 that ‘There can be no doubt that article 50 provides a strong basis for the country’s environmental statutes and policies’.

The Livestock NAMA is an articulation of this commitment. The project started in 2013 and will run to 2028. Through the active participation of livestock farmers it is implementing mitigation measures across 80% of dairy, beef and mixed use livestock farms nationally.

Phase 1 runs up to 2021 and will involve 4,000 farms (10% of the total) before scaling up to cover 80% of the country’s farms by 2028. The mitigation measures the farmers implement are i) improved fertilisation planning; ii) rotational grazing and live fences; iii) improvement of pastures; and iv) silvo-pastoral systems.

The result will be an estimated aggregate saving of 12.9 million tonnes of CO₂ equivalent between reductions and capture/storage and will all be delivered through the actions of farmers like Eduardo and Janet. This is made up of approximately 1.24m tonnes of GHG reduction from reduced emissions from enteric fermentation due to pasture improvements and improved fertilisation, and 11.68m tonnes from carbon capture in soils, improved pastures, live fences and tree plantations.

But the benefits of the NAMA are not just for the atmosphere. With over 100,000 Costa Rican families dependent on family farming for their livelihoods, and with the poverty rate nationally at 22.4% in 2014¹⁸, the contributions to improved income and livelihoods from the livestock makes a valuable contribution to the Government’s anti-poverty strategies¹⁹. There are also short and long term direct and indirect benefits on people’s lives as Eduardo and Janet Obando can testify. Their participation in the project is motivated by the following benefits:

- More efficient operations result in savings for the farmer – for example less fertiliser use means less money spent on inputs.
- Higher and more stable yields result in a higher and more predictable income for farmers.

- Increased production helps Costa Ricans to realise their right to food.
- Increased resilience to climate impacts as cattle are in better health and improved pasture management and increased use of fodder allow livestock to get through periods of drought.
- Farmers are proud that they are playing their part in the national commitment to protecting the environment, by reducing their GHG emissions and conserving biodiversity.
- Rural families are realising their right to water from unpolluted local springs, and a healthy environment contributes to the realisation of the right to health.

The Obando family and thousands of other livestock farmers are contributing more than their fair share to global climate action while enjoying the benefits of a more secure income and improved well-being – all motivated by the country’s constitutional commitment to the right to a healthy environment.

FACT: In Europe, the economic cost of air pollution is US\$1.6 trillion a year due to disease and deaths²⁰

The Right to a Healthy Environment - Lessons learned

- a) A national commitment to the right to a healthy environment provides a strong moral and legislative basis for climate action informed by human rights. The livestock NAMA demonstrates how the State and individuals can participate in the conservation and sustainable use of the environment as per the provisions of the General Environment law (1995).
- b) Engaging farmers and providing them with access to information and training ensures their active participation in climate action.

¹³ CIA - The World Factbook. (2011)

¹⁴ From article titled “Costa Rica leads the way towards sustainable livestock management” available at: <http://bit.ly/1f9rS03> [Accessed: 13/08/2015]

¹⁵ World Bank Data, Catalogue: World Development Indicators, CO₂ emissions (metric tons per capita)

¹⁶ A Summary of Costa Rica’s General Environmental Law can be found at: <http://bit.ly/1Kiy5L3>

¹⁷ See Article 2 of Costa Rica’s General Environmental Law. Full text (in Spanish): <http://bit.ly/1Jezoo0>

¹⁸ CIA - The World Factbook. (2011)

¹⁹ New Agriculturist Country Profile: Costa Rica, 2011 available at: <http://bit.ly/1TuU5kA>

²⁰ WHO (2015), Economic cost of the health impact of air pollution in Europe: Clean air, health and wealth available at: <http://bit.ly/1JMdpUM>



Arctic Inuit view food security as a right that encompasses the cultural and environmental aspects of their lives. In this photo: Members of the Nunavut community with their dog sledge. (Credit: Sara Statham, Government of Nunavut)

THE RIGHT TO FOOD

Adaptation action in the Arctic informed by the right to food

The increasing cost of imported food and the impacts of climate change on traditional foods are leading to food insecurity for Inuit people in Nunavut in the Canadian Arctic. Leese Papatise who lives in Nunavut articulates the challenges her community faces:

“There are 3 people living in our household, we spend about 500 Canadian dollars per week to feed ourselves and others (Inuit will share their food to family members, this is the norm for us). For example, frozen concentrated juice can cost CAN \$8.59. We are lucky compared to other families as both my husband and I have jobs and we have a house. Nunavummiut (the people of Nunavut) struggle to put food on the table and a lot of people are trapped in a vicious circle - they get paid, pay the bills and buy food, but often have to borrow money for food before their next payday. So when a person gets paid, they have to pay back their loan, pay bills leaving little money to buy food. Many households have one or two working folks supporting 8 to 10 people.

Changes in weather are also making it difficult for Inuit to harvest animals. One year, we tried to go fishing through the sea ice. The travel conditions were so poor, we had to turn back but normally this would have been a good time to travel and fish²¹.”

In 2012 the UN Special Rapporteur on the Right to Food visited Canada and highlighted cases of acute food and nutrition insecurity amongst households in Nunavut, with studies showing that 70% of school

children live in food insecure homes. The impacts of climate change on the availability of traditional foods is an important contributor to the causes of poor nutrition, alongside rising food prices.

Canadian Inuit rights are conceptualised and codified through treaties, land claims and human rights obligations at national and international level. To realise these rights Inuit people need to be empowered to shape decision making related to their natural resources. One example of this empowerment in practice is the Nunavut Food Security Coalition²² which is working to ensure access to healthy and affordable food for the community, empower the Nunavummiut to produce food locally and ensure the active participation in decision making to develop a sustainable and long term approach to food security that respects the rights of local people.

The work of the coalition is complemented by a grassroots initiative led by Leese Papatise called Feeding My Family. The group works to raise awareness, nationally and internationally, of the high cost of food in Nunavut; encourage community members to speak up and engage in decision making on food security and natural resource management; and promote local knowledge and traditions to tackle food insecurity and adapt to the impacts of climate change on traditional food sources.

FACT: Findings from the 2007–2008 Nunavut Inuit Child Health Survey indicated that nearly 70% of Inuit preschoolers aged three to five lived in food insecure households, and 56% lived in households with child-specific food insecurity. Overall, 31% of children in Nunavut were moderately food insecure, and about one-quarter were severely food insecure²³.

The Right to Food - Lessons learned

- a) Recognising the right to food triggered more sustained action on food and nutrition security by government and civil society. International human rights covenants can play an important role in informing and shaping national and subnational policies.
- b) Inclusive participation by local and indigenous people in decision making in collaboration with government and NGOs can help to inform decision making. Traditional rights, knowledge and culture can inform more effective policies and actions.

²¹ MRFCJ (2013), *The right to food security in a changing Arctic* available at: <http://bit.ly/1K1KKuD>

²² The Nunavut Food Security Coalition website can be found at: <http://bit.ly/1JVCQTC>.

²³ Egeland, G., Williamson-Bathory, L., Johnson-Down, L., & Sobol, I. (2011). Traditional food and monetary access to market-food: Correlates of food insecurity among Inuit preschoolers. *International Journal of Circumpolar Health*, 70(4), 373-383.



Alima Mamadou, technical assistant for the Women and Land Initiative at CARE Niger (centre left), and Aichatou Salaou, vice-president of HIMMA (centre right) from Niger alongside Aissatou Ndao from Senegal (far left) and Cecilia Kibe from Kenya (far right) attended the Hunger – Nutrition – Climate Justice conference in Ireland in 2013 to represent grassroots women’s perspectives and talk about the impacts of the lack of rights, particularly in the areas of farming and land ownership. Dublin, 2013. (Credit: Sophie Molins)

THE RIGHT TO ACCESS TO INFORMATION

Access to information on land rights builds women’s and community resilience to climate impacts in Niger

Niger is a landlocked and predominantly desert country that stretches across the African Sahel. The country is one of the most climate vulnerable in the world, with recurrent drought exacerbating desertification and threatening food security. Women in Niger are primarily responsible for food and nutrition security yet existing gender inequalities mean that women can be prevented from accessing land, particularly if they are widowed, making it almost impossible to feed their families. This in turn results in high malnutrition rates and increased infant mortality.

CARE Niger has been working with local communities since 2010 to secure land rights for women to increase their involvement in agriculture and reduce their vulnerability to climate impacts and food insecurity. This work has taken a rights based approach which ensures the access to information on land rights for women in vulnerable situations, the participation of women in community discussions and decision making on access to and control over land.

One such woman, Rahamou, from the Maradi region of Niger, has benefitted from this rights based approach. Rahamou lives in Sarkin Yamma with her husband and eight children. When her father died 19 years ago she did not know that she had rights to a share of his land. This is an all too typical experience for women in the region. Because of their traditional exclusion from some or all farming activities, many

women are unable to produce with high nutritive and economic value. When Rahamou learned about her rights she claimed her share of the land from her brothers. Now she is using her portion of the land to cultivate millet, sorghum and beans to feed her family and supplement the income she earns from plaiting hair and knitting²⁴.

CARE is now working with 3,000 women in 30 municipalities, most of whom do not have access to land and live with the daily reality of food insecurity. The initiative is raising awareness of the benefits of women’s land ownership and addressing cultural taboos to secure the support of local leaders for women’s rights. The rights based approach adopted by CARE is supported by Niger’s legal system, particularly The Rural Code (1993) which defines a legal framework for land management and planning and protects ‘rural actors by recognizing their rights’. The Code established local conventions or land use agreements in communities. Through their engagement in these conventions, women can participate in negotiations on the use of communal lands that are important sources of wild foods and medicinal plants. This access to resources from communal land is important during the dry season and in times of drought when they provide an important boost to food and nutrition security.

The rights based approach has enabled women to gain access to land and increase their resilience. Some women’s groups have leased land for their

own use while other groups have been given land to plant by the local community. Women are also buying land and exercising their rights to inherit land as per the Land Act. Previously women were unaware of their rights or impeded from exercising their right to inherit land due to customary practices. Importantly, the word is spreading as women share the benefits of having their own land and growing their own food to feed their family. Once women have established their land rights, access to training, credit, improved seeds and irrigation can further increase resilience to climate impacts.

Designing adaptation responses that protect the rights of smallholder subsistence farmers, particularly women - like Rahamou – can bring about benefits that increase food security, enable economic empowerment and ultimately community support for climate action.



Find out more about women and climate change
<http://www.mrfcj.org/leaders-forum-on-women-leading-the-way.php>

FACT: If women worldwide had the same access to productive resources as men, they could increase yields on their farms by 20–30% and raise total agricultural output by 2.5–4%.²⁵

Women's Right to Equal Access to Land - Lessons learned

- a) Communities are more resilient when their rights are realised. Improved access to information and facilitated dialogue empowers people to claim and exercise their rights so that they can combat the food insecurity and under nutrition caused by climate change.
- b) Engaging local leaders and blending formal and customary law can help to realise rights. Participation by local leaders is very important in changing cultural attitudes and practices with regards to gender equality and human rights.

²⁴ MRFCJ (2013), *Women's land rights in Maradi, Niger* available at: <http://bit.ly/1hHEOvO>

²⁵ FAO (2011) *The State of Food and Agriculture 2010–11: Women in agriculture*. Available at: <http://bit.ly/LL9mfR>



The right to learn is conferred on the Vietnamese citizens by the country's constitution. The Government of Vietnam also emphasises women's rights in its National Strategy and Law on Gender Equality Building and this informs the country's national climate change strategy. This led to adaptation training projects, especially in the most vulnerable communities, that improve women's disaster preparedness, reduce disaster related mortality and raise awareness of climate change.

THE RIGHT TO EDUCATION

Building the resilience of all citizens through access to education and training enables successful adaptation in Vietnam

Vietnam is particularly vulnerable to climate change. The country sits on the tropical cyclone belt, is heavily dependent on seasonal rainfall and has a long, low lying eastern coast. Thus the effects of climate change have the potential to impact across all sectors and developmental activities in the country. In recent years severe and recurrent drought and floods, and increasingly frequent tropical cyclones have put the Vietnamese people on the front lines of climate change.

Farmers like Ranh Nguyen (35) in the Binh Dinh province in central Vietnam have witnessed the devastating toll of climate change first hand. Storms, heavy rains and subsequent floods destroy livelihoods and kill people and livestock every year. Ranh, like many women engaged in agriculture throughout the world, is faced with disproportionate risks from climate change due to pre-existing gender inequalities.

However, thanks to the implementation of robust constitutional and legal commitments to the right to education and gender equality, Ranh and others in her community have participated in adaptation training projects that improve their disaster preparedness, reduce disaster related mortality and raise awareness of climate change.

"Thanks to good preparation and detailed mapping that we developed in the meetings before each storm, nobody in the village was killed or injured

severely in the last year storm season. Crops, fowl and cattle were saved," Ranh explained. She is now an official member of the Committee for Flood and Storm Control in her community.

The foundation for this life-changing project, implemented by the Vietnam Women's Union, in partnership with UN Women, was laid through Vietnam's National Climate Change Strategy (2011) which recognises that successful adaptation is dependent on the engagement of all citizens and emphasises the opportunities provided by responses to climate change to advance human rights and socio-economic goals. Furthermore, at the constitutional and legal level, the connections and interdependence of women's rights, education and the needs of more vulnerable communities are explicitly recognised.

The right to learn is conferred on citizens by Chapter II of Vietnam's Constitution and further chapters make the provision of education an obligation for the State as 'a top national policy'. The constitution also emphasises the important role of education for regions and peoples with particular challenges and disabilities including people living in remote areas, members of particular ethnic groups and people living in poverty.

The Government of Vietnam emphasises women's rights in its National Strategy and Law on Gender Equality Building. Article 14 of this law deals

with gender equality in the field of education and training, recognising that ‘man and woman are equal in accessing and benefiting from the policies on education, training, fostering of professional knowledge and skills’. Vietnam’s National Strategy on Gender Equality 2011-2020, includes the objective to gradually ensure equal participation in the education and training between men and women. The strategy also sets out measures to promote gender equality in the field of education and training including ‘assist(ing) female workers in rural areas in vocational training under the law’.

These constitutional and legal commitments provide the basis for Vietnam’s national climate change strategy which recognises the links between better climate action and the promotion and wider enjoyment of rights. The project from which Ranh and her community benefitted is both informed by, and a platform to advance, the right to education and gender equality.

FACT: Under Article 6 of the UNFCCC²⁶, governments have committed to educate, empower and engage all stakeholders to enhance understandings of the challenges and solutions related to climate change.

The Right to Education - Lessons learned

- a) Strong legal and constitutional recognition of the right to education provides a favourable context for education initiatives nationally and enables the design and implementation of innovative adaptation training that saves lives and livelihoods.
- b) As women and men are affected differently by the impacts of climate change, with women likely to bear the greater burden in situations of poverty, climate actions have to be gender sensitive. Vietnam’s National Strategy and Law on Gender Equality Building has enabled gender responsive climate policy which is protecting the lives of women on the front lines of climate change.

²⁶ United Nations (1992) United Nations Framework Convention on Climate Change available at: https://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/conveng.pdf



A key principle of Ecuador's Climate Change Strategy emphasises the importance of civil society participation and the protection of vulnerable groups in climate actions. Medardo Ortiz and his family are members of the indigenous A'i Cofán people. They have become involved in a government project that encourages the protection of forests and reduces deforestation while enhancing local livelihoods.

THE RIGHT TO PARTICIPATION

In Ecuador, national recognition of the links between the right to participation and environmental rights has brought about benefits for local communities and the climate

Medardo Ortiz is a husband, father and local school teacher who has lived in Dureno, a small community of indigenous A'i Cofán people in north-eastern Ecuador, all his life²⁷. The A'i Cofán are one of the oldest surviving indigenous groups of the Amazon. The 1,200 A'i Cofán people are not an indigenous group isolated from the outside world and they use a range of modern goods and services, however, they still hold onto their cultural heritage and live intimately with their natural surroundings. They are known to have a deep understanding of and care for nature, and rely on the forest and rivers around their communities for many of their basic needs – water, transport, food, building materials and medicine.

Eighty families live in the Dureno community on the Aguarico River, who independently earn a living but also support each other in their struggle for economic development²⁸. Most of the families rely on selling artisan work locally and supplement this with production using agricultural and rainforest resources.

During the last decade, Ecuador has experienced one of the highest rates of deforestation in South

America²⁹. The forests are continuously threatened by increasing pressure from oil companies as well as illegal hunting, mining and logging. Between 2012 and 2013 there was a 300% increase in deforestation in Ecuador, with two thirds of this occurring in the Amazon. The territory of Dureno is one of the last remnants of lowland rainforest in the northern Ecuadorian Amazon³⁰. As Medardo explains, the A'i Cofán are very aware of the importance of conserving this small remaining forest area, not only for their own needs, but also globally.

“The forest for the A'i Cofán people is like a home, a roof. The forest provides everything for us. It's our market and our pharmacy. An A'i without the forest is not an A'i. And forests are also important for the rest of the world; forests absorb pollution and give us clean air to breathe. We have always worked to maintain the health of the forest.”³¹

In 2008 Ecuador's Ministry of Environment launched Socio Bosque, a programme aimed at conserving 4 million hectares of forests, reducing deforestation, and improving the lives of 1 million people³².

Protecting forests and reducing deforestation ensures local livelihoods but also has global benefits including protecting wildlife and reducing carbon emissions.

The integration of rights into climate actions like Socio Bosque is facilitated at the highest level in Ecuador – in the Constitution and in National Climate Strategy. Not alone does Ecuador's Constitution recognise rights of participation, rights for indigenous peoples and rights for the environment but it explicitly links all three, promoting their mutual integration within Government actions and programmes by expressly obliging the State 'to establish and implement programmes with the participation of the community to ensure conservation and sustainable use for biodiversity'. A key principle of Ecuador's Climate Change Strategy emphasises the importance of civil society participation and the protection of vulnerable groups in climate actions.

The Socio Bosque programme offers indigenous communities and individual landowners direct economic incentives in return for conserving the forests, ensuring that local people have more to gain from protecting their trees than cutting them down.

Most economic opportunities in Ecuador are in the urban areas where 63.5% of the population lives³³, far away from these indigenous communities. The Socio Bosque programme offers the poorest private and communal forest landholders in this area a unique economic opportunity which benefits not only them but also the planet³⁴.

Each participant voluntarily decides how much forest to conserve and signs a per-hectare agreement with the Ministry of Environment. Through these conservation agreements funds are generated and communities create an investment plan to decide how the funds will be used. The communities hold meetings with full participation by all members so that everybody has a say in deciding what the funds will go towards. Funds can only be used in productive ways that benefit the whole community, through for example education, housing, conservation, healthcare, ecotourism, surveillance and fund saving projects³⁵.

The programme has made great progress in protecting forests and enhancing the lives of local indigenous people over the past few years. As of the end of 2014 there had been 2,748 agreements signed with individuals and communities, over 1.4 million hectares of forest protected and direct benefits provided to 173,233 people.

With Socio Bosque the A'i Cofán people are rewarded for their work to protect the forest around them. They have always placed a heavy importance on conserving the forests and now there is a tangible economic benefit for them to continue and increase their conservation work.

Medardo is the treasurer in Dureno and one of the leaders who administers funds to the community from the government. Medardo and the A'i Cofán so far have protected over 77,000 hectares of forest through the Socio Bosque programme and in return have received funds that are improving their daily lives³⁶. As Medardo says:

*"In the past we looked after forest but we've never received any benefit. With Socio Bosque this has changed a lot."*³¹

The A'i Cofán are using these funds for a wide range of purposes that are benefitting the whole community, such as improving fish farming techniques, helping the elderly and purchasing essential medical supplies. There is now an Equavolley, a game unique to Ecuador, court on every block in Dureno, a sign of funds being used for recreational purposes too. The programme is also benefitting A'i Cofán children through using funds to subsidise school books and supplies.

For centuries the A'i Cofán people have been using the Aguarico River for fishing but they continuously face the threat of illegal hunting and fishing in the area. Now with the economic incentives gained from the Socio Bosque programme they are able to guard the area against poachers and protect their resources. A'i Cofán communities are also now able to train and sustain a group of local forest rangers to look after the land by guarding it from outside communities and individuals who may try to steal their trees or other forest resources. This also ensures the protection of the ecosystems that sustain the habitats of tapirs, wild cats, giant otters, monkeys and other species.

Medardo explains how the Dureno community are happy because the Socio Bosque programme acknowledges and values their work now which is leading to better outcomes for them, the forest and the planet.

*"We are happy to maintain our long tradition of taking care of the forest and pass it along to our own children. This programme shows the positive impact we can have on the forest and the planet when our work is valued."*³¹

FACT: The recognition and implementation of legal forest rights for indigenous communities tends to lower carbon dioxide emissions and deforestation. For example, in Brazil, deforestation in indigenous community forests was 1% between 2000 and 2012, compared to 7% outside them. The higher deforestation outside indigenous community forests led to 27 times more carbon dioxide emissions than were produced from deforestation on indigenous community forests³⁷.

The Right to Participation - Lessons learned

- a) Strong linkages between the right to participation and environmental rights have led to climate action in Ecuador which can bring about socio-economic benefits for vulnerable communities while enabling robust forest conservation. This indicates that climate action which considers people's rights will benefit from more constructive local engagement and therefore will produce better outcomes.
- b) Empowering vulnerable communities to realise their rights through participation in climate action can bring about other ecosystem benefits – in the case of Socio Bosque, the empowerment of local communities has enabled them to stand up to and prevent illegal poaching and fishing.

²⁷ Conservation International (2015), *How Ecuador is Reducing Poverty by Conserving Native Forests* available at: <http://bit.ly/1GCKiyw> Accessed on 14/08/2015 Extract from interview with Conservation International (2015). Watch here: <http://bit.ly/1J3VSC9>

²⁸ INTO (2011), *Comuna Cofán Dureno* available at <http://bit.ly/1UH0wyh>

²⁹ USAID Frontlines (2013) *Cofan: Guardians of the Amazon Forest* available at: <http://1.usa.gov/1Wom5p1>

³⁰ Clear Water (2012) <http://www.giveclearwater.org/2012/03/cofan-community-dureno-present/>

³¹ Extract from interview with Conservation International (2015). Watch here: <http://bit.ly/1J3VSC9>

³² Conservation International (2015), *How Ecuador is Reducing Poverty by Conserving Native Forests* available at: <http://bit.ly/1GCKiyw> Accessed on 14/08/2015

³³ Conservation International (2015), *People protecting forests: In Ecuador, it pays to conserve*. Available at: <http://bit.ly/1EqZ0ac>

³⁴ CDKN Global (2015) *Ecuador's Socio Bosque Programme*. Available at: <http://bit.ly/1hBCW7N>

³⁵ To learn more watch this short documentary by Conservation International Ecuador (2014): <http://bit.ly/1zr68Vk>

³⁶ Conservation International (2015), *People protecting forests: In Ecuador, it pays to conserve*. Available at: <http://bit.ly/1EqZ0ac>

³⁷ WRI (2014), *Securing Rights, Combating Climate Change* available at: <http://bit.ly/1jWl9fZ>

SECTION 4

STEPS TAKEN BY THE INTERNATIONAL PROCESSES SO FAR

Building a Case for Climate Justice

On the occasion of International Human Rights Day during COP20 in Lima, the Special Procedure Mandate Holders, independent thematic human rights experts under the Human Rights Council, issued a joint statement calling on states to make sure that human rights are at the core of climate governance. Their statement articulated the value of a climate justice framing for climate action:

“Applying human rights in the context of climate change brings many benefits. It moves the rights of affected individuals and communities centre stage in all response strategies. The human rights framework focuses our attention on the rights of the most vulnerable and marginalized individuals and groups requiring adaptation policies and measures, inclusive disaster risk reduction planning and resilience strategies on the basis of non-discrimination and equality. Climate justice sees the effect and causes of climate change in relation to the concept of justice, namely, whether the rights of most marginalized and vulnerable populations are taken into account when implementing response measures and whether such measures are fair, equitable and transparent.”

In their statement, the Special Mandate Holders stressed that *“Any response to climate change must respect, protect, promote and fulfil human rights”*.

Also in 2014 the legal profession, through the International Bar Association (IBA) embraced climate justice. The IBA defines its work on climate change, human rights and the rule of law. In their report *Achieving Justice and Human Rights in an Era of Climate Disruption*³⁸, the IBA Presidential Taskforce states that *“Climate justice seeks to combine the climate change discussion with human rights in a way this is equitable for the most climate-vulnerable groups”*. The report finds that the legal system we have now at international and domestic level is not equipped to deal with the scale and the challenge posed by climate change; the biggest threat to human rights of the 21st Century.

At an intergovernmental level, progress has been made in linking human rights and climate change, both under the United Nations Framework Convention on Climate Change and the United Nations Human Rights Council over the past number of years. This section explores key milestones reached to date.

i) Addressing the human rights aspects of climate change in the Human Rights Council

Over the last decade the Human Rights Council (HRC) has explicitly addressed the links between human rights and climate change. In 2008 the HRC adopted Resolution 7/23 on Human Rights and Climate Change which, for the first time in a UN resolution, stated explicitly that climate change ‘poses an immediate and far-reaching threat to people and communities around the world and has implications for the full enjoyment of human rights’. A subsequent study published by the Office of the High Commissioner for Human Rights (OHCHR) in January 2009 asserts that global warming ‘will potentially have implications for the full range of human rights’.

In response to the OHCHR Report, the HRC adopted a second resolution on Human Rights and Climate Change in March 2009. Resolution 10/4 notes that ‘climate change-related effects have a range of implications, both direct and indirect, for the effective enjoyment of human rights’, and that the effects of climate change will fall hardest on the rights of those people who are already in vulnerable situations ‘owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability.’

Resolution 10/4 informed the UNFCCC negotiations at COP16 in Cancun. The Cancun Agreements note Resolution 10/4 of the United Nations HRC on Human Rights and Climate Change. Decision 1/CP16 includes a reference to existing human rights obligations in the overarching section on a shared vision for long-term cooperative action; it ‘emphasises that Parties should, in all climate change-related actions, fully respect human rights.’

In September 2011, HRC Resolution 18/22 affirmed that human rights obligations, standards, and principles have the potential to inform and strengthen international and national policy making in the area of climate change, promoting policy coherence, legitimacy, and sustainable outcomes.

³⁸ IBA (2014), *Achieving Justice and Human Rights in an Era of Climate Disruption*, available at: <http://bit.ly/1Ab3SPu>

More recently, in June 2014, the HRC adopted, by consensus, Resolution 26/27 which recognises the need to fully respect human rights when taking climate action. Through this resolution, the HRC scheduled a full day discussion during its twenty eighth session engaging human rights experts as well as academics, civil society and other relevant stakeholders.

The full day discussion took place in March 2015. The first panel explored the role of enhanced international dialogue and cooperation in addressing the adverse impacts of climate change on the effective enjoyment of human rights. The second panel discussed how climate change has had an adverse impact on the right to food, and policies, lessons learned and good practices. The outcomes of the dialogue were documented and shared with the HRC in June 2015, at which point a further resolution (29/15) was adopted which mandates the OHCHR to prepare, together with relevant international organisations, a report on the adverse impacts of climate change on the right of everyone to the highest standards of physical and mental health. The 2015 resolution also called for a panel discussion on the subject to be incorporated into the HRC's programme of work for their thirty-first session. The resolution in June 2015 enjoyed broad support, with over 100 countries agreeing to act as co-sponsors.

Finally, in April 2015 the mandate of John Knox, formerly UN Independent Expert on Human Rights and the Environment was revised and strengthened to UN Special Rapporteur on Human Rights and the Environment.

ii) Human rights in the work of the Climate Change Convention

The actions taken by Parties to the UNFCCC to avoid dangerous climate change and mitigate climate risks ultimately protects human rights. All actions to reduce greenhouse gases reduce the scale of the risk posed by climate change impacts to people's rights. Action on adaptation meanwhile, protects rights by increasing resilience and building adaptive capacity. The issues covered by Article 6 of the UNFCCC also contribute to the realisation of human rights. Access to information on climate change and participation in climate decision making informs climate actions with broad-based support and sustainable outcomes.

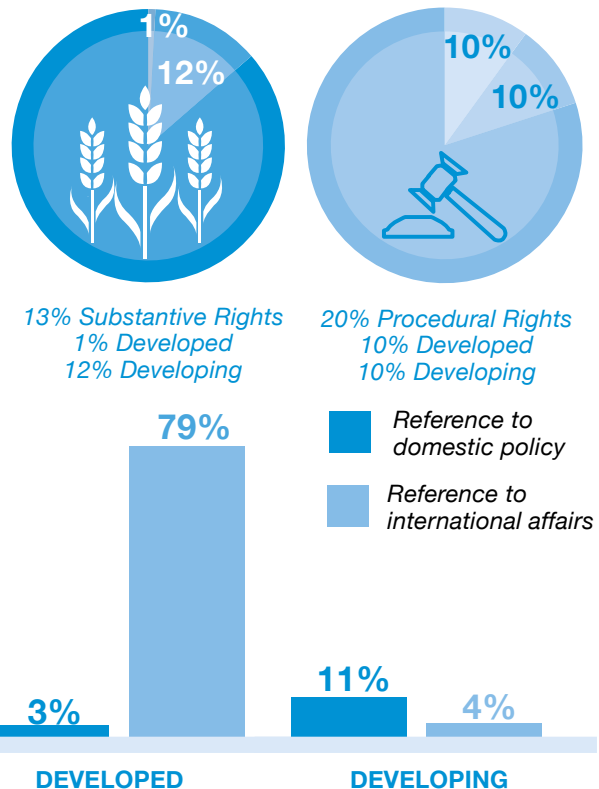
At COP16 in Cancun in 2010, Parties to the UNFCCC made a commitment to fully respect human rights in all climate change related actions. A survey of all National Communications submitted to the UNFCCC since 2010 along with National Adaptation Plans of Action (NAPAs) submitted by Least Developed Countries (LDCs) over the same period found that 49 countries (23% of national reports) have made explicit references to human rights.

In National Communications to the UNFCCC, procedural rights were explicitly referenced more frequently than substantive rights. Of the references to procedural rights, the majority were in developed countries' reports. The analysis also shows that developed countries referred more frequently to the need for the integration of human rights into climate action in developing countries than they did in relation to their own domestic policy in reports to the UNFCCC.³⁹

FIGURE 3



In the UNFCCC, considering both National Communications and NAPAs, 49 countries have made explicit references to human rights.



Percentages of reports to reference at least one substantive right³⁹

³⁹ MRFCJ (2014), *Incorporating Human Rights into Climate Action* available at: <http://www.mrfcj.org/wp-content/uploads/2015/09/2014-10-20-Incorporating-Human-Rights-into-Climate-Action.pdf>

In negotiating the text of the new climate agreement through the Ad Hoc Durban Platform for Enhanced Action (ADP) the Parties to the UNFCCC re-engaged with the human rights dimensions for climate change. Many geographically diverse Parties and Groups championed the inclusion of human rights language in the text of the agreement.

iii) Working together

The UNFCCC and HRC are separate and independent processes with their own mandates and areas of expertise. They should not and cannot substitute for each other or encroach on each other's mandates. They can however be supportive of each other, share expertise and good practices and respect obligations undertaken in other processes in the implementation of their work.

There are examples in the past of the HRC and the UNFCCC sharing information and informing each other. For example, Resolution 10/4 directly informed the commitment to respect human rights in climate action contained in the Cancun Agreements. However these examples are rare and as the urgency of addressing the climate challenge increases, the need for coherence and cooperation between the climate and human rights processes increase.

A lack of coherence is also evident at national level. The survey of national reports to the UNFCCC and the HRC mentioned above, also looked at country reports to the Universal Periodic Review process of the HRC, where 45 countries made explicit references to the human rights impact of climate change. Overall only 12 countries made the link between human rights and climate change in reports to both the UNFCCC and the HRC. This indicates low levels of coherence between government institutions responsible for climate change and human rights in countries.

FIGURE 4



Only 12 countries made the link between human rights and climate change in reports to both the UNFCCC and the HRC.

Certainly there is potential for reporting by State and non-State actors to the Universal Periodic Review process of the HRC to highlight the impacts of climate change on the enjoyment of human rights in their country and to document and share good practices in integrating human rights into climate actions.

The example below from the January 2015 session of the UPR shows how national reports can be used to document and then share experiences in addressing the human rights dimensions of climate change.

In February 2015, in the margins of negotiations on the new climate agreement in Geneva, the Foundation and the Office of the High Commissioner of Human Rights hosted a discussion on human rights and climate change attended by country delegates to the climate negotiations and the Human Rights Council along with civil society representatives. At the event, the Costa Rican delegates conceived the **Geneva Pledge on Human Rights and Climate Action**⁴⁰, a voluntary initiative for countries to undertake with the intention of facilitating the sharing of best practice and knowledge between human rights and climate experts at a national level.

In recognising the injustice faced by the poorest and most vulnerable people who are disproportionately affected by the impacts of climate change, the geographically diverse group of Geneva Pledge signatories can enable meaningful collaboration between national representatives in the UNFCCC and the processes of the HRC.

Republic of Kiribati reports on human rights and climate change at Human Rights Council – 19th January 2015

At the presentation of the Republic of Kiribati to the Universal Periodic Review, Minister for Women, Youth and Sport, Tangariki Reete stated that:

“We cannot really talk and report on human rights without addressing these challenges from climate change to low lying nations like mine, how it is affecting the very basic human right for our people as a distinct culture to survive, the right and access to clean drinking water, to food and the right to have islands that we can call our homes.”

She also pointed to actions her country is taking to integrate human rights into climate action through the Kiribati Joint Implementation Plan on Climate Change and Disaster Risk Management. The plan respects and promotes human rights by ensuring that all I-Kiribati have increased access to food security; safe water security and land security within the current and future threats of climate change and disasters such as sea level rise and droughts.

⁴⁰ MRFCJ (2015), Geneva Pledge on Human Rights and Climate Action announced, available at: <http://bit.ly/1D4acg8>

SECTION 5

OPPORTUNITIES TO STRENGTHEN THE INTEGRATION OF HUMAN RIGHTS INTO CLIMATE ACTIONS

In the years before the entry into force of the new climate agreement in 2020 there is a real opportunity to put in place the measures needed to ensure that all climate actions respect all human rights.

The Foundation has identified areas where progress could be made in the coming years to assist climate policy makers to integrate human rights into their work.

i) **Bring the human rights and climate change communities together to share experiences, knowledge and good practices**

Initial informal gatherings of human rights and climate change actors have demonstrated the value of shared dialogue and an eagerness to share information and expertise. Closer working relationships between human rights and climate change actors at national level is a first step and one to which the signatories of the *Geneva Pledge* have made a commitment. Closer working relationships at national level can help to reduce the incoherence revealed in the survey referenced in section 2 and can develop capacities at the country level to use human rights standards and commitments to inform climate policy.

Beyond the country level there is also demand for increased cooperation and collaboration at the international level between the UN processes responsible for climate change and human rights. Seminars, workshops and joint work programmes have all been suggested as useful fora for sharing experiences and good practices among and between the two communities.

It is worth noting that the Special Mandate holders urged Parties at COP 20 in Lima to launch a work programme to ensure that human rights are integrated into all aspects of climate actions, taking into consideration the impact of climate change in the lives of all people, without discrimination.

ii) **Provide guidance on how to integrate human rights into climate policy**

The majority of climate policy makers feel ill-equipped to understand and apply human rights standards and principles in their work. Awareness raising, training and guidance will be needed to assist climate policy makers to implement rights based approaches. The human rights community, the HRC and the Office of the High Commissioner for Human Rights can all play an important role in providing guidance and tools to climate policy makers.

Ongoing work in the UNFCCC can provide concrete starting points for understanding the positive role that human rights play in informing more effective climate action. For example, on participation and access to information under Article 6; on protecting rights by increasing resilience and building adaptive capacity through adaptation; on women's representation and gender equality under the Lima Work Programme on Gender; and as part of ongoing work on social and environmental safeguards under REDD+.

iii) **Share information and report on progress and challenges**

As consciousness of the importance of linking human rights and climate change increases and policy makers use human rights standards to inform climate actions, there will be a need to document and share experiences. National reports to both the UNFCCC and the HRC provide an opportunity to document climate change impacts on human rights and the measures taken to address them, as well as progress in using human rights standards and commitments to inform climate actions.

By working together at the national level climate and human rights policy makers can support each other to capture synergies in their national reports. In turn these reports can be used by their colleagues working at the international level in both the climate and human rights processes to share lessons learned and promote good practices.

ANNEX I

THE PRINCIPLES OF CLIMATE JUSTICE

Climate Justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable and sharing the burdens and benefits of climate change and its resolution equitably and fairly. Climate justice is informed by science, responds to science and acknowledges the need for equitable stewardship of the world's resources. In seeking through its mission to realise its vision of a world engaged in the delivery of climate justice, the Mary Robinson Foundation – Climate Justice dedicates itself to action which will be informed by the following core principles which it has elaborated.

Respect and Protect Human Rights

The international rights framework provides a reservoir for the supply of legal imperatives with which to frame morally appropriate responses to climate change, rooted in equality and justice.

The idea of human rights point societies towards internationally agreed values around which common action can be negotiated and then acted upon. Human rights yardsticks deliver valuable minimal thresholds, legally defined, about which there is widespread consensus. The guarantee of basic rights rooted in respect for the dignity of the person which is at the core of this approach makes it an indispensable foundation for action on climate justice.

Support the Right to Development

The vast gulf in resources between rich and poor, evident in the gap between countries in the North and South and also within many countries (both North and South) is the deepest injustice of our age. This failure of resource-fairness makes it impossible for billions of humans to lead decent lives, the sort of life-opportunities that a commitment to true equality should make an absolute essential.

Climate change both highlights and exacerbates this gulf in equality. It also provides the world with an opportunity. Climate change highlights our true interdependence and must lead to a new and respectful paradigm of sustainable development, based on the urgent need to scale up and transfer green technologies and to support low carbon climate resilient strategies for the poorest so that they become part of the combined effort in mitigation and adaptation.

Share Benefits and Burdens Equitably

The benefits and burdens associated with climate change and its resolution must be fairly allocated. This involves acceptance of common but differentiated responsibilities and respective capabilities in relation to reduction of greenhouse gas emissions. Those who have most responsibility for greenhouse gas emissions and most capacity to act must cut emissions first.

In addition, those who have benefited and still benefit from emissions in the form of on-going economic development and increased wealth, mainly in industrialised countries, have an ethical obligation to share benefits with those who are today suffering from the effects of these emissions, mainly vulnerable people in developing countries. People in low income countries must have access to opportunities to adapt to the impacts of climate change and embrace low carbon development to avoid future environmental damage.

Ensure that Decisions on Climate Change are Participatory, Transparent and Accountable

The opportunity to participate in decision making processes which are fair, accountable, open and corruption-free is essential to the growth of a culture of climate justice. The voices of the most vulnerable to climate change must be heard and acted upon. A basic of good international practice is the requirement for transparency in decision-making, and accountability for decisions that are made. It must be possible to ensure that policy developments and policy implementation in this field are seen to be informed by an understanding of the needs of low income countries in relation to climate justice, and that these needs are adequately understood and addressed.

Decisions on policies with regard to climate change taken in a range of fora from the UNFCCC to trade, human rights, business, investment and development must be implemented in a way that is transparent and accountable: poverty can never be an alibi for government failure in this sphere.

Highlight Gender Equality and Equity

The transformative power of education under-pins other principles, making their successful adoption more likely and inculcating into cultures a deeper awareness of human rights and climate justice than is presently to be found. To achieve climate stabilisation will necessitate radical changes in lifestyle and behaviour and education has the power to equip future generations with the skills and knowledge they will need to thrive and survive.

As well as being a fundamental human right which is already well developed in the international framework of rights referred to above, education is indispensable to the just society. It draws those in receipt of it towards a fuller understanding of the world about them, deepening their awareness both of themselves and of those around them. Done well, it invites reflection on ethics and justice that make the well-educated also good citizens, both of their home state and (in these global times) of the world as well.

Delivered in an effective multi-disciplinary school, college or university environmental education can increase consciousness of climate change, producing new insights not only at the scientific but also at the sociological and political level. Education is also achievable outside the formal system, through public and, increasingly, virtual (i.e. web-based) activity. The learning required to see climate change in justice terms cannot be done at the schools and university alone: it is a life-long responsibility and therefore a commitment.

Harness the Transformative Power of Education for Climate Stewardship

Climate Justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable and sharing the burdens and benefits of climate change and its resolution equitably and fairly. Climate justice is informed by science, responds to science and acknowledges the need for equitable stewardship of the world's resources. In seeking through its mission to realise its vision of a world engaged in the delivery of climate justice, the Mary Robinson Foundation – Climate Justice dedicates itself to action which will be informed by the following core principles which it has elaborated.

Use Effective Partnerships to Secure Climate Justice

The principle of partnership points in the direction of solutions to climate change that are integrated both within states and across state boundaries.

Climate justice requires effective action on a global scale which in turn requires a pooling of resources and a sharing of skills across the world. The nation state may remain the basic building block of the international system but without openness to coalitions of states and corporate interests and elements within civil society as well, the risk is that the whole house produced by these blocks will be rendered uninhabitable. Openness to partnership is a vital aspect of any coherent approach to climate change, and in the name of climate justice, this must also involve partnership with those most affected by climate change and least able adequately to deal with it – the poor and under-resourced.

These principles are rooted in the frameworks of international and regional human rights law and do not require the breaking of any new ground on the part of those who ought, in the name of climate justice, to be willing to take them on.

ANNEX II

ADDITIONAL RESOURCES

Human Rights and Climate Change: A Primer	The Centre for International Environmental Law (CIEL)	http://bit.ly/1g3AhR6	This primer details the evolution of the relationship between human rights and climate change communities and discusses possible provisions that could be made under the United Nations Framework Convention on Climate Change.
Website of John H. Knox, UN Special Rapporteur	United Nations Mandate on Human Rights and the Environment	http://bit.ly/1DGk3e1	The website contains Professor Knox's newsletters and reports as well as other research material on the intersection of human rights and climate change.
Climate Wrongs and Human Rights: Putting People at the Heart of Climate Change Policy	Oxfam	http://bit.ly/1Ja3l92	A 2008 briefing paper by Oxfam exploring the risks posed to human rights by climate change and the steps required to bring about people-centred climate action.
Securing Rights, Combating Climate Change	World Resources Institute (WRI)	http://bit.ly/1HEdV0J	An analysis spanning 14 countries of the growing body of evidence linking community forest rights with healthier forests and lower carbon dioxide (CO ₂) emissions from deforestation and forest degradation.
Realising Women's Rights to Land and Other Productive Resources	Office of the High Commissioner for Human Rights and UN Women	http://bit.ly/1h09eJR	Provides detailed guidance to support the adoption and effective implementation of laws, policies and programmes to respect, protect and fulfil women's rights to land and other productive resources.
Achieving Justice and Human Rights in an Era of Climate Disruption	International Bar Association	http://bit.ly/1Ab3SPu	Aide-ranging and comprehensive report from the IBA Presidential Task Force on Climate Change Justice and Human Rights identifies problems and gaps in existing legal, human rights, trade and other institutional arrangements.
The Effects of Climate Change on the Full Enjoyment of Human Rights	United Nations Special Rapporteurs: Ms. Aguilar, Mr. Knox, Mr. Alston, Mr. Heller; Ms. Dandan	http://bit.ly/1Wpn9Jk	Paper provided to the Climate Vulnerable Forum in response to the invitation of its chair, the Philippines, to provide input on the potential implications for human rights endangerment of the current 2.0° C goal, and the difference between a 2.0° goal and a 1.5° C goal with respect to outcomes for human rights.
The Human Rights Impacts of Climate Change in Latin America	Interamerican Association for Environmental Defense (AIDA)	http://bit.ly/1PcWwlu	AIDA's report on the impacts of climate change and what governments must do to protect human rights was presented before the Inter-American Commission of Human Rights (IACHR) in February 2012.
Climate Justice: Equity and Justice Informing a New Climate Agreement	World Resources Institute (WRI) and the Mary Robinson Foundation – Climate Justice	http://bit.ly/1hiGA6U	This paper explores the links between climate change and justice. It establishes why climate change is an issue of justice, analyses the potential role of justice in the agreement currently being negotiated for 2015, and explores climate justice narratives.
Climate change: Tackling the Greatest Human Rights Challenge of Our Time	Center for Environmental Law (CIEL) and CARE International	http://bit.ly/1IWKEm5	This briefing paper provides an overview of the human rights implications of climate change and the human rights obligations of States relating to climate change. It explores ways in which human rights can be addressed further in the UNFCCC process. The paper also sets out specific recommendations for integrating human rights into the UNFCCC climate regime.
Human Rights and Climate Change: Constructing a Case for Political Action	Marc Limon	http://bit.ly/1JcTe1i	Article published in the Harvard Law Review which includes some initial ideas on how the international community might usefully and practically operationalise the human rights-climate change interface in order to contribute to better policy responses.



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