



## **Mary Robison Address**

Public Participation, Public Access to Information and International  
Cooperation on these matters

**6<sup>th</sup> Dialogue on Action for Climate Empowerment, 9<sup>th</sup> May 2018**

I am delighted to speak at this, the 6<sup>th</sup> ACE Dialogue, and the first to have a specific focus on gender equality. The decision taken in the Gender Action Plan to focus on how gender issues have been integrated into ACE activities is very timely. The participation of women and the integration of their knowledge and expertise in the implementation of NDCs should be a priority in all countries.

Both gender equality and the right to participation are principles of Climate Justice and issues my Foundation has been working on for the last 8 years. In fact, listening to women's voices and making sure they are heard is something that has been a feature of my entire professional life.

I recall learning an important lesson which has stayed with me. In 2013 my Foundation joined with the Irish Government in organising a conference in Dublin on Hunger-Nutrition-Climate Justice. Ireland had the Presidency of the EU at that time, so there were Ministers from other EU countries and the EU Commission as well as experts such as Al Gore. But the real value of this conference was that of the 300 participants, 100 were from grassroots and indigenous communities worldwide, and most of the discussion was in learning circles where all participants felt equal. I recall Etrida Luhanga of Malawi saying, "you have to listen to me because I have experience – what I know isn't written in your papers". And I have benefited greatly since then by listening to frontline experts on climate change such as Etrida.

It seems obvious to me that ensuring that women are represented in decision making, that there is gender balance and that women have a voice, will lead to more robust and more impactful decisions – on any topic. But it is not, it seems, obvious to everyone, and we constantly need to remind those in power that there is a value in diversity and a value in bringing women to the table.

A 2015 study by the Office of the High Commissioner for Human rights finds that *‘women continue to face significant discrimination in relation to their participation in public and political life in all geographical regions’*. The reasons for this are multifaceted and complex and include economic, social and cultural issues, structural and social barriers and deeply entrenched gender roles and stereotypes.

Author and activist, Arundhati Roy, who articulated this exclusion in her acceptance speech for the Sydney Peace Prize, said something that resonates with me “we know, of course, there’s really no such thing as the ‘voiceless’. There are only the deliberately silenced, or the preferably unheard.” To many this is a confronting statement. But it is true nonetheless and something we have no choice but to confront.

Having a seat at the table and a forum to be heard in is the first step. But to achieve meaningful participation that participation needs to be adequately informed. Only with access to information can the people who are ‘preferably unheard’ participate in a meaningful way in climate decision making. In a 2015 submission to the UNFCCC, the Office of the High Commissioner for Human Rights stresses that climate actions must be developed in consultation with affected groups, placing particular emphasis on the need to ensure the informed and meaningful participation of people and groups living in vulnerable situations in decision making. Women are among those most vulnerable to climate change so their participation in decision making is a priority. Add to this the valuable knowledge and experience they hold and there is no reason to leave them outside the room.

When Agnes Leina accompanied my Foundation team to COP 23 here in Bonn last year – she gave an example of what can go wrong when local and indigenous communities are not consulted in the design and implementation of climate solutions.

## CHECK AGAINST DELIVERY

Agnes is a pastoralist from Samburu County, in Northern Kenya and an advocate for human rights and gender equality. Her community was not consulted before the construction of the Lake Turkana wind farm, made up of over 365 wind turbines covering approx. 40,000 hectares. In fact, the pastoralist communities in the locality will not benefit from access to the renewable energy that the project will generate. As a result of the lack of transparency, consultation and participation, there have been protests by local communities and an injunction was issued over the construction of the last six turbines. Using tools like Environmental Impact Assessments, and legal protections such as Free, Prior and Informed Consent, and procedural rights, Agnes' community is demanding their rights. They are not against wind energy or development – but they do want their rights to be respected and their knowledge to inform decision making.

Agnes personifies the value of empowering women to be leaders in their community and the powerful impact women like her can have when they engage in climate decision making at national and international level. Armed with her story and empowered through access to education, access to information, and access to resources she was able to speak truth to power at the international level and demand respect for the rights of her community and communities like hers. As she has often repeated, “there should be no decision about us, without us”.

Participation is a human right. Education and access to information, other cornerstones of ACE, are also human rights. The Office of the High Commissioner for Human Rights states that *‘public participation rights encompass the rights to be consulted at each phase of legislative drafting and policy making, to voice criticism and to submit proposals aimed at improving the functioning and inclusivity of all governmental bodies’* (2014 report).

There are examples from around the world of where the right to participation has informed national environmental policy – from the environmental framework law in Chile with its focus on public participation, to the sustainable island resource management zoning plan of Antigua and Barbuda, which prioritises stakeholder consultation. The benefits of realising the right to participation include increased public support for policies and decisions, increased legitimacy and more equitable policies.

A briefing paper released by CIEL for this session finds that 71 of the 197 Parties to the UNFCCC are involved in a regional agreement to promote public participation in environmental matters, such as the Aarhus and Escazu Agreements. For these countries, it is not only good practice to promote public participation, but also an obligation under international law.

This ACE dialogue and the ACE workshop held last week can make the case that a rights based approach to Action for Climate Empowerment can strengthen these issues in the implementation of the Paris Agreement. While many NDCs were prepared without extensive stakeholder consultation and participation, there is a chance to increase the level of participation in NDC implementation actions at the national level. Adopting a rights based approach to national level activities around public awareness, education and participation can only strengthen these procedural rights and increase the effectiveness of climate decision making.

We who are in positions of decision making power, or who engage in processes that will ultimately affect the lives, and decide the fate, of whole swathes of the planet's people cannot do so in isolation. We have a moral imperative to ensure that there is no one 'preferably unheard'. It is easy here, in Bonn, negotiating highly technical aspects of international climate policy, to feel that there is no place for local voices, for indigenous voices, for women's voices. But even as I say this we can hear the lie in it. This is a place which needs more, not less input from the people experiencing climate change first hand and finding solutions on a daily basis.

The commitments Parties have made through the Paris Agreement to deliver increasingly ambitious climate action has only raised the importance of procedural rights in the context of climate decision-making. Given the range of processes under the Agreement and the diffuse set of actors now involved, it is evident that limited, ad hoc, public engagement or sporadic consultations are not fit for purpose. A robust commitment to public participation in decision-making is urgently needed at UNFCCC level in order to ensure human rights protections are integrated into climate processes and interventions and so that states are held to account for progress on their Paris commitments.

Article 12 of the Paris Agreement requires Parties to cooperate in taking appropriate measures to enhance public awareness, public participation and public access to information, recognizing the importance of these steps with respect to enhancing actions under this Agreement. The Agreement also affirms that adaptation action should follow a participatory and transparent approach, ‘taking into consideration vulnerable groups, communities and ecosystems’. Significantly in terms of access rights, it is stated in the Preamble that all States ‘should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights’.

With this in mind I would like to suggest three actions that could be taken to strengthen the capacity of the secretariat and the Parties to adopt rights based approaches to climate action.

1. There is currently no dedicated human rights expert in the UNFCCC secretariat, despite the fact that respect for human rights should guide the implementation of the Paris Agreement, and the fact that human rights arise in numerous agenda items from Capacity Building, and Gender, to Adaptation and Just Transition of the workforce. We have seen a real strengthening of capacity on gender equality in the Secretariat since the establishment of a gender focal point, with positive benefits to Parties designing and implementing gender responsive climate action. It seems the time is right to look at whether a Human Rights Focal Point might also be a positive step forward.

I believe that the appointment of a human rights focal point in the secretariat could do much to support both the secretariat and the Parties to build their capacity on human rights and enable Parties to adopt rights based approaches to climate action – including through ACE.

2. Human rights and women’s rights are not peripheral to climate action. It is simply not possible to take effective action on climate change without engaging every man, woman and child on the planet. It is a mistake to think that climate action can be a technical or scientific advance – it also requires changes in human behaviour and social norms. That is why the UNFCCC working with OHCHR, Parties and experts should develop guidance on how human rights can be integrated into climate action - and there is no better place to start that with procedural rights like education, access to

information and participation – building on the commitments made in Article 10 of the Rio Declaration.

3. I urge all Parties, NGOs and other observers to include representatives of local communities in your delegations to the UNFCCC so that they can participate in our discussions and inform our work. Dialogues and workshops provide a perfect opportunity for the lived experiences of women and men living on the front lines of climate change and climate action to share their experience, their knowledge and their solutions with us. This type of participation can only enrich our discussions and decision making. We must remember that in sharing power – we do not cede power.

I look forward to discussing these ideas and others with you today and to building momentum towards rights based Action for Climate Empowerment.