

OHCHR

Concept Paper Seminar on Addressing the Adverse Impacts of Climate Change on the Full Enjoyment of Human Rights

**Thursday 23 February – Friday 24 February 2012
Palais des Nations (Salle XII), Geneva**

Background and rationale

The climate crisis is perhaps the most far-reaching and detrimental global crisis facing our world. No nation can escape the impacts of climate change and its implications for the enjoyment of human rights. The adverse effects of climate change are already being increasingly felt by people around the world, especially by those already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability.

Given their limited capacities, developing countries and marginalized communities suffer from poor resilience and inadequate response to climate change. As a result, they face a disproportionate impact from climate change induced phenomena while having contributed least to the problem themselves. This constitutes an element of injustice that affect their daily lives and livelihood. Their enjoyment of economic, social and cultural rights, as well as civil and political rights and the right to development are adversely affected. If left unchecked, climate change threatens the very existence of some countries, including many small island states and low lying countries.

As governments strive to reach a new, broad, inclusive, comprehensive, fair and equitable international legal framework on climate change through the UNFCCC in the period 2012-2014, it is vital to assess and improve understanding of the actual and potential implications of global warming on the human rights of individual people and communities around the world. International cooperation to address the adverse impacts of climate change on human rights is an imperative challenge and opportunity.

Previous work of the Human Rights Council

On 28 March 2008, the Human Rights Council, at its 7th Session, adopted its first resolution on “human rights and climate change” (7/23). The Human Rights Council mandated OHCHR to conduct an analytical study on the relationship between human rights and climate change which is contained in document A/HRC/10/61 and was presented to the Council at its session in March 2009. The study prepared by the Office highlighted the striking ‘climate injustice’ that many of the least developed countries and small island States which have contributed least to global greenhouse gas emissions, will be worst affected by global warming. It pointed out that these countries are vulnerable due to their low capacity to effectively adapt to climate change, and underlined the need for international cooperation to address the unequal burden falling on those who are least able to carry its weight.

The study noted that climate change cannot be considered simply in terms of environmental and economic aspects. It provided an analysis of the specific rights most directly affected by the climate change-related impacts as detailed in the assessment reports of the Intergovernmental Panel on Climate Change. In particular, the study highlighted the implications of climate change for the rights to life, to food, to safe and adequate drinking water, to health and adequate housing.

The study stressed that the linkages between human rights and the adverse impacts of climate change must be examined, and then made to inform and deepen policy planning regarding prevention, mitigation and adaptation both at international and local levels.

After considering the study during its 10th Session, in March 2009, the Human Rights Council adopted a “human rights and climate change” resolution (10/4) of 25 March 2009, in which it, inter alia, affirmed that “human rights obligations and commitments have the potential to inform and strengthen international and national policy making in the area of climate change,” thereby highlighting the importance of applying a human rights-based approach to the global response to the crisis.

Pursuant to resolution 10/4 a panel discussion was held on 15 June 2009 on the relationship between climate change and human rights in order to contribute to the realization of the goals set out in the Bali Action Plan. The OHCHR study and summary of the panel discussion was made available to the Conference of Parties to the UNFCCC (COP15) for its consideration in Copenhagen.

Focus and Objectives

On 30 September 2011, the Human Rights Council, at its 18th Session, adopted Resolution 18/22 which requested the OHCHR to convene a seminar on addressing the adverse impacts of climate change on the full enjoyment of human rights, with a view to following up on the call for respecting human rights in all climate change-related actions and policies, and forging stronger interface and cooperation between the human rights and climate change communities.

Resolution 18/22 decided that the seminar will build on the previous work of the Human Rights Council and its mechanisms, such as the Social Forum and relevant special procedures, (see Background below), while taking into account the outcome of the 16th session of the Conference of Parties to the UN Framework Convention on Climate Change held in Cancun, Mexico, in 2010, and pertinent issues arising from the 17th session of the Conference of the Parties to the Convention, to be held in Durban, South Africa, in 2011.

The focus of the seminar shall be on the following topics:

1. The adverse impacts of climate change on the full enjoyment of human rights and their inter-linkages (*Why is a human rights perspective important? Which human rights are affected? What is the extent of the problem, which groups are most vulnerable? How can the adverse impacts on enjoyment of all human rights be minimised?*);

2. International cooperation and respect for human rights in all climate change related situations (*Challenges, responsibilities and commitments of states, opportunities and good and effective practises to create enabling environments at the national and international levels to effectively combat climate change and promote human rights*); and
3. Forging stronger cooperation between human rights and climate change communities (*Linkages between the principles of the UNFCCC and universally agreed principles of human rights? What is added value of synergies between the two spheres? How to support development of mutually reinforcing linkages between climate change and human right regimes? Issues related to injustice and inequity. Sharing of good practises etc...*)

The objectives of the seminar are to:

1. Raise further awareness and enhance understanding of the relationship between climate change and human rights,
2. Suggest actions and identify best practices that address the adverse effects of climate change on human rights, and
3. Enhance cooperation between human rights and climate change-awareness advocates.

Format

This seminar will be held over two full days and divided into four sessions including an Opening and Closing Session. Each session will be led by several expert panelists who will give short presentations followed by an interactive discussion with comments and questions from the floor. The interactive discussion will be followed by concluding remarks from the moderator.

Outcome

Resolution 18/22 foresees that the seminar will build on previous work already undertaken of the Human Rights Council and its mechanisms, (see Background above), with a view to following up on the call for respecting human rights in all climate change-related actions and policies, and forging stronger interface and cooperation between the human rights and climate change communities.

A summary report of the seminar, including any recommendations, will be submitted to the Human Rights Council at its 20th session in June 2012.

Resolution 18/22 foresees that the summary report will also be made available to the Conference of Parties of the United Nations Framework Convention on Climate Change, for consideration and its 18th session. Additionally, similar periodic reports of the Human Rights Council may be transmitted to the UNFCCC Secretariat for the benefit of negotiations on climate change.