

Statement of H. E. Dr. Dipu Moni, MP at the Seminar on Climate Change and  
Human Rights organised by OHCHR in Geneva on 23 February 2012

President of the Human Rights Council,  
Distinguished High Commissioner for Human Rights,  
Excellencies, Distinguished guests, Ladies and Gentlemen,

A very good morning to all!

It gives me a great pleasure to be here in Geneva speaking before this august gathering on a contemporary issue of increasing importance. We also live in a time of unprecedented awareness on climate change and human rights. Although discussions on these issues have generally remained exclusive to their own domains, there are substantive linkages between the two that demand closer scrutiny and reflection. Today's seminar would, I am confident, give us an opportunity to understand better how climate change impacts the enjoyment of human rights.

The organisation of the seminar is timely as we are poised to commence an intensive process of climate change negotiations under the UNFCCC process. This is also topical in the context of discussions on sustainable development and green economy ahead of Rio+20. I thank the distinguished High Commissioner for Human Rights and her office for their support towards organizing this event. I must make a particular mention of the Philippines for their firm commitment to the cause and the camaraderie shown. I should also like to thank the members of the Council, the observers and non-state stakeholders for their continued support to this initiative.

Distinguished guests,

In the climate negotiations, we have talked for the last two decades about our obligations and responsibilities. But the negotiations proceeded at a very slow pace. Today, as we anticipate some ray of hope in these negotiations, we must consider how to internalise the human consequences of climate change from a rights based perspective. Our premise is that we should not be limited to quantitative dimensions alone. There are intangibles that call for climate justice. They affect enjoyment of multiplicity of rights including right to life, right to food, right to health, right to access to safe drinking water and sanitation, right to development and so on and so forth.

Climate change is a global phenomenon, but having severest impact on the communities and countries that are poor, and suffer from limited coping capacities. The worst affected areas include Central, East and West Africa, the Pacific and South Asia. Almost every sub-Saharan country is vulnerable to a greater degree as are small island and low-lying coastal countries. Since these countries that are the most affected are historically not responsible for climate change, we have a clear case of injustice. A human rights approach could provide a more holistic understanding of the impact of climate change. It also makes us more responsive to the plight of the affected and to take on responsibilities in an effort to be part of the solutions.

In my country Bangladesh, for example, the effects are all too visible. Not only do we face frequent floods and cyclones, we also encounter prolonged droughts, erratic rainfall, enhanced salinity, deeper inundation and severe erosion of our scarce land resources. Many people are forced to move out of their homesteads and ancestral land to take shelter in other areas not only because of loss of livelihood options, but also because of erosion, water-logging, inundation and degradation of land resources. As they relocate, they come under tremendous stress, exposing themselves to frequent violation of their rights. Such displacement and migration, particularly to urban areas, puts enormous burden on social services including health and education facilities. Scientific studies estimate that one meter rise in sea level by 2050 would submerge one fifth of Bangladesh, displacing over 20 million people. Adverse effect of climate change on human health conditions are too known to elaborate. Here also the brunt of health toll is shouldered disproportionately by the poorest within each affected community.

It would be pertinent to mention here that 42 million people were displaced globally by rapid-onset natural disasters in 2010, out of which 38 million due to climate-related disasters - primarily floods and storms. Figures for 2009 were 17 million and 15 million respectively. It is clearly evident that rapid-onset natural disasters, exacerbated by climate change, are already displacing many more people than violent conflicts do. This signifies a clear case of disproportionate global attention and calls for better appreciation and appropriate immediate response.

**Ladies and gentlemen,**

In case of climate change induced natural disasters, we must factor in the fact that coping capacities of communities define how their susceptibility transforms into vulnerability. Generally, the poor and those in vulnerable situations have the least capacity to cope, and hence they are more vulnerable given the same level of risks. Then, there is a direct correlation between lower vulnerability to higher human development index. Evidences also suggest that there is higher vulnerability in case of greater gender inequality.

Again, customary international law says that it is the obligation of every State not to allow itself knowingly to be used for acts contrary to the rights of other States. A principal measure of human rights obligations can be through assessing the harms caused to others. There are sufficient reasons to argue that emission reduction and compensatory finance constitute human rights obligations, and that too not only as obligations under climate conventions. The human rights community has a responsibility to impress upon the climate change community of these linkages and nuances. Historically responsible countries must not turn a blind eye to the denial of human rights of millions affected in vulnerable countries. Similarly, countries which have current responsibility should come forward voluntarily with their own share of contribution in terms of technology and finance. An open deliberation on this is ripe as we commence discussion on a new legal framework under the UNFCCC.

Ladies and gentlemen,

We believe that we should also focus on the issue of human rights reparations side by side adaptation finance. There is sufficient reason to demonstrate that failure to take remedial action by responsible countries constitutes a violation of human rights, especially the right to life, health, livelihood and means of subsistence, and the right to live in a place of one's choice. Therefore, responsible countries must take part with equal sense of obligation to establish equity and justice. They must appreciate the developmental needs of the underdeveloped countries to secure human and sustainable development.

Furthermore, there is the additional suggestion that they should repay their debt by providing financial support and technology for low carbon transition and adaptation to the damaging effects of climate change. In the absence of collective mitigation actions on a time-bound manner, some island States will face existential challenges. That would be a social, political and humanitarian disaster for mankind. We cannot, and must not, let that happen.

Ladies and Gentlemen

After Durban, I have reasons to be happy as we manifest a resolve to take the right step towards a long journey. In the recent climate Conferences in Cancun and Durban, the Parties have recognized that adverse effects of climate change have a range of direct and indirect implications for the full and effective enjoyment of human rights. The challenge now is to realise them. In Cancun, we agreed on, measures to *"enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation."* It is now incumbent on all of us, in particular the communities working on climate change, human rights and migration to work closely to give meaning to this decision.

We have some good examples of international cooperation in the area of movement of people. To name a few, I may cite the temporary protected status of the US (of 1990) and the EU Temporary Protection Directive. These however need review of their mandate, up-scaling and wider application to be truly effective. Such good practices may also be thought for addressing resettlement as a result of slow-onset processes of climate change and environment.

Distinguished participants,

Climate change is real. It is now and here. We would be contributing to irrevocable damages to the earth and to the humankind if we allow continuation of emissions and resultant discriminations and violations. Given its near universal impact, albeit with differing degrees on regions and communities, one can certainly argue that climate change response is a case of predominantly international cooperation, supported by robust national actions. There is a clear requirement of human rights protection and provisions in all aspects of climate change regime (mitigation, adaptation, technology and finance). As an example, we should not shy

away from examining mitigation programmes such as bio-fuel and REDD (reduction of emission from deforestation and land degradation) and find their impact on the enjoyment of human rights.

Similarly, the human rights community should be able to express views on the meaning of the term 'equity' and its operationalisation under the UNFCCC. 'Equity' may be seen in the context of countries, communities, generations and the rich and the poor, and as a just balance between rights and responsibilities of nations and communities. There is merit in conducting climate change negotiations in the continuum of rights and entitlements of individuals and communities, and responsibilities and obligations of states.

Ladies and gentlemen,

The Seminar, on the way forward, may have informed deliberation on how we can further develop understanding of interfaces and overlaps between climate change and human rights; obtain greater clarity on collective rights as a precondition for the enjoyment of individual human rights. It should also discuss limits of, and linkages between national protection and international cooperation. The seminar may also examine how to ensure greater coordination among, and focus of, all relevant human rights bodies and mechanisms; institutionalise regular consultations among Special Procedures; and facilitate inter-agency and inter-institution interactions.

Beyond advocacy, we may gradually focus on equipping the human rights instruments adequately to address the immense problems posed by climate change. We need a universal approach to combat impacts of climate change. This would certainly be a long journey. But, a conclave like this encourages us. This seminar boosts our confidence that human rights are indivisible and the global community will not renege on its commitment and waste invaluable time by stratifying human rights into exclusivities. I invite all of you to seriously engage in an open discussion from a broad understanding of universal rights and universal responsibilities.

I look forward to the outcome of this Seminar. Thank you.