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Seminar to Address the Adverse Impacts of Climate Change on the Full Enjoyment of Human Rights

23-24 February 2012 – Palais des Nations

Session 2: International Cooperation and Respect for Human Rights in all Climate Change-related Situations

Introductory Remarks
by Idriss Jazairy,
Ambassador and Permanent Representative,
Moderator

Geneva, 23 February 2012

**Dear participants,
Good afternoon**

It is an honour for me to moderate this second session of the Seminar on Addressing the Adverse Impacts of Climate Change on the Full Enjoyment of Human Rights.

The session has to address the issue of international cooperation and respect for human rights in all climate change-related situations.

I wish to pay special tribute to the Permanent Missions of Bangladesh and of the Philippines for their commitment and dedication to fully address this issue.

The phenomenon of climate change remains indeed one of the greatest challenges the world is facing today with immediate and far-reaching threats posed to millions of people and to numerous communities around the world.

The impact is visible as the world has been exposed to climatic variations of increasing amplitude and intensity leading to pervasive floods, river erosion, cyclones, earthquakes, tidal waves, drought and desertification.

Obviously, these phenomena threaten directly and indirectly the effective enjoyment of a range of human rights as they affect life, biodiversity, livelihoods, food, water supply as well as health security and housing. As the polar ice-caps start melting, they release methane in the atmosphere which contributes 20 times more to the greenhouse effect than CO₂. This is triggering an acceleration of climate change.

The impacts of climate change are felt most intensely by the

developing world, particularly the LDCs and Small Island Developing States although these countries contribute least to global greenhouse gas emissions.

The climate change-related causes defy national borders and lie beyond the control of any single State.

As climate change is a global problem and a common challenge, it requires a global solution and a common response based on dialogue, solidarity, cooperation, and partnership between Governments, the UN system and the regional bodies as well as their partners.

The principle of international cooperation is reflected in both the environmental and human rights regimes.

Human rights doctrine promotes international cooperation. Legal foundations in this regard are set forth in a range of international instruments.

Thus, achieving international cooperation in the promotion of human rights is among the central purposes of the international community as expressed in Articles 55 and 56 of the UN Charter.

Many subsequent treaties stipulate that the duty of States in the area of human rights include cooperative action.

There is considerable support for such obligations under non-binding international instruments as well.

Article 22 of the Universal Declaration of Human Rights proclaims that economic, social and cultural rights should be realised "through national effort and international cooperation."

The 1986 Declaration on the Right to Development spells out the

right of individuals and peoples to "participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized." It goes considerably further than most human rights texts in articulating a duty of international cooperation.

Under the 1993 Vienna Declaration and Programme of Action, States are committed to engaging in international assistance and cooperation and to taking joint action to address global problems, which threaten the realization of human rights.

The 1992 Rio Declaration articulated a cooperative approach in this regard including through the "polluter pays" principle, the precautionary principle, the principle of common but differentiated responsibility and capability and principle 10 on people's participation and access to information and justice.

The United Nations Framework Convention on Climate Change also underscores the notion of cooperation. Adaptation under the UNFCCC is intended to be a cooperative effort, including through action by international funds to finance adaptation in developing countries as well as through the transfer of technology, conservation and enhancement of greenhouse gas sinks, research, exchange of information, and, education, training and public awareness.

The concept of cooperation is also central to the post-2011 climate change negotiation, which was concluded in Durban in December 2011 by an agreement on a Platform of Enhanced Action aimed at developing another legal instrument. This instrument should be ready by 2015 and will come into effect as from 2020. It also calls for the establishment of the Green Climate Fund as a valuable cooperative endeavour.

Effective international cooperation to enable the full implementation of the UNFCCC is important in order to support national efforts for minimizing the impacts and implications of climate change on human rights in developing countries.

Resolutions 7/23 and 10/4 on "Human rights and climate change" adopted by consensus by the Human Rights Council highlighted the impact of climate change on the effective enjoyment of human rights and the importance of applying a human rights-based approach to the global response to the crisis.

The analytical study contained in document A/HRC/10/61 presented to the Council at its session in March 2009 by the OHCHR pointed out that many developing countries would be worst affected by global warming.

It underlined the need for international cooperation to address the unequal burden falling on these countries.

As the world prepares for Rio+20, today's seminar comes at an opportune time to push urgently and comprehensively the agenda for a sustainable development.

The human rights regime should play a prominent role on this crucial issue. The best way to re-affirm the Rio principles is to promote a rights-based approach to sustainable development in response to the grave economic, social and environmental crises confronting the world today.

All these issues will be discussed during this session with our expert panellists who will give short presentations followed by an interactive discussion with comments and questions from the floor. This will be followed by concluding remarks from the moderator.

Two sets of issues will be addressed:

1. The first set of issues has to do with international cooperation and respect for human rights in all climate change related situations. This will focus on the challenges, responsibilities and commitments of States. It will also address opportunities and good and effective practices to create enabling environments at the national and international levels to effectively adapt to, and mitigate, climate change while promoting human rights.
2. The second set of issues relates to strengthening cooperation between human rights and climate change communities, with a focus on the linkages between the principles of the UNFCCC and universally agreed principles of human rights. It should review how to enhance the value added of synergies between the two spheres of action, the mutually reinforcing linkages between climate change and human right regimes to redress injustice and inequity and to share good practices.

We look forward to fruitful and substantive discussions with a view to contributing to the work of the Human Rights Council and its mechanisms on the issue of enhancing cooperation between human rights and climate change-awareness advocates.

The panellists are:

- Virginia Dandan, UN Independent Expert on International Solidarity
- Jose Riera, Senior Adviser to the Director, Division of International Protection, United Nations High Commissioner for Refugees (UNHCR)