

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

Moderator:

HE Idriss Jazairy, PR, PM of Algeria to UNOG

Panelists:

Virginia Dandan, UN IE on international solidarity

Jose Riera, Senior Adviser to the Director, Division of International Protection, UNHCR

Shaidul Haque, Director of the Department International Cooperation and Partnerships, IOM

Dr. Renate Christ, Secretary IPCC

Dr. Stephen Humphreys, London School of Economics

Maria Theresa Lauron, IBON International

Dr. Theodor Rathgeber, German Forum Human Rights

Rapporteur:

Mario Vega, Minister Counsellor, PM of Costa Rica to UNOG

Some points raised:

- The States and peoples most likely to be affected are those that have contributed less to climate change through global greenhouse emissions. Most vulnerable will suffer the most.
- Emphasized how climate change transcends national borders and its global dimension. Respond accordingly - obligation of States at national level, obligation of States at international level. Dialogue, solidarity, cooperation and partnerships were mentioned.
- Climate change related situations may be so overwhelming that States' response – who have primary responsibility - may be insufficient. Efforts taken in isolation no longer work.
- The principle of international cooperation is present in environmental and human rights regimes. Examples were mentioned: UN Charter, Universal Declaration of Human Rights, International Covenant Economic Social and Cultural Rights, Declaration on the Right to Development, Vienna Declaration and Program of Action, Rio Declaration, United Nations Framework Convention on Climate Change, amongst others
- As proposed by moderator discussion focused on challenges and responsibilities and commitment of States, identifying effective practices to create enabling environments to adapt and mitigate while promoting human rights
- Concept of international cooperation – reaching out in times of suffering and need but also coordinated process of achieving common goal – which brought point: do we want to cooperate on risk management or cooperate on crisis management? It is not an either or response, both elements have to be present – mitigation/adaptation

- Mention of core obligations – non derogable in time of conflict, emergencies and natural disasters (some examples: right to food, water and sanitation, health, education, work, social security and right to take part in cultural life). Core obligations have crucial role to play in national and international policies, provide solid legal basis for human rights based international cooperation and ensuring accountability
- A radical change of lifestyles and economic policies was proposed. Business as usual will not provide a solution and will only exacerbate the problem – reexamine concept of “well being” in terms of material possessions. Commitments by all are needed – no outliers. Immediate transfer of technology is indispensable otherwise contributing factors to situation will only be relocated (interdependency self-evident). Costs are unavoidable. Again, most vulnerable will suffer the most.
- Victims oriented approach – perspective - narrative
- Type of international cooperation needed to avoid human rights consequences:
 - o Financial architecture must address human rights challenges directly, HR language is absent
 - o Climate finance means one thing to developing countries and another to developed countries
 - o Key principles
 - Adequate, predictable, equitable
 - Democratically governed
 - HR based
 - Democratically owned – country led, national priorities
- Commitments needed regarding donors, regarding policies
- Mention of the role of Special Procedure to bridge gap between Human Rights and Climate Change community. Clarify legal issues; fact finding missions; develop gradually legal instrument that responds to challenges. Orient work of other Special Procedures. Also mention to possibility of asking current mandate holders to address issues within their mandate
- Issue of migration was widely referred to in part due to draw on experience of panelists that deal with this issue (IOM, UNHCR)
- Climate change related situations have reached migration policy making community and discussion has ensued.
- Migration as adaptation – need to avoid increasing vulnerability of peoples, and of “entrapping” populations. Migration policies should reflect principle of international cooperation and HR standards, and address explicitly possible protection gaps originated

with climate change related situations. Emphasis in capacity building and creating inclusive programs.

- Questions came from audience on issue of trans-boundary responsibility of climate change and national HR obligations?
- Human rights must influence climate change (environment) community – and environment community must influence human rights – regarding trans-boundary obligations
- Mention of the Maastricht Principles on Social, Economic and Cultural Rights Extraterritorial Obligations