

HUMAN RIGHTS COUNCIL – 56th SESSION

Interactive Dialogue with the Special Rapporteur on the Promotion and Protection of Human Rights in the Context of Climate Change

02 July 2024

Ms. Elisa Morgera, in her capacity as Special Rapporteur on the promotion and protection of human rights in the context of climate change, presented her first ‘Setting the scene’ report and held an interactive dialogue on the reports of two visits to Honduras and the Philippines conducted by her predecessor, Mr. Ian Fry. Her first thematic reports brought together multiple efforts in clarifying human rights issues and obligations in relation to climate change deployed by several Special Procedures and Treaty Bodies over the last five years. It further offered reflections on the particular relevance for human rights protection of the decision delivered in May 2024 by the International Tribunal for the Law of the Sea (ITLOS) on states’ obligations in the context of climate change. **If it were not for the heat absorbed by the oceans between 1971 and 2010, our atmosphere would be hotter by 36 degrees.** Her report illustrated the legal clarity and the practical guidance provided on human rights and climate change over the last five years in relation to mitigation, adaptation, just transition, climate finance, and loss and damage.

As regards **mitigation**, priority actions had been identified in the area of fossil fuels, coal, energy efficiency, nature conservation and food systems, both on land and in the oceans, thereby identifying four solutions to climate change. **Adaptation** requires immediate, accessible, and adequate actions on land and in the oceans to prepare and respond to sudden and extreme climate-change-related events as well as to slow onset events, whereby local priorities and concerns should guide adaptation measures, along with global cooperation and resourcing. In relation to just transition, equitable access to the benefits and fair distribution of the burdens should shape transition processes towards economic models that reduce inequalities and nurture the well-being of people and the planet. **Finance** should be sufficient and predictable, steered by priority-setting and direct access for the most vulnerable. Sufficient **safeguards**, as well as **independent monitoring and redress**, must be in place to prevent repeating practices that have led to violations and ineffective climate action. The Rapporteur further recommended effectively preventing, minimizing, and remedying **loss and damage** with sufficient and directly accessible finance, on the basis of an understanding of the interlinked environmental, socio-cultural, and economic nature of loss and damage.

By identifying where and how to ensure policy coherence in climate action, the Special Rapporteur’s guidance was drafted in reaction to an increasingly alarming body of evidence across sectors about the severe, **pervasive, and unequal human rights impacts of climate change**. Over a decade of negative experiences directly on the skin of vulnerable populations were clear evidence of the ineffective and harmful nature of some climate responses, which were increasingly being experienced by anyone on the planet. However, these impacts remained unequally experienced due to interconnected situations of vulnerability and multiple grounds for discrimination. Work in constant progress on **intersectionality in the context of climate change** allowed to prevention of discriminatory impacts of climate change and of some response measures, thus resulting in a better protection of everyone’s human rights in the context of climate change, most notably of human rights holders in vulnerable situations.

Much remains to be done in **integrating international human rights law into climate action**. First and foremost, it was essential to understand and practice international human rights standards not as an add-on to climate action, but as the how-we-take-climate-action. To this end, the report emphasized

the relevance of **acknowledging the lived experiences** of the human rights holders mostly affected by climate change as distinctive and relevant sources of knowledge and expertise on climate change on the same level as technical expertise. In turn, genuine opportunities must be ensured for human rights holders in situations of vulnerability to participate or to be appropriately represented in decision-making processes on climate change at all levels. **Evidence and experiences on intersectionality** in developing, implementing, funding, monitoring and reviewing climate action had to be taken into account by states. Different communities of practice and organizations at different levels could offer know-how, evidence, and tools to help consider intersectionality in the context of climate change as well as connect areas of work, climate experts and decision-makers who were still disconnected from one another.

The Rapporteur's rich and extensive experience with the global south showed that it was possible to meaningfully **connect local experiences with national and global decision-making** processes. Connecting a diverse range of natural and social sciences as well as engaging with cultural heritage and arts allowed to learn the value of the voices of those that were usually left out and to imagine new ways in which diverse understandings could lead to co-developing more effective and fairer pathways towards a safe climate.

In response to various **questions raised**, Ms. Elisa Morgera reiterated the need to enhance participation in international climate negotiations, so that human rights holders in situations of vulnerability could act as agents of change and put their expertise to good use. A shift was also required towards a model of co-development of climate solutions that extensively built upon plural understandings and lived experiences in light of intersectionality. Other international environmental fora offered different participatory practices, such as negotiations related to the Convention on Biological Diversity in whose framework civil society representatives were allowed to provide textual proposals which were considered as tabled upon one State's support. On the integration of different areas of science to support intersectionality, **social sciences could support a more generative dialogue** between indigenous knowledge systems, other local knowledge systems, and other academic disciplines, but equally integrating more health evidence, and more biodiversity science, which would allow a better understanding of the interdependencies of human well-being in its multiple dimensions and a healthy environment. As regards **new technologies**, more holistic, human rights and environmental assessments need to be applied to proposed technologies, including at the stage of experimentation, with a view to having an iterative approach to understand the risks and opportunities of technologies and a transparent dialogue with relevant sectors of society.

Honduras (country concerned) through its Secretary of State for Human Rights reaffirmed the importance of the principle of common but differentiated responsibilities. As a highly climate vulnerable country, Honduras was pursuing a sustainable development model based on a human-centred, sustainable use of natural resources; tackling the harmful practices of corporations which contributed to exacerbating climate change; and putting in place gender-sensitive prevention and protection mechanisms for climate IDPs.

Hurricane Mitch in 1998 and the Hurricanes of 2020 were a clear indication of Honduras' high climate vulnerability. In the past, the coup d'etat and corruption led to government decisions that were detrimental to sustainable development in the country which was classified as one of the most dangerous in the world for HRDs. Since the murder of two climate change advocates, Honduras undertook urgent action to avoid such recurrence and was taking further steps to preserve vital natural areas such as reforestation; water treatment in contaminated areas; and the adoption of the Zero Deforestation Resolution. With an unwavering commitment to the right to a clean, healthy and sustainable environment, Honduras was ready to work constructively on the recommendations

formulated by the Rapporteur and to tackle the triple planetary crisis in light of the principle of common but differentiated responsibilities.

The **Philippines (country concerned)** contributed less than a minuscule fraction to global greenhouse gas emissions, but bore the brunt of the climate change crisis. Twenty typhoons of increasing intensity and frequency tormented the country every year, along with heat waves and droughts, with loss and damage amounting to over 11 billion dollars as the consequence of two typhoons alone. Slow onset events like drought, extreme heat, sea level rise, and biodiversity loss were making life difficult for many, especially the most vulnerable.

Climate change profoundly impinged on the Filipino people's enjoyment of a whole range of human rights - from the right to life itself to the right to adequate standards of living and the right to development - whose causes were to be found outside the country. Stressing that the climate change crisis was a human rights crisis, mitigation and adaptation responses must therefore be anchored on the principles of equity and climate justice. With this in mind, the Philippines had mainstreamed climate change in its national development strategy, along with human rights and good governance as underpinning principles. To achieve climate resiliency and sustainable development to the benefit of all, the Philippines were not only enhancing the adaptive capacity of communities and ecosystems, but also setting in place multi-stakeholder processes and public mechanisms for greater civil society participation.

Interactive dialogue

95 country delegations took the floor during the interactive dialogue. All delegations showed a strong commitment towards a human-rights-based approach to climate change, which should rest most notably upon gender-transformative climate action; climate justice; a green and just transition; and inclusivity for ensuring the participation of and ad hoc policies in support of the most vulnerable segments of societies. By acknowledging climate change as one of the greatest threats to human rights of our time, several countries raised the alarm bell on their lived experiences of the ongoing devastating impacts of climate change-related disasters, thereby seriously threatening food security, health systems, and hydric resources. Furthermore, many countries stressed the need to ramp up action in the fields of mitigation, adaptation and adequate funding to promote a just and green transition, in light of the principles of common but differentiated responsibilities and respective capabilities as enshrined in the Paris Agreement.

The **Maldives** drew attention to the needs of small island countries which encompassed diversified economies for sustainable development and accessible international financial support. The latter was crucial to mitigate fiscal constraints, reduce debt, and overcome barriers to renewable energy and workforce development. **Panama** encouraged to carry out studies on the impact of new technologies such as geoengineering and artificial intelligence, as well as on the link between deep seabed mining, climate change, and human rights. The **Gambia**, speaking on behalf of the African Group, highlighted that Africa was the most vulnerable continent to climate change, while its developing economies significantly depended on climate-sensitive sectors, thereby calling for more international cooperation and assistance. **France** stressed the need for greater solidarity in climate action in favor of developing countries, as no country should be forced to choose between fighting poverty and climate change.

UNDP provided financial support to various actors to address the adverse impacts of climate change, enhance livelihoods and strengthen the participation of affected communities. UNDP was developing

a tool for NHRIs to monitor states' obligations with respect to the right to a healthy environment and was further working with justice actors to secure access to justice in the context of climate change. **UN Women** stressed that climate change magnified existing gender inequalities and threatened women's and girls' livelihoods, rights, and resilience. It further increases the risks of conflicts and gender-based violence. According to UN Women's latest forecast, by 2050 climate change could push up to 158 million more women and girls into poverty, and 236 million more into hunger. **UNICEF** emphasized that children, especially those living in poverty or fragile contexts, were particularly dependent on services endangered by rising temperatures and extreme weather. Protecting children's rights in the face of climate change was a state obligation to be fulfilled through a just and rapid transition to renewable energy, and urgent action and finance to radically enhance adaptation and to address loss and damage. **UNESCO** highlighted the intersection between press freedom and climate action and its creation of a roadmap against climate disinformation aiming to secure information as a public good, ensure safety for environmental journalists, and enhance public access to environmental information. **UNEP** shed light on how disproportionately climate change was affecting the rights of persons in vulnerable situations while stressing the key role played by human rights as an effective tool for raising ambitions and accelerating climate action. **UN-Habitat** noted that urban areas would be essential to the success of mitigation strategies, while warning that the urban poor and other marginalized groups must not bear a disproportionate burden and must have their rights respected and protected, particularly against forced evictions and displacement.

NGOs commended the Special Rapporteur's report and its intersectionality approach. Some voiced concern over land grabbing; intimidation and imprisonment of environmental human rights defenders; and the environmental impact of the Gaza war. The **Centre for International Environmental Law (CIEL)** underscored that further work was needed to shed light on human rights violations occurring across the fossil fuel life cycle, in order to inform states' political will to put in place a rights-based just transition. **Save the Children International** called upon the Rapporteur and governments to continue mainstreaming children's rights throughout UNFCCC negotiations. **VIVAT International** called upon states to set a new, clear, ambitious, collective, and quantified goal on climate finance, which met the actual needs of developing countries in addressing mitigation, adaptation, and loss and damage.

Delegations that took the floor during the Interactive dialogue (95 country delegations):

Honduras, the Philippines, Tanzania, Costa Rica (on behalf of a 30-country cross-regional group), the Maldives (on behalf of a group of small island countries), the European Union, Egypt, Qatar (on behalf of the GCC), Iceland (on behalf of the Nordic-Baltic countries), the Gambia (on behalf of the African Group), the Marshall Islands (on behalf of the core group), Peru, Czechia, Ireland, Ecuador, Chile, Zambia, Sierra Leone, Sri Lanka, Nepal, Samoa, Morocco, United Arab Emirates, the Maldives, Italy, Armenia, Luxembourg, Slovenia, Indonesia, Egypt, Ethiopia, Costa Rica, Saudi Arabia, Spain, France, Greece, Bangladesh, Germany, Iraq, Albania, Iran, United States, Colombia, Russian Federation, Mauritius, Malta, Bahrain, Cyprus, Pakistan, Cote d'Ivoire, Georgia, China, Viet Nam, Brazil, Panama, Togo, Cuba, Paraguay, Jordan, Zimbabwe, Ghana, Eritrea, Romania, Venezuela, Angola, Mali, State of Palestine, Sudan, Mauritania, Eswatini, Malawi, Antigua and Barbuda, Azerbaijan, Botswana, Belgium, Algeria, Namibia, Rwanda, Kuwait, Japan, India, Suriname, Guyana, Ukraine, Cambodia, Türkiye, the Gambia, Barbados, Tunisia, El Salvador, Senegal, Benin, Belize, Bolivia, Lesotho.

NHRIs and NGOs that took the floor during the Interactive dialogue (14):

National Human Rights Commission of Honduras, Commission on Human Rights of the Philippines, Global Alliance of National Human Rights Institutions (GANHRI), National Human Rights Institution of India, Centre for International Environmental Law (joint statement), Save the Children International, World Vision International, Institute for Sustainable Development, Right Livelihood Foundation, Asian-Pacific Resource and

Research Centre for Women, Institute for Reporters' Freedom and Safety, Minority Rights Group, FIAN International, VIVAT International (joint statement).

International Organizations (7): UNDP, UN Women, UNICEF, Sovereign Order of Malta, UNESCO, UNEP, UN-Habitat.

To watch the full meeting refer to the UN WEB TV: [Part 1](#) and [Part 2](#).