

CONFERENCE REPORT



GENEVA CENTRE  
FOR HUMAN RIGHTS  
ADVANCEMENT AND  
GLOBAL DIALOGUE



**EMPOWERING  
YOUTH, INDIGENOUS PEOPLES,  
AND SMALL ISLAND STATES  
IN PROMOTING  
ENVIRONMENTAL RIGHTS  
AND CLIMATE JUSTICE**

**23 October 2024, Geneva**

This report follows the Geneva Centre Conference on *“Empowering Youth, Indigenous Peoples, and Small Island States in Promoting Environmental Rights and Climate Justice”*, held on the 23rd of October 2024 at the Domaine de la Pastorale in Geneva and online.

The contributions of each panellist complement the Geneva Centre’s analysis and research, collectively offering a comprehensive perspective on advancing environmental rights and climate justice.

## PROGRAMME OF THE CONFERENCE

### HIGH-LEVEL SEGMENT

- **Dr. Umesh Palwankar**, Executive Director, Geneva Centre
- **Ambassador Ghazi Jomaa**, Chairman, Board of the Geneva Centre
- **H.E. Mr. Martin Chungong**, Secretary-General of the Inter-Parliamentary Union, Keynote Speaker
- **Mr. Sec. Robert E.A. Borje**, Minister, Vice-Chairperson and Executive Director, Climate Change Commission, Philippines
- **Ms. Elisa Morgera**, SR on Human Rights in the Context of Climate Change
- **Ms. Christine Adam**, Director and Principal Legal Advisor, UN Climate Change
- **Mr. Todd Howland**, Chief, Development, Economic and Social Issues Branch, OHCHR
- **Mr. Adel Mamdani**, Regional Focal Point, Swiss Youth for Climate, Switzerland

### PANEL 1 - YOUTH VOICES AS A CATALYST FOR ENVIRONMENTAL RIGHTS AND CLIMATE JUSTICE

- **Ms. Anja Tresse**, Programme Manager, Youth and Peace, Kofi Annan Foundation
- **Ms. Nana Kurashvili**, International Consultant on Youth Participation
- **Ms. Veena Balakrishnan**, Co-Founder, Youth Negotiators Academy
- **Ms. Lolita Couchene**, Future Generations Rights Advocate and Campaigner, World's Youth for Climate Justice
- **Ms. Shristi Gautam**, National Coordinator, World's Youth for Climate Justice, Nepal

### PANEL 2 - INDIGENOUS PEOPLES' UNYIELDING COMMITMENT TOWARDS THE FURTHERANCE OF ENVIRONMENTAL RIGHTS AND CLIMATE JUSTICE ACTIONS

- **Judge Ana Manuela Ochoa Arias**, Special Tribunal for Peace, Colombia
- **Mr. Romell Antonio Cuenca**, Deputy Executive Director, Climate Change Commission, Philippines
- **Ms. Cecilia Zerbin**, Focal Point for Indigenous Peoples and Climate Change, International Organization for Migration (IOM)
- **Ms. Donna Mitzi Lagdameo**, Team Lead, Local Communities and Indigenous Peoples Platform (LCIPP) Unit, UN Climate Change
- **Ms. Yblin Roman Escobar**, Policy Adviser, Facilitator for Securing Indigenous Peoples' Rights in the Green Economy, SIRGE Coalition

### PANEL 3 - SMALL ISLAND STATES AT THE FOREFRONT OF CLIMATE JUSTICE

- **H.E. Mr. Matthew Wilson**, Ambassador and Permanent Representative of Barbados to the United Nations and other International Organizations in Geneva
- **Mr. Igor Gryshko**, Focal Point for Climate Change, OHCHR

- **Mr. Sébastien Duyck**, Senior Attorney, Centre for International Environmental Law (CIEL)
- **Ms. Vanessa Schultz**, Programme Analyst, Disaster Risk Reduction and Recovery for Building Resilience Team, UNDP

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## 1. Introduction

This report, based on the conference organized by the Geneva Centre for Human Rights Advancement and Global Dialogue (Geneva Centre), *“Empowering Youth, Indigenous Peoples, and Small Island States in Promoting Environmental Rights and Climate Justice,”* explores the unique challenges and invaluable contributions of these groups in the relentless efforts to uphold environmental rights and climate justice. The aim of the conference was to boost dialogue and inform collective efforts in light of the forthcoming COP29, which will be held from 11 to 22 November in Baku, Azerbaijan. COP29 will mark a critical opportunity for global leaders not only to reassess commitments made under the Paris Agreement, but also to address the needs of vulnerable groups and populations such as youth, indigenous peoples, and small island developing states (SIDS), by amplifying their voices and fostering equitable solutions.

**H.E. Ambassador (retd.) Ghazi Jomaa, Chairman of the Board of Management of the Geneva Centre,** opened the conference by noting that the climate crisis is one of humanity’s greatest challenges, endangering both the environment and basic human rights, such as access to clean air, water, and food security. The global climate crisis is increasingly recognized not only as an environmental issue but also as a profound human rights challenge. Environmental rights, which link human well-being to the health of ecosystems, are fundamental to the survival and dignity of present and future generations.<sup>1</sup> Climate justice extends beyond technical environmental policies to emphasize the fair distribution of responsibilities and protection among individuals, communities, and states, particularly those most vulnerable to climate change impacts.<sup>2</sup>

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*“Climate change is more than just an environmental challenge; it represents an existential threat to the very essence of life on our planet.”*

*Ms. Christine Adam, Director and Principal Legal Advisor, UN Climate Change*

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In today’s rapidly evolving climate landscape, the voices of marginalized groups such as youth, Indigenous peoples, and SIDS are essential to achieving climate justice. Climate change disproportionately affects these communities, yet their contributions are often overlooked in the decision-making processes that shape global environmental policies.

As **Mr. Martin Chungong, Secretary-General of the Inter-Parliamentary Union (IPU),** emphasized in his keynote address, empowerment and justice are intertwined. True empowerment cannot exist without fair representation. "I understand justice as something that is fair, equitable, that reflects the views of society as a whole," he noted. He highlighted that climate action and human rights are central pillars of IPU’s strategy, with climate change ranked as the number one priority for the global parliamentary community. However, no climate action can be considered legitimate or successful if the voices of youth, Indigenous peoples and small island states are excluded from the conversation. In the following chapters, this report will examine the structural, legal, and financial obstacles facing

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<sup>1</sup> United Nations Environment Programme (UNEP), “What are environmental rights?” <https://www.unep.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-environmental-rights/what>

<sup>2</sup> United Nations Development Programme (UNDP), “Climate change is a matter of justice – here’s why”, 30 June 2023, <https://climatepromise.undp.org/news-and-stories/climate-change-matter-justice-heres-why>

these communities, while also celebrating their leadership and advocacy in reinforcing environmental rights and driving climate justice forward.

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*“Parliaments [...] have all the powers to make a difference. All the discussions that are taking place at the national and international level can only yield fruit if you have the support of parliament [...]. They are those who make the laws that transform international outcomes into legislative frameworks at the national level. They are the people who allocate budgets for the implementation of the decisions that we take at the international level.”*

*Mr. Martin Chungong, IPU Secretary-General, Keynote Speaker*

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### 1.1. Why focus on these groups?

As **Mr. Robert E.A. Borje, Executive Director of the Climate Change Commission of the Philippines**, noted in his remarks, vulnerable groups - including youth, Indigenous Peoples, and SIDS —are disproportionately affected by climate change. From climate-induced displacement to loss of livelihoods and worsening inequalities, these communities bear the brunt of environmental degradation. In the Philippines alone, tropical cyclones have caused over \$12.24 billion USD in loss and damage over the past decade, a cost equivalent to double the country’s education budget for 2023.

**Youth** are at the forefront of climate activism, advocating for stronger climate policies and justice as they will bear the long-term consequences of today’s environmental decisions. Their engagement is not merely beneficial; it is essential for crafting ambitious policies that extend beyond rhetoric. Youth-driven climate litigation is also growing with cases like *Juliana v. United States* showcasing the power of young people to challenge governments in court for climate inaction.<sup>3</sup> However, barriers remain to their full participation in climate governance, ranging from legal and institutional restrictions to a lack of access to climate decision-making spaces. Mr. Chungong stressed that the underrepresentation of youth in governance is particularly concerning. Although young people under 30 account for 60% of the global population, they make up only 2.6% of parliamentarians worldwide. This disparity in representation highlights the urgent need to encourage greater youth involvement in decision-making, particularly in parliaments and governments, where critical policies on climate action are debated and passed.

**Indigenous peoples** have long been recognized as stewards of the environment, managing lands that hold (up)to 80% of the world’s biodiversity, despite making up only 5% of the global population.<sup>4</sup> As underlined by **Ms. Christine Adam, Director and Principal Legal Advisor, UN Climate Change**, indigenous knowledge systems and local practices offer crucial insights into sustainable living and adaptation strategies that are often overlooked in high-level discussions. Their involvement ensures that policies are not just top-down but reflect the lived experiences of those most vulnerable to climate change. Yet, indigenous communities are often marginalized in national and international climate negotiations, and they face increasing violence, displacement and threats due to the exploitation of natural resources in their lands. In 2020, Global Witness reported a record 227 killings of

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<sup>3</sup> Harvard Law Review, “*Juliana v. United States*”, 134 Harv. L. Rev. 1929, 2020, <https://harvardlawreview.org/print/vol-134/juliana-v-united-states/>

<sup>4</sup> World Economic Forum, “5 ways Indigenous people are protecting the planet”, 7 August 2023, <https://www.weforum.org/agenda/2023/08/indigenous-people-protecting-planet/>



environmental defenders, many of whom were indigenous.<sup>5</sup> Ensuring the protection and empowerment of indigenous peoples is crucial to advancing environmental rights and safeguarding the planet's ecosystem.

**SIDS** are among the most vulnerable to the impacts of climate change, facing rising sea levels, extreme weather events, and threats to their very existence.<sup>6</sup> Many of these countries, including Vanuatu and the Marshall Islands, have led bold legal and diplomatic efforts to hold the international community accountable for climate inaction. For instance, Vanuatu spearheaded the historic initiative to request an advisory opinion from the International Court of Justice (ICJ) on states' obligations regarding climate change.<sup>7</sup> Despite their contributions to global climate governance, SIDS face severe resource limitations and require stronger international support to implement adaptation measures and pursue climate justice. Their calls for empowerment and recognition in climate governance align with the urgency of ensuring that those most affected are included in decision-making processes, enhancing the transparency and accountability of climate governance.

**Ms. Elisa Morgera, UN Special Rapporteur on the promotion and protection of human rights in the context of climate change**, emphasized that the Geneva Centre's conference was not just about empowering youth, indigenous peoples, and small island states, but about encouraging "everyone to listen, learn from, and collaborate with these communities." Their lived experiences are key to understanding the climate crisis and developing inclusive, effective solutions rooted in human rights. In this regard, human rights should be viewed as an additional layer to climate action, but as an integral part of the process.

As underlined by **Mr. Adel Mamdani, Regional Focal Point, Swiss Youth for Climate, Switzerland**, when discussing empowerment of youth, indigenous peoples, and small island states, it is important to notice the critical distinction between being empowered and truly possessing power. He stated: "If you get a grant to attend meetings, you may feel empowered, but where does power lie once you return home?". This highlights the necessity for core, unrestricted resources that allow marginalized groups to pursue their own agendas.

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<sup>5</sup> Global Witness, "Global Witness reports 227 land and environmental activists murdered in a single year, the worst figure on record", 13 September 2021, <https://www.globalwitness.org/en/press-releases/global-witness-reports-227-land-and-environmental-activists-murdered-single-year-worst-figure-record/>

<sup>6</sup> United Nations Development Programme (UNDP), "Small Island Developing States are on the frontlines of climate change – here's why", 30 April 2024, <https://climatepromise.undp.org/news-and-stories/small-island-developing-states-are-frontlines-climate-change-heres-why>

<sup>7</sup> United Nations, "General Assembly Adopts Resolutions Requesting international Court of Justice Provide Advisory Opinion on States' Obligations Concerning Climate Change", 29 March 2023, <https://press.un.org/en/2023/ga12497.doc.htm>

## 1.2. The Broader Context: Environmental Rights and Climate Justice

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*“Truly respecting human rights and listening to youth, indigenous Peoples & large-ocean states means co-developing, not imposing, climate solutions.”*

*Ms. Elisa Morgera, UN Special Rapporteur on the promotion and protection of human rights in the context of climate change*

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The concept of environmental rights is rooted in the understanding that a healthy environment is essential for the full enjoyment of human rights, including the rights to life, health, and adequate living standards.<sup>8</sup> Climate justice, in turn, frames the climate crisis as a social justice issue, emphasizing

the unequal burdens borne by vulnerable groups and advocating for equitable solutions that prioritize the needs and rights of those most affected.

Recent international developments have strengthened the recognition of environmental rights. For instance, in 2021, the United Nations Human Rights Council (HRC) established a **Special Rapporteur on the promotion and protection of human rights in the context of climate change**, marking a pivotal moment in the fight for environmental justice.<sup>9</sup> Similarly, the **Committee on the Rights of the Child** adopted **General Comment No. 26** in 2023 recognizes children's rights in the context of environmental degradation and climate change.<sup>10</sup>

This report examines the roles of youth, indigenous peoples and small island states in promoting environmental rights and climate justice. It aims to highlight the challenges these groups face, the contributions they make, and the opportunities for their empowerment in the global climate movement. By centring their experiences and perspectives, we can better understand how to promote environmental rights and advance climate justice in ways that are inclusive, equitable, and sustainable.

## 2. Global Environmental and Climate Justice Framework

### 2.1. Overview of International Frameworks and Agreements

International efforts to address climate change and environmental degradation are deeply intertwined with global frameworks that emphasize climate justice and the protection of vulnerable communities. The **United Nations Framework Convention on Climate Change (UNFCCC)**, established in 1992, serves as the primary international treaty for coordinating global action on climate change. It laid the foundation for subsequent agreements aimed at mitigating climate impacts while promoting sustainable development and equity.<sup>11</sup>

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<sup>8</sup> United Nations Environment Programme (UNEP), “What is the right to a healthy environment?”, 25 January 2023, <https://www.unep.org/resources/publication/what-right-healthy-environment-information-note>

<sup>9</sup> The mandate of the Special Rapporteur on the promotion and protection of human rights in the context of climate change was established by the UN Human Rights Council at its 48<sup>th</sup> session in October 2021 ([RES/48/14](https://www.unhcr.org/refugees-and-asylum-seekers/48)).

<sup>10</sup> United Nations Office of the High Commissioner for Human Rights (OHCHR), “CRC/C/GC/26: General comment No. 26 (2023) on children’s rights and the environment with a special focus on climate change”, 22 August 2023, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/crccgc26-general-comment-no-26-2023-childrens-rights>

<sup>11</sup> United Nations Climate Change, “History of the Convention”, <https://unfccc.int/process/the-convention/history-of-the-convention>

One of the most significant outcomes of the UNFCCC negotiations is the **Paris Agreement** (2015), a legally binding international treaty signed by 196 countries. The Paris Agreement aims to limit global warming to well below 2°C, with efforts to keep it under 1.5°C, compared to pre-industrial levels. Notably, the Paris Agreement underscores the importance of climate justice by recognizing the principle of "common but differentiated responsibilities and respective capabilities" (CBDRRC), which acknowledges that countries have different capacities and responsibilities based on their historical contributions to greenhouse gas emissions.<sup>12</sup>

Climate justice is further enshrined in the **Paris Agreement's Preamble**, which explicitly calls for the promotion of human rights, including the rights of Indigenous peoples, local communities, and vulnerable populations, in climate actions. This reflects a growing consensus that addressing climate change must also address global inequities and ensure that those most affected, such as SIDS and low-income countries, are protected and supported.

At the regional level, it is worth mentioning the **Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean**. Known as the Escazú Agreement, it was adopted on 4 March 2018, and is the first legally binding environmental agreement in Latin America. It ensures the rights of vulnerable communities by promoting access to information, participation in decision-making, and environmental justice. The agreement also includes provisions to protect **environmental defenders**, who are often targeted when advocating for climate and environmental justice.<sup>13</sup>

The **Sendai Framework for Disaster Risk Reduction (2015-2030)** seeks to reduce disaster risks and strengthen resilience. While primarily focused on natural disaster risk management, the Framework addresses the need for integrating climate adaptation strategies into disaster risk reduction. It underscores the disproportionate impact of climate-induced disasters on marginalized communities and calls for the inclusion of vulnerable groups (youth, indigenous peoples, and women) in decision-making processes to ensure fair and just climate adaptation measures.<sup>14</sup>

Another example of a regional framework is the **European Green Deal** (2019), the EU's comprehensive plan to make Europe the first climate-neutral continent by 2050, which includes legislation to cut emissions, promote renewable energy, and foster sustainable development. The plan includes the Just Transition Mechanism (JTM), which ensures financial support and investments in regions and communities most affected by the transition to a low-carbon economy, such as coal-dependent regions.<sup>15</sup>

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<sup>12</sup> Cambridge University Press, "Ambition and Differentiation in the 2015 Paris Agreement: Interpretative Possibilities and Underlying Politics", *International & Comparative Law Quarterly*, Volume 65, Issue 2, April 2016, pp. 493-514.

<sup>13</sup> Economic Commission for Latin America and the Caribbean (ECLAC), "Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean", <https://repositorio.cepal.org/entities/publication/86cae662-f81c-4b45-a04a-058e8d26143c>

<sup>14</sup> United Nations Office for Disaster Risk Reduction (UNDRR), "Sendai Framework for Disaster Risk Reduction 2015-2030", <https://www.undrr.org/publication/sendai-framework-disaster-risk-reduction-2015-2030>

<sup>15</sup> European Commission, "The Just Transition Mechanism: making sure no one is left behind", [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/finance-and-green-deal/just-transition-mechanism\\_en#:~:text=The%20Just%20Transition%20Mechanism%20%28JTM%29%20is%20a%20key,to%20all%20the%20socio-economic%20impact%20of%20the%20transition.](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/finance-and-green-deal/just-transition-mechanism_en#:~:text=The%20Just%20Transition%20Mechanism%20%28JTM%29%20is%20a%20key,to%20all%20the%20socio-economic%20impact%20of%20the%20transition.)

## 2.2. Legal and Policy Developments in Environmental Rights and Climate Justice

The past decade has seen significant advancements in both the legal recognition of environmental rights and the integration of these rights into climate justice frameworks. The HRC made a historic move in 2021 by adopting, at its 48th session, resolution 48/13 which recognized the right to a clean, healthy, and sustainable environment as a universal human right.<sup>16</sup> This recognition is critical for linking environmental protection with human rights obligations and forms the legal basis for further climate justice actions.

At the same HRC session, another major development was the establishment of the **Special Rapporteur on the promotion and protection of human rights in the context of climate change** through resolution 48/14. This mandate focuses on promoting and protecting human rights in the context of climate change, emphasizing that environmental degradation and climate inaction can directly violate fundamental human rights, including the right to life, food, water, and health.<sup>17</sup>

As observed by **Mr. Todd Howland, Chief, Development and Economic and Social Issues Branch (OHCHR)**, the OHCHR presented the UN Secretary-General's analytical study on the impact of loss and damage on the full enjoyment of human rights to the HRC at its 57th session in September 2024. The study emphasized that the rights of certain groups are disproportionately and often intersectionally affected, including youth, indigenous peoples, and people living in small island states. Therefore, the Secretary-General called for applying a transitional justice lens to climate change-related loss and damage, as a means to advance truth-seeking, justice, reparation, and non-recurrence, with the aspiration of systemic transformation.

In his report to the 79th session of the UN General Assembly, **Mr. Surya Deva, UN Special Rapporteur on the Right to Development**, proposed a climate justice framework comprising four pillars, namely *mitigation, adaptation, remediation* and *transformation*.<sup>18</sup> These pillars, rooted in international climate and human rights law, emphasize that greater efforts in mitigation and adaptation will reduce loss and damage, thereby decreasing the need for remediation for affected communities. Furthermore, transforming the current economic order, business practices, and lifestyles will enhance the effectiveness of the other pillars.<sup>19</sup>

At the judicial level, several landmark cases have helped shape the global legal landscape of climate justice. For example, in 2019, the Dutch Supreme Court in **Urgenda Foundation v. State of the Netherlands** upheld a ruling that the Dutch government had a legal obligation to reduce greenhouse

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<sup>16</sup> Resolution 48/13 was adopted on 8 October 2021 and was co-sponsored by Costa Rica, the Maldives, Morocco, Slovenia, and Switzerland. It acknowledges the impact of environmental degradation on the enjoyment of human rights and calls upon states to adopt policies that promote sustainable development and safeguard the environment for present and future generations. <https://documents.un.org/doc/undoc/gen/g21/289/50/pdf/g2128950.pdf>.

<sup>17</sup> Office of the High Commissioner for Human Rights (OHCHR), Special Rapporteur on climate change – About the mandate, <https://www.ohchr.org/en/specialprocedures/sr-climate-change/about-mandate>

<sup>18</sup> United Nations Office of the High Commissioner for Human Rights (OHCHR), “Remediation for loss and damage essential to ensure climate justice and realise the right to development: UN expert”, 25 October 2024, <https://www.ohchr.org/en/press-releases/2024/10/remediation-loss-and-damage-essential-ensure-climate-justice-and-realise>

<sup>19</sup> United Nations General Assembly, “Report of the Special Rapporteur on the right to development, Surya Deva – Climate justice: loss and damage”, A/79/168, 17 July 2024, pp. 6-9, <https://documents.un.org/doc/undoc/gen/n24/211/94/pdf/n2421194.pdf>

gas emissions by 25% by 2020, citing human rights violations due to the government's inadequate climate action.<sup>20</sup> Similarly, youth climate activists have used legal avenues to hold governments accountable, as seen in **Juliana v. United States**, where plaintiffs argued that the U.S. government's inaction on climate change violated their constitutional rights.<sup>21</sup>

### 2.3. Human Rights Dimensions of Environmental Law

The intersection between environmental law and human rights has gained increasing recognition in international law, driven by the understanding that environmental harm can lead to violations of fundamental human rights. The OHCHR emphasizes that a safe, clean, healthy, and sustainable environment is integral to the full enjoyment of a wide range of human rights.

For instance, **General Comment No. 26** on children's rights in the context of the environment, adopted by the **UN Committee on the Rights of the Child (CRC)** in 2023, establishes that children have the right to a healthy environment, free from pollution and environmental degradation, and that states have a

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*“Human rights law can be an effective tool to address the outsized power of business and state actors that resist the needed changes.”*

*Mr. Todd Howland, Chief, Development and Economic and Social Issues Branch, OHCHR*

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duty to protect children from the effects of climate change. This document strengthens the connection between environmental justice and the protection of vulnerable groups, particularly future generations.<sup>22</sup>

Furthermore, the recognition of **intergenerational equity** in

environmental and climate law has placed the rights of future generations at the heart of climate justice discourse. The concept, which is embedded in the **Stockholm Declaration (1972)** and subsequent environmental frameworks, posits that present generations have a responsibility to ensure that the environment is preserved and protected for future generations. This principle is central to many of the legal cases spearheaded by youth activists, who argue that governments' failure to address climate change jeopardizes the rights of future generations to a sustainable and liveable planet.<sup>23</sup>

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<sup>20</sup> The London School of Economics and Political Science – Grantham Research Institute on Climate Change and the Environment, “Urgenda v State of the Netherlands: Lessons for international law and climate change litigants”, 10 December 2019, <https://www.lse.ac.uk/granthaminstitute/news/urgenda-v-state-of-the-netherlands-lessons-for-international-law-and-climate-change-litigants/>

<sup>21</sup> Climate Change Resources, “Juliana v U.S.”, <https://climatechangeresources.org/learn-more/federal-government/judicial/juliana-v-u-s-timeline/>

<sup>22</sup> United Nations Office of the High Commissioner for Human Rights (OHCHR), “CRC/C/GC/26: General comment No. 26 (2023) on children’s rights and the environment with a special focus on climate change”, 22 August 2023, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/crcgc26-general-comment-no-26-2023-childrens-rights>.

<sup>23</sup> United Nations System, High-Level Committee on Programmes (HLCP), Core Group on Duties to the Future, “Discussion Paper: Duties to the Future through an Intergenerational Equity Lens”, 13 February 2023, pp. 3-7, <https://unsceb.org/sites/default/files/2023-02/HLCP%20Duties%20to%20the%20Future%20discussion%20paper%20%28public%29.pdf>.

### 3. The Road to COP29: Key Issues and Challenges

#### 3.1. Climate Finance and Loss & Damage

One of the central issues anticipated at COP29 is the finalization and operationalization of the **Loss and Damage Fund**, which was a key outcome of **COP27**. This fund aims to provide financial support to countries that are most vulnerable to the adverse effects of climate change, including SIDS and low-income countries, which are bearing the brunt of climate-related disasters. At COP29, negotiations will likely focus on the **sources of funding**, ensuring sufficient and sustainable financial contributions from developed nations and international financial institutions.

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*“Discussing climate justice without accounting for climate finance is like drawing a map in disappearing ink.”*

*H.E. Mr. Matthew Wilson, PR*

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*“COP29 must be an enabling COP, delivering concrete and ambitious outcomes on climate finance that take account of developing country needs, recognizing that such support is core business to protect every nation and the global economy from rampaging climate impacts.”*

*Mr. Simon Stiell, UNFCCC Executive Secretary*

Additionally, discussions around broader **climate finance commitments** will remain crucial. Under the **Paris Agreement**, developed countries pledged to mobilize \$100 billion annually in climate finance by 2020 to support developing nations in both mitigation and adaptation efforts. However, this target has yet to be fully met, and COP29 will need to address the **funding gap** and explore mechanisms to enhance financial transparency and accountability.<sup>24</sup>

#### 3.2. Mitigation and Strengthened National Commitments (NDCs)

COP29 is expected to see a renewed focus on **mitigation efforts**, as current commitments under **Nationally Determined Contributions (NDCs)** remain insufficient to keep global warming below 1.5°C. The latest **Intergovernmental Panel on Climate Change (IPCC)** reports highlight the widening gap between current policies and the emissions reductions needed to meet the Paris Agreement targets.<sup>25</sup> In particular, the IPCC noted that emissions need to be cut by 43 per cent compared to 2019 levels.<sup>26</sup> Countries will likely face increased pressure to enhance their NDCs, with an emphasis on sectors such as energy, transport, and agriculture, which are major contributors to global emissions.

Furthermore, COP29 will serve as a platform for discussions on **phasing out fossil fuels**. While some progress has been made on **phasing down coal**, many climate advocates are calling for more aggressive timelines to end the use of fossil fuels, including oil and gas. These discussions will likely highlight the tension between developed countries, which are expected to take the lead in emissions

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<sup>24</sup> World Economic Forum (WEF), “With fewer than 100 days to COP29, what’s on the agenda?”, 12 August 2024, <https://www.weforum.org/agenda/2024/08/what-is-cop29-climate-change-summit-priorities/>

<sup>25</sup> Intergovernmental Panel on Climate Change (IPCC), “Summary for Policymakers. In: Climate Change 2023: Synthesis Report. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change”, IPCC, Geneva, Switzerland, pp. 10-11, [https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC\\_AR6\\_SYR\\_SPM.pdf](https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf)

<sup>26</sup> UN Climate Change, “New UN Climate Change Report Shows National Climate Plans ‘Fall Miles Short of What’s Needed’”, 28 October 2024, <https://unfccc.int/news/new-un-climate-change-report-shows-national-climate-plans-fall-miles-short-of-what-s-needed>

reductions, and developing nations, which require **financial and technical support** to transition to cleaner energy.

### 3.3. Adaptation and Resilience

The **Global Goal on Adaptation (GGA)**, established at COP26, remains a priority issue at COP29. As climate impacts intensify, there is an increasing recognition that **adaptation**—preparing communities, especially in vulnerable regions, to withstand the effects of climate change—is as important as mitigation. COP29 will focus on scaling up **adaptation strategies**, including infrastructure development, disaster risk reduction, and strengthening **early warning systems**. The integration of **indigenous knowledge systems** in adaptation planning, particularly in regions with high climate vulnerability, is expected to be a key component of the discussions.

Moreover, **resilience-building** for communities disproportionately affected by climate change—such as SIDS and coastal regions—will be a central theme. These areas are already experiencing sea-level rise, extreme weather events, and biodiversity loss, posing significant challenges to their livelihoods and ecosystems. Enhancing their resilience through targeted investments in infrastructure and social protection mechanisms will be critical.

The ILO World Social Protection Report 2024-26<sup>27</sup> highlights that 3.8 billion people, particularly in climate-vulnerable countries, lack any form of social protection. This gap disproportionately affects children (76.1% globally lack effective coverage) and residents of SIDS and other climate-exposed regions. Governments must recognize the role of social protection in building resilience against climate shocks, especially in marginalized communities that are on the front lines of environmental degradation.

### 3.4. Climate Justice and Equity

Climate justice will continue to be a core theme at COP29, with discussions revolving around the fair distribution of climate burdens and benefits. There is a growing call for the **recognition of historical responsibilities**, where developed countries and fossil fuel corporations, having contributed the most to global emissions, are expected to take greater action and provide more support to developing countries.<sup>28</sup>

COP29 will likely see heightened emphasis on ensuring that the voices of youth, indigenous peoples, and marginalized communities are amplified in the climate decision-making process. This aligns with the broader push for intergenerational equity, recognizing that today's decisions will disproportionately affect future generations. The inclusion of these perspectives in negotiations and the establishment of more accessible pathways for these groups to participate in climate governance remains a critical challenge for the international community.

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<sup>27</sup> International Labour Organization (ILO), "World Social Protection Report 2024-26: Universal social protection for climate action and a just transition", 12 September 2024, <https://www.ilo.org/publications/flagship-reports/world-social-protection-report-2024-26-universal-social-protection-climate>

<sup>28</sup> United Nations General Assembly, "Report of the Special Rapporteur on the right to development, Surya Deva – Climate justice: loss and damage", A/79/168, 17 July 2024, pp. 4-5, <https://documents.un.org/doc/undoc/gen/n24/211/94/pdf/n2421194.pdf>

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*“The interconnected planetary crisis represents a human rights crisis that threatens the full enjoyment of human rights worldwide. [To address this crisis], we need inclusive economies that are purpose-driven toward equitable and sustainable development.”*

*Mr. Todd Howland, Chief, Development and Economic and Social Issues Branch, OHCHR*

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As stressed by Mr. Howland, COP29 offers a critical opportunity to advance the integration of **human rights** in efforts to finance climate action and achieve a **just transition**. A **human rights economy** aims to centre people and rights in economic policymaking. It embraces the transformative potential of human rights principles of **equality and non-discrimination**, recognizing economic, social, cultural, and other rights as part of the rule of law.

## 4. Youth and Climate Justice

### 4.1. The Role of Youth in Climate Activism

Youth have emerged as powerful agents of change in the global climate movement, playing a central role in advocating for climate justice. Through grassroots mobilization, legal activism and innovative campaigns, young people have managed to place unprecedented pressure on governments and international organizations to take meaningful action on climate change.

During the Summit of the Future in September 2024, several significant references to climate change highlighted its critical role in global discussions, particularly regarding youth engagement. One notable development was the adoption of the **Pact for the Future**, which emphasizes the need for a sustainable, just, and peaceful global order, underscoring the interconnected challenges of climate change, inequality, and human rights.<sup>29</sup>

The UN Secretary-General António Guterres emphasized the urgency of addressing climate change alongside other global challenges, calling for innovative frameworks that engage all segments of society, particularly the youth. He remarked on the importance of making institutions more inclusive and reflective of contemporary needs. Furthermore, the **Declaration on Future Generations** included commitments to provide meaningful opportunities for young people to participate in decision-making processes affecting their lives.<sup>30</sup> This aligns with the growing recognition of youth as vital agents of change in climate activism, urging governments to create pathways for their involvement in shaping climate policies.

One of the most iconic figures in this youth-led movement is Greta Thunberg, who founded the Fridays for Future movement, inspiring millions of young people across the globe to strike for climate action. Thunberg’s speeches at key international forums, such as the United Nations Climate Action Summit, have been instrumental in shifting public discourse and increasing the urgency surrounding climate policy. Alongside her, youth leaders from various regions, such as Vanessa Nakate from Uganda, have brought attention to how climate change disproportionately affects communities in the Global South.

At the Geneva Centre’s conference, **Ms. Lolita Couchene, Future Generations Rights Advocate and Campaigner, World’s Youth for Climate Justice**, underlined the power of youth-led action in advancing

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<sup>29</sup> United Nations, “Pact for the Future: What it Delivers”, <https://www.un.org/sites/un2.un.org/files/our-common-agenda-summit-of-the-future-what-would-it-deliver.pdf>

<sup>30</sup> United Nations, “Declaration on Future Generations”, <https://www.un.org/en/summit-of-the-future/declaration-on-future-generations>



global climate justice. In 2019, a group of 27 law students from the University of the South Pacific initiated the *Pacific Islands Students Fighting Climate Change* (PISFCC), convincing the Vanuatu government to request an advisory opinion from the ICJ on climate justice. This youth-led movement catalysed the historic UN General Assembly vote in March 2023, where an overwhelming majority supported the ICJ's involvement in addressing climate justice and human rights.

**Ms. Veena Balakrishnan, Co-Founder, Youth Negotiators Academy**, highlighted that youth-led initiative such as the Youth Negotiators Academy play a crucial role in elevating young voices in climate activism. These organizations not only train young negotiators for international processes but also work to dismantle systemic barriers that inhibit their participation. By fostering connections among young leaders and providing essential resources, they enhance the capacity of youth to engage meaningfully in climate negotiations.

Similarly, **Ms. Shristi Gautam, National Coordinator, World's Youth for Climate Justice, Nepal**, shared the example of young activists in Nepal organizing the *People's Climate March*, bringing together thousands to demand government action on climate issues. Utilizing various forms of expression, such as art and traditional performances, these activists have successfully captured public attention and engaged policymakers. Their efforts exemplify how well-organized youth movements can create meaningful dialogue and influence decision-making

In addition to activism, youth are also engaging in **climate litigation** to hold governments accountable. For instance, in *Juliana v. United States*, 21 young plaintiffs sued the U.S. government for failing to act on climate change, claiming that inaction violated their constitutional rights to life, liberty, and property. Similar cases have been brought to courts in Europe and South America, demonstrating the willingness of youth to seek judicial remedies for climate inaction. These efforts highlight the vital role young people play in pushing for a just and sustainable future.<sup>31</sup>

Another example in this regard is the case of six young Portuguese climate activists who filed a complaint with the European Court of Human Rights (ECHR) in 2023 against the 27 EU Member States, as well as Britain, Switzerland, Norway, Russia and Turkey. They claimed that these countries' governments' inadequate climate policies violate human rights, specifically rights to life and family under Article 2 and Article 8 of the European Convention on Human Rights.<sup>32</sup>

In addition to these high-level discussions, governmental, legislative, and judicial organs worldwide have started to implement good practices to elevate youth voices in climate policy. These include:

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<sup>31</sup> Cambridge University Press, "Children and Youth in Strategic Climate Litigation: Advancing Rights through Legal Argument and Legal Mobilization", 14 June 2022, <https://www.cambridge.org/core/journals/transnational-environmental-law/article/children-and-youth-in-strategic-climate-litigation-advancing-rights-through-legal-argument-and-legal-mobilization/7B3C59B37A7708495D16687073C95B25>

<sup>32</sup> France 24, "Portuguese youth bring 'unprecedented' climate case to European rights court", 27 September 2023, <https://www.france24.com/en/environment/20230927-portuguese-youth-bring-unprecedented-climate-case-to-european-rights-court> ; PBS News, "Young activists from Portugal take 32 governments to court for failing to address climate change", 24 September 2023, <https://www.pbs.org/newshour/world/young-activists-from-portugal-take-32-governments-to-court-for-failing-to-address-climate-change>

- **National Youth Climate Councils:** Countries such as Finland and Costa Rica have established climate councils to formally engage young people in national environmental decision-making processes.<sup>33</sup>
- **Youth Climate Champions:** The role of a Youth Climate Champion, introduced at COP28, is a milestone in ensuring youth voices are represented at the highest level of climate negotiations. This initiative sets a precedent for future COPs to institutionalize youth leadership.<sup>34</sup>

#### 4.2. Youth, Climate, and Peace

As presented by **Ms. Anja Tresse, Programme Manager, Youth and Peace at the Kofi Annan Foundation**, the intersection of climate change and peace is a pressing crisis affecting youth. In countries like the Philippines, Niger, Somalia, and Uganda, young people face acute challenges due to climate-related events and conflicts over scarce resources. For instance, prolonged droughts in Uganda have led to heightened competition between herders and farmers over dwindling water supplies. Similarly, in the Philippines, which ranks as the most vulnerable country to climate change, extreme weather events threaten the livelihoods of many young individuals engaged in climate-sensitive sectors like agriculture. This precarious situation forces numerous youth to migrate in search of better opportunities, often leaving them susceptible to exploitation and recruitment by armed groups.

The realities of climate change and conflict create overlapping vulnerabilities for young people.<sup>35</sup> Those from the most affected countries often belong to large youth populations and are particularly susceptible to the socio-economic repercussions of both crises. Furthermore, the gendered nature of these vulnerabilities cannot be overlooked; young women, in particular, face increased risks of gender-based violence and exploitation in both climate-affected and conflict-affected areas.

Despite these challenges, young people are not merely victims; they are often the first responders to these complex issues. They actively seek innovative solutions and have demonstrated resilience in the face of adversity. For example, in Burkina Faso, youth-led initiatives have successfully integrated sustainable agricultural practices with peacebuilding efforts, thereby enhancing food security while reducing conflicts over scarce resources. These examples underscore the capacity of young people to break down silos between climate action and peacebuilding, leading to more effective and sustainable outcomes.<sup>35</sup>

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<sup>33</sup> Finnish Government, “Youth participation in decision-making on climate and nature to be strengthened by new young people’s climate change and nature group, 20 February 2023, <https://valtioneuvosto.fi/en/-/1410903/youth-participation-in-decision-making-on-climate-and-nature-to-be-strengthened-by-new-young-people-s-climate-change-and-nature-group>

<sup>34</sup> COP28 UAE, “COP28 delivers lasting legacy for youth with Youth Climate Champion role institutionalized”, <https://www.cop28.com/en/news/2023/12/15/06/57/cop28-delivers-lasting-legacy-for-youth-with-youth-climate-champion-role-institutionalized>

<sup>35</sup> Kofi Annan Foundation, “Exploring the impact of climate change, environmental degradation, and conflict on marginalized youth to amplify their voices in multilateral decisions and drive innovative solutions”, <https://www.kofiannanfoundation.org/location/burkina-faso/>

### 4.3. Barriers to Youth Participation

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*“We are not asking to be included simply because we are young—we demand a seat at the table because our ideas have value”.*

*Ms. Lolita Couchene, Future Generations Rights Advocate and Campaigner, World’s Youth for Climate Justice*

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Despite their growing influence, youth continue to face numerous barriers to fully participating in climate decision-making processes. As noted by Ms. Couchene, youth involvement in climate justice is often symbolic rather than substantive, noting that young

people are invited to contribute with ideas but are rarely given decision-making power. One major obstacle is legal exclusion. Many countries and institutions restrict participation in political and environmental decision-making based on age, denying young people a seat at the table. Similarly, institutional barriers, such as the lack of youth representation in global fora like the UNFCCC, often prevent youth voices from being adequately heard. Ms. Balakrishnan noticed that, to address these barriers, organizations like the Youth Negotiators Academy work on equipping young leaders with the necessary skills and opportunities to influence multilateral processes.

**Ms. Nana Kurashvili, International Consultant on Youth Participation**, stressed that another significant challenge is the informational barrier. Many governments do not provide public access to essential information on environmental laws, preventing youth organizations from holding leaders accountable. Many young people, especially in marginalized communities, lack access to the scientific data, policy discussions, and resources necessary to engage meaningfully in climate discourse. This lack of access exacerbates the already significant gap between those who are actively involved in climate policy and those who are not.

In addition, youth often struggle with financial and resource constraints. Organizing large-scale climate strikes, protests, or legal campaigns requires resources that many young activists do not have. Institutional support for youth initiatives remains limited, and international funding mechanisms have yet to prioritize youth-led climate action.<sup>36</sup>

Ms. Kurashvili also noted that, despite their passion, youth activists sometimes lack the technical skills necessary to navigate complex climate policy frameworks.

Digital technologies can serve as powerful tools for overcoming these challenges, enabling youth to connect, share information, and mobilize for climate justice. To address these barriers, targeted education and capacity-building programs, policy reforms, and the inclusion of diverse youth voices in international climate negotiations are essential.<sup>37</sup>

### 4.4. Youth Empowerment Strategies

For youth to become more effective climate advocates, it is crucial to develop and implement targeted youth empowerment strategies. Education is central to these efforts, as increasing climate literacy

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<sup>36</sup> PROMISE – Promoting youth involvement and social engagement, “Barriers and Enablers of Social Participation of Young People”, August 2019, <https://www.promise.manchester.ac.uk/wp-content/uploads/2019/09/promise-barriers-and-enablers-of-social-participation-of-young-people-2019.pdf>

<sup>37</sup> United Nations, “Promoting Youth Participation in Decision-Making And Public Service Delivery Through Harnessing Digital Technologies”, 20 February 2023, <https://social.desa.un.org/publications/promoting-youth-participation-in-decision-making-and-public-service-delivery-through>

from a young age equips the next generation with the understanding they need to confront the climate crisis. Many youth-led organizations have recognized this need and are providing educational programs aimed at raising awareness and developing skills in climate advocacy.

One effective strategy is to amplify youth voices through the creation of youth climate councils or advisory boards at local, national, and international levels. Such bodies can offer young people direct access to decision-makers and allow them to contribute to policy formation. The UN Secretary-General's Youth Advisory Group on Climate Change is a prime example of how institutional frameworks can ensure youth voices are included in high-level climate discussions.<sup>38</sup>

When it comes to youth organizations, Ms. Kurashvili proposed several concrete actions to help them overcome barriers:

- **Dedicated Grant Schemes for Youth:** Establish targeted climate funding for youth organizations, utilizing existing financing mechanisms to achieve this.
- **Capacity-Building for Technical and Soft Skills:** Equip young activists with expertise in negotiation, advocacy, and technical aspects of climate policy, enhancing their effectiveness and reach.
- **Foster an Enabling Environment for Political Participation:** Actively support youth representation in climate discussions and decision-making platforms.
- **Trust and Empower Youth:** Recognize the unique capacity of young people to lead change, as they often embody sustainable behaviours and attitudes essential for climate action.

In terms of best practices, successful youth movements often focus on collective action. For instance, the *Sunrise Movement* in the United States has been a powerful force in advocating for climate policy reforms like the Green New Deal, using grassroots organizing, social media, and public protests to build momentum.<sup>39</sup> Similarly, the *Pacific Climate Warriors*, a youth-led movement from Pacific Island nations, has successfully used their cultural identity to draw global attention to the existential threat of climate change to small island states.<sup>40</sup>

Youth empowerment strategies must include mechanisms that ensure their voices are integral to environmental decision-making. As highlighted by Ms. Gautam, in Nepal, initiatives like *Environmental Impact Assessments* (EIAs) require public participation, creating opportunities for youth to influence policies. Furthermore, coalitions formed by young activists have gained governmental support, proving that youth can effectively advocate for sustainable development. The involvement of organizations like *World's Youth for Climate Justice* amplifies youth voices on international platforms, illustrating the potential for collective action in shaping climate policy.

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<sup>38</sup> United Nations, "The Youth Advisory Group on Climate Change",

<https://www.un.org/en/climatechange/youth-in-action/youth-advisory-group>

<sup>39</sup> Resilience, "The Sunrise Movement: how a US grassroot youth movement helped set the national climate agenda for rapid change", 11 March 2021, <https://www.resilience.org/stories/2021-03-11/the-sunrise-movement-how-a-us-grassroots-youth-movement-helped-set-the-national-climate-agenda-for-rapid-change/>

<sup>40</sup> NZ Herald, "Why the Pacific Climate Warriors Are Fighting For Climate Action in The Pacific", 15 September 2020, <https://www.nzherald.co.nz/viva/culture/why-the-pacific-climate-warriors-are-fighting-for-climate-action-in-the-pacific/JXQDBLIFFP5OGX4DKL3ZXZRM5Q/>

In conclusion, while youth face significant challenges in their pursuit of climate justice, their contributions remain critical to the global fight against climate change. By removing barriers to participation and empowering youth through education, policy reform, and institutional support, the international community can foster a more just and inclusive climate future.

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*“Have confidence in the young people, give them a chance, and they will surprise you”.*

*Kofi Annan*

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## 5. Indigenous Peoples as Guardians of the Environment

Indigenous Peoples are intrinsically linked to nature through ancestral practices and a deep understanding of ecosystems. As noted by **Mr. Romell Antonio Cuenca, Deputy Executive Director of the Climate Change Commission in the Philippines**, this relationship plays a crucial role in global climate action, as Indigenous communities safeguard 80% of the world’s biodiversity. Integrating Indigenous knowledge in climate resilience and adaptation efforts is not just beneficial but essential for sustaining biodiversity and addressing climate challenges effectively.

### 5.1. Indigenous Knowledge and Environmental Stewardship

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*“Making peace with nature is the defining task of the 21st century.”*

*Mr. António Guterres, UN Secretary-General, COP16*

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Indigenous peoples have long been recognized as essential stewards of the environment, possessing unique knowledge systems and practices that contribute to the conservation of biodiversity and ecosystems. Traditional ecological knowledge (TEK), which encompasses the understanding of ecological relationships and sustainable practices passed down

through generations, plays a critical role in environmental stewardship.<sup>41</sup>

**Ms. Yblin Roman Escobar, Policy Adviser, Facilitator for Securing Indigenous Peoples’ Rights in the Green Economy, SIRGE Coalition**, emphasized this role by pointing out that despite constituting only 6.2% of the global population, Indigenous peoples manage about 24% of the Earth’s total land surface. Their territories hold a significant percentage of the planet’s biodiversity, demonstrating their crucial contribution to global ecological health.

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*“There’s no well-being, no stable society, no future for anyone without a healthy Nature.*

*Nature is the foundation of life itself”.*

*Ms. Yblin Roman Escobar, SIRGE Coalition*

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For instance, **the Amazon rainforest**, home to numerous indigenous communities, is a vital ecosystem that has been preserved through traditional practices such as controlled burning and agroforestry. These practices not only maintain biodiversity but also contribute to the resilience of ecosystems in the face of climate change.<sup>42</sup>

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<sup>41</sup> United Nations, “Highlighting Indigenous Peoples’ Role as Environmental Guardians, Secretary-General Observance Message Urges Safeguarding Their Rights to Live in Peace, Dignity”, 2 August 2024, <https://press.un.org/en/2024/sgsm22324.doc.htm#:~:text=Indigenous%20Peoples%20represent%20around%2006%20per%20cent%20of,of%20the%20environment%2C%20their%20survival%20is%20our%20survival.>

<sup>42</sup> Environmental Defense Fund, “Deep inside the Amazon, Indigenous leaders are fighting to preserve the rainforest and stabilize the climate”, 6 October 2023, <https://vitalsigns.edf.org/photo-essay/deep-inside->

Numerous case studies highlight the success of indigenous-led conservation initiatives. The **Yurok Tribe** in California, for example, has implemented traditional land management practices that have successfully restored salmon populations and improved water quality in the Klamath River.<sup>43</sup> Similarly, the **Maasai people** in East Africa are engaged in sustainable land-use practices that preserve wildlife habitats while supporting their livelihoods.<sup>44</sup> These examples underscore the vital contributions of Indigenous communities to global efforts aimed at conserving ecosystems and addressing climate change.

Indigenous peoples have significantly advanced climate justice through advocacy for rights and recognition of their contributions to sustainability. They place a crucial role in climate negotiations, bringing unique perspectives that can inform global actions against climate change.

## 5.2. Challenges Faced by Indigenous Communities

Despite their critical role in environmental stewardship, indigenous communities face numerous **challenges** that threaten their rights, livelihoods, and the ecosystems they protect. Mr. Cuenca noted that in the Philippines, climate change continues to pose severe risks to Indigenous lands, endangering traditional ways of life. Furthermore, Indigenous communities face challenges such as limited access to decision-making platforms and inadequate legal protections, which hinder their ability to effectively respond to environmental threats.

As highlighted by Ms. Roman Escobar, Indigenous Peoples are facing serious threats from both climate change and “the so-called solutions to fight climate change”. She illustrated this with the example of the Amazon rainforest, which has been drastically affected by deforestation and climate change. The Amazon has transitioned from being a carbon sink to a carbon source, with alarming implications for global climate stability.

Ms. **Cecilia Zerbin, Focal Point for Indigenous Peoples and Climate Change at the International Organization for Migration (IOM)**, provided an overview on the impacts of climate change and environmental degradation on human mobility patterns. For instance, wildfires and deforestation have resulted in habitat loss, forcing communities to migrate in search of alternatives. Changing rain patterns, droughts, land degradation, and other climate-related events pose similar threats globally, leading to water scarcity, food insecurity, and sometimes conflict over resources. These factors can compel communities to leave their places of origin. Indigenous peoples, in particular, are especially vulnerable to the climate crisis, as they rely heavily on the environment for both subsistence and cultural identity.

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[amazon-indigenous-leaders-are-fighting-preserve-rainforest-and-stabilize#:~:text=Indigenous%20Peoples%20manage%20more%20than%2030%25%20of%20the,forest%20communities%20like%20the%20Shuar%20people%20of%20Ecuador.](#)

<sup>43</sup> The Yurok Tribe, “Yurok Tribe Leads Massive Revegetation Project”, 29 March 2024, <https://www.yuroktribe.org/post/yurok-tribe-leads-massive-revegetation-project>

<sup>44</sup> Food and Agricultural Organization of the United Nations (FAO), “Oldonyonokie/Olkeri Maasai Pastoralist Heritage, Kenya”, <https://www.fao.org/giahs/giahsaroundtheworld/designated-sites/africa/oldonyonokieolkeri-maasai-pastoralist-heritage/detailed-information/en/#:~:text=The%20Maasai%20use%20three%20informal%20rules%20to%20manage,groups%20and%20avoid%20areas%20recently%20vacated%20by%20others.>

Ms. Zerbini added that, when done in a safe and regular manner, migration can be a form of adaptation to climate change impacts. However, most Indigenous peoples and communities would likely choose to stay in their ancestral lands if given the option. “This choice is crucial for promoting climate justice, ensuring that people have agency over their migration decisions, which has not always been the case”.

The exploitation of natural resources, such as oil and gas extraction, mining, and logging, often occurs without the consent of Indigenous peoples, leading to conflicts and exacerbating the climate crisis. Indigenous environmental defenders who oppose these activities frequently face **violence and intimidation**. Reports indicate that 227 environmental activists were killed globally in 2020, with Indigenous peoples disproportionately affected.<sup>45</sup> This violence creates an environment of fear that stifles Indigenous activism and undermines their role in climate justice.

Additionally, indigenous communities have been encountering barriers to participating in national and international climate negotiations. The lack of recognition of Indigenous rights in many legal frameworks and the absence of formal mechanisms for participation impede their ability to influence policies that affect their lands and livelihoods.

### 5.3. Amplifying Indigenous Voices and Mobilizing Support<sup>46</sup>

Indigenous peoples are often depicted as particularly vulnerable to climate change, while also possessing crucial skills and knowledge vital for effective climate responses. Their involvement in environmental governance is a key avenue through which they actively engage in managing and relating to nature. However, their contributions have been historically underrepresented in key reports such as those from the IPCC and COPs, all of which are critical to shaping climate-resilient food, land, and water systems.

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*“Indigenous Peoples are not opposed to development or climate solutions. What they demand is a just transition—one that respects their rights and role as stewards of nature”.*

*Ms. Yblin Roman Escobar, SIRGE Coalition*

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Despite this limited representation, recent years have seen growing acknowledgment of the importance of respecting Indigenous rights in climate policy and ensuring their active participation in climate discussions.<sup>47</sup> For decades, indigenous peoples have advocated for more genuine inclusion in climate policy processes. The Local Communities and Indigenous Peoples Platform (LCIPP), established by the Paris Agreement on Climate Change (paragraph 135),

seeks to enhance the knowledge, technologies, practices, and efforts of Indigenous Peoples and local

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<sup>45</sup> Global Witness, “Global Witness reports 227 land and environmental activists murdered in a single year, the worst figure on record”, 13 September 2021, <https://www.globalwitness.org/en/press-releases/global-witness-reports-227-land-and-environmental-activists-murdered-single-year-worst-figure-record/>

<sup>46</sup> Office of the High Commissioner for Human Rights (OHCHR), “Participation of Indigenous Peoples at the UN is crucial for advancing their rights”, 24 September 2024, <https://www.ohchr.org/en/stories/2024/09/participation-indigenous-peoples-un-crucial-advancing-their-rights>

<sup>47</sup> Belfer E, Ford JD, Maillet M, Araos M, Flynn M., “Pursuing an Indigenous Platform: Exploring Opportunities and Constraints for Indigenous Participation in the UNFCCC”, *Glob Environ Polit.* 2019;19: 12–33, <https://direct.mit.edu/glep/article-abstract/19/1/12/15035/Pursuing-an-Indigenous-Platform-Exploring?redirectedFrom=fulltext>

communities in addressing climate change.<sup>48</sup> Additionally, Indigenous organizations have raised concerns and contributed to shaping payment mechanisms for Reducing Emissions from Deforestation and Forest Degradation (REDD+).<sup>49</sup>

Strengthening indigenous peoples' participation in climate policy processes is partly grounded in the principle of climate justice, which addresses the underlying causes of deep-seated inequalities and involves making political decisions about the fair (re)distribution of benefits. To effectively amplify Indigenous voices and mobilize support for their actions, including at COP29, it is vital to:

- **Create dedicated platforms:** Establish specific *fora* or panels at international events, allowing representatives from Indigenous communities to share their perspectives and experiences.
- **Strengthen Indigenous coalitions:** Encourage the formation of coalitions among Indigenous organizations globally, enhancing their visibility and collective influence in climate negotiations.
- **Support Indigenous leadership:** Elevate Indigenous leaders within climate dialogues, ensuring they have prominent roles in negotiations and decision-making processes.
- **Establish mechanisms** to meaningfully engage Indigenous Peoples in climate policy processes.

#### 5.4. Legal Protections, Indigenous Participation in UN Mechanisms, and Pathways Forward

To address the challenges faced by indigenous communities and ensure their voices are heard in climate decision-making, it is crucial to strengthen **legal protections** for Indigenous rights. Various international instruments exist to protect Indigenous peoples, including the **International Labour Organization's (ILO) Convention 169 (1989)**, the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)** and the **Convention on Biological Diversity (CBD)**.

ILO Convention 169, adopted in 1989, is a critical international treaty focused on the rights of indigenous and tribal peoples. It builds on its predecessor, ILO Convention 107, by shifting from an integrationist approach towards recognizing the distinct rights and cultures of indigenous peoples. The convention establishes that Indigenous peoples have the right to maintain their own institutions, cultures, and traditions, and it emphasizes their right to self-determination. Importantly, it addresses land rights, requiring governments to respect indigenous peoples' traditional territories and natural resources, and mandates that indigenous peoples must be consulted in decisions affecting them, particularly on issues related to land and resources. Convention 169 has been ratified by over 20

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<sup>48</sup> Riamit KS, Leonard S., "Enhancing Scientific Support for Indigenous Peoples Advocacy at the UNFCCC. Report by the CGIAR Initiative on Climate Resilience (ClimBeR)", 2023, <https://journals.plos.org/climate/article?id=10.1371/journal.pclm.0000392#>

<sup>49</sup> Brondízio ES, Aumeeruddy-Thomas Y, Bates P, Carino J, Fernández-Llamazares Á, Ferrari MF, et al. "Locally Based, Regionally Manifested, and Globally Relevant: Indigenous and Local Knowledge, Values, and Practices for Nature", *Annu Rev Environ Resour*, 2021;46: 481–509, <https://www.annualreviews.org/content/journals/10.1146/annurev-environ-012220-012127>



countries<sup>50</sup>, but its implementation remains uneven, and many countries with significant indigenous populations, including the United States and Canada, have not ratified it.<sup>51</sup>

The UNDRIP is the most comprehensive document in international law and policy that outlines the rights of indigenous peoples, setting minimum standards for their recognition, protection, and promotion. It establishes a global framework to safeguard the survival, dignity, wellbeing, and rights of indigenous communities worldwide. The Declaration covers both individual and collective rights, including cultural identity, as well as access to education, healthcare, employment, and language. It prohibits discrimination against Indigenous peoples and advocates for their full and meaningful participation in all matters affecting them. Additionally, it affirms their right to maintain their distinctiveness and to pursue their own economic, social, and cultural development priorities. The Declaration also calls for fostering harmonious and cooperative relationships between States and indigenous peoples.<sup>52</sup>

The CBD acknowledges the strong connection indigenous peoples and local communities have with biological diversity, as well as their critical role in preserving life on Earth. This recognition is embedded in the Convention's preamble and various provisions. Under Article 8(j), the Parties have committed to respecting, preserving, and maintaining the knowledge, innovations, and practices of Indigenous peoples and local communities that are important for biodiversity conservation. They also aim to promote the broader use of this knowledge with the consent of its holders and encourage the fair distribution of benefits derived from biodiversity. Additionally, due to its importance to the Convention's work, considerations around the traditional knowledge of indigenous peoples and local communities are being integrated into all the Convention's work programmes.<sup>53</sup>

Global recognition of Indigenous rights and voices in climate action has grown in recent years, largely due to platforms like the UNFCCC's LCIPP. This initiative provides Indigenous representatives with a dedicated space to influence policy discussions and share best practices in climate resilience. As highlighted by Mr. Cuenca, such platforms empower indigenous communities to participate in crafting climate policies that directly impact their lands and ways of life, ensuring that their voices are amplified on the global stage.

While frameworks are in place, the gap between these legal standards and their actual enforcement persists. This stems from states' lack of awareness, conflicting interpretations of Indigenous rights, and the perpetuation of power imbalances in global forums. Indigenous peoples and states often hold

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<sup>50</sup> ILO Convention no. 169 has been ratified by 24 countries: Argentina, Bolivia, Brazil, Central African Republic, Chile, Colombia, Costa Rica, Denmark, Dominica, Ecuador, Fiji, Germany, Guatemala, Honduras, Luxembourg, Mexico, Nepal, Netherlands, Nicaragua, Norway, Paraguay, Peru, Spain, Venezuela ([https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300\\_INSTRUMENT\\_ID:312314](https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:312314))

<sup>51</sup> International Labour Organization (ILO), "Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an inclusive, sustainable and just future", 3 February 2020, <https://www.ilo.org/publications/implementing-ilo-indigenous-and-tribal-peoples-convention-no-169-towards#:~:text=In%201989%2C%20the%20ILO%20adopted%20the%20Indigenous%20and,work%20to%20promote%20and%20protect%20indigenous%20peoples%E2%80%99%20rights.>

<sup>52</sup> Office of the High Commissioner for Human Rights (OHCHR), "UN Declaration on the Rights of Indigenous Peoples", 13 September 2007, <https://www.ohchr.org/en/indigenous-peoples/un-declaration-rights-indigenous-peoples>

<sup>53</sup> Convention on Biological Diversity, "Working Group on Article 8 (j)", <https://www.cbd.int/convention/wg8j.shtml#:~:text=The%20Convention%20on%20Biological%20Diversity%20recognizes%20the%20dependency,the%20preamble%20of%20the%20Convention%20and%20its%20provisions>

opposing views on self-determination, with many governments fearing territorial sovereignty threats. Indigenous concepts of governance, land, and self-determination, deeply rooted in their cultural values and connection with nature, often clash with state-centric frameworks.

Despite these barriers, indigenous participation at the UN, especially in mechanisms like the Human Rights Council (HRC) and its expert bodies, has grown.<sup>54</sup> The HRC established the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) in 2007, which serves as an advisory body that provides thematic expertise on Indigenous issues and promotes the implementation of the UNDRIP. Indigenous representatives now regularly participate in sessions of the HRC, contributing to discussions on human rights and environmental issues. It is noteworthy that during the 57th session of the Human Rights Council, held from 9 September to 11 October 2024, a historic milestone was reached: for the first time, indigenous peoples participated as recognized peoples in the interactive dialogue with the EMRIP.

They also engage with the General Assembly through high-level meetings, such as the World Conference on Indigenous Peoples in 2014, where indigenous peoples were able to present their perspectives on global policy.<sup>55</sup>

The Special Rapporteur on the Rights of Indigenous Peoples's mandate was established in 2001 and allows Indigenous communities to bring their concerns to the attention of the UN through investigations and reporting on the human rights situations of Indigenous peoples around the world. The Special Rapporteur consults directly with Indigenous groups and governments, giving them a voice in the human rights mechanisms of the UN.<sup>56</sup>

Indigenous groups and organizations have formed coalitions and networks to increase their visibility and advocacy at the UN. Organizations such as the International Indian Treaty Council (IITC), Tebtebba Foundation, and the Arctic Athabaskan Council actively engage with UN bodies on issues ranging from climate change to Indigenous knowledge systems. Also, with regard to environmental and climate change negotiations, Indigenous peoples have gained more influence. The LCIPP, launched under the UNFCCC, for example, provides a space for Indigenous peoples to contribute their traditional knowledge to climate adaptation and mitigation strategies.<sup>57</sup>

At the UN Climate Summits, indigenous voices have been calling attention to how climate change disproportionately impacts their communities and ecosystems, and they have been advocating for greater support for Indigenous-led climate solutions, particularly regarding land and forest

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<sup>54</sup> The UN's Voluntary Fund for Indigenous Peoples supports the participation of Indigenous representatives in key UN meetings, ensuring that resource limitations do not hinder their ability to engage in international processes. See the Geneva Centre's report on the "Interactive Dialogue with the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)", for the latest update on the Fund: <https://gchragd.org/wp-content/uploads/2024/09/2024.09.24-HRC57-ID-with-EMRIP.pdf>

<sup>55</sup> Office of the High Commissioner for Human Rights (OHCHR), "First World Conference on Indigenous Peoples opens at UN headquarters", 22 September 2014, <https://www.ohchr.org/en/stories/2014/09/first-world-conference-indigenous-peoples-opens-un-headquarters>

<sup>56</sup> Office of the High Commissioner for Human Rights (OHCHR), "Special Rapporteur on the rights of Indigenous Peoples", <https://www.ohchr.org/en/special-procedures/sr-indigenous-peoples>

<sup>57</sup> United Nations Climate Change, "Local Communities and Indigenous Peoples Platform", <https://lcipp.unfccc.int/>

conservation.<sup>58</sup> **Ms. Donna Mitzi Lagdameo, Team Lead, LCIPP Unit, UN Climate Change**, recalled that in 2018, the COP in Glasgow explicitly acknowledged that integrating Indigenous knowledge is crucial for achieving climate goals. This marked a pivotal moment for Indigenous peoples and local communities, recognizing their leadership role.

In 2023, the Facilitative Working Group (FWG) was tasked with operationalizing the platform while upholding rights-based approaches and ensuring the ethical engagement of indigenous values and worldviews. The FWG has contributed significantly to shifts in narratives in global stocktake discussions, highlighting the need to focus on holistic views and the cultural and non-economic losses that people experience from climate change.

Ms. Mitzi Lagdameo continued by noticing that, as of 2023, key decisions in the Global Goal on Adaptation (GGA) and Global Stocktake (GST) discussions emphasized that parties collectively agree to move forward, recognizing the integration of indigenous science alongside Western science. There is also a growing acceptance of indigenous submissions, including poetry, music, and stories, as part of the climate dialogue.

As stated by Ms. Zerbini, organizations like IOM are committed to facilitating indigenous participation in climate negotiations. This includes sponsoring representatives from indigenous groups to attend COP meetings, ensuring their perspectives are included in policy frameworks.

As noted by Ms. Roman Escobar, the UN Secretary-General's panel on Critical Energy Transition Minerals (CETMs) has called for justice in the energy transition and urged all actors to uphold Indigenous Peoples' rights, including the right to Free, Prior, and Informed Consent (FPIC). This highlights the need for integrating Indigenous knowledge and perspectives into climate action.<sup>59</sup>

Despite these gains, indigenous peoples still face obstacles to full participation. Many Indigenous groups continue to encounter difficulties in gaining access to UN platforms, particularly smaller or marginalized communities without the resources to engage in international diplomacy. Additionally, states may not always fully implement UN recommendations regarding indigenous rights, and balancing state sovereignty with Indigenous peoples' demands for self-determination remains a point of contention.

**Policy recommendations** to amplify indigenous voices in climate decision-making include:

1. **Strengthening Legal Frameworks:** Governments should ratify and implement international instruments like UNDRIP, ensuring that Indigenous rights are recognized and respected in national laws.
2. **Inclusive Decision-Making:** Establish formal mechanisms for Indigenous participation in climate negotiations and environmental assessments, ensuring that their knowledge and perspectives are integrated into policy development. Speaking at the opening of the 16th Conference of the Parties to the UN Convention on Biological Diversity (COP16), Mr. António Guterres, UN Secretary-General, called for the establishment of a permanent body within the

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<sup>58</sup> United Nations Climate Change, "Indigenous Peoples: Leaders in Climate Action", 8 August 2024, <https://unfccc.int/news/indigenous-peoples-leaders-in-climate-action>

<sup>59</sup> United Nations, "The UN Secretary-General's Panel on Critical Energy Transition Minerals", <https://www.un.org/en/climatechange/critical-minerals>

Convention on Biological Diversity to ensure Indigenous voices are heard throughout policy-making processes.<sup>60</sup>

3. **Supporting Indigenous-Led Initiatives:** Provide funding and resources for Indigenous-led conservation projects, recognizing their critical role in safeguarding ecosystems and biodiversity.
4. **Capacity Building:** Implement training programs for Indigenous communities to enhance their advocacy skills and capacity to engage in climate negotiations.

To conclude, as underlined by **Judge Ana Manuela Ochoa Arias, Special Tribunal for Peace, Colombia**, it is crucial to remember that indigenous knowledge is deeply rooted in daily interaction with nature, passed down through generations as a living legacy. Indigenous peoples are not only custodians of environmental rights but also recognize the earth as a living entity, one that must exist in harmony with all that inhabits it. This perspective, unique to Indigenous cultures, provides invaluable insights for environmental preservation and should be honoured and safeguarded as part of our global responsibility.

## 6. Small Island Developing States (SIDS) and Climate Justice

Climate justice reframes climate change as a political and ethical issue rather than solely an environmental one. As noted by **H.E. Ambassador Matthew Wilson, Permanent Representative of Barbados to the UN and other international organizations in Geneva**, SIDS contribute less than 1% of global emissions, yet they are disproportionately vulnerable to climate change impacts, such as rising sea levels and extreme weather events. This results in a “double inequality,” where SIDS are vulnerable yet lack the capacity to adapt. As such, climate justice has emerged as a key area of political activism and academic inquiry for these nations, particularly through initiatives like the Alliance of Small Island States (AOSIS), established in 1990 to advocate for their interests in global climate negotiations.<sup>61</sup>

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*“Climate justice is not only a matter of environmental protection, adaptation and mitigation. It is about people and communities. It is about the fundamental human right to life and dignity.”*

*H.E. Mr. Matthew Wilson, PR Barbados*

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Proponents of climate justice argue that the historical context reveals a pattern of unequal impacts from climate change, where those least responsible suffer the most. This has led to discussions of distributive and procedural justice, focusing on equitable resource distribution and fair decision-making processes. Recent debates expand to include vulnerability, adaptation pathways, and the recognition that existing climate agreements have inadequately addressed SIDS' unique challenges.<sup>62</sup>

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<sup>60</sup> United Nations, “At COP16, Guterres urges world to ‘choose wisely...make peace with nature’”, 29 October 2024, <https://news.un.org/en/story/2024/10/1156261>

<sup>61</sup> Alliance of Small Island States (AOSIS), “AOSIS: A history of leadership at the UNFCCC”, <https://www.aosis.org/aosis-a-history-of-leadership-at-the-unfccc/>

<sup>62</sup> Annual Review of Environment and Resources, “Climate Change and Small Island Developing States”, Vol. 45:1-27, 13 May 2020, <https://www.annualreviews.org/content/journals/10.1146/annurev-environ-012320-083355#right-ref-B69>

Moreover, ongoing discussions about emissions reduction targets emphasize the urgency of limiting global warming to 1.5°C, with SIDS advocating for such measures in international agreements. However, the realization that some climate impacts are inevitable raises concerns about territory loss and displacement. These issues are particularly pressing for Pacific islands facing sea-level rise and Caribbean nations recovering from extreme weather events.

**Ms. Vanessa Schultz, Programme Analyst, Disaster Risk Reduction and Recovery for Building Resilience Team (UNDP)**, underscored the urgent need for international attention and investment in climate resilience measures for SIDS. While current climate justice discourse highlights distributional inequalities faced by SIDS, it often overlooks the needs of marginalized groups and future generations. Addressing these gaps is essential for a comprehensive understanding of climate justice in the context of SIDS.

### **6.1. The Vulnerability of SIDS to Climate Change**

Internationally, **SIDS** comprise a group of 38 UN Member States and 20 Non-UN Member/Associate Members, situated across three regions: the Caribbean, the Pacific, and the Atlantic, Indian Ocean, Mediterranean, and South China Seas (AIMS). Together, these nations are home to approximately 65 million people.<sup>63</sup> While SIDS are not homogenous and exhibit considerable diversity in terms of territorial size, governance structures, economic development, and geographical features, they share several common characteristics that have led the UN to designate them as a distinct group. These shared traits include limited resource bases, economies heavily dependent on natural resources, minimal industrial activity, geographical isolation, and restricted economies of scale.<sup>64</sup>

**SIDS** face some of the most severe consequences of climate change, which disproportionately affect their ecosystems, economies, and cultures. Rising sea levels, driven by global warming, pose an existential threat to many SIDS. According to the IPCC, sea levels could rise by as much as 1.1 meters by the end of the century, threatening low-lying islands like the **Maldives, Tuvalu, and Kiribati** with inundation and loss of land. For example, the 2023 assessment by the World Bank regarding the impact of climate change on the Maldives indicates that rising sea levels, primarily driven by climate change, could lead to significant land loss in the country. By 2050, a considerable portion of the islands may become uninhabitable due to the inundation of coastal areas.<sup>65</sup>

In addition to rising sea levels, SIDS experience increased frequency and intensity of extreme weather events, such as hurricanes and typhoons. Their unique characteristics contribute to their heightened vulnerability to climate hazards. Key sectors such as tourism, fisheries, and agriculture play a crucial

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<sup>63</sup> UN-OHRLLS 2015. “Small Island Developing States In Numbers: Climate Change Edition 2015” New York: UN-OHRLLS, [http://unohrlls.org/custom-content/uploads/2015/12/SIDS-IN-NUMBERS-CLIMATE-CHANGE-EDITION\\_2015.pdf](http://unohrlls.org/custom-content/uploads/2015/12/SIDS-IN-NUMBERS-CLIMATE-CHANGE-EDITION_2015.pdf)

<sup>64</sup> United Nations, Department of Economic and Social Affairs, “Trends in Sustainable Development in Small Island Developing States”, 2014, <https://sustainabledevelopment.un.org/content/documents/1954TR2014.pdf>

<sup>65</sup> World Bank, “Maldives Country Climate Development Report”, 17 September 2024. This report analyzes the Maldives' vulnerability to climate change, highlighting its heavy reliance on tourism and fisheries, which account for nearly half of the nation's GDP. It discusses significant threats posed by climate change, such as rising sea levels and coral reef degradation, and estimates that the country will need between \$2 to \$4 billion for climate adaptation efforts. The report also emphasizes the need for policy reforms, fiscal space creation, and innovative financing solutions to support climate resilience and sustainable development in the Maldives. For more detailed insights, you can access the full report: <https://www.worldbank.org/en/country/maldives/publication/key-highlights-maldives-country-climate-and-development-report>

role in many SIDS' national economies and are highly dependent on environmental conditions, making them susceptible to any changes in the environment. For instance, coastal tourism accounts for over 20% of the national gross domestic product (GDP) in more than half of the SIDS, and exceeds 50% in islands that are particularly reliant on tourism.<sup>66</sup> This dependency renders these sectors—and consequently, the overall economic stability of these nations—highly sensitive to environmental changes driven by climate change.

As emphasized by Ms. Schultz, the resilience of SIDS hinges on effective adaptation strategies that are often constrained by financial and technical limitations. Additionally, SIDS face economic vulnerability from extreme events and resulting disasters. Due to their smaller economies and populations, a single significant disaster can lead to damages with nationally significant impacts.<sup>67</sup> For example, in 2017, Hurricane Maria caused damages exceeding 225% of Dominica's annual GDP.<sup>68</sup> Similarly, Cyclone Pam in 2015 incurred economic costs across all sectors in Vanuatu amounting to approximately 64% of the country's GDP, while Cyclone Winston in Fiji in 2016 displaced over 130,000 individuals.<sup>69</sup> Moreover, Hurricane Dorian struck the Bahamas in 2019, causing widespread destruction and displacing thousands of residents. The 2004 Indian Ocean tsunami, which affected several SIDS, demonstrated the catastrophic impacts of seismic activity on vulnerable coastal communities. More recently, Cyclone Idai in 2019 severely impacted Mozambique and parts of the Indian Ocean region, highlighting the interconnectedness of climate events affecting SIDS. The destruction caused by these events not only threatens physical infrastructure but also disrupts livelihoods, particularly in sectors such as tourism, agriculture, and fishing, which are crucial for SIDS economies.

The cultural heritage of SIDS populations is also at risk. Many island nations have deep cultural ties to their land and marine resources, and climate change jeopardizes these connections. The loss of traditional practices, languages, and social structures threatens the very identity of these communities, highlighting the urgent need for climate justice to address the unique challenges faced by SIDS.<sup>70</sup>

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<sup>66</sup> Thomas A, Lindo S. 2019. Disappearing islands: small island developing states and climate change. *Environment Issues and Policy: Exploring Past, Present and Future Socioecological Relations* M Chatterjee, E Svyatets 172–81 San Diego: Cognella. , 1st ed. [https://scholar.google.com/scholar\\_lookup?title=Disappearing+islands%3A+small+island+developing+states+and+climate+change&author=A+Thomas&author=S.+Lindo&journal=Environment+Issues+and+Policy%3A+Exploring+Past%2C+Present+and+Future+Socioecological+Relations&pages=172-81&publication\\_year=2019&](https://scholar.google.com/scholar_lookup?title=Disappearing+islands%3A+small+island+developing+states+and+climate+change&author=A+Thomas&author=S.+Lindo&journal=Environment+Issues+and+Policy%3A+Exploring+Past%2C+Present+and+Future+Socioecological+Relations&pages=172-81&publication_year=2019&)

<sup>67</sup> Mycoo MA. 2018. Beyond 1.5°C: vulnerabilities and adaptation strategies for Caribbean Small Island Developing States. *Reg. Environ. Change* 18:82341–53, [https://scholar.google.com/scholar\\_lookup?title=Beyond+1.5%C2%B0C%3A+vulnerabilities+and+adaptation+strategies+for+Caribbean+Small+Island+Developing+States&author=MA.+Mycoo&journal=Reg.+Environ.+Change&volume=18&issue=8&pages=2341-53&publication\\_year=2018&](https://scholar.google.com/scholar_lookup?title=Beyond+1.5%C2%B0C%3A+vulnerabilities+and+adaptation+strategies+for+Caribbean+Small+Island+Developing+States&author=MA.+Mycoo&journal=Reg.+Environ.+Change&volume=18&issue=8&pages=2341-53&publication_year=2018&)

<sup>68</sup> Government of Dominica 2018. 2018 Budget: from survival to sustainability and success: a resilient Dominica. Rep. Government of Dominica, Roseau. <http://finance.gov.dm/budget/budget-addresses/file/27-budget-address-2018-2019-from-survival-to-sustainability-and-success-a-resilient-dominica>

<sup>69</sup> Thomas A, Pringle P, Pflleiderer P, Schleussner CF 2017. Tropical cyclones: impacts, the link to climate change and adaptation. *Climate Analytics* Nov. 6. <https://climateanalytics.org/publications/2017/tropical-cyclones-impacts-the-link-to-climate-change-and-adaptation/>

<sup>70</sup> Cacciotti, R., Sardella, A., Drdácáký, M. et al., “A Methodology for Vulnerability Assessment of Cultural Heritage in Extreme Climate Changes”, 12 June 2024, *Int J Disaster Risk Sci* 15, 404–420 (2024). <https://doi.org/10.1007/s13753-024-00564-8>

In addition, it is expected that climate change will increase risks for human health. SIDS face growing concerns regarding the rising risk of vector-borne diseases such as malaria and dengue fever, which may see shifts in their geographic distribution, longer transmission seasons, and increased biting rates.<sup>71</sup> Additionally, there is an elevated risk of food- and water-borne diseases like cholera, which could also shift geographically and seasonally. Undernutrition is expected to worsen due to reduced food production driven by higher temperatures, changes in precipitation, and an increase in the frequency and intensity of extreme weather events. These health risks will be particularly pronounced in low- and middle-income societies, including SIDS, where higher temperatures can exacerbate heat waves and lead to more frequent outbreaks of vector-borne diseases. Given the limited natural variability in temperatures in tropical SIDS, there is a heightened risk to human health from rising average temperatures and a greater incidence of extreme temperature events.<sup>72</sup>

## 6.2. Legal and Policy Advocacy by SIDS

In response to their vulnerabilities, SIDS have been at the forefront of **legal and policy advocacy** on the international stage. Notably, Vanuatu's initiative to seek an **advisory opinion from the International Court of Justice (ICJ)** regarding states' obligations to combat climate change is a significant step in raising awareness about the need for legal accountability.<sup>73</sup> This initiative seeks to clarify the responsibilities of nations in the face of climate change and establish a legal framework for holding polluting countries accountable for their emissions and inaction.<sup>74</sup>

Additionally, the **International Tribunal for the Law of the Sea (ITLOS)** issued an advisory opinion in May 2024, finding that states have a legal obligation to protect the world's oceans and marine biodiversity from climate change in accordance with the United Nations Conventions on the Law of the Sea (UNCLOS). This opinion is crucial for SIDS, as many rely heavily on marine resources for their livelihoods and cultural practices.<sup>75</sup> As underlined by **Mr. Igor Gryshko, Focal Point for Climate Change (OHCHR)**, small island states are therefore finding new pathways for justice, "yet enforcement remains a key challenge".

Regional organizations, such as the **Pacific Islands Forum**, play a pivotal role in advancing climate justice for SIDS. They provide a platform for collective action, enabling member states to coordinate their efforts in advocacy and negotiation at international climate forums, such as the **UNFCCC**.<sup>76</sup>

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<sup>71</sup> UN-OHRLS 2015. Small Island Developing States In Numbers: Climate Change Edition 2015 New York: UN-OHRLS [http://unohrlls.org/custom-content/uploads/2015/12/SIDS-IN-NUMBERS-CLIMATE-CHANGE-EDITION\\_2015.pdf](http://unohrlls.org/custom-content/uploads/2015/12/SIDS-IN-NUMBERS-CLIMATE-CHANGE-EDITION_2015.pdf)

<sup>72</sup> World Health Organization (WHO), "Climate change and noncommunicable diseases in small island developing states", 8 November 2023, <https://www.who.int/publications/m/item/climate-change-and-noncommunicable-diseases-in-small-island-developing-states>

<sup>73</sup> Vanuatu ICJ Initiative, "The Republic of Vanuatu is leading the initiative at the UN International Court of Justice for an Advisory Opinion on the Obligations of States relevant to climate action", <https://www.vanuatuicj.com/>

<sup>74</sup> United Nations, "General Assembly votes to seek World Court's opinion, in quest for 'bolder' climate action", 29 March 2023, <https://news.un.org/en/story/2023/03/1135142>

<sup>75</sup> Clyde&Co, "Deep dive: the ITLOS Advisory Opinion on climate change and its impact on the maritime sector – Executive Summary", 27 June 2024, <https://www.clydeco.com/en/insights/2024/06/landmark-itlos-legal-opinion-states-must-protect-o>

<sup>76</sup> Pacific Islands Forum, "Empowering the Pacific", <https://forumsec.org/>

Through initiatives like the **Kainaki II Declaration**, Pacific leaders have called for increased global action to address climate change, highlighting the urgency of the situation for SIDS.<sup>77</sup>

### 6.3. Adaptation Planning and Mitigation

Ms. Schultz emphasized that climate justice is fundamentally about the protection of people's rights and upholding human rights standards—such as the right to life, livelihoods, and health—in the face of climate change impacts. For SIDS, which are particularly vulnerable, strengthening capacities for disaster preparedness, response, and recovery is critical for achieving climate justice. To effectively combat climate change and its associated disasters, it is essential to implement comprehensive strategies that include prevention, mitigation, and response. This entails building resilience within SIDS, which UNDP has actively supported through integrated risk governance, disaster and climate risk information, sustainable recovery initiatives, and early warning systems. By mainstreaming a participatory, inclusive, and rights-based approach, UNDP ensures that marginalized and vulnerable populations contribute to decision-making processes, ultimately enhancing their access to climate justice.

Adaptation planning frameworks stress the importance of thorough preparatory work, including capacity building, awareness raising, and vulnerability assessments. Such foundational steps are critical to reducing the risk of maladaptation and to identifying viable adaptation options. Monitoring and evaluation have become increasingly important stages in adaptation planning, presenting unique challenges that have prompted the development of new resources.<sup>78</sup>

Adaptation processes can occur at various spatial scales, from regional to individual levels. Over the past decade, SIDS have seen significant growth in adaptation planning and implementation, reflecting a global trend toward addressing climate change impacts with practical responses. This increase is driven by the urgency of climate change and the push from donors for a clearer, long-term adaptation framework.<sup>79</sup>

Many SIDS have initiated formal adaptation planning through the creation of National Adaptation Programmes of Action (NAPA), which allow least developed countries (LDCs) to prioritize urgent climate impacts. The UNFCCC Cancun Adaptation Framework supports LDCs in developing National Adaptation Plans (NAPs), which systematically identify medium- and long-term adaptation needs. Integrating NAPs with other key policy frameworks, such as Nationally Determined Contributions (NDCs), enhances their effectiveness.<sup>80</sup> Although few SIDS have formally submitted NAPs to the UNFCCC, many have created equivalent national adaptation documents. For instance, the Pacific

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<sup>77</sup> SDG Knowledge Hub, “Pacific Islands Forum Issues Strongest-ever Statement on Climate, Cites Security Threat”, 20 August 2019, <https://sdg.iisd.org/news/pacific-islands-forum-issues-strongest-ever-statement-on-climate-cites-security-threat/>

<sup>78</sup> LDC Expert Group 2012. National Adaptation Plans: Technical Guidelines for the National Adaptation Plan Process Bonn, Ger.: UNFCCC Secr. [https://unfccc.int/files/adaptation/cancun\\_adaptation\\_framework/application/pdf/naptechguidelines\\_eng\\_high\\_res.pdf](https://unfccc.int/files/adaptation/cancun_adaptation_framework/application/pdf/naptechguidelines_eng_high_res.pdf)

<sup>79</sup> Annual Review of Environment and Resources, “Climate Change and Small Island Developing States”, Vol. 45:1-27, 13 May 2020, <https://www.annualreviews.org/content/journals/10.1146/annurev-environ-012320-083355#right-ref-B69>

<sup>80</sup> UNFCCC, The Cancun Agreements, “Adaptation – Adapting to the impacts of climate change”, <https://unfccc.int/tools/cancun/adaptation/>



region has seen a trend toward Joint National Action Plans that combine climate adaptation and disaster risk reduction into a cohesive framework.<sup>81</sup>

A key challenge for many SIDS is enhancing the horizontal and vertical connectivity of adaptation planning, linking national efforts with subnational and sectoral initiatives. A review of Caribbean adaptation planning documents revealed that most activities are concentrated at the national level, highlighting the need for better connections between national processes and practical implementation.<sup>82</sup>

Regional adaptation efforts typically focus on providing support and coordination at the national level, with variations in the extent and focus of assistance across different SIDS regions. These differences may stem from geographic, governance, institutional, and socioeconomic factors. In the Caribbean, for instance, the Caribbean Community facilitates political integration, while the Caribbean Community Climate Change Centre (CCCCC) offers practical support.<sup>83</sup> The Pacific region's Framework for Resilient Development integrates adaptation, mitigation, and disaster risk reduction into a cohesive strategy, supported by organizations like the Secretariat for the Pacific Regional Environment Programme (SPREP) and the Pacific Community.<sup>84</sup> This regional coordination has led to the creation of various tools and online platforms to aid adaptation planning, such as the Caribbean Climate Online Risk and Adaptation Tool<sup>85</sup> and the Pacific Climate Change Portal<sup>86</sup>.

Despite the high climate change risks faced by SIDS, these nations have made strides in mitigation efforts. Their NDCs outline both existing and proposed initiatives, with many setting ambitious greenhouse gas reduction targets. However, SIDS account for less than 1% of global emissions, primarily due to the importation of fossil fuels.<sup>87</sup> As a result, many SIDS are exploring the transition to renewable energy, with some aiming for a 100% renewable energy supply. This shift not only reduces emissions but also enhances disaster risk reduction (DRR) by eliminating reliance on imported fuels

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<sup>81</sup> United Nations Office for Disaster Risk Reduction (UNISDR), "The Pacific Experience in Developing Policy and Legislation on Disaster Risk Reduction and Climate Change Adaptation", [https://www.unisdr.org/files/34003\\_34003pacificexperienceonlegislation.pdf](https://www.unisdr.org/files/34003_34003pacificexperienceonlegislation.pdf)

<sup>82</sup> Thomas A, Shooya O, Rokitzki M, Bertrand M, Lissner T 2019. Climate change adaptation planning in practice: insights from the Caribbean. *Reg. Environ. Change* 19:72013–25, [https://scholar.google.com/scholar\\_lookup?title=Climate+change+adaptation+planning+in+practice%3A+insights+from+the+Caribbean&author=A+Thomas&author=O+Shooya&author=M+Rokitzki&author=M+Bertrand&author=T+Lissner&journal=Reg.+Environ.+Change&volume=19&issue=7&pages=2013-25&publication\\_year=2019&](https://scholar.google.com/scholar_lookup?title=Climate+change+adaptation+planning+in+practice%3A+insights+from+the+Caribbean&author=A+Thomas&author=O+Shooya&author=M+Rokitzki&author=M+Bertrand&author=T+Lissner&journal=Reg.+Environ.+Change&volume=19&issue=7&pages=2013-25&publication_year=2019&)

<sup>83</sup> Thomas A, Shooya O, Rokitzki M, Bertrand M, Lissner T 2019. Climate change adaptation planning in practice: insights from the Caribbean. *Reg. Environ. Change* 19:72013–25, [https://scholar.google.com/scholar\\_lookup?title=Climate+change+adaptation+planning+in+practice%3A+insights+from+the+Caribbean&author=A+Thomas&author=O+Shooya&author=M+Rokitzki&author=M+Bertrand&author=T+Lissner&journal=Reg.+Environ.+Change&volume=19&issue=7&pages=2013-25&publication\\_year=2019&](https://scholar.google.com/scholar_lookup?title=Climate+change+adaptation+planning+in+practice%3A+insights+from+the+Caribbean&author=A+Thomas&author=O+Shooya&author=M+Rokitzki&author=M+Bertrand&author=T+Lissner&journal=Reg.+Environ.+Change&volume=19&issue=7&pages=2013-25&publication_year=2019&)

<sup>84</sup> Pacific Community 2017. Framework for resilient development in the Pacific. Rep., Pacific Community Suva, Fiji. [http://gsd.spc.int/frdp/assets/FRDP\\_2016\\_Resilient\\_Dev\\_pacific.pdf](http://gsd.spc.int/frdp/assets/FRDP_2016_Resilient_Dev_pacific.pdf)

<sup>85</sup> Caribbean Climate Online Risk and Adaptation Tool (COORAL): <https://ccoral.caribbeanclimate.bz/>

<sup>86</sup> Pacific Climate Change Portal: <https://www.pacificclimatechange.net/>

<sup>87</sup> Hoad D. 2015. Reflections on small island states and the international climate change negotiations (COP21, Paris, 2015). *Isl. Stud. J.* 10:2259–62, [https://scholar.google.com/scholar\\_lookup?title=The+eco-island+trap%3A+climate+change+mitigation+and+conspicuous+sustainability&author=A+Grydeh%C3%B8&author=I.+Kelman&journal=Area&volume=49&issue=1&pages=106-13&publication\\_year=2017&](https://scholar.google.com/scholar_lookup?title=The+eco-island+trap%3A+climate+change+mitigation+and+conspicuous+sustainability&author=A+Grydeh%C3%B8&author=I.+Kelman&journal=Area&volume=49&issue=1&pages=106-13&publication_year=2017&)

that can be disrupted in disaster-affected areas.<sup>88</sup> Furthermore, transitioning to renewable sources allows for greater energy sovereignty and reduces dependence on expensive fossil fuel imports. Nonetheless, achieving self-sufficiency may still require external technology and expertise to manage renewable infrastructure.<sup>89</sup>

Many SIDS have also set carbon neutrality goals, such as the Maldives, which aims for carbon neutrality by 2030, and Dominica, which plans to become carbon negative by 2020.<sup>90</sup> However, the reliance on tourism complicates these efforts, as the sector is often carbon-intensive due to emissions from transporting tourists.<sup>91</sup> To address this, some national initiatives are evaluating the carbon footprint of tourism and implementing measures like improved energy efficiency to reduce emissions.<sup>92</sup>

The unique characteristics of SIDS present challenges to mitigation. Limited economies of scale make initial investments in renewable energy costly, and lower economic development levels mean that only wealthier citizens can afford renewable systems.<sup>93</sup> Additional barriers include the need for new policies, regulatory frameworks, and tailored research and development to adapt technologies to local contexts. Many NDCs from SIDS emphasize the necessity for human, technological, and financial support to achieve their mitigation objectives.<sup>94</sup>

In addition to traditional adaptation and mitigation strategies, SIDS face significant demographic challenges due to migration trends. As **Mr. Gryshko** (OHCHR) noted, many SIDS are experiencing a population decline of up to one-third over the past decade as individuals seek opportunities in developed countries. While migration can provide benefits for those who leave, it has led to substantial population reductions, which have profound implications for human rights in their home countries. This decline affects the preservation of cultural rights and identity, the right to health, and the right to

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<sup>88</sup> Annual Review of Environment and Resources, “Climate Change and Small Island Developing States”, Vol. 45:1-27, 13 May 2020, <https://www.annualreviews.org/content/journals/10.1146/annurev-environ-012320-083355#right-ref-B69>

<sup>89</sup> Wyllie JOY, Essah EA, Ofetotse EL 2018. Barriers of solar energy uptake and the potential for mitigation solutions in Barbados. *Renew. Sustain. Energy Rev.* 91:935–49, [https://scholar.google.com/scholar\\_lookup?title=Barriers+of+solar+energy+uptake+and+the+potential+for+mitigation+solutions+in+Barbados&author=JOY+Wyllie&author=EA+Essah&author=EL+Ofetotse&journal=Renew.+Sustain.+Energy+Rev.&volume=91&pages=935-49&publication\\_year=2018&](https://scholar.google.com/scholar_lookup?title=Barriers+of+solar+energy+uptake+and+the+potential+for+mitigation+solutions+in+Barbados&author=JOY+Wyllie&author=EA+Essah&author=EL+Ofetotse&journal=Renew.+Sustain.+Energy+Rev.&volume=91&pages=935-49&publication_year=2018&)

<sup>90</sup> Grydehøj A, Kelman I. 2017. The eco-island trap: climate change mitigation and conspicuous sustainability. *Area* 49:1106–13, [https://scholar.google.com/scholar\\_lookup?title=The+eco-island+trap%3A+climate+change+mitigation+and+conspicuous+sustainability&author=A+Grydeh%C3%B8j&author=I.+Kelman&journal=Area&volume=49&issue=1&pages=106-13&publication\\_year=2017&](https://scholar.google.com/scholar_lookup?title=The+eco-island+trap%3A+climate+change+mitigation+and+conspicuous+sustainability&author=A+Grydeh%C3%B8j&author=I.+Kelman&journal=Area&volume=49&issue=1&pages=106-13&publication_year=2017&)

<sup>91</sup> Ritty M, Gossling S, Scott D, Hall MC 2015. The global effects and impacts of tourism. *The Routledge Handbook of Tourism and Sustainability* CM Hall, S Gossling, D Scott 365–73 New York: Routledge, [https://scholar.google.com/scholar\\_lookup?title=The+global+effects+and+impacts+of+tourism&author=M+Ritty&author=S+Gossling&author=D+Scott&author=MC+Hall&journal=The+Routledge+Handbook+of+Tourism+and+Sustainability&pages=365-73&publication\\_year=2015&](https://scholar.google.com/scholar_lookup?title=The+global+effects+and+impacts+of+tourism&author=M+Ritty&author=S+Gossling&author=D+Scott&author=MC+Hall&journal=The+Routledge+Handbook+of+Tourism+and+Sustainability&pages=365-73&publication_year=2015&)

<sup>92</sup> Spencer A. 2019. *Travel and Tourism in the Caribbean* Cham, Switz: Palgrave Macmillan, [https://scholar.google.com/scholar\\_lookup?title=Travel+and+Tourism+in+the+Caribbean&author=A.+Spencer&publication\\_year=2019&](https://scholar.google.com/scholar_lookup?title=Travel+and+Tourism+in+the+Caribbean&author=A.+Spencer&publication_year=2019&)

<sup>93</sup> Annual Review of Environment and Resources, “Climate Change and Small Island Developing States”, Vol. 45:1-27, 13 May 2020, <https://www.annualreviews.org/content/journals/10.1146/annurev-environ-012320-083355#right-ref-B69>

<sup>94</sup> Hoad D. 2015. Reflections on small island states and the international climate change negotiations (COP21, Paris, 2015). *Isl. Stud. J.* 10:2259–62, [https://scholar.google.com/scholar\\_lookup?title=The+eco-island+trap%3A+climate+change+mitigation+and+conspicuous+sustainability&author=A+Grydeh%C3%B8j&author=I.+Kelman&journal=Area&volume=49&issue=1&pages=106-13&publication\\_year=2017&](https://scholar.google.com/scholar_lookup?title=The+eco-island+trap%3A+climate+change+mitigation+and+conspicuous+sustainability&author=A+Grydeh%C3%B8j&author=I.+Kelman&journal=Area&volume=49&issue=1&pages=106-13&publication_year=2017&)

a clean, healthy, and sustainable environment. Addressing these demographic challenges is crucial for ensuring that adaptation strategies are effective and sustainable in the long term.

#### **6.4. Recommendations and Best Practices for Supporting SIDS**

To effectively support SIDS in their pursuit of climate justice, a just approach is essential. Mr. Gryshko emphasized that recognizing and addressing the impacts of migration on human rights and cultural preservation is vital. Policymakers should promote opportunities for decent work in SIDS, ensuring that economic development aligns with the realization of rights to development, a healthy environment, and cultural preservation. Encouraging policies that facilitate the return of skilled migrants and investment in local communities can help mitigate the adverse effects of population decline while enhancing the resilience of SIDS against climate change.

In addition, strengthening SIDS' resilience and promoting climate justice requires tailored strategies and global cooperation.<sup>95</sup> The following recommendations highlight key areas where international support, legal frameworks, and partnerships can empower SIDS to adapt to climate impacts, hold larger polluters accountable, and advocate for the rights of future generations.

1. **Climate Adaptation and Resilience Strategies:** International support is crucial for developing climate adaptation strategies tailored to the unique needs of SIDS. This includes funding for infrastructure improvements, sustainable agriculture practices, and disaster preparedness programs. Ms. Schultz highlighted the necessity of integrating local knowledge and community involvement in policy-making processes to enhance resilience in SIDS. Empowering communities to participate in adaptation planning ensures that strategies are context-specific and culturally appropriate.
2. **Legal Mechanisms for Accountability:** SIDS should advocate for stronger legal mechanisms to hold larger polluting countries accountable for their contributions to climate change. This could involve strengthening international environmental law to ensure that historical and current emissions are recognized in climate negotiations and litigation.
3. **Enhanced Technical Assistance:** SIDS require access to technical assistance and capacity-building resources to implement climate policies effectively. Collaborative partnerships with international organizations, NGOs, and academic institutions can provide the necessary expertise and support.
4. **Global Solidarity and Partnerships:** It is essential to foster global solidarity with SIDS by building partnerships that recognize their unique challenges and vulnerabilities. Increased cooperation among nations, particularly between SIDS and developed countries, can lead to more comprehensive climate action.
5. **Reforming Global Financial Frameworks – The Bridgetown Initiative 3.0:** One of the most critical steps toward empowering SIDS is ensuring they have access to resilient and just financial frameworks. The Bridgetown Initiative 3.0, led by MS. Mia Mottley, Prime Minister of

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<sup>95</sup> United Nations, "UN Conference on Small Island Developing States delivers new era of resilience amidst SIDS' crippling debt crisis", 30 May 2024, <https://www.un.org/ohrlls/news/sids4-outcome#:~:text=To%20help%20SIDS%20meet%20their%20ambitions%20for%20resilient,obligations%20and%20commitments%20and%20urgently%20accelerate%20climate%20action.>

Barbados, calls for a reformation of global financial systems to better support developing countries, including SIDS. The initiative advocates for debt sustainability analysis reforms, enabling SIDS to invest in green technologies, climate adaptation efforts, and disaster preparedness without falling deeper into debt.<sup>96</sup>

6. **Leveraging UN Institutions and NGOs:** Relevant UN institutions and NGOs can enhance the capacity of small island states to bring climate actions before international judicial mechanisms. Through targeted support for legal assistance, capacity-building initiatives, and the sharing of best practices from successful climate litigation efforts, these organizations can empower small island states to navigate complex legal processes effectively.
7. **Advancing Intergenerational Justice:** The principle of intergenerational justice is paramount for small island states, as they bear witness to the long-term consequences of climate change on future generations. Enhancing support for climate change litigation rooted in intergenerational justice ensures that the rights of future generations are prioritized in climate decision-making, fostering a sense of responsibility among current leaders.

## 7. Interlinking Human Rights, Environmental Justice, and Intergenerational Equity

### 7.1. The Interconnection of Human Rights and Environmental Justice

The concepts of **human rights** and **environmental justice** are fundamentally interconnected, as both emphasize the intrinsic value of human dignity and the right to a healthy environment. The **Universal Declaration of Human Rights** asserts that every individual has the right to life, liberty, and security of person, which can only be fully realized in a safe and sustainable environment. Environmental degradation, pollution, and climate change threaten these rights, particularly for marginalized and vulnerable communities who often bear the brunt of environmental harm.<sup>97</sup>

Environmental justice seeks to address the inequitable distribution of environmental burdens and benefits, advocating for the rights of communities that have historically been excluded from decision-making processes. **Principle 10 of the Rio Declaration on Environment and Development** highlights the need for public access to information, participation in decision-making, and access to justice in environmental matters. This principle underscores the importance of inclusivity and equity in environmental governance, linking it directly to human rights.<sup>98</sup>

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<sup>96</sup> As underlined by H.E. Ambassador Wilson, many lower and middle-income countries currently spend more on debt repayments than on essential sectors like climate mitigation, education, and health. The Bridgetown Initiative 3.0 has already achieved significant milestones, including advocating for the establishment of a Loss and Damage Fund and pushing multilateral development banks (MDBs) to incorporate natural disaster clauses into their loan agreements. By addressing these financial barriers, the initiative provides a critical pathway for SIDS to navigate the climate crisis effectively.

<sup>97</sup> United Nations Development Programme, "The critical connection between human rights and our natural world", 10 December 2022, <https://www.undp.org/blog/critical-connection-between-human-rights-and-our-natural-world#:~:text=This%20critical%20connection%20between%20human%20rights%20and%20our,we%20cannot%20afford%20to%20address%20these%20challenges%20sequentially.>

<sup>98</sup> United Nations Environmental Programme (UNEP), Principle 10 and the Bali Guideline, <https://www.unep.org/civil-society-engagement/partnerships/principle-10#:~:text=Principle%2010%20was%20adopted%20in%201992%20as%20a,of%20all%20concerned%20citizens%20at%20the%20relevant%20level.>

Moreover, the **Paris Agreement** emphasizes the need to respect, promote, and consider human rights when taking action to address climate change, reinforcing the notion that environmental protection and human rights are not mutually exclusive but rather mutually reinforcing.<sup>99</sup>

## 7.2. The Concept of Intergenerational Equity

**Intergenerational equity** is a crucial concept in climate justice that asserts current generations have an obligation to protect the environment for future generations.<sup>100</sup> This principle posits that the decisions made today regarding resource use, environmental protection, and climate action will have lasting impacts on the well-being of future populations. As articulated in “Our Common Future” (Brundtland Report) (1987), “sustainable development is a development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.<sup>101</sup>

The obligations of current generations extend to ensuring that future generations inherit a planet capable of sustaining life and well-being. This involves not only addressing the immediate impacts of climate change but also implementing proactive measures to mitigate future risks. For instance, the **UN 2030 Agenda for Sustainable Development** emphasizes a holistic approach that integrates environmental sustainability, social inclusion, and economic development, recognizing the interconnectedness of these elements in securing a just future.<sup>102</sup>

## 7.3. Legal Precedents and Emerging Trends

There is a growing recognition of the need to hold governments accountable for their actions regarding climate change, particularly in relation to their obligations to future generations. Legal precedents are emerging globally that reflect this trend, as courts begin to interpret environmental laws through the lens of human rights and intergenerational equity.

As discussed in the Global Climate Litigation Report:2023 Status Review, produced by UNEP and the Sabin Center for Climate Change Law, since 2017, the number of climate litigation cases has more than doubled globally.<sup>103</sup> This demonstrates that litigation is becoming a key mechanism in holding governments and corporations accountable for climate inaction and inadequate policies. As of December 2022, there have been 2,180 climate-related cases filed in 65 jurisdictions, and 17% of these cases have emerged from developing countries, including SIDS.

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<sup>99</sup> Office of the High Commissioner for Human Rights (OHCHR), “Integrating human rights at the UNFCCC”, <https://www.ohchr.org/en/climate-change/integrating-human-rights-unfccc>

<sup>100</sup> United Nations System, Chief Executive Board for Coordination (CEB), High-Level Committee on Programmes (HLCP), Core Group on Duties to the Future, “Duties to the future through an intergenerational equity lens: Frequently Asked Questions”, 22 January 2024, <https://unsceb.org/sites/default/files/2024-01/FAQ%20on%20Duties%20to%20the%20future%20through%20an%20intergenerational%20equity%20lens%20%28HLCP%20core%20group%20on%20duties%20to%20the%20future%29.pdf>

<sup>101</sup> United Nations, Report of the World Commission on Environment and Development, “Our Common Future”, 1987, <https://digitallibrary.un.org/record/139811?v=pdf>

<sup>102</sup> United Nations General Assembly, “Transforming Our World: The 2030 Agenda for Sustainable Development”, <https://sdgs.un.org/2030agenda>

<sup>103</sup> United Nations Environment Programme, “Global Climate Litigation Report: 2023 Status Review”, 27 July 2023, <https://www.unep.org/resources/report/global-climate-litigation-report-2023-status-review>

Groundbreaking cases from around the world, such as the Torres Strait Islanders' case against the Australian government<sup>104</sup> and Brazil's Supreme Court ruling that the Paris Agreement constitutes a human rights treaty<sup>105</sup>, have set important legal precedents. These decisions are forging new legal frameworks that directly connect human rights and environmental protection.

Many of these cases invoke human rights principles, such as the right to a healthy environment, as legal arguments for stronger climate action. Courts are increasingly recognizing the human rights implications of climate change, creating stronger protections for vulnerable groups, including indigenous communities and youth.<sup>106</sup>

These cases underscore the vital role that courts can play in addressing the impacts of climate change, not only by holding governments and corporations accountable but also by reinforcing the link between climate action and the protection of human rights. Below is a selection of notable judicial decisions that have shaped the legal landscape of climate justice, highlighting key principles such as intergenerational equity, environmental protection, and corporate responsibility. These cases serve as precedents for future litigation and reflect the global effort to align climate policies with human rights obligations.

1. **ClientEarth v. Secretary of State for Business, Energy & Industrial Strategy** (UK, 2022; UK, 2024): In this case, the UK High Court ruled that the government's failure to meet its climate targets under the Climate Change Act was unlawful. The court emphasized the necessity of upholding legal obligations to ensure a sustainable environment for future generations.<sup>107</sup>
2. **Juliana v. United States** (USA, 2016): This landmark case involved a group of young plaintiffs who sued the U.S. government for failing to take adequate action on climate change. They argued that the government's actions violated their constitutional rights to life, liberty, and property. Although the case faced significant legal hurdles, it raised awareness about the rights of future generations in the context of climate change.<sup>108</sup>
3. **Leghari v. Federation of Pakistan** (Pakistan, 2015): In this case, a Pakistani farmer filed a petition against the government for failing to implement its climate change policy, which the Lahore High Court ruled was a violation of citizens' rights to a healthy environment. The court mandated that the government take immediate action to fulfill its commitments under national climate policy, linking human rights directly to environmental protection.<sup>109</sup>

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<sup>104</sup> Office of the High Commissioner for Human Rights, "Australia violated Torres Strait Islanders' rights to enjoy culture and family life, UN Committee finds", 23 September 2022, <https://www.ohchr.org/en/press-releases/2022/09/australia-violated-torres-strait-islanders-rights-enjoy-culture-and-family>

<sup>105</sup> Clifford Change, "Brazilian Supreme Court recognizes the Paris Agreement as a "human rights treaty", 10 August 2022, <https://www.cliffordchance.com/insights/resources/blogs/business-and-human-rights-insights/2022/08/brazilian-supreme-court-recognises-the-paris-agreement-as-a-human-rights-treaty.html>

<sup>106</sup> UK Parliament, "A new precedent for climate change in human rights law", 1 May 2024, <https://commonslibrary.parliament.uk/a-new-precedent-for-climate-change-in-human-rights-law/>

<sup>107</sup> ClientEarth, "We've won in court against the UK government for the second time", 3 May 2024, <https://www.clientearth.org/latest/news/we-re-taking-the-uk-government-over-its-net-zero-strategy/>

<sup>108</sup> Our Children's Trust, "Julian v. US", <https://www.ourchildrenstrust.org/juliana-v-us-old>

<sup>109</sup> Climate Change Litigation Databases, "Leghari v. Federation of Pakistan", 2015, <https://climatecasechart.com/non-us-case/ashgar-leghari-v-federation-of-pakistan/>

4. **Milieudefensie v. Royal Dutch Shell** (Netherlands, 2021): This case resulted in the Dutch court ordering Royal Dutch Shell to reduce its greenhouse gas emissions by 45% by 2030 compared to 2019 levels. The court's decision was grounded in the recognition of the company's responsibility toward human rights and the need for sustainable practices, reflecting a growing trend in recognizing corporate accountability in the context of climate justice.<sup>110</sup>
5. **Verein KlimaSeniorinnen Schweiz v. Switzerland** (European Court of Human Rights, 2024): In this landmark case, a group of elderly women successfully argued that Switzerland's insufficient action on climate change violated their rights under the European Convention on Human Rights. The European Court ruled in their favour, recognizing that the government's failure to take adequate climate measures threatened the plaintiffs' right to life and well-being, particularly given the disproportionate impact of climate change on older populations. This decision underscores the responsibility of states to address the human rights implications of their climate policies, especially for vulnerable groups most affected by environmental degradation. The ruling also sets a significant precedent for future climate justice litigation in Europe and beyond.<sup>111</sup>

These legal developments highlight an emerging trend of utilizing human rights frameworks to advance environmental justice and ensure accountability. They reflect a growing recognition of the need to prioritize the rights of both current and future generations in climate policy and decision-making.

## 8. Key Recommendations for Empowering Youth, Indigenous Peoples, and SIDS

As the impacts of climate change become increasingly severe, it is essential to empower marginalized communities, including youth, indigenous peoples, and SIDS. The following recommendations aim to enhance their participation in climate governance, ensure their rights are respected, and facilitate their contributions to climate justice.

### National Governments

- **Incorporate Climate Justice into National Policies:** Governments should integrate climate justice principles into national climate policies and action plans, recognizing the rights of marginalized communities and ensuring equitable distribution of resources. Building on the experience of countries like the Philippines, as noted by Mr. Borje, it is essential that these global efforts integrate human rights-based approaches, ensuring that climate policies uphold dignity and safeguard the rights of vulnerable populations. This perspective shifts the focus from treating these communities as 'problems' to recognizing them as key players in driving solutions.

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<sup>110</sup>Milieudefensie, "Our Climate Case Against Shell", 2021, <https://en.milieudefensie.nl/climate-case-shell>

<sup>111</sup> KlimaSeniorinnen Schweiz & Greenpeace, "Victory for Swiss Senior Women for Climate Protection: Climate protection is a human right", 9 April 2024, <https://en.klimaseniorinnen.ch/wp-content/uploads/2024/04/2024.04.09-Joint-press-release-of-the-Senior-Women-for-Climate-Protection-Switzerland-and-Greenpeace-Switzerland.pdf>

- **Enhance Legal Frameworks:** Establish and enforce laws that protect the rights of youth, indigenous peoples, and SIDS in the context of climate change, ensuring their voices are heard in decision-making processes.
- **Invest in social protection systems:** The ILO report entitled “World Social Protection Report 2024-26: Universal social protection for climate action and a just transition” emphasizes that low-income countries, including those most vulnerable to climate change, need an additional \$308.5 billion annually to guarantee basic social coverage.<sup>112</sup> This should be a priority in international climate finance, alongside an effort to strengthen participation in climate decision-making for marginalized communities. Social protection is not only essential for resilience but also for ensuring a just transition to a low-carbon economy. Supporting workers, families, and enterprises in this shift requires governments to invest in income security, healthcare, and training programs for green jobs. For youth and Indigenous peoples, such mechanisms are critical in enabling them to take part in sustainable economic practices without fear of being left behind.

### International Bodies

- **Facilitate Global Dialogue:** Support platforms that promote dialogue and collaboration between youth, indigenous communities, and SIDS, enabling the sharing of knowledge, experiences, and best practices.
- **Strengthen International Legal Instruments:** Advocate for the inclusion of specific provisions in international agreements that recognize and protect the rights and roles of marginalized communities in climate governance.

### Civil Society Organizations

- **Capacity Building:** Provide training and resources to empower youth and indigenous leaders to engage effectively in climate advocacy and decision-making processes.
- **Advocate for Inclusivity:** Work to ensure that marginalized communities are represented in national and international climate negotiations, amplifying their voices and concerns.

### Private Sector Actors

- **Invest in Sustainable Development:** Support initiatives led by youth and indigenous communities that promote sustainable development and climate resilience.
- **Corporate Social Responsibility (CSR):** Develop CSR policies that prioritize engagement with marginalized communities and support their rights and contributions to environmental stewardship.

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<sup>112</sup> International Labour Organization, “World Social Protection Report 2024-26: Universal social protection for climate action and a just transition”, 2024, <https://www.ilo.org/publications/flagship-reports/world-social-protection-report-2024-26-universal-social-protection-climate>



## Steps to Empower Marginalized Communities in Climate Governance

- **Create Accessible Channels for Participation:** Establish clear and accessible pathways for youth, indigenous peoples, and SIDS to engage in climate governance, including representation in national delegations and climate negotiations.
- **Implement Educational Programs:** Promote educational initiatives that raise awareness of climate justice issues among youth and indigenous communities, fostering a culture of advocacy and activism.
- **Utilize Technology and Social Media:** Leverage technology and social media platforms to amplify the voices of marginalized communities, facilitating their engagement in climate discussions at local, national, and international levels.
- **Legal Reforms:** Advocate for legal reforms that recognize the rights of marginalized communities in relation to climate change, including the right to free, prior, and informed consent (FPIC) for indigenous peoples regarding projects that impact their lands and resources.
- **Enhanced Participation Mechanisms:** Establish formal mechanisms that ensure the participation of youth, indigenous peoples, and SIDS in climate governance, including dedicated seats at decision-making tables and advisory roles in climate-related institutions.
- **Financial Support Mechanisms:** Create targeted financial support programs to assist youth-led and indigenous-led initiatives focused on climate adaptation and mitigation, ensuring access to funding for projects that address their specific needs and priorities.

## 9. Conclusions

The dialogue and insights gathered during the conference underscored the critical role that youth, indigenous peoples and small island states play in advancing environmental rights and climate justice. Each of these groups brings unique perspectives, knowledge, and resilience that are essential in tackling the multifaceted challenges posed by climate change.

Young activists are at the forefront of climate advocacy, harnessing their energy and creativity to drive meaningful change. Their engagement is vital not only for fostering innovative solutions but also for ensuring that climate action is inclusive and representative of diverse voices.

Indigenous peoples possess invaluable traditional knowledge that contributes to sustainable environmental stewardship. The recognition and protection of their rights are essential for preserving biodiversity and ecosystems.

Small island states are disproportionately affected by climate change, facing existential threats from rising sea levels and extreme weather events. Their resilience and adaptive strategies offer critical lessons in vulnerability and innovation.

The upcoming COP29 presents a pivotal opportunity for advancing climate justice and safeguarding human rights, as highlighted by **Mr. Sébastien Duyck**, Senior Attorney at the **Centre for International Environmental Law** (CIEL). To achieve meaningful outcomes, it is imperative to guarantee free speech and safe participation for all attendees. Finance must remain a top priority, with developed nations

held accountable for fulfilling their legal obligations to support vulnerable states. Furthermore, urgent action is needed to accelerate the decarbonization of our global economy and to prevent the adoption of mechanisms that perpetuate business-as-usual practices in the fossil fuel industry, including ineffective carbon markets. Emphasizing these critical issues will be essential in shaping a fair and just response to the climate crisis, ensuring that the voices of those most impacted are heard and that intergenerational justice is prioritized.

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*“It is crucial for human rights actors in Geneva to utilize every legal tool at our disposal to tackle these challenges and to build upon the existing legal frameworks. Climate change should be addressed through legal principles, norms, and obligations rather than being subject to endless negotiations.”*

*Mr. Sébastien Duyck, Senior Attorney, CIEL*

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Moving forward, it is imperative for governments, NGOs, and international organizations to recognize and support the contributions of youth, Indigenous peoples, and small island states. Collaborative efforts must prioritize inclusive policies that empower these groups, ensuring that they have a seat at the table in climate negotiations and decision-making processes. The path toward environmental justice and climate action requires a unified approach that values and

integrates the diverse contributions of all stakeholders. By fostering collaboration and amplifying marginalized voices, we can work toward a sustainable and equitable future for all.

## 10. Appendices

### • Glossary of Key Terms

- **Climate Justice** – A framework recognizing the social, economic, and environmental disparities in how climate change affects different communities, prioritizing fair treatment and involvement of marginalized groups in climate action.
- **Intergenerational Equity** – The principle that current generations have an obligation to preserve the environment for future generations, often highlighted in legal cases advocating for climate action.
- **Environmental Rights** – Rights that establish the entitlement to a safe, clean, and sustainable environment as essential for human well-being and survival.
- **Indigenous Knowledge** – Traditional, ecological knowledge passed down through generations, integral to environmental stewardship and resilience against climate impacts.
- **Loss and Damage** – Refers to climate-related loss and harm to communities, often addressed in climate finance discussions and agreements such as COP negotiations.
- **Just Transition** – Ensures that transitions to low-carbon economies include equitable support for affected communities, such as coal-dependent regions, through initiatives like the European Green Deal's Just Transition Mechanism.

### • List of Relevant International Treaties and Legal Framework

- **United Nations Framework Convention on Climate Change (UNFCCC)** – The foundational treaty for coordinating global climate action, established in 1992.

- **Paris Agreement (2015)** – A legally binding agreement under the UNFCCC aiming to limit global temperature increases and addressing climate justice through "common but differentiated responsibilities."
- **Escazú Agreement (2018)** – A Latin American and Caribbean treaty promoting access to environmental information, public participation, and protection for environmental defenders.
- **Sendai Framework for Disaster Risk Reduction (2015-2030)** – Integrates climate adaptation into disaster risk management, focusing on the needs of marginalized communities.
- **International Labour Organization's Convention 169 (1989)** – A treaty recognizing the rights of Indigenous peoples, emphasizing self-determination, land rights, and participation in decisions impacting their territories.
- **UN Declaration on the Rights of Indigenous Peoples (UNDRIP)** – Establishes standards for the recognition and protection of Indigenous rights, advocating for meaningful participation in climate decisions.
- **Stockholm Declaration (1972)** – Highlights intergenerational equity, asserting the duty of current generations to preserve the environment for future generations.

- **List of Main Abbreviations**

- **COP** - Conference of the Parties
- **CRC** – United Nations Committee on the Rights of the Child
- **CBDRRC** - Common but Differentiated Responsibilities and Respective Capabilities
- **GGA** - Global Goal on Adaptation
- **HRC** - United Nations Human Rights Council
- **ICJ** - International Court of Justice
- **ILO** - International Labour Organization
- **IPCC** - Intergovernmental Panel on Climate Change
- **NAP** - National Adaptation Plans
- **NAPA** - National Adaptation Programmes of Action
- **NDC** - Nationally Determined Contributions
- **OHCHR** – United Nations Office of the United Nations High Commissioner for Human Rights
- **SIDS** - Small Island Developing States
- **SPREP** - Secretariat for the Pacific Regional Environment Programme
- **UN** - United Nations
- **UNDRIP** - United Nations Declaration on the Rights of Indigenous Peoples
- **UNEP** - United Nations Environment Programme
- **UNFCCC** - United Nations Framework Convention on Climate Change



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