**STATEMENT BY MITHIKA MWENDA, PACJA SECRETARY GENERAL ON THE OCCASION OF THE 28TH SESSION OF THE HUMAN RIGHTS COUNCIL PANEL DISCUSSION ON HUMAN RIGHTS AND CLIMATE CHANGE**

**Friday, 6 March 2015, 09.00 – 18.00, Room XX, Palais des Nations, Geneva**

**Distinguished Panelists, Ladies and gentlemen,**

It is indeed a great pleasure to address this Panel, and on my behalf and on behalf of the Pan African Climate Justice Alliance, may I first and foremost take this opportunity to thank the Office of the UN Commissioner for Human Rights for organizing this Panel discussion, which brings together the indefatigable human rights advocates, and which will go a long way in the understanding of the nexus between climate change and human rights.

It is quite sure that human rights will stay on the HRC agenda and will come on to the UNFCCC agenda. We don't have to fight for this. What we do need to agitate for is to ensure that human rights are appropriately considered in a way that helps Africans, who will be among the most effected people on Earth.

In this regard, we need to ensure that a broad understanding of human rights is used. This should be an understanding that places the right to development, especially achieving equitable or even equal development between States is central. Distractors will say development, through the human rights perspective, is something within States. That is wrong - it is both between States and within them. To address climate change adequately, development between States is essential as that is the link to the UNFCCC regime.

The paradigm shift occasioned by challenges posed by the changing climate should make acceptable concepts such as indigenous rights and the rights of Mother Earth as they emanate from values that are evident in African cultures and are embedded in the understanding of cooperation that emanates from Africa people. They are the foundation, for example, of the cooperation needed to ensure the right to food for all Africans.

**Mr. moderator, ladies and gentlemen**, all States with almost no exceptions have accepted the extraterritorial reach of their legal obligations in relation to human rights. This means that discussions about climate change and human rights should not be about whether States can be held accountable for their action or inaction that contributes to the adverse effects of climate change that interfere with human rights, but how best to implement this responsibility.

May I reiterate the call for a Special Rapporteur on Human and Climate Change that NGOs unanimously made at the 2010 HRC Social Forum. No other timely moment could inspire the appointment of such a Rapporteur than the Countdown to the decisive Paris Climate Conference, which will conclude discussions on a new climate change agreement. As this may come into reality soon, allow me to use this Panel to mention some qualifications we as Africans may want to see such a person possess; (1) an understanding of different values, (2) understanding of the right to development, (3) detailed knowledge of the UNFCCC climate change negotiations, and (4) the ability to connect with victims, with a demonstrable evidence of having made a significant effort to do so.

May I end by recalling the words of Lumumba Diaping, the then Chair of G77+China during the COP15 in 2009 that “a hundred million Sub-Saharan Africans will die due to the unaddressed consequences of climate change in this century”. As I was leaving Nairobi to participate in this Panel, the Government of Kenya had issued a famine alert, and was shipping emergency relief food and water to farming communities facing starvation due to prolonged climate-related drought and insufficient rainfall. The consequence of this is that funds earmarked for infrastructural projects such as roads, provision of health services and providing quality education to children would be diverted to address climate-inspired disasters. This is a cycle our country and communities are used to. This is the life we go through every day, every year. And mark you, someone somewhere, caused this problem, and has defiantly refused to take responsibility.

I thank you all.