***Challenges and ways forward towards the realization of human rights for all, including the right to development, in particular those in vulnerable situations, as well as measures and best practices to promote and protect human rights that can be adopted by States in addressing the adverse effects of climate change on the full and effective enjoyment of human rights***

Victoria Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples

H.E. President Anote Tong of the Republic of Kiribati, H.E. Mr. Abul Hassam Mahmood Ali, Minister of Foreign Affairs, Bangladesh, Deputy HCHR Flavia Pansieri, Your excellencies, Ladies and Gentlemen.

I would like to thank the Human Rights Council for inviting me to speak on a topic which is very close to my heart and to my mandate as the UN Special Rapporteur on the Rights of Indigenous Peoples. I am pleased to see that HR Council Resolution 26/27 highlighted the importance of addressing the human rights impacts of climate change in the context of ongoing discussions related to the United Nations Framework Convention on Climate Change (UNFCCC) and the post-2015 development agenda.

Indigenous peoples, like many developing countries, are among those who have least contributed to the problem of climate change but are the ones suffering from the worst impacts of this. Most of them live in the most fragile ecosystems, such as high mountains, the Arctic, low-lying coastal areas and open grasslands, among others.

Because of how and where indigenous peoples live, climate impacts are quickly and fiercely disrupting their communities. The IPCC says that displacement risks are worse where incomes are low. Indigenous peoples are among the most culturally endangered communities as they live in places where climate change greatly threatens their very survival. Several indigenous peoples who live in small island states where water level is rising are already in situations where they have to leave their ancestral homelands. The implications of this on their right to self-determination, on their identities and right to their cultures can hardly be fathomed. I met with young indigenous peoples of Kiribati who have shown me pictures and videos of their islands and houses sinking. I also met Ursula Rakova of Carteret Island, who is the leader of her people who have to move to Bougainville, as their island is already underwater. By this year, the whole Carteret Island will be fully submerged and the last climate refugees are moving to other countries including Australia.

The IPCC’s [5th Assessment] report raised concerns about climate impacts on the Aymara in Bolivia due to water shortage, indigenous peoples in the Arctic especially in Canada and Russia, and on the livelihoods of Sámi people in Northern Europe. Several reports were made on how some villages of the Inuit and Inupiat in Alaska are falling into the sea which have led them to move further inland and create new communities.

In the Philippines where I come from, indigenous peoples who live in the high mountains and low-lying coastal areas suffered tremendously from the impacts of the strongest typhoons like Haiyan and Pablo. Haiyan affected the Tagbanua, Palaw’an, Tumandok, Bukidnon, Agta and Mangyan peoples who live in Palawan, Capiz, Roxas and Mindoro. Some died and many of their houses, crops and livelihoods were destroyed.

Clearly, the adverse impacts on indigenous peoples of climate change exacerbates further the weak realization of their human rights embedded in the UN Declaration on the Rights of Indigenous Peoples, ILO Convention No. 169. There is no doubt that the realization of their rights to self-determination and development, as well as their rights to food, water, their lands, territories and resources and to their traditional livelihoods, knowledge and cultures, among others are seriously challenged.

But aside from this indigenous peoples have also spoken of how some of the solutions to mitigate climate change are also violating their rights. When solutions such as the development of renewable energy, production of biofuel crops and the REDD+ are done in their territories by States and corporations without fully consulting them and getting their consent, their rights also get violated. This is the main reason why indigenous peoples representatives have been taking part in the climate change negotiations to make themselves and their problems more visible. Their efforts in putting safeguards in the REDD+ decisions have succeeded with the support of many governments. I was a part of the Philippine Government delegation since Copenhagen and I focused in helping put the REDD+ safeguards which recognizes that the rights and knowledge of indigenous peoples and their full and effective participation in REDD+ initiatives should be ensured.

Since I assumed this post as the UN Special Rapporteur on the Rights of Indigenous Peoples, last June 2014, I have been receiving reports about how land grabs for the production of food or biofuels and for building renewable energy projects such as hydro-electric dams and windmills in indigenous peoples’ territories. The affected peoples’ consent in some cases have not been obtained and their effective and full participation in consultations held were not done. The end results are displacements or relocation of indigenous peoples from their ancestral territories. These are very sad stories which need not happen. We do not have to compromise rights to solve climate change.

Indigenous peoples have asserted that they can also help in providing solutions to mitigate climate change and also in the work of adaptation. The nature of this problem calls on all of us to contribute to its solution. Let me now move to what indigenous peoples are offering in terms of solutions and how these link with respect for human rights.

**We need all solutions on the table to solve climate change, and indigenous peoples have proven methods that will help us.**

**Indigenous peoples knowledge is vital**: At the World Conference of Indigenous Peoples this past year, Chief Oren Lyons reminded us how fifteen years ago, a runner from Greenland warned us how the ice is melting in the north.  The IPCC has finally confirmed the risks of the melting Greenland ice sheet and tell us that glaciers are receding globally. According to the IPCC’s Fifth Assessment report, Indigenous knowledge can help manage risks to ecosystems and economies due to changes in ice, snow cover, permafrost, and freshwater/ocean conditions. In fact, the IPCC specifically recommends combining indigenous and scientific knowledge to cope with “unprecedented challenges” to arctic communities

The IPCC also confirmed what indigenous peoples have been saying for a long time: indigenous knowledge increases the effectiveness of adaptation measures: “Indigenous, local, and traditional knowledge systems and practices, including indigenous peoples’ holistic view of community and environment, are a major resource for adapting to climate change, but these have not been used consistently in existing adaptation efforts.” (IPCC Fifth Assessment report).

**Supporting indigenous rights and knowledge leads to better adaptation outcomes.** Here are ways the IPCC says we can help manage climate impacts:

* A key way to manage problems associated with decreased food production and food quality is strengthening indigenous knowledge and practices.
* Sharing indigenous, traditional, & local knowledge supports structural, physical and social adaptation measures
* Community-based adaptation and community-based natural resource management are key to resilience.
* Use of indigenous climate observations supports information for adaptation and mitigation activities  community-based monitoring can help reduce countries’ monitoring costs and enhance early warning systems.
* Two key opportunities the IPCC identified for mitigation and adaptation co-benefits are ones where indigenous peoples are already leading the way: sustainable agriculture and forestry, and protecting ecosystems for carbon storage and other ecosystem services.
* Indigenous peoples have a lot to teach about low-carbon lifestyles and livelihoods: the more states realize their rights and reinforce their knowledge, the more they can be effective in fighting climate change.

I see climate change as the biggest proof of the unsustainability of the dominant development model of overconsumption, hyper-individualism and the incessant pursuit for economic growth and profit which has led towards the most scandalous levels of inequalities between countries and between peoples inside the countries. Solving climate change requires us to drastically change how we have been doing economic development in the past years.

This is where the Post-2015 Development Agenda comes in. Many of the world’s remaining tropical forests which still contribute to sequestering carbon dioxide emissions are found in the indigenous peoples’ territories. The World Bank has done a study which shows that while indigenous peoples live in 22% of the total land mass of the globe but 80% of the world’s biodiversity are found in these lands. All these mean that there are many things which indigenous peoples are doing which are right. Their efforts to sustain their customary ways of valuing and protecting the ecosystems and biodiversity in their ancestral lands contribute to mitigation and adaptation.

There are several studies done which already show how respecting rights contributes to the mitigating climate change. The World Resources Institute, together with the Rights and Resources Initiative, did a study on the links between respecting indigenous and local communities rights to their forests. The results of this study was released in a report entitled “Securing Rights, Combating Climate Change.” The main conclusion of this study states that strengthening indigenous peoples and local communities rights to their forests is an effective way for governments to meet climate goals, safeguard forests and protect the livelihoods of their citizens.

The study looked at how the deforestation rates are in countries where governments with strong legal recognition of rights to forests. In the Brazilian Amazon results show that in areas where the State recognized rights of indigenous peoples to forests, the deforestation rate is 11 times lower compared to the forests where rights to forests are not recognized, The Bolivian Amazon shows 6 time lower and the Guatemala Peten is 20 X lower. 1/8 of the world’s forests are community forests and these contain 37.7 billion tonnes of carbon. If these are released the emissions will be 29 times larger than the annual carbon footprint of all passenger vehicles in the world.

Climate change deserve real solutions—there are simple steps we can take to make sure human rights, including indigenous peoples’ rights, are respected, protected, fulfilled and remedied.

       The Paris agreement needs to acknowledge that respecting all human rights for all is an integral component in all decisions and actions taken on climate change mitigation and adaptation measures. A few options for the UNFCCC , including the Secretariat of the UNFCCC are the following:

* The COP can request input and advice from the UN Human Rights Council/Office of the UN High Commissioner on Human Rights and the Special Rappporteurs on how to operationalize human rights protections in climate policy.
* The current draft for Paris has opportunities to remove brackets and pick options that support indigenous peoples’ rights and knowledge. Why would anyone like to bracket paragraphs referring to indigenous peoples’ rights, when evidence shows the important contributions of indigenous peoples as long as their rights are respected and protected. Indigenous peoples capacities to contribute to the solutions cannot be underestimated.

Participatory rights matter. Giving indigenous voices their full voice and vote in decisions yields stronger and more effective outcomes. Including indigenous peoples in climate-related decisions is a win-win. It allows us to incorporate indigenous knowledge and information that improves decision-making and leads to better outcomes with social and development co-benefits instead of negative impacts.

Since where climate funds are spent defines how serious we are in addressing climate change, indigenous peoples also are urging that the climate funds, including the Green Climate Fund, include seats for indigenous peoples as observers in decision making bodies, like the way the UN-REDD Collaborative Program and the FCPF (Forest Carbon Partnership Facility) have done.

I will conclude by reminding all of us again that the rights of those who suffer the most from climate change and yet can contribute to the solutions should be protected, respected and fulfilled. States who are the duty bearers of human rights can do this, not only because this is the moral and right thing to do, but also because they contribute real solutions to climate change.

Finally, I would like to thank the 18 Member States who signed the Geneva Pledge on Human Rights and Climate Action. I echo Deputy HCHR Flavia Pansieri’s call for all of you to sign to this pledge.

Thank you very much.