**Office of the United Nations High Commissioner for Human Rights**

**29 August 2016**

**Response to the UNFCCC Secretariat request for submissions on**: Paris committee on Capacity-Building – views on the annual focus area or theme for the Paris Committee on Capacity-Building for 2017 (SBI), FCCC/SBI/2016/L.24.

In response to the call of the Subsidiary Body for Implementation (SBI) of the United Nations Framework Convention on Climate Change (UNFCCC) for submissions on “the annual focus area or theme for the Paris Committee on Capacity-building for 2017”, the Office of the High Commissioner for Human Rights (OHCHR) would like to emphasize the importance of ensuring a theme that will promote capacity-building in the area of human rights and climate change. The Preamble of the Paris Agreement to the UNFCCC makes it clear that all States “should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights”.

Human Rights Council resolution 32/33 affirms “that human rights obligations, standards and principles have the potential to inform and strengthen international, regional and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes”. In its Key Messages on Human Rights and Climate Change, OHCHR outlines these obligations.[[1]](#footnote-1) The Key Messages directly touch upon critical areas relevant to capacity building. They emphasize, *inter alia*, that States have obligations to:

* Ensure that all persons have the necessary capacity to adapt to climate change
* Ensure accountability and effective remedy for human rights harms caused by climate change
* Mobilize maximum available resources for sustainable, human rights-based development
* Cooperate internationally
* Guarantee that everyone enjoys the benefits of science and its applications
* Ensure meaningful and informed participation

OHCHR notes that the draft conclusions prepared by the Chair for the Third comprehensive review of the implementation of the framework for capacity-building under the Convention reflect the state of discussion on this issue coming out of the May meetings in Bonn. The draft requests the Paris Committee on Capacity-building, in managing the 2016-2020 workplan, “to take into consideration cross-cutting issues of national priority, such as gender responsiveness, human rights and indigenous peoples’ knowledge.”[[2]](#footnote-2)

OHCHR respectfully submits that capacity-building is needed to ensure that States understand, assess and follow-through on the commitment to respect, promote and consider their respective obligations on human rights when taking action to address climate change. These include, *inter alia*, obligations related to assessing environmental, social and human rights impacts, including gender impacts, the mobilization of finance, transparency, participation, education, training and public awareness all of which are identified as priority areas within decision 1/CP.21.

The Paris Committee on Capacity-building workplan for 2016-2020, as outlined in decision 1/CP.21, calls upon States to collaborate with institutions under and outside the Convention, to identify capacity gaps and ways to address them, to promote the development of tools for capacity-building, and to foster global, regional, national and subnational cooperation. To the extent that resources permit, OHCHR stands ready to provide relevant support for capacity-building in the area of human rights and climate change and encourages Member States to include this area within their capacity-building work.

1. http://www.ohchr.org/Documents/Issues/ClimateChange/KeyMessages\_on\_HR\_CC.pdf [↑](#footnote-ref-1)
2. FCCC/SBI/2016/L.21, *see also* the submission by the Netherlands and the European Commission on behalf of the European Union and its Member States of 14 March 2016 (calling for further attention to the understanding and application of human rights in the context of climate action) http://unfccc.int/resource/docs/2016/sbi/eng/misc01.pdf [↑](#footnote-ref-2)