



## Mandate of the Independent Expert on human rights and the environment

4 December 2014

Dear friends and colleagues,

This letter is to provide an update on my work as the UN Independent Expert on human rights and the environment since my last newsletter in October.

**Human rights and climate change.** The 20<sup>th</sup> Conference of the Parties to the Framework Convention on Climate Change (FCCC) is meeting this week and next in Lima, Peru. In conjunction with the Conference, there are many activities and publications addressing the human rights implications of climate change. The following is by no means a complete list!

-- As the last newsletter explained, in October over 25 UN Independent Experts and Special Rapporteurs sent an [open letter on human rights and climate change](#) to the FCCC Parties.

-- The Lima Conference has many side events on human rights. To give one example: On Wednesday, December 10, which is also Human Rights Day, I will join Victoria Tauli-Corpuz, the Special Rapporteur on the rights of indigenous peoples, Hilal Elver, the Special Rapporteur on the right to food, and Reverend Henrik Grape of the Church of Sweden, to speak on a panel entitled “climate change threatening human rights: challenges and actions,” which meets from 11.30 to 1.00 pm in Room Sipan at the Army Headquarters. The panel is sponsored by the World Council of Churches, Friedrich-Ebert-Stiftung, and other civil society organizations, and will be moderated by Yves Lador of Earthjustice.

-- The International Bar Association has released a comprehensive report entitled “[Achieving Justice and Human Rights in an Era of Climate Disruption](#).” As the synopsis states, it “identifies problems and gaps in existing legal, human rights, trade and other institutional arrangements. It contains a series of new ideas and recommendations to governments and world institutions, such as the World Trade Organization, human rights bodies, international development financing agencies, as well as specific law and corporate governance reforms to aid in the prevention and mitigation of climate change impacts and protect the human rights of vulnerable communities.”

-- I have drafted a much shorter description of how human rights law applies to climate change, for a forthcoming treatise on climate change law. My chapter, which is entitled “[Human Rights Principles and Climate Change](#),” looks at how climate change interferes with the enjoyment of human rights recognized in international law, and how human rights law requires States to protect human rights from such interference.

-- As we focus on climate change in Peru, it is important not to lose sight of the ongoing world-wide crisis relating to environmental human rights defenders. Global Witness, which issued a [report this summer on the hundreds of killings of environmental defenders](#) over the last decade, has recently published another [report focusing on the threats to defenders in Peru](#), which were highlighted by the murders this fall of Edwin Chota and three other indigenous leaders who had opposed illegal logging in the Amazonian forests.

**Country mission to France.** I visited France October 20-24 as part of my mandate to study best practices in the use of human rights in environmental policy-making. I was particularly interested to learn about the French adoption of an Environmental Charter at the constitutional level. The press release on the country mission is available [here](#). My full report on the trip will be presented to the Human Rights Council in March.

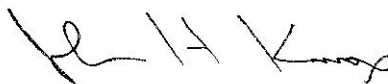
**Latin American and Caribbean implementation of Principle 10.** In November, representatives from 19 Latin American and Caribbean countries met at the headquarters of the Economic Commission for Latin America and the Caribbean (ECLAC) in Santiago, Chile, to discuss implementation of Principle 10 of the Rio Declaration, which promotes access to information, participation and justice in environmental matters. They took the important decision to launch negotiations of a regional agreement. An Executive Board co-chaired by Chile and Costa Rica will coordinate the negotiations. More information is available [here](#). I had the honor to address the meeting, to describe how a new regional agreement would contribute to the ongoing development of human rights in an environmental context. The text of my presentation is available [here](#).

**Report on Johannesburg consultation.** Earlier this year, we held an expert consultation in Johannesburg on constitutional rights to a healthy environment. The report, which includes a description of the benefits of such rights as well as examples of good practices, is available [here](#).

**UNEP Compendium.** UNEP has released [a new report](#) that provides a comprehensive, detailed compendium of materials and cases on human rights and the environment.

As always, please feel free to share your comments and questions about the mandate!

Best regards,



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