

# CLIMATE CHANGE AND HUMAN RIGHTS

A presentation to the 2020 OHCHR  
Fellowship Programme for people of  
African descent

OHCHR Climate Change and Environment Team



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# The impacts of climate change on human rights

*“A world of unchecked climate change is a graveyard for entire ecosystems, is also a graveyard for entire peoples and entire ways of living. Such is the magnitude of the impact some of us have upon this planet, others of us are suffering the most profound consequences.”*

Kate Gilmore

Former UN Deputy High Commissioner for Human Rights



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## The impacts of climate change on human rights

- The planet's **average temperature has increased by 1.1°C** since the late 19<sup>th</sup> century. The Paris Agreement calls upon States to hold the increase to well below 2°C above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels.
- The global **sea level rose about 20 cm** in the last century.
- **250,000 additional deaths** per year from malnutrition, malaria, diarrhea and heat stress between 2030 and 2050 due to climate change.
- **21.7 million internally displaced people** each year due to weather-related disasters since 2008.



# The impacts of climate change on human rights

- **Climate change directly and indirectly threatens the full and effective enjoyment of all human rights** including the rights to life, water and sanitation, food, health, housing, self-determination, culture and development.
- States have a human rights obligation to ensure that those affected by climate change, particularly those in vulnerable situations, have **access to effective remedies, access to justice and the necessary means of adaptation** to enjoy lives of human dignity.
- States also have an obligation to ensure that **climate action does not itself cause human rights violations** or aggravate existing inequalities.



# The impacts of climate change on human rights

Statement for discussion:

“Climate change discriminates”



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## Climate change and racial justice

- “Racism is endemic to global inequality. This means that those most affected – and killed – by climate change are Black and poor people” – Patrice Cullors and Nyeusi Nguvu
- People of color are more likely to live in areas vulnerable to climate-related emergencies or pollution.
- Those who are most affected by climate change related impacts are often the people who’ve contributed the least – this is true both among and within countries.



## The impacts of climate change on human rights

- All States have human rights obligations with respect to climate change and climate change mitigation and adaptation, including:
- **Prevent foreseeable adverse effects** of climate change through best efforts to enhance climate ambition;
- Take adaptation actions that **protect persons in vulnerable situations and leave no one behind**;
- **Effectively regulate different stakeholders** in order to mitigate their contributions to climate change and ensure respect for human rights; and
- **Mobilize adequate means of implementation** for climate change mitigation and adaptation.



## Climate change and the Human Rights Council

The Human Rights Council adopted its first **resolution on human rights and climate change** in 2008. Efforts relate to:

- Exploring the relationship between climate change and the protection, respect, promotion, and fulfilment of human rights.
- Towards the adoption of a new comprehensive legal agreement on climate change at the 2015 Paris Climate Conference.
- Integrating human rights in the implementation of international climate commitments, such as the NDCs.
- Focus on different issues and vulnerable groups.



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# Climate change and the human rights mechanisms

- The **Human Rights Treaty Bodies** are increasingly referring to the impacts of climate change and environmental degradation
  - Joint statement on States' obligations to prevent climate change harm (5 TBs)
  - *Teitiota* decision by the Human Rights Committee
  - Children and youth climate case filed before the Committee on the Rights of the Child
- An increasing number of recommendations related to climate change is made during the **Universal Periodic Review**. Since 2017 183 recommendations were formulated on climate action, of which 175 were supported by the States under review.



# Climate change and the human rights mechanisms

- **Special procedures** mandate holders increasingly address climate change:
  - Special Rapporteur on human rights and the environment (2012 mandate)
  - Special Rapporteur on the rights of indigenous peoples (2017 report)
  - Special Rapporteur on extreme poverty and human rights (2019 report)
  - Special Rapporteur in the field of cultural rights (2020 report)
- **A Special Rapporteur on climate change?**



## The human right to a healthy environment

- Increasing **recognition and implementation** of the right to a healthy and sustainable environment contributes to mitigating and adapting to climate change, realizing human rights for all.
- This rights is recognized in over **150 countries** through national and regional laws and jurisprudence.
- The **Human Rights Council** has already referenced the right to a healthy environment in its resolutions (37/8 and 40/11).
- In 1981, The **African Charter on Human and Peoples' Rights** recognized that “all peoples shall have the right to a general satisfactory environment favorable to their development”.



# The impacts of climate change on human rights

## Experience sharing:

What are the adverse impacts of climate change on the effective enjoyment of **your** human rights?

Any other questions or comments?



# THANK YOU!

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