



UNITED NATIONS HUMAN RIGHTS SPECIAL PROCEDURES

SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

Call for inputs Special Rapporteur on the promotion and protection of human rights in the context of climate change “Access to information on climate change and human rights”

Purpose: To inform the thematic report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change to the United Nations General Assembly 79th session.

Background: In her upcoming report, the Special Rapporteur seeks to explore the specificities, challenges and good practices related to access to information on climate change and human rights. The report will focus on States’ international obligations, individually and as part of international cooperation, as well as business responsibility to respect human rights in this context. The report will identify gaps and shortcomings, in relation to which the Special Rapporteur would seek to make constructive and concrete recommendations to help States strengthen access to information on climate change and human rights, as a view to supporting the exercise of procedural rights in the context of climate change, enhancing the effectiveness of decision-making processes, and better protecting substantive human rights that can be negatively impacted by climate change, including by preventing discrimination.

Objectives: The call for inputs aims at advancing understanding on how the respect, protection and fulfilment of the human right to access information can support the exercise of procedural rights in relation to climate change, as well as prevent harm and ensure non-discrimination. Inputs are expected to shed light on the distinctive human rights challenges in relation to access to information on climate change, including through international cooperation, in comparison to other thematic areas of access to environmental information (see Framework Principle 7 on Human Rights and the Environment: A/HRC/37/59; and access to information on toxics and human rights: A/HRC/27/54). The inputs are also expected to share good practices and/or lessons learned on public access to information on climate change and human rights, with a view to ensuring public participation in decision-making and access to justice and effective remedies.

Key questions and types of input or comments sought : The Special Rapporteur would like to invite States, interested individuals and organizations working on issues related to climate change, environmental democracy, business responsibilities, or access to environmental information, to provide input for the preparation of her thematic report. Inputs can be both country-specific or of a general nature. They may contain information on the following subjects:

1. What kind of information should be collected and shared to identify and prevent negative impacts on human rights arising from climate change and climate change response measures? What kind of information can be particularly challenging to access and why?

To effectively identify and prevent negative impacts on human rights arising from climate change and related response measures, it is crucial for states to gather and disseminate comprehensive and specific information. The key types of information to be collected and shared:

Climate Data and Projections: States are required to collect detailed weather and climate Pattern records of temperature, precipitation, sea level rise, and extreme weather events. As well as make future climate change projections future scenarios based on different Greenhouse Gas emission (GHGs) trajectories.

Vulnerability and Impact Assessments: States are required to identify vulnerable groups disproportionately affected by climate change, such as low-income communities, indigenous peoples, women, children, the elderly, and people with disabilities. As well as data on the incidence and distribution of climate-sensitive diseases, malnutrition rates, and access to healthcare services. Additionally, the effects on agriculture, fisheries, and other climate-sensitive industries, including changes in productivity and income levels.

Environmental Data: States are required to collect information on the impact of climate change on natural ecosystems and biodiversity, including species at risk of extinction. Also on data on water availability, quality, and access, particularly in regions experiencing drought or water scarcity.

Human Rights Data

States are required to develop robust reporting mechanisms that allow for data collection on instances of human rights violations related to climate change impacts or response measures, such as forced evictions, loss of land, and reduced access to resources. Furthermore, States are required to collect information on the availability and accessibility of legal mechanisms for individuals and communities to seek redress for rights violations.

Accessing certain types of information related to climate change and human rights can be particularly challenging due to various factors. **Environmental Data.** Collecting accurate environmental data requires specialized skills and advanced equipment, which may not be available in all countries¹. Environmental monitoring and research often need substantial funding, which is frequently lacking in low-income rural areas². Climate change impacts are long-term processes, necessitating consistent and ongoing data collection that is often missing³. **Human Rights Violations Data.** In Zambia, victims of human rights violations often do not report incidents due to fear of retribution or a lack of trust in

¹ IPCC. (2019). "The Ocean and Cryosphere in a Changing Climate: A Special Report of the Intergovernmental Panel on Climate Change." Retrieved from IPCC

² World Bank. (2020). "Financing Climate Action: A Guide for Low and Middle Income Countries." Retrieved from World Bank

³ United Nations Framework Convention on Climate Change (UNFCCC). (2019). "The Importance of Long-term Climate Data Collection." Retrieved from UNFCCC

authorities.⁴ Human rights data can be politically sensitive, and governments may restrict access to this information to avoid scrutiny or criticism⁵

2. Are existing approaches to collect, share and monitor information on climate change and human rights sufficient for the public to assess the magnitude of actual and potential negative impacts on their human rights, and the adequacy of States' responses to these risks? How can these approaches be improved?

Current Approaches and Their Sufficiency

While there are existing mechanisms for collecting, sharing, and monitoring information on climate change and human rights, several gaps and limitations hinder the public's ability to fully assess the magnitude of impacts and the adequacy of state responses. For instance Hon. Eng. Nzovu, in his ministerial statement and rainfall forecast for the 2023/2024 rainy season, delivered on the floor of Parliament, highlighted the likely adverse weather conditions that Zambian farmers may face due to the El Niño phenomenon.⁶ According to the advisory from the Zambia Meteorological Agency (ZMA), the 2023/2024 farming season is expected to experience reduced rainfall, significantly impacting crop yields.⁷

Despite this critical advisory, it is concerning that the Zambian government did not ensure that small-scale farmers, particularly those in rural areas without access to the internet or radio/TV services, had adequate information on climate change and its impact on their human rights. Access to timely weather updates is crucial for farmers to adjust their farming activities accordingly and mitigate potential losses.

Moreover, the government proceeded to implement the 2023/2024 Farmer Input Support Program, providing agricultural inputs such as maize hybrid seed, fertilizers (compound D and Urea), and a legume of the farmers' choice at subsidized prices. At the cost of K9,118,154 (\$354,015.22).⁸ While this program aims to support farmers, it is imperative to acknowledge that maize, Zambia's staple food, requires substantial water to grow. Given the anticipated El Niño conditions, it would have been prudent to promote drought-resistant crops and provide training on climate-resilient agricultural practices.

As a member of the international community and have established reporting systems for climate data, such as greenhouse gas inventories and Nationally Determined Contributions (NDCs) under the Paris Agreement, Instruments like the Universal Periodic Review (UPR), Zambia has access to platforms such as the UNFCCC's Climate Change Knowledge Portal and the IPCC reports provide access to a wealth of climate-related information. It is crucial that this information is effectively communicated to small-scale farmers and the broader population. Ensuring access to accurate and timely weather information is a fundamental aspect of upholding human rights, as it empowers citizens to make informed decisions and protect their livelihoods.

⁴ Human Rights Watch. (2020). "Silenced and Forgotten: Survivors of Zambia's Sexual Violence Epidemic." Retrieved from Human Rights Watch.

⁵ Transparency International. (2020). "Corruption Perceptions Index: Zambia." Retrieved from Transparency International

⁶ ministerial statement on the rainfall pattern and prolonged dry spells during the 2023/2024 rainy season by the minister of green economy and environment (eng. Nzovu), mp

⁷ <https://klaptonre.com/zambia-expected-to-be-hit-by-el-nino-are-farmers-ready>

⁸ Ministry of Agriculture farmer input support programme (fisp)2023/24 DIS & eVoucher Implementation Handbook

2. Areas for Improvement

To enhance the sufficiency of existing approaches and ensure the public can adequately assess the impacts of climate change on human rights and state responses, **the Zambia government should** ensure that climate and human rights data are collected comprehensively and systematically, with adequate resources allocated for these activities. The data collected should be disaggregated by gender, age, ethnicity, and other relevant factors to understand the differential impacts on various populations. This collected information on Climate Change and Human rights, the states should ensure that the public has access to this information and the information should be presented in accessible, easy-to-understand formats, including visual aids, multiple languages and summaries for the general public.

3. Are there undue barriers to obtain access to information on human rights and climate change that is up to date? (eg, language and technical accessibility, use of technology, grounds for non-disclosure, other?)

Yes, there are several undue barriers to obtaining up-to-date information on human rights and climate change. These barriers hinder the ability of individuals, rural communities, and organizations to effectively access, understand, and use relevant information. Many reports, databases, and scientific publications often use complex language and jargon that can be difficult for non-experts to understand. A majority of rural and marginalized communities who are vulnerable to the shocks of climate change and human rights violation often lack reliable internet access, making it difficult to access online information and resources. Lastly, lack of coordination among international organizations, governments, and NGOs can lead to fragmented efforts and duplication of data collection, making it harder to access comprehensive information. Data related to climate change and human rights is often siloed in different organizations and databases, making it difficult to obtain a holistic view.

4. Are there examples in which international cooperation effectively supported public access to information on climate change and human rights? What are the challenges in implementing UNFCCC Articles 4 (public access to information) and 6 (public awareness), and Paris Agreement Article 12 (public access to information), and other international instruments and processes that can support/contribute to international cooperation on access to information on climate change and human rights?

Example of Effective International Cooperation in Public Access to Information on Climate Change and Human Rights include; United Nations Framework Convention on Climate Change (UNFCCC) Initiatives: The UNFCCC Climate Knowledge Portal provides a comprehensive platform for accessing climate-related data, including information on climate impacts, vulnerabilities, and adaptation strategies. It serves as a critical resource for policymakers, researchers, and the public.

5. Are there concrete examples of, or specific challenges for business to communicate information on risks, including in different countries, in relation to climate change and human rights? What are the barriers for the rights holders to access to this information and to evaluate the adequacy of an enterprise's response to these risks? Are there specific examples of State regulation that have significantly improved access to information held by private actors on climate change and human rights?

Concrete Examples and Specific Challenges for Businesses in Communicating Climate Change and Human Rights Risks include the Global Reporting Initiative (GRI) Standards. Many companies use the GRI Standards to report on their sustainability impacts, including climate change and human rights. This framework helps businesses disclose information systematically, though the depth and quality of disclosures can vary.⁹

⁹ Global Reporting Initiative (GRI). (n.d.). GRI Standards. Retrieved from Global Reporting Initiative

Recommendations for Improvement: Developing and adopting harmonized global standards for climate and human rights reporting will improve consistency and comparability of disclosures. Strengthening national regulations to mandate comprehensive and accessible reporting on climate and human rights risks can drive better corporate transparency.

6. What are the impacts on human rights of inadequate access to information from public authorities and/or business? Are there concrete examples of, or specific challenges in, collecting and sharing information on disproportionate levels of actual and potential harm from climate change and climate change response measures (disaggregated data on Indigenous Peoples, women, children, local communities, persons with disabilities, older persons, persons living in extreme poverty, others)?

Impacts on Human Rights of Inadequate Access to Information from Public Authorities and/or Businesses. Violation of the Right to Food: Without timely information on climate conditions and agricultural advisories, farmers may suffer crop failures, leading to food insecurity and malnutrition. For instance, the drought experienced during this season was the worst in forty years, adversely affecting surface water levels, crop, and pasture production for an estimated 6,552,027 people (translating to 1,092,005 farming households) across the Zambis. The late onset and prolonged dry spells associated with El Niño coincided with the crucial vegetative and flowering stages of staple and economic crops, resulting in total crop failure. Consequently, 982,765 hectares out of the estimated 2,272,931 hectares of maize planted nationwide were destroyed by the drought.

The drought also severely affected pasture for livestock and wildlife, surface water replenishment for irrigation, aquatic life, and livestock. A total of 84 out of 116 districts in seven provinces were affected. These provinces host over 76% of the livestock population (cattle, goats, sheep, and pigs) and over 66% of the country's chickens. Additionally, the affected provinces include over 3,800 households engaged in aquaculture and over 165,000 people reliant on fishing for their livelihoods and food security.¹⁰

A total of 9.8 million people across 84 districts have been affected, with 6.6 million in need of immediate humanitarian assistance. To address this crisis, ZMW 21.3 billion, equivalent to USD 941 million, is required for lifesaving and early recovery assistance for those affected. The number of people in need is expected to rise following an in-depth vulnerability and needs assessment for the 2023/2024 season, necessitating adjustments to the response plan.

Challenges in Collecting and Sharing Information: Collecting disaggregated data by factors such as gender, age, disability, and socio-economic status is essential to understand the differential impacts of climate change but is often lacking due to limited resources and capacity. For instance, data on how climate change disproportionately affects women and children is often sparse, making it difficult to design targeted interventions. Furthermore, developing countries like Zambia lack the technical infrastructure and financial resources necessary to collect, manage, and disseminate detailed climate-related data. **Recommendations for Improvement:** The Zambian government to strengthen legal and regulatory frameworks to ensure that both public authorities and businesses disclose relevant climate and human rights information. They should involve local communities, including marginalized groups, in data collection, monitoring, and dissemination processes to ensure the information is relevant and accessible. There is need to recognize and incorporate traditional knowledge and local experiences in climate data and decision-making.

¹⁰ Republic of Zambia: Disaster Management And Mitigation Unit - Drought Response Situation Report No. 1 (19th April, 2024)