

Realizing the right to participate: empowering people as agents of more effective climate action

(9 December 2019 from 18.30 – 20.00 in Room 6)

Lead/Co-leads: OHCHR and UNICEF

Contributing: ECLAC, UN Environment, ILO, UN Women, CBD, UNECE

Background

Climate change and environmental degradation directly and indirectly interfere with the enjoyment of all human rights, including the rights to life, housing, water and sanitation, food, health, development, and an adequate standard of living. Effective and inclusive climate mitigation and adaptation measures will empower children and youth; women; indigenous peoples; and others who live in vulnerable areas or are subject to discrimination. For effective climate action, these key stakeholders and their communities should be well informed and involved in seeking climate solutions and the beneficiaries of efforts to fulfill their rights including through equitable and improved access to social protection and a just transition towards greener jobs.

This event will focus on the intersection of human rights law, SDG 16 and climate action. Ensuring sustainable development for all requires effectively addressing climate change through an internationally coordinated response based on common principles such as solidarity, transparency, accountability, inclusivity, the precautionary principle, equality and non-discrimination, and equity. Likewise, effective climate action must be aligned with human rights and sustainable development including Sustainable Development Goal 16 which calls for access to information, participation and justice for all and effective, accountable and inclusive institutions at all levels of climate governance.¹

Both international environmental and international human rights law underlie these SDG16 targets and protect access to information, participation and justice in environmental matters (see e.g. Rio Principle 10, the Aarhus Convention, the Escazú Agreement, and the International Covenant on Civil and Political Rights). For example, the Escazú Agreement, a regional agreement that covers Latin America and the Caribbean, recognizes the right to a healthy environment, obliges States to protect those that defend the environment, and guarantees rights to environmental information, public participation in the environmental decision-making process and access to justice in environmental matters. Similarly, the Convention on the Rights of the Child (CRC), celebrating its 30th anniversary this year, has attained near universal ratification, and guarantees children's right to be heard, as well their right to the highest attainable standard of health, taking into consideration the dangers and risks of environmental pollution.

Several Human Rights Council mandate holders, including the Special Rapporteur on human rights and environment, have emphasized the importance of access to information, participation and justice in environmental matters for the effective realization of human rights, and for rights-based climate action. The Human Rights Council itself recently took up the issue of protecting environmental human rights defenders in its resolution 40/11 which emphasizes the important role of environmental defenders and call for their protection in the exercise of their rights.

To ensure responsive, inclusive, participatory and representative decision-making for more effective climate action, all stakeholders must be meaningfully involved in climate governance in line with international human rights law, SDG 16, Article 12 of the Paris Agreement, the Aarhus Convention, the Escazú Agreement, Rio Principle 10, and other international commitments. This event will explore

¹ For example, target 16.3 calls on the international community to promote the rule of law at the national and international levels and ensure equal access to justice for all; target 16.6 calls for effective, accountable and transparent institutions at all levels; target 16.8 calls for strengthening the participation of developing countries in institutions of global governance; target 16.10 requires States to ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements; and target 16.B calls for non-discriminatory laws and policies for sustainable development.

entry points for rights-based and participatory action in the climate negotiations including the Local Communities and Indigenous Peoples' Platform, the Gender Action Plan, the Action for Climate Empowerment Agenda, cooperative mechanisms under Article 6 of the Paris Agreement and the Guidelines for Implementation of the Paris Agreement as well as the role of external actions such as climate litigation and climate strikes.

In particular, it will highlight the role of people on the frontlines of climate change, such as children, youth, women, workers, including those in the informal economy, and indigenous peoples in driving ambitious climate action that ensures ecosystem integrity, and respects human rights. Climate litigation and school strikes, for example, demonstrate that children, youth and other stakeholders are demanding to participate and the importance of hearing their voices. This participation is a human right but it also can and should inform more effective decision-making and more ambitious climate action.

Objectives

This session aims to:

- 1) Highlight the importance of access to information, participation and justice for effective and inclusive climate action.
- 2) Outline pathways for empowering civil society, indigenous peoples, children, women, and youth national human rights institutions and other key stakeholders in raising ambition for equitable, rights-based, and inclusive mitigation and adaptation approaches;
- 3) Articulate measures to promote the rule of law at the national and international levels and ensure equal access to justice for all in relation to climate action; and
- 4) Share good practices of climate actions that ensure biodiversity and ecosystem integrity, and that are participatory and inclusive.

Format

Panel discussion followed by an interactive dialogue between the audience and expert panelists.

Speakers

Possible speakers (all to be confirmed):

Moderator: Alicia Bárcena, Executive Secretary, ECLAC

Introductory remarks/keynote:

- Michelle Bachelet, UN High Commissioner for Human Rights
- Minister of e.g. Costa Rica/Sweden/Marshall Islands/Italy

Panellists:

- Pasang Sherpa, Co-Chair of the LCIPP FWG
- Costa Rican Youth Representative – Sara (UNICEF to put full name and title here)
- ILO and/or ITUC on just transition, climate change and human rights (ILO to confirm name)
- Representative of Women and Gender Constituency on the GAP (UN Women to confirm name)

Closing remarks:

- David Boyd, Special Rapporteur on human rights and environment