

## Briefing Note: COP-22 Marrakesh Climate Conference

# Integrating Human Rights to Climate Action

### EXECUTIVE SUMMARY

The Paris Agreement constituted a milestone in the integration of human rights and environmental policies as it is the first international environmental agreement to define explicitly the respect for human rights as a cross-cutting principle for all climate actions. Yet the agreement did not indicate how this integration should be promoted. In this context, the decisions to be adopted at the COP-22 in Marrakesh should ensure that human rights obligations are effectively reflected in order to promote their integration in the implementation of the Paris Agreement.

This briefing note identifies specific entry points for the integration and consideration of human rights in negotiations expected during the COP-22. The note identifies four main complementary approaches:

1. **Integrating human rights** at the core of the Paris Agreement implementation
2. Creating an **enabling environment** for the integration of human rights
3. Promoting the **rights of the groups disproportionately impacted** by climate change
4. Ensuring **accountability of all actors**

These approaches, together with adequate and equitable actions, can contribute to ensure that the rights of communities and peoples impacted by climate change or climate action are respected and promoted.

### 1. Integrating Human Rights at the core of the Paris Agreement implementation

Parties should integrate human rights in the modalities, procedures and guidelines discussed under the APA in order to ensure that the implementation of the Paris Agreement takes effectively into account the parties' respective human rights obligations.

- Human rights and other cross-cutting principles must be included as a core of the **Nationally Determined Contributions**. Parties should be requested to provide information on actions and policies related to this integration (APA Agenda Item 3).
- Information related to the promotion of human rights, indigenous rights, gender equality and food security must be included in the **Adaptation Communications**. These documents must be prepared with the participation of civil society (APA Agenda Item 4).
- The **transparency framework** should enable the monitoring of parties' implementation of their commitments, including in relation to the integration of cross-cutting principles. Input should be invited from civil society organisations (APA Agenda Item 5).
- The **Global Stocktake** should be used to review progress towards the integration of human rights and other principles to climate action. Its scope should be defined broadly and inputs should be invited from organisations (APA Agenda Item 6).

### 2. Creating an enabling environment for the integration of human rights

Parties should create an enabling environment helping governments to integrate human rights to climate action by leveraging capacity building and other cooperation opportunities.

- Activities related **Capacity Building** offer an opportunity to support countries with the integration of human rights in climate actions. The Paris Committee on Capacity Building should be invited to consider this issue during its 2017 session (SBI Agenda Item 14).

- Parties agreed to explore ways to enhance **public participation and access to information** to promote the implementation of the Paris Agreement. This work should take a rights-based approach and be initiated at the COP-22 (APA Agenda Item 8(b)).
- To continue cooperation on agriculture and to fully integrate the priority highlighted in the Paris Agreement to safeguarding food security and ending hunger, parties should adopt a joint work programme on **Food Security and Agriculture** (SBSTA Agenda Item 7).

### 3. Promoting the rights of the groups disproportionately impacted by climate change

Specific focus is required to address the rights of specific groups identified explicitly in the Paris Agreement, including women, indigenous peoples and children.

- Governments must commit to enhancing the Lima Work Programme on **Gender**, including through a rights-based perspective. It must include specific activities to promote effectively gender equality in all climate actions (SBI Agenda item 16).
- The Paris Agreement reiterates the importance of the **rights of children**. The parties should invite relevant UN agencies to provide expertise during a technical briefing in May 2017 on the promotion of the rights of children in the context of climate change.
- The Paris Agreement recognized the importance to promote **the rights of migrants** in climate responses. Parties should integrate this commitment in their work on adaptation and loss and damage.
- **Indigenous Rights** must be integrated in the implementation of the Agreement. Parties and the Secretariat should finalise, together with indigenous peoples representatives, the establishment of the platform for exchange of traditional knowledge.

### 4. Ensuring accountability of all actors

The accountability of all actors must be promoted, including that of private businesses operating under the mechanisms and platforms established under the UNFCCC.

- The criteria established in relation to the **Global Climate Action Agenda (GCAA)** must require that all participating companies respect human rights obligations related to the private sector – including the UN Guiding Principles on Business and Human Rights.
- The modalities of any new mechanism such as the **Sustainable Development Mechanism (SDM)** must integrate institutional safeguard policies and grievance mechanisms to guarantee the effective protection of rights (SBSTA Agenda Item 12.b)
- Parties must finalise the reform of the **Clean Development Mechanism (CDM)** including the establishment of a grievance mechanism, clear guidance on civil society participation and a proper assessment of sustainable development benefits (SBI Agenda Item 7a).

*This is an executive summary of the Human Rights and Climate Change Working's **Briefing Note for the Marrakesh COP-22 Climate Conference.***

*The **Human Rights and Climate Change Working Group** advocates for climate policies that effectively promote and respect human rights.*

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