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Submission to the First Global Stocktake: Human Rights-Based Climate Action



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Contents

List of abbreviations	2
1. Introduction	3
2. A human rights-based GST process	5
3. Mitigation	6
3.1. Continued reliance on fossil fuels is harming human rights	6
3.2. A rights-based transition	9
3.3. False solutions are a threat to human rights	14
4. Loss and Damage	18
4.1. Non-Economic Loss and Damage	19
5. Adaptation	21
5.1. Locally-led and ecosystem-based adaptation	21
5.2. Indigenous knowledge for effective adaptation	21
6. Finance	22
7. Specific dimensions of human rights-based climate action	25
7.1. Access to information and participation	25
7.2. Recognizing and building on Indigenous knowledge	27
7.3. Environmental human rights defenders	27
7.4. Land rights and food systems	29
8. Tools, guidelines, and methodologies for integration of human rights in climate action	33

List of abbreviations

AF	Adaptation Fund
AR6	Sixth Assessment Report
CCS	Carbon Capture and Storage
CDM	Clean Development Mechanism
CDR	Carbon Dioxide Removal
CESCR	Committee for Economic, Social and Cultural Rights
CRC	Convention on the Rights of the Child
EDA	Enhancing Direct Access
GCF	Green Climate Fund
FPIC	Free, Prior and Informed Consent
EACOP	East African Crude Oil Pipeline
EIA	Environmental Impact Assessment
GST	Global Stocktake
IPCC	Intergovernmental Panel on Climate Change
OHCHR	Office of the High Commissioner for Human Rights
LCIPP	Local Communities and Indigenous Peoples' Platform
NAP	National Adaptation Plan
NDC	Nationally Determined Contribution
NELD	Non-Economic Loss and Damage
SDR	Solar Radiation Management
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNDROP	United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas
UNFCCC	United Nations Framework Convention on Climate Change

1. Introduction

The Global Stocktake (GST) should effectively **cut across the interlinked areas of climate change and human rights** to be able to better inform the change that is needed towards achieving the purposes of the Paris Agreement. This was confirmed by the the Office of the High Commissioner for Human Rights (OHCHR) in their submission to the GST in March 2022¹ and their oral statement during the GST opening plenary at the UNFCCC Bonn Climate Conference in June 2022. By delaying climate action and failing to increase ambition, Parties are fueling a human rights crisis. More than half of the world’s population lives in regions of the world that are highly vulnerable to climate change impacts.² The changing climate is already leading to substantial damages and irreversible losses, including adversely affecting the health of people worldwide, causing displacement, undermining food security and affecting livelihoods and costing lives. Climate change is also a threat to democracy by increasing the risk of violence, including violence against women and violent conflicts among communities.³ Children are particularly affected by climate change as described in the report issued by the OHCHR⁴ and a more recent report by the High Commissioner.⁵ If urgent action is not taken such impacts are only set to grow.

The GST must assess the comprehensive implementation of the Paris Agreement including, as is stated in its preamble, **whether activities implemented by Parties respect, promote, and consider human rights**, including “...the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and peoples in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity”. Equally important is consideration of access to information and public participation, poverty eradication, the right to food, ecosystem integrity, the right to a clean, healthy and sustainable environment, and a just transition for workers⁶.

All Parties to the Paris Agreement have human rights obligations and, moreover, human rights-based climate action is the most effective climate action, so this is also important from an ambition perspective. For example, the Intergovernmental Panel on Climate Change (IPCC) recognizes that participatory planning and decision-making involving vulnerable communities throughout design and implementation can make for more effective and sustainable adaptation that helps alleviate social inequities and ensure climate-resilient development, while avoiding maladaptation; that supporting Indigenous Peoples’ self-determination, and integrating

¹ OHCHR (2020), “[OHCHR submission to the UNFCCC Global Stocktake](#)”.

² IPCC, 2022: Summary for Policymakers [H.-O. Pörtner, D.C. Roberts, E.S. Poloczanska, K. Mintenbeck, M. Tignor, A. Alegría, M. Craig, S. Langsdorf, S. Lösschke, V. Möller, A. Okem (eds.)]. In: Climate Change 2022: Impacts, Adaptation, and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Lösschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press. In Press.

³ *ibid*

⁴ OHCHR (2017), “[Analytical study on the relationship between climate change and the full and effective enjoyment of the rights of the child](#)”, A/HRC/35/13; Save the Children (2021), “[Born into the Climate Crisis: Why we must act now to secure children’s rights](#)”.

⁵ United Nations High Commissioner for Human Rights (2020), “[Realizing the rights of the child through a healthy environment](#)”, A/HRC/43/30.

⁶ CIEL (2022), “[Promoting Human Rights in Climate Action: A Global Stocktake Informed by Human Rights](#)”.

Indigenous Peoples' rights and knowledge increases the prospects of climate resilient development; that secure land rights, especially for Indigenous Peoples, as well as local communities and women, lead to improved climate action; and that reducing gender inequalities can reduce vulnerability to climate change.

Human rights are not a standalone issue, but are cutting across all areas of climate action. **Mitigation** is about the human rights violations related to the continued reliance on fossil fuels, about a rights-based energy transition and effective ecosystem preservation and restoration, and about avoiding false solutions and reliance on risky and unproven technologies. **Loss and damage** is inherently about human rights, and especially non-economic losses such as damage to Indigenous Peoples' collective rights to autonomy and self-determination on their lands, culture, spiritual values, and livelihoods should not be overlooked. Additionally, **adaptation** that takes a rights-based approach and is locally-led, ecosystem-based, gender-responsive, builds on Indigenous and local communities' knowledge, and focuses on capacity development and meaningful participation of the most vulnerable, is less likely to lead to maladaptation. Finally, with respect to **climate finance**, the quantity and quality of funds mobilized, their scope, focus, adequacy, and predictability as well as their distribution and accessibility to the most vulnerable people, communities, and countries, and the activities supported and the way they are implemented determine the success or failure of finance related aspects to respect, protect, and fulfill human rights. The effective integration of human rights considerations across all these areas of climate action requires it to be grounded on **specific human rights obligations and principles**, such as the right to access to information and participation, the protection of environmental human rights defenders, the recognition, safeguarding and integration of Indigenous knowledge, and land rights and food security.

This submission seeks to demonstrate how human rights are integral to all dimensions of climate action and therefore the GST, by building on existing literature and providing specific examples.

2. A human rights-based GST process

An important starting point to effectively discuss these elements, is ensuring that the GST process as such is human rights-based. In the development of the GST, the international human rights framework provides a common and universal language, clear and easily understandable for Parties to assess the implementation of the Paris Agreement and set clear goals to raise ambition to achieve its objectives. **A human rights approach in the GST will center people**, especially those in conditions of vulnerability and exclusion who are the most affected by the climate crisis, **and the impacts of climate change on their rights in the discussion**. It will protect against any form of undue influence over the process by economic actors and instead seek to address barriers to equitable participation in global climate governance. A rights-based approach to the GST requires that Parties and the Secretariat ensure an inclusive, diverse, and participatory process, where children, environmental human rights defenders, Indigenous Peoples, women, people with disabilities, and local communities can effectively share their perspectives, raise their concerns and fully participate in the discussions. Participation of children is of particular importance: as one of the core principles of the Convention on the Rights of the Child (CRC), child participation is not only an obligation of Parties to the Convention, but also an effective tool to ensure that those who will be part of the economic and social systems in the near future are able to express their interests and give their innovative inputs.

The co-facilitators of the GST and Parties have recognized the importance of observer participation in the process. Particular attention should be paid to ensuring meaningful and effective participation by a diverse group of observers, covering all relevant aspects of human rights-based climate action. For example, and as also highlighted by the Women and Gender Constituency⁷ and Climate Action Network⁸:

- **Human rights experts, Indigenous Peoples, environmental human rights defenders, children, and representatives of communities in the frontlines of the climate crisis** should not only be able to participate in all of the discussions, but also to facilitate and lead some of the discussion tables. Expert panels introducing the discussions should include human rights and related experts. They should also be consulted when developing the agenda and the questions that will be posed during the GST dialogues, and regarding the GST outcomes.
- The facilitators of the individual roundtables/discussion must stress **the need to reference and include cross-cutting issues** such as gender mainstreaming, human rights, a just transition, child rights, and equity at the beginning of each discussion, to remind participants of their importance and how they relate to the discussion ahead.
- To ensure **participation of frontline communities**, who are experts already dealing with the impact of the climate crisis, the GST process should allow for the inclusion of non-constituency observer participants.

⁷ Women and Gender Constituency (2022), "Reflections on the Global Stocktake (GST) sessions during SB56".

⁸ Climate Action Network (2022), "[CAN Submission for the First Input Phase of the Global Stocktake](#)" (August 2022).

3. Mitigation

To comply with their respective human rights obligations, States must demonstrate that the targets and the implementation of specific measures are compatible with minimizing human rights harm by, at a minimum, aligning with emission pathways associated with the greatest likelihood of keeping warming below 1.5°C. More specifically, they must demonstrate **a quick and equitable phase out of fossil fuels**, the dominant cause of global warming, while ensuring **rights-based approaches to mitigation**, and **avoiding any reliance on false solutions** such as carbon markets, or climate-smart agriculture (see 4.4. Land rights and food systems) or **unproven technologies** that prolong dependence on fossil fuels and bring an unacceptable risk of harm to communities, such as geoengineering or Carbon Capture and Storage (CCS).

3.1. Continued reliance on fossil fuels is harming human rights

The IPCC warns that exceeding 1.5°C in warming, even temporarily, will result in severe and irreversible adverse impacts, limiting the capacity for adaptation and severely threatening human rights. IPCC reports have repeatedly affirmed that fossil fuels are the principal source of greenhouse gas emissions and that swift and steep reduction in those emissions is necessary to avert climate catastrophe.⁹ Fossil fuel projects also directly cause human rights violations related to land grabs, human health impacts, massive contamination of air and water resources, and therefore the recently universally recognized right to a clean, healthy and sustainable environment, and human rights abuses against environmental defenders, among others¹⁰. Child rights also are being violated through fossil fuel projects as these projects use up the resources and harm the environment that belongs to children and future generations. **A quick and equitable phase out of fossil fuel production and usage is therefore imperative to meeting the long term goals of the Paris Agreement, as well as to States' human rights obligations.** The continuous provision of public finance and other financial incentives for the continued extraction and use of fossil fuels further directs scarce public resources away from policies aimed at fulfilling economic and social rights while postponing the transition away from fossil fuels urgently needed to meet the goals of the Paris Agreement.¹¹

⁹ IPCC, 2022: Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [P.R. Shukla, J. Skea, R. Slade, A. Al Khourdajie, R. van Diemen, D. McCollum, M. Pathak, S. Some, P. Vyas, R. Fradera, M. Belkacemi, A. Hasija, G. Lisboa, S. Luz, J. Malley, (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA. doi: 10.1017/9781009157926

¹⁰ 350.org (2020), "[Human Rights Abuses by Fossil Fuel Companies](#)".

¹¹ Human Rights Watch (2021), "Q&A on Fossil Fuel Subsidies", June 2021, [online](#).



Line 3, an oil pipeline expansion in Canada and the United States

Line 3 is a pipeline expansion that would bring 760,000 barrels of tar sands crude oil per day from Alberta, Canada, to Superior, Wisconsin in the United States. Most of the pipeline route in the United States runs through northern Minnesota, including the treaty territory of multiple Anishinaabe tribes who hold rights to hunt, fish, and harvest wild rice. Enbridge, a Canadian pipeline company responsible for the largest inland oil spill in the United States, is the owner of Line 3 and proposing the expansion. The pipeline corridor also runs through untouched wetlands and the Mississippi River headwaters to the shore of Lake Superior.

The Line 3 pipeline will have profound impacts on the climate. Based on the amount of carbon in the oil that Line 3 would move, water protectors calculate that building it is equivalent to building 50 new coal-fired power plants.¹² Tar sands are among the dirtiest, costliest, and most carbon intensive fuel sources on the planet. A gallon of gasoline made from tar sands produces about 15 percent more carbon dioxide emissions than one made from conventional oil. Tar sands also have major impacts on water supplies and produce toxic pollution.¹³ The Line 3 pipeline could continue to transport harmful tar sands oil into 2070, significantly beyond the date when countries should, and many have pledged to, achieve carbon neutrality.

Water protectors opposing Line 3 engaged in marches, demonstrations, sit-ins, hunger strikes, and organized artistic performances as part of their protests against Line 3.¹⁴ In response, more than 900 water protectors were arrested, and many of them are still facing criminal charges. Enbridge provides financial support to the police via an escrow account. Indigenous water protectors have also faced excessive use of force, extensive surveillance, and harassment as the company engages in corporate counterinsurgency strategies against them.¹⁵

¹² Stop Line 3, "Issues", retrieved 15.08.2022, [online](#).

¹³ Greenpeace USA (2018), "[Dangerous Pipelines Enbridge's History of Spills Threatens Minnesota Waters](#)".

¹⁴ EarthRights International (2022), "[Line 3: The Violent Repression of Indigenous-Led Resistance to Climate-Damaging Industries](#)".

¹⁵ The Intercept, "Corporate Counterinsurgency Against Line 3 Pipeline Resistance", 07-07-2021, [online](#).



East African Crude Oil Pipeline (EACOP), a new crude oil export pipeline in Uganda

The East African Crude Oil Pipeline (EACOP) is “a 1,443km long crude oil export pipeline that will transport Uganda’s crude oil from Kabaale – Hoima in Uganda to the Chongoleani peninsula near Tanga port in Tanzania.”¹⁶ The project’s shareholders are two national companies - the Uganda National Oil Company and the Tanzania Petroleum Development Corporation - and two oil companies - China National Offshore Oil Corporation and Total East Africa Midstream B.V - the latter being the project’s majority shareholder.¹⁷

If completed, this pipeline would not only transport 230,000 barrels per day at peak production of electrically heated crude oil,¹⁸ but also will pose significant risks to millions of people; jeopardize vital, internationally recognized ecosystems; and is expected to generate annual carbon emissions roughly equivalent to the carbon footprint of nine coal-fired power plants.¹⁹ Risks to water resources and wetlands - including the Lake Victoria basin, which supports the livelihood of up to 40 million people,²⁰ as well as the disruption of nearly 2,000 square km of protected wildlife habitats are examples of the environmental consequences awaiting.²¹ At peak production, the EACOP is expected to generate 34.3 million metric tons of CO₂ emissions each year - equivalent to seven times Uganda’s current annual

¹⁶ EACOP, “Overview”, retrieved 15.08.2022, [online](#).

¹⁷ BankTrack, East African Crude Oil Pipeline (EACOP), retrieved 15.08.2022, [online](#)

¹⁸ TotalEnergies (2022), “[Universal Registration Document 2021](#)”.

¹⁹ CIEL (2022), “[Japanese Bank Financing of the East African Crude Oil Pipeline – Backgrounder on Environmental, Social, and Governance Risk](#)”.

²⁰ Oxfam International (2020), “[Empty Promises Down the Line? A Human Rights Impact Assessment of the East African Crude Oil Pipeline](#)”; AFIEGO (2021), “[Black Gold or Poverty Trap? High risks and low prospects Uganda’s oil sector](#)”.

²¹ Banktrack (2020), “Open Letter to the Presidents of Uganda and Tanzania: Champion Environmental Conversation and Community Livelihoods Over the EACOP”; Les Amis de la Terre & Survie (2020), “[A Nightmare Named Total - An Alarming Rise in Human Rights Violations in Uganda and Tanzania](#)”; NCEA (2020), “[Advisory Review of the resubmitted Environmental and Social Impact Assessment for the East Africa Crude Oil Pipeline \(EACOP\)](#)”.

emissions.²² The pipeline would also open up critical ecosystems to commercial oil exploitation in Central and Eastern Africa.²³ The development of EACOP is thus inconsistent with the goal of limiting global temperature increases to 1.5°C,²⁴ and the IPCC’s WGIII findings clearly supporting the need for a rapid fossil fuel phase-out.²⁵

Numerous reports show that the EACOP and its associated upstream oil fields (Tilenga and Kingfisher oil fields) have already caused, and threaten to cause the physical and economic displacement of hundreds of thousands of individuals in Tanzania and Uganda.²⁶ Moreover, many individuals affected by the displacement and land acquisition process report that they have not received compensation, or adequate compensation, and are facing land use restrictions.²⁷ The potentially affected people within the project area also include people who identify as Indigenous and fear their livelihoods will be affected.²⁸ And, numerous accounts of violence against environmental and human rights defenders working with communities impacted by the Tilenga and Kingfisher oilfields and EACOP have also been documented.²⁹

3.2. A rights-based transition

As recognized by the Paris Agreement, Parties should, when taking action to address climate change, respect, promote, and consider their respective obligations on human rights. This means that Parties should ensure a rights-based design and implementation of NDCs and any climate projects, with a strong focus on public participation and Indigenous Peoples’ rights to self-determination and Free, Prior and Informed Consent (FPIC). **When these safeguards are not in place, the energy transition risks harming peoples and communities’ human rights.** The Business and Human Rights Resource Centre reports over 200 allegations of human rights abuses in the renewable energy sector in the past 10 years, including harms related to land rights, the right to water, Indigenous Peoples’ rights and workers’ rights, almost half of these (44%) in the wind and solar sector.³⁰ In a joint statement, five UN Special Rapporteurs reiterated the

²² CIEL (2022), “[Japanese Bank Financing of the East African Crude Oil Pipeline – Backgrounder on Environmental, Social, and Governance Risk](#)”.

²³ StopEACOP, “Why Stop EACOP”, retrieved 15.08.2022, [online](#).

²⁴ CIEL (2022), “[Japanese Bank Financing of the East African Crude Oil Pipeline – Backgrounder on Environmental, Social, and Governance Risk](#)”.

²⁵ IPCC, 2022: Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [P.R. Shukla, J. Skea, R. Slade, A. Al Khourdajie, R. van Diemen, D. McCollum, M. Pathak, S. Some, P. Vyas, R. Fradera, M. Belkacemi, A. Hasija, G. Lisboa, S. Luz, J. Malley, (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA. doi: 10.1017/9781009157926

²⁶ Les Amis de la Terre (2021), “[Number of People Affected by the EACOP Project in Uganda and Tanzania](#)”; Total et al., “Tilenga Project Resettlement Action Plans (RAPs 2, 3a, 3b, 4 & 5): Executive Summary”, September 2020, [online](#); CNOOC Uganda Limited, “Environmental and Social Impact Assessment for the Kingfisher Field Development Area, Uganda”, November 2019, [online](#); Complaint to Compliance Advisor Ombudsman (CAO), “Re: Complaint concerning IFC investment Britam Holding Plc, Project No 37294”, October 13, 2021, [online](#) [hereinafter, CAO Complaint re Britam Holding].

²⁷ CAO Complaint re Britam Holding, p. 5; Les Amis de la Terre & Survie (2020), “[A Nightmare Named Total - An Alarming Rise in Human Rights Violations in Uganda and Tanzania](#)”; p.24; NCEA (2020); Les Amis de la Terre France & Survie (2019), “[Serious Breaches of the Duty of Vigilance Law: the Case of Total in Uganda](#)”; AFIEGO (2021), “[Black Gold or Poverty Trap? High risks and low prospects Uganda’s oil sector](#)”.

²⁸ CIEL (2022), “[Japanese Bank Financing of the East African Crude Oil Pipeline – Backgrounder on Environmental, Social, and Governance Risk](#)”.

²⁹ CIEL (2022), “[Japanese Bank Financing of the East African Crude Oil Pipeline – Backgrounder on Environmental, Social, and Governance Risk](#)”.

³⁰ Business and Human Rights Resource Centre (2021), “[Renewable Energy & Human Rights Benchmark, Key findings from the wind & solar sectors, 2021 edition](#)”.

importance of the right to water, and the role rivers play in safeguarding it, warning of the risks that large dams pose for aquatic ecosystems and the sources of food and basic resources of riparian communities, leading to massive displacement, and having a disproportionate impact on the human rights of Indigenous Peoples, and women and girls.³¹ In other examples, Indigenous Peoples have warned about the impact of renewable energy projects on their way of life (see case on reindeer herding in '4. Loss and Damage').



Courtesy: Agustin Abad

Barro Blanco, a hydroelectric dam with numerous negative consequences for Indigenous communities in Panama

The Barro Blanco hydroelectric dam, which was initially a Clean Development Mechanism (CDM) project prior to its withdrawal from that mechanism, is located in Panama, more precisely on the Tabasará River near the Ngäbe-Buglé *comarca* (a semi-autonomous Indigenous territory) in Chiriquí Province. It was designed to generate approximately 140,000 MWh per year of renewable energy for the Republic of Panama, enough to supply 64,000 households.³² As such, Barro Blanco was touted as a renewable energy project that would contribute to Panama's energy transition.³³

However, Indigenous Peoples' right to FPIC was violated in the context of the Barro Blanco project, which led to the displacement of Indigenous Ngäbe families and the flooding of their homes, crops, and cultural, religious, historical, and vital sites, as well as the stagnation of the river on which Ngäbe farmers relied for potable water, agriculture, and fishing.³⁴ The imposition of this dam project fragmented the Indigenous communities who inhabited the surrounding valley, rupturing their social and community structures with

³¹ Special Rapporteur on the human rights to safe drinking water and sanitation, Special Rapporteur on human rights and the environment, Special Rapporteur on the right to food, & Special Rapporteur on the human rights of internally displaced persons (2021), "Joint statement on the human rights of people affected by dams and other water infrastructure", 01-11-2021, [online](#).

³² FMO, "Barro Blanco", retrieved 28-07-2022, [online](#).

³³ FMO, "FMO's involvement in Barro Blanco ends", 20-04-2021, [online](#).

³⁴ CIEL, "Barro Blanco Hydroelectric Dam Threatens Indigenous Communities, Panama", December 2016, [online](#).

direct consequences for their traditional way of life. In addition, the project has had damaging consequences for the local environment, with impacts on the livelihoods of numerous communities in the region.³⁵ Indigenous communities who have opposed the dam and resisted resettlement have been victimized and attacked with violence for their opposition.³⁶ The Barro Blanco project is a prime example of how policies intended to solve one problem can cause devastating impacts on local communities and ecosystems: in this case, a hydroelectric dam ostensibly designed to reduce carbon emissions is causing irreparable harm to the Ngäbe people whose lives and livelihoods depend on these lands and resources.³⁷

In contrast to fossil fuel projects, renewable energy projects, when putting the right social and environmental safeguards in place and taking a rights-based approach, can effectively contribute to the clean energy transition and benefit communities at the same time. **There are emerging renewable energy transition schemes that are community based, environmentally sustainable, and economically viable.** In Europe, “energy communities” are growing in number. Energy communities are energy actions that involve citizens’ participation in the energy system and are characterized by varying degrees of community involvement in decision-making and benefits sharing. Their primary purpose is generating social and environmental benefits rather than focus on financial profits.³⁸ Additionally, a drastic reduction of energy consumption for affluent communities in high-income countries, and a just redistribution of energy access is an indispensable prerequisite for a rights-based energy transition.

³⁵ CIEL, “Panama Withdraws Problematic Barro Blanco Dam Project from CDM Registry”, 12-12-2016, [online](#).

³⁶ La Prensa, “Defensoría del Pueblo inicia investigación de oficio tras enfrentamiento entre indígenas y policías en Barro Blanco”, 30-10-2021, [online](#); El Siglo, “Varios heridos deja el desalojo en Barro Blanco, denuncia en la comarca”, 30-10-2021, [online](#); Foco Panama, “Habitantes de Barro Blanco heridos por desalojos forzosos”, 29-10-2021, [online](#).

³⁷ CIEL, “Barro Blanco Hydroelectric Dam Threatens Indigenous Communities, Panama”, December 2016, [online](#).

³⁸ Caramizaru, E. and Uihlein, A., Energy communities: an overview of energy and social innovation, EUR 30083 EN, Publications Office of the European Union, Luxembourg, 2020, ISBN 978-92-76-10713-2, doi:10.2760/180576, JRC119433; Soeiro, S., & Dias, M.F. (2020). Community renewable energy: Benefits and drivers. Energy Reports, Volume 6, Supplement 8, December 2020, Pages 134-140. <https://doi.org/10.1016/j.egyr.2020.11.087>; Euronews, “Meet the local communities starting a renewable energy revolution”, 16-04-2021, [online](#).



Ecopower, an energy community producing local, renewable energy in Belgium

An example of an energy community is Ecopower, a citizen-driven initiative that produces and delivers renewable energy in Belgium. It was founded in 1992 and now has over 60.000 cooperants, and over 50.000 users. All cooperants are co-owners of the production installations, and are allowed to make use of the produced renewable energy. Its mission is a democratic, decentralized, and sustainable energy system.³⁹ The cooperative's objectives are investing in 100% renewable energy, supplying clean, local and renewable energy, and promoting energy efficiency.⁴⁰ Decisions are made through direct participation: every cooperant is a member of the General Assembly and has one vote regardless of their number of shares.⁴¹

Other schemes for climate mitigation focus on protecting, restoring, and managing ecosystems to maximize their carbon capture.⁴² Terrestrial and coastal ecosystems store more than five times as much organic carbon as there is carbon in the atmosphere, whilst net emissions from land cover change and ecosystem degradation are responsible for about 10% of the total yearly anthropogenic carbon emissions. **Protecting, restoring, and managing ecosystems, while respecting human rights, food security and ecosystem integrity, is a concrete action to respect the newly recognised universal human right to a clean, healthy, and sustainable environment,**⁴³ with substantial climate mitigation, biodiversity, and adaptation benefits. This is also at the core of

³⁹ Ecopower, "Onze werking", retrieved 12-08-2022, [online](#); Friends of the Earth, "The Belgian community that built renewable energy for the masses", 29-1-2020, [online](#).

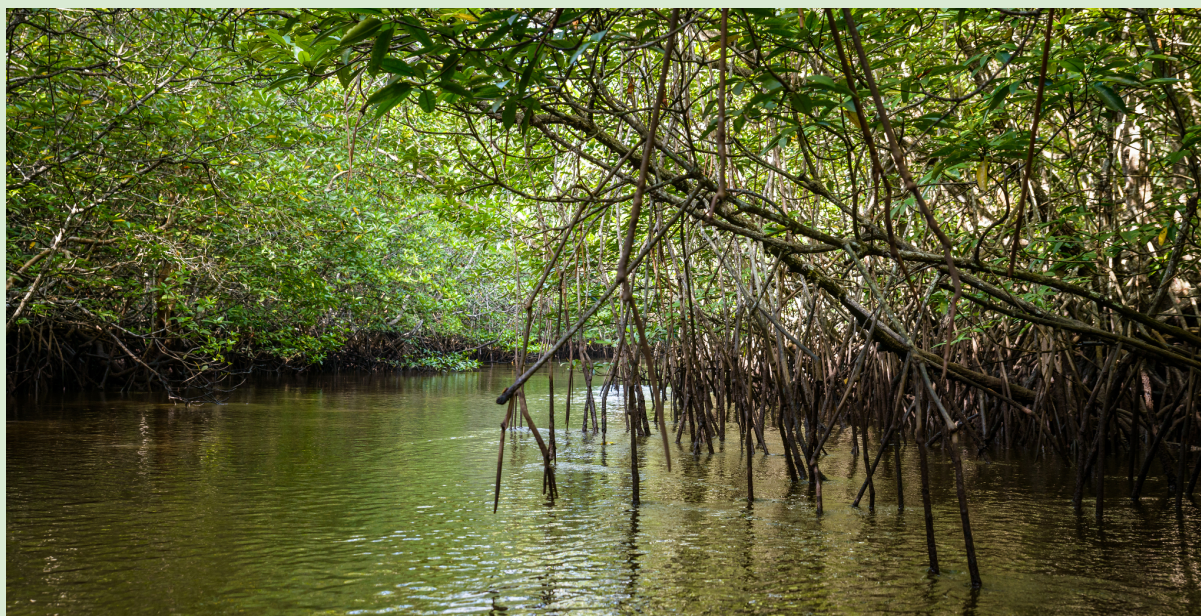
⁴⁰ Caramizaru, E. and Uihlein, A., Energy communities: an overview of energy and social innovation, EUR 30083 EN, Publications Office of the European Union, Luxembourg, 2020, ISBN 978-92-76-10713-2, doi:10.2760/180576, JRC119433;

⁴¹ Ecopower, "Statuten en intern reglement", retrieved 12-08-2022, [online](#).

⁴² Epple, C., García Rangel, S., Jenkins, M., & Guth, M. (2016). Managing ecosystems in the context of climate change mitigation: A review of current knowledge and recommendations to support ecosystem-based mitigation actions that look beyond terrestrial forests. Technical Series No.86. Secretariat of the Convention on Biological Diversity, Montreal;

⁴³ Resolution adopted by the UN General Assembly on 28 July 2022, "[The human right to a clean, healthy and sustainable environment](#)", A/RES/76/300.

sustainable development as it allows for protecting the planet for future generations. The most effective way to protect ecosystems is to protect Indigenous Peoples' rights (see also '7.4. Land rights and food systems').⁴⁴ Importantly, protection of natural ecosystems should focus on increasing biodiversity and resilience, and can not be used for offsetting ongoing GHG emissions from fossil fuels.⁴⁵



Forest communities restoring nature from the Amazon to mangroves in Indonesia

Across Latin America, Africa and Southeast Asia, forest communities have demonstrated their effective role in nature restoration. FERN has documented several examples that illustrate how strengthening rights of local communities is a highly effective approach to restoring forests and other natural ecosystems. In Guatemala, community concessions in the Maya Biosphere Reserve are flourishing due to tenacious patrolling of the forests to prevent wildfires, repel outsiders and encourage natural regeneration, while the national parks guarded by rangers have been subject to illegal cattle ranching and forest clearing. In Indonesia, local villagers are planting new mangroves and building constructions for restoration of the mangroves, allowing coastal communities - who own the mangroves, barriers and mangrove ponds - over time to make sustainable use of their benefits such as seafood, and the natural protection of the coastline against erosion. In Kenya, the Forest Act, which created Community Forest Associations, is giving local people control over their own forests. The forests managed by communities have recovered, while many other forests in Kenya have been converted for agricultural cultivation. These and other examples show how a rights-based approach to forest restoration is beneficial for both communities and natural ecosystems.⁴⁶

⁴⁴ Climate Land Ambition and Rights Alliance (CLARA) (2018), "[Missing Pathways to 1.5°C. The role of the land sector in ambitious climate action](#)".

⁴⁵ Climate Land Ambition and Rights Alliance (CLARA) (2018), "[Missing Pathways to 1.5°C. The role of the land sector in ambitious climate action](#)".

⁴⁶ FERN (2021), "[The Rights Path to Restoration](#)".

3.3. False solutions are a threat to human rights

Reliance on false solutions, including unproven risky technologies and offsets, that prolong dependence on fossil fuels and postpone deep decarbonization and the transition to 100% renewable energy and reduction of energy consumption threaten human rights directly and because of their negative impacts on the chances of keeping global temperature rise below 1.5°C. The IPCC has found that overshooting 1.5°C, even temporarily, will result in irreversible impacts, including damage to ecosystems and greater loss of human life, resulting in attendant human rights breaches.⁴⁷ Additionally, many of these false solutions create specific human rights risks.

Carbon markets

One of those false solutions is a reliance on carbon markets to meet climate goals. Under the previous climate regime, carbon markets have often **not led to real emission reductions thereby delaying the implementation of measures necessary to reduce GHG emissions** and the release of other harmful substances from particularly polluting industries and undermining the objective of the climate agreements. This mechanism also has **given way to projects harming communities' human rights**. Article 6 of the Paris Agreement sets out approaches through which Parties can cooperate to meet the goals of the agreement. It creates two market-based ways through which countries can buy credits for emissions reductions, either directly from other countries or from project developers, and one non-market based mechanism. Because carbon trading mechanisms have a high likelihood of significantly undermining ambition and disguising failures to reduce emissions, as has been demonstrated by the Clean Development Mechanism⁴⁸ (CDM), human rights obligations require that they are permitted only as a last resort, if at all. The GST should therefore look at how domestic mitigation measures are prioritized before countries are engaging in purchasing credits. Moreover, any activity, whether market or non-market based, that takes place under Article 6 must be human rights-compliant, through complying with robust public participation requirements, including the right of Indigenous Peoples to FPIC, and social and environmental safeguards, including specific policies to secure gender equality and Indigenous Peoples' rights, and enabling access to remedy through the establishment of an independent grievance mechanism.⁴⁹ The GST should serve as a learning space to avoid repeating any mistakes made by Parties in this regard under the CDM when choosing to make use of Article 6 of the Paris Agreement.

In contrast to the false solutions posed by the market mechanisms are the non-market approaches laid out in Article 6.8. The GST should also look at how non-market approaches can and are contributing toward meeting the goal of staying below 1.5°C as these likely are more effective and efficient than market approaches and do not represent a false solution as they do not enable continued emissions and so should be facilitated and prioritized.

⁴⁷ CIEL (2022). "[IPCC Unsummarized. Unmasking Clear Warnings on Overshoot, Techno-fixes, and the Urgency of Climate Justice.](#)"

⁴⁸ CIEL (2021). "[Rights, Carbon, Caution. Upholding Human Rights under Article 6 of the Paris Agreement](#)"

⁴⁹ CIEL (2021). "[Rights, Carbon, Caution. Upholding Human Rights under Article 6 of the Paris Agreement](#)".



Alto Maipo, a CDM-verified hydroelectric power project with major environmental impacts in Chile

The Alto Maipo hydroelectric power project is located in the Maipo River watershed within the Andes Mountains approximately 50km southeast of Santiago, Chile. Described as a run-of-the-river project, Alto Maipo would reroute water from the Maipo River to generate electricity without the construction of a dam. Alto Maipo has been verified under the CDM despite the project's many violations of Chileans' human rights, such as the rights to water, food, health, and life, as well as the right to a clean, healthy and sustainable environment, the right to develop sustainable local economic activities, and the right to information and participation, to name but a few.⁵⁰

While the Alto Maipo project was presented as part of a clean development approach, it faced strong opposition owing to existing climate impacts in the region, such as extreme drought and desertification. Having been allowed to go forward following a poor environmental impact assessment and deficient environmental and social due diligence,⁵¹ the project has had major impacts on the fragile watershed, as it diverted water from the Maipo's three principal tributaries for more than 100 km, redirecting it through 67 km of tunnels bored through the Andes Mountains.

The project's construction has damaged aquifers and surrounding glaciers, contaminated groundwater, exacerbated desertification, and reduced access to water for local residents, in addition to jeopardizing a main source of water relied upon by the 8 million people who live in Santiago.⁵² This massive intervention in the Maipo River watershed has also negatively impacted local farming and tourism and resulted in social cleavages, sexual harassment experienced by local residents, and loss of adequate housing and

⁵⁰ CIEL, "UN Body Calls out Alto Maipo Hydroelectric Project for Negative Impacts on Chileans' Economic, Social, and Cultural Rights", 24-03-2020, [online](#).

⁵¹ CIEL (2021), "[Rights, Carbon, Caution, Upholding Human Rights under Article 6 of the Paris Agreement](#)".

⁵² CIEL (2017), "[Fact Sheet: Chile's Alto Maipo Hydroelectric Project \(PHAM\)](#)".

livelihoods.⁵³ It is in this context that the UN Committee on Economic, Social and Cultural Rights (CESCR) drew attention to the Alto Maipo project within its latest periodic review of Chile,⁵⁴ concluding in 2022 that “all projects with an environmental impact, including the Alto Maipo Project, must consider the variable of climate change in the components of the environment that are pertinent” [freely translated].⁵⁵ The threat posed by the Alto Maipo energy project was also denounced in 2020 by the UN Special Rapporteur on the human rights to safe drinking water and sanitation.⁵⁶

Geoengineering technologies

Geoengineering technologies pose significant risks to a wide range of human rights of present and future generations, falling unevenly on already vulnerable and marginalized groups. These include risks to the rights to life, health, water, food, culture and Indigenous Peoples’ rights, as well as the right to a healthy environment on which the realization of other human rights depends. Impacts could occur through the direct, localized effects of the experimentation or deployment of geoengineering, and through intended and unintended impacts on climate and ecosystems.

Solar geoengineering technologies or Solar Radiation Management (SRM), aiming to change the Earth’s radiative forcing, could cause acid rain and ozone depletion, disrupt storm and rainfall patterns across large regions, and reduce the growth of crops and CO₂-absorbing plants. There is an additional danger of ‘termination shock’: if SRM were deployed but then stopped, intentionally, accidentally, or because of human error or political changes, it would cause temperature to rapidly increase to levels worse than at the starting point.⁵⁷ Technologies such as Carbon Dioxide Removal (CDR) come with their own risks and uncertainties. Those including Carbon Capture and Storage (CCS) directly heavily depend on the continued production and combustion of fossil fuels, and all CDR technologies require high energy and resource inputs, therefore prolonging the use of fossil fuels and limiting chances of keeping warming below 1.5°C.⁵⁸ Based on States’ human rights obligations and the precautionary principle, Parties have to favor available and existing measures to mitigate greenhouse gas emissions instead of relying on dangerous unproven geoengineering technologies.⁵⁹ Additionally, community consultation and the right of Indigenous Peoples to FPIC are prerequisites to any decision-making on geoengineering. Such processes - especially as they concern local and global audiences given the transboundary nature of geoengineering - have not occurred to date, even though several geoengineering experiments are planned or underway on Indigenous territories.⁶⁰

⁵³ CIEL (2021). “[Rights, Carbon, Caution. Upholding Human Rights under Article 6 of the Paris Agreement](#)”.

⁵⁴ CIEL, “UN Body Calls out Alto Maipo Hydroelectric Project for Negative Impacts on Chileans’ Economic, Social, and Cultural Rights”, 24-03-2020, [online](#).

⁵⁵ CESCR, Quinto informe periódico que Chile debía presentar en 2021 en virtud de los artículos 16 y 17 del Pacto, 2022, [online](#).

⁵⁶ Special Rapporteur on the human rights to safe drinking water and sanitation, Press Release, “Chile must prioritise water and health rights over economic interests”, 20-08-2020, [online](#).

⁵⁷ CIEL, ETC group, Heinrich Böll Foundation & Third World Network (2022). “[Response to Questionnaire on the impact of new technologies for climate protection on the enjoyment of human rights](#)”.

⁵⁸ CIEL (2019). “[Fuel to the Fire. How Geoengineering Threatens to Entrench Fossil Fuels and Accelerate the Climate Crisis](#)”.

⁵⁹ CIEL, ETC group, Heinrich Böll Foundation & Third World Network (2022). “[Response to Questionnaire on the impact of new technologies for climate protection on the enjoyment of human rights](#)”.

⁶⁰ CIEL statement for the 28th Session of the Human Rights Council Advisory Committee, Item 3(d). Impact of new technologies for climate protection, 09-08-2022, [online](#).



Arctic Ice Project, testing solar geoengineering without Free, Prior and Informed Consent on Indigenous territories in Alaska

The Arctic Ice Project⁶¹ is a geoengineering project aiming to slow global warming and arctic ice melt by spreading synthetic silica microsphere beads onto the arctic ice, to make it more reflective.⁶² The testing phase of the Arctic Ice Project is already run by researchers, including in Utqiagvik, Alaska.⁶³ Those steps have been undertaken without FPIC from Indigenous Peoples impacted by the project.⁶⁴ Additionally, no proper environmental impact assessment (EIA) of these synthetic beads was done.⁶⁵ Indigenous communities have clearly stated their concerns over this project, most recently in a sign-on letter: “There are many concerns Arctic community members have, including human health, marine plant, and marine animal health, as well as how this synthetic glass material will impact our boat motors and air traffic. In addition to marine life, the materials may end up on the land and impact plant and animal life which are equally as vital to Alaska Native peoples.”⁶⁶

The Arctic Ice Project is an example of a project allegedly aimed at reducing the effects of climate change that is overlooking critical impacts such as the future impacts on the ocean, marine habitats, and food chains, and its implications for ocean-dependent communities, as well as for human health.

⁶¹ Arctic Ice Project, retrieved 15-08-2022, [online](#).

⁶² Indigenous Environmental Network (IEN), “Arctic Ice Project”, retrieved 15-08-2022, [online](#).

⁶³ Arctic Ice Project (2022), “[Annual report 2020-2021](#)”.

⁶⁴ Geoengineering Monitor, “[Support Alaska Native Delegation to Stop Arctic Ice Project!](#)”, 10-05-2022.

⁶⁵ Indigenous Environmental Network (IEN), “Alaska Natives Excluded from Fundraiser Event for Risky Science Experiment in Arctic”, 02-05-2022, [online](#).

⁶⁶ Sign-on letter, “Alaska Native Organizations demand the end to Synthetic glass microbeads research project”, 10-05-2022, [online](#).

Carbon Capture and Storage

CCS technologies are not only unnecessary for the rapid transformation required to keep warming under 1.5°C, they delay that transformation, providing the fossil fuel industry with a license to continue polluting.⁶⁷ Despite years of claims that CCS will help create “clean” energy, **the technology has a long history of overpromising and underperforming.** Carbon capture technologies do not remove carbon from the atmosphere, and instead can worsen the climate crisis when used to boost oil production (through enhanced oil recovery); have not proven to be feasible or economic at scale and can only contain a fraction of source emissions; and prolong dependence on fossil fuels and delay their replacement with renewable alternatives. A reliance on these technologies therefore negatively impacts the chances of keeping warming below 1.5°C. Additionally, **these technologies create specific environmental, health, and safety risks for communities saddled with CCS infrastructure,** such as pipelines and underground storage, which fall disproportionately on marginalized communities.⁶⁸ These risks are related to all phases of the process: capture (e.g. emissions of harmful pollutants), transport (e.g. CO2 leaks or ruptures), and injection and storage (e.g. altering of pressure in geologic formations, potentially triggering seismic events), as well as to the prolongation of fossil fuel production facilities and its related negative impacts, already disproportionately concentrated in Black, Brown, Indigenous and low-income communities.⁶⁹

4. Loss and Damage

Loss and damage caused by the climate crisis is already harming human rights across the globe, with a disproportionate impact on people in vulnerable and marginalized situations. Among the rights affected are the rights to life, health, food, water and sanitation, a healthy environment, an adequate standard of living, housing, property, self-determination, development, and culture.⁷⁰ According to the UN Special Rapporteur on the promotion and protection of human rights in the context of climate change, “as temperatures rise, impacts from climate and weather extremes, including storm events, will pose an ever-greater social, economic and environmental threat. Climate change will lead to significant human rights impacts for millions of people around the globe, with increasing loss of life, land, homes and income.”⁷¹ **Loss and damage is therefore inherently about human rights, and should be addressed accordingly.**⁷²

⁶⁷ New York Times, “Every Dollar Spent on This Climate Technology Is a Waste”, opinion, 16-8-2022, [online](#).

⁶⁸ CIEL (2021). “[Confronting the Myth of Carbon-Free Fossil Fuels: Why Carbon Capture Is Not a Climate Solution](#)”.

⁶⁹ CIEL (2022), Submission to the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the 2022 Report to the General Assembly on Climate and Racial Justice (June 2022).

⁷⁰ UN Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment (2019). [Report on the urgent need to ensure a safe climate for humanity and the right to a healthy environment](#).

⁷¹ Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change (2022). [Initial planning and vision for the mandate](#).

⁷² See submissions to the UN Special Rapporteur on the promotion and protection of human rights in the context of climate change’s call for input on “Promotion and protection of human rights in the context of mitigation, adaptation, and financial actions to address climate change, with particular emphasis on loss and damage”, from Amnesty International and the Center for International Environmental Law; ESCR-net; La Ruta Del Clima; ActionAid International; and Natural Justice; among others. All submissions are available [online](#).

The principles and obligations for Parties to the UNFCCC, and States' respective human rights obligations regarding international cooperation and assistance, and to the right to an effective remedy,⁷³ make it pertinent to establish mechanisms and tools for affected people to assess and record their losses and damages. This is a precondition in order to create evidence and to make claims for relief, support, and compensation, and establish the requirement for justice and adequate remedy mechanisms from relevant local, national, or international authorities,⁷⁴ including by providing them with direct financial support to address loss and damage.⁷⁵ These mechanisms and tools need to be functional, accessible, equitable, child-sensitive, gender responsive, and adequate to overcome the specific barriers faced by Indigenous Peoples, local communities, children, women, and other marginalized groups in accessing justice.

4.1. Non-Economic Loss and Damage

Non-economic losses are defined by the UNFCCC as “a broad range of losses that are not in financial terms and not commonly traded in markets. They may impact individuals (e.g. loss of life, health, mobility), society (e.g. loss of territory, cultural heritage, Indigenous or local knowledge, societal or cultural identity), or the environment (e.g. loss of biodiversity, ecosystem services).”⁷⁶ Non-Economic Loss and Damage (NELD) is closely interlinked with human rights. For example, an increase in the spread of diseases due to the climate crisis will negatively impact the right to the highest attainable standard of health,⁷⁷ which cannot be quantified in economic terms. In the discussion about loss and damage and mechanisms related to support, compensation, and redress, civil society organizations and communities, especially Indigenous Peoples, insist that **NELD, which include irreversible losses of biodiversity, cultural artifacts, or traditions, should not be overlooked.** Damage to Indigenous Peoples' land, their collective rights of sovereignty and self-determination on their lands, their culture, spiritual values, and livelihoods cannot be evaluated from an economic standpoint. There is no price you can put on the loss of irreplaceable sacred places, or the destruction of lifeways.

⁷³ Amnesty International & CIEL (2022), Submission to the UN Special Rapporteur on the promotion and protection of human rights in the context of climate change's call for input on “Promotion and protection of human rights in the context of mitigation, adaptation, and financial actions to address climate change, with particular emphasis on loss and damage”.

⁷⁴ ActionAid, Asian Disaster Reduction & Response Network & Climate Action Network South Asia (2019), “[Loss & Damage Handbook For community-led assessment of climate-induced loss and damage](#)”.

⁷⁵ Climate Action Network International, Heinrich Böll Foundation, Practical Action, Christian Aid, Stamp Out Poverty (2022), “[The Loss and Damage Finance Facility. Why and How. A Discussion Paper](#)”.

⁷⁶ UNFCCC, “Non-economic losses”, retrieved 11-08-2022, [online](#).

⁷⁷ For more information, see OHCHR (2016), “[Analytical study on the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health](#)”.



Loss of culture, livelihoods, and identity due to the impacts of climate change and its solutions on reindeer herding in the Arctic region

Reindeer pastoralism is practiced by Indigenous communities across nine countries in the Arctic region. It is an example of sustainable management of ecosystems based on generations of building traditional knowledge, and is of major importance to the culture, livelihood, and identity of these communities. A study conducted for the Permanent Forum on Indigenous Issues in 2011 stated that climate change, due to changes in temperature, precipitation and snow conditions in the key areas for reindeer herding, is affecting reindeer herding cultures.⁷⁸ Warmer winters with melting snow are disrupting grazing, leading to the herders having to provide food for the reindeer.⁷⁹ Reindeer herding was already threatened by land use change related to industrial projects such as mining and offshore oil and gas extraction, but also, more recently, to projects related to the energy transition.⁸⁰ For example, in Sweden⁸¹ and Norway⁸² Sámi communities are challenging the government's focus on a green transition without respecting Indigenous rights, leading to fossil-free industrial development, mining activities related to the transition to renewable energies, electric vehicle factories, and wind farms fragmenting herding territories.

⁷⁸ Permanent Forum on Indigenous Issues (2012), "[Study on the impacts of land use change and climate change on indigenous reindeer herders' livelihoods and land management, including culturally adjusted criteria for indigenous land use. Note by the Secretariat](#)", Eleventh session, E/C.19/2012/4.

⁷⁹ The Guardian, "'We borrow our lands from our children': Sami say they are paying for Sweden going green", 10-08-2022, [online](#).

⁸⁰ Permanent Forum on Indigenous Issues (2012) "[Study on the impacts of land use change and climate change on indigenous reindeer herders' livelihoods and land management, including culturally adjusted criteria for indigenous land use. Note by the Secretariat](#)", Eleventh session, E/C.19/2012/4.

⁸¹ The Guardian, "'We borrow our lands from our children': Sami say they are paying for Sweden going green", 10-08-2022, [online](#).

⁸² Al Jazeera, "Norway must stop violating Indigenous rights", opinion piece, 05-02-2022, [online](#).

5. Adaptation

The IPCC has recognized that in order to avoid exacerbating inequalities and vulnerabilities and maladaptation, climate responses must center on justice and equity in decision-making. Additionally, **adaptation that takes a rights-based approach and focuses on capacity-building and meaningful participation of the most vulnerable is more effective and less likely to lead to maladaptation.**⁸³ Inclusion of groups in vulnerable situations, including children and women, is therefore crucial to the development of adaptation plans and policies. Although direct or indirect human rights references are often found in National Adaptation Plans (NAPs), this is rarely systematic and human rights are not used to guide the NAPs. Related to this, there are many tools for guidance of NAPs provided on the website of the UNFCCC, but none of these are about taking a comprehensive human rights-based approach.⁸⁴ By assessing the integration of human rights in current adaptation policies, the GST can identify the gaps and start to provide this guidance, to be able to inform the planning and implementation of future adaptation plans and NDCs.

5.1. Locally-led and ecosystem-based adaptation

The local context is of particular importance to avoid maladaptation. **Locally-led and ecosystem based adaptation is often more effective and should be encouraged.** Through extensive consultation, the International Institute for Environment and Development (IIED), developed eight principles for effective locally-led adaptation,⁸⁵ which could serve as a tool for assessing existing adaptation efforts. Much research is available on **the benefits of ecosystem-based adaptation which consists of the conservation, restoration, and management of ecosystems to increase resilience of communities** to climate change, ensuring sustainable provision of food, water, wood, and other basic needs.⁸⁶ Ecosystem-based adaptation is not only beneficial for the environment, but is also a way to ensure respect of fundamental human rights such as to food, water, and health. It is also in line with the respect of the universal right to a clean, healthy, and sustainable environment.

5.2. Indigenous knowledge for effective adaptation

The IPCC explicitly and extensively recognizes **the importance of Indigenous Peoples' knowledge for effective adaptation.** An analysis of the IPCC's WGII contribution to the sixth assessment report by the International Work Group for Indigenous Affairs (IWGIA) and experts from a group of Indigenous organizations summarizes the IPCC's recommendations in five groups: 1) Indigenous Peoples' knowledge is crucial to the resilience of social-ecological systems; 2)

⁸³ IPCC, 2022: Climate Change 2022: Impacts, Adaptation, and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press. In Press.

⁸⁴ Anshell, N; Salamanca, A; Bernard, V; and Aryani, S. (2022), "[Human Rights in the Process of National Adaptation Planning: Insights from a Review of Submitted NAPs](#)", Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Jakarta, Indonesia.

⁸⁵ Soanes, M, Bahadur, A, Shakya, C, Smith, B, Patel, S, Rumbaitis del Rio, C, Cogger, T, Dinshaw, A, Patel, S, Huq, S and Musa M, Rahman, F, Gupta, S, Dolcemascolo, G and Mann, T (2021), "[Principles for locally led adaptation: A call to action](#)", IIED, London.

⁸⁶ UN Environment Programme (UNEP), "Ecosystem-based Adaptation", retrieved 15-08-2022, [online](#).

Indigenous Peoples' knowledge is fundamental to risk reduction; 3) Indigenous Peoples' knowledges and their incorporation into climate action enhance the effectiveness of local adaptation measures, especially in forest contexts; 4) knowledge of Indigenous Peoples is a fundamental element of climate justice; and 5) the involvement of Indigenous Peoples is a prerequisite for achieving sustainable food and water systems.⁸⁷

6. Finance

The GST must comprehensively assess all aspects of climate finance including the quantity and quality as well as access to climate finance.

First, the GST must comprehensively assess gaps in the quantity of climate finance mobilized and provided, including primarily by developed countries in line with their moral and legal obligations as historical emitters to support developing countries' urgently needed climate actions (and especially when compared to the needs in the trillions articulated by them⁸⁸). These are gaps both in scale, but also in predictability, focus, and scope as support for adaptation remains underfunded when compared to mitigation (with only 34% of public climate finance provided for adaptation in 2020, its highest level ever⁸⁹) and dedicated financing to address loss and damage currently not provided at all.⁹⁰ This highlights that **inadequate provision of climate finance is a fundamental climate injustice in violation of the human rights of those people most impacted** by inequality, discrimination and marginalization and local communities who are already disproportionately affected by climate change impacts, including women, youth, Indigenous Peoples, people with disabilities, those living in poverty, and the elderly.

In addition, the GST must also evaluate the quality of finance, such as the form of funding (with 71% of public funding currently provided as loans, not grants, even for adaptation and despite the growing indebtedness of the most climate vulnerable Least Developed Countries and Small Island Developing States⁹¹) and the effectiveness of climate finance. How it is spent, which climate solutions it encourages and prioritizes (and their possible human rights impacts), and the extent to which it has contributed demonstrably to real emission reductions and to adaptation by increasing the resilience of people as well as the social support systems and ecosystems they rely on is crucial. In general, the GST must assess **how finance projects have respected, protected, and promoted human rights from planning and design through to implementation and monitoring**, including by facilitating access to redress mechanisms to enable people to challenge climate

⁸⁷ IWGIA (2022), "[Recognising the contributions of Indigenous Peoples in global climate action? An analysis of the IPCC report on Impacts, Adaptation and Vulnerability](#)".

⁸⁸ UNFCCC Standing Committee on Finance (2021), "[First report on the determination of the needs of developing country Parties related to implementing the Convention and the Paris Agreement](#)".

⁸⁹ Newest figures from the OECD show an urgently needed increase of adaptation finance in 2020, the latest year for which financing data is available, from much lower levels in preceding years, while still falling short of a balanced allocation of climate finance between mitigation and adaptation. OECD (2022), "[Aggregate Trends of Climate Finance Provided and Mobilised by Developed Countries in 2013-2020](#)".

⁹⁰ Hbs et.al (2021), "[Spotlighting the finance gap. What differentiates financing for addressing loss and damage from other types of finance](#)".

⁹¹ Ibid.

funding decisions or harmful climate finance project implementation. Given governments' existing human rights obligations, there is a special responsibility to ensure that publicly funded climate actions not only protect human rights ('do no harm') but pro-actively promote human rights and gender equality ('do good').

The GST must evaluate whether climate finance has been equitably distributed and has reached those countries, communities, and peoples who are most vulnerable to the climate crisis; whether and how it is gender-responsive;⁹² and **to what extent Indigenous Peoples, women, and local communities have direct and adequate access to climate finance** for locally-owned climate solutions that build on local, traditional, and Indigenous expertise and knowledge, as well as the contributions of children and young people. Access to climate finance is critical and has long been challenging for those who need it most, as such the GST should include this critical component as part of its process. This is important to redress the current climate finance architecture's bias for big ticket projects and intermediated finance approaches putting financial leverage and higher investment return promises above concrete grassroots-led climate solutions and innovations that build peoples' resilience and protect local ecosystems from the worsening effects of climate change. **A rights-based approach to climate finance leads to more effective climate action**, as it incorporates the voices and knowledge of Indigenous Peoples, women, children and youth, the elderly, those with disabilities, and local communities on the frontlines of the climate crisis; ensures their full and effective participation in the design and implementation of solutions; and considers how best to avoid negative impacts while pro-actively promoting positive environmental, gender, and social impacts and contributing to transformative and systemic change.

⁹² For an overview on advances and remaining challenges, see Schalatek, L. (2021), Gender and Climate Finance. [Climate Finance Fundamentals 10](#); Schalatek, L. (2021), Core Steps to Increase Quality and Quantity of Gender-Responsive Climate Finance, [UN WOMEN Expert Paper for CSW 66](#).



Replicating and scaling up enhanced direct access approaches and small grant provision for locally-led inclusive climate actions

The current system of climate financing is largely failing to provide facilitated access to adequate grant-based financing to the thousands of existing grassroots groups and organizations, where climate change affected people and local communities have the knowledge and the agency to address their needs for effective climate actions. Smaller tranches of easily accessible grant funding can have big impacts.⁹³ In existing multilateral climate funds, including in the Green Climate Fund (GCF)⁹⁴ and Adaptation Fund (AF),⁹⁵ various pilot approaches for enhancing direct access (EDA) exist, but need to be scaled up, replicated and properly resourced to become a primary modality of climate finance provision on equal financial footing with dominant large-scale project funding through banks and financial intermediaries. Like other EDA approaches, the Global Environment Facility's Small Grants Programme⁹⁶, while operating in 112 countries, does not have sufficient funding to address demonstrated needs of local groups and communities.

Successful EDA approaches and programmes, such as a GCF one in Micronesia⁹⁷ or an AF one in South Africa⁹⁸, focus on devolving climate finance decision-making to the most appropriate and most local level by applying the principle of subsidiarity. They often involve setting up small grants facilities, which should ideally be steered and governed by members of the communities they intend to serve, such as in the Dedicated Grant Mechanism⁹⁹ of the Forest Investment Program, where Indigenous Peoples' groups

⁹³ See for example Kraan, K. & A. Wensing, A. (2019), [Putting people first: the transformational impact of small grants funds](#), 2019.

⁹⁴ Green Climate Fund, "Enhancing Direct Access", retrieved 17-8-2022, [online](#).

⁹⁵ Adaptation Fund, "Enhanced Direct Access (EDA) Projects", retrieved 17-8-2022, [online](#).

⁹⁶ The GEF Small Grants Programme, retrieved 17-8-2022, [online](#).

⁹⁷ For further details on the program, see Green Climate Fund, "FP169, Climate change adaptation solutions for Local Authorities in the Federated States of Micronesia", retrieved 17-8-2022, [online](#).

⁹⁸ For further details on the program, see Adaptation Fund, "Taking adaptation to the ground: A small Grants Facility for enabling local-level responses to climate change", retrieved 17-8-2022, [online](#).

⁹⁹ DGM Global, retrieved 17-8-2022, [online](#).

determine their funding priorities. Additionally, in many countries, small grants funds, such as national women's or environmental funds exist that can serve as the 'missing link' between larger funding amounts available at the national or international level and local and grassroots groups, although too few of them¹⁰⁰ are currently accredited to existing climate funds.

7. Specific dimensions of human rights-based climate action

The effective integration of human rights considerations across all discussions of the GST requires the consideration of the imperative for **all climate action to be grounded on specific human rights obligations and principles**, such as the right to access to information and participation, the protection of environmental human rights defenders, the recognition, safeguarding and integration of Indigenous knowledge, and land rights and food security.

7.1. Access to information and participation

The Paris Agreement specifically recognized **the importance of access to information and public participation to achieve the objectives of the agreement**. Those internationally recognized rights are key to ensure that everyone can contribute and have a say in climate responses and that no segment of society is left behind. As the IPCC AR6 WGII report stated, solving the climate crisis is not only a matter of what needs to be done, but also how it should be done: it should be participatory and inclusive, considering the views and needs of those most impacted by inequality and discrimination, and vulnerability to the climate crisis. As stated above, access to information and participation of children is also essential to respect and fulfill their rights. Mechanisms designed to ensure child participation in a safe and meaningful way, including access to child-friendly information, should be included in the national efforts and plans for climate change mitigation and adaptation.

The GST is a key process for Parties to assess how the rights to access information and access to participation are being implemented in the framework of climate action, e.g. in the process of designing NDCs and NAPs, what are the challenges and how the full guarantee of such rights will contribute to increased ambition.

¹⁰⁰ One successful example of a national level small grant funder is the Micronesia Conservation Trust, which is accredited to the GCF and currently implementing its first community-focused GCF project. For further information see www.greenclimate.fund/ae/mct



Lack of information and consultation and silencing of Indigenous voices for a coal concession in Thailand

In the Omkoi district of Thailand, 99 Thuwanon Co. Ltd., a coal mining company, applied for a concession in 2000. In 2011 the company hired a consultant to produce an EIA that was presented to local authorities. The company never consulted with the villagers who belong to the Kabeudin community, a Karen Indigenous community. The community continued to farm on their lands without knowing about the threat of the coal mine. In 2019, the company announced that they were starting their coal operations and told the villagers to leave their land. This was the first time the community heard about the project. When community members reviewed the EIA from 2011, they learned the company had gotten approval without sharing the EIA with the community or developing a consultation process with the villagers, in violation of the law. The flawed EIA is now a decade old, contains misleading or incorrect information, and was completed without community input. The community is calling for a new EIA to address these problems. Many of those who have spoken up have faced harassment and criminalization.¹⁰¹

Having access to comprehensive and understandable information is critical in enabling meaningful participation, which must take place prior to activities that will impact people's lives and environment as not doing so results in harm or projects going forward with incorrect or incomplete information and understanding as seen in this example.

¹⁰¹ EarthRights International (2022), "[Silencing Indigenous Communities: The Case of a Lignite Coal Mine in Omkoi District, Thailand](#)".

7.2. Recognizing and building on Indigenous knowledge

Despite constituting just six percent of the world's population, Indigenous Peoples protect an estimated 28 percent of the global land surface containing vital ecosystems, biodiversity and carbon stored within.¹⁰² In all seven socio-cultural regions of the world, **Indigenous Peoples are stewards of nature and possess knowledge vital for humanity to succeed in reversing anthropogenic climate change.** Their knowledge must be recognised, not merely as local solutions, but for the cosmovisions it offers. Humanity is not separate from nature, but indeed part of nature, for which reason we need to fundamentally change the colonial structures and mindset that are the root causes of climate change.

The Paris Agreement calls for adaptation action to be based on and guided by the knowledge of Indigenous Peoples (Art. 7, para. 5). Likewise the Local Communities and Indigenous Peoples' Platform (LCIPP) was established in recognition of the important role of Indigenous Peoples' knowledge. Further, the IPCC has increasingly recognized Indigenous Peoples' knowledge as valid contributions in their reports.¹⁰³

Despite these steps forward, Indigenous Peoples and their contributions remain largely ignored in decision-making at national levels. Governments must **translate the international recognition of Indigenous Peoples' knowledge into national climate action through concrete mechanisms.** This is not only a matter of achieving real climate action, it is also a matter of respecting, protecting, and promoting the rights of Indigenous Peoples, especially with regards to ensuring their FPIC for any action - including climate action - involving their lands, territories, and resources.

7.3. Environmental human rights defenders

As the climate crisis worsens, so does the violence against those protecting our environment. Around the world **environmental human rights defenders working on climate justice are increasingly targeted with violence, harassment, and criminalization.** With 227 environmental human rights defenders killed in 2020, it was the deadliest year on record for people defending their right to a healthy environment.¹⁰⁴ A third of these attacks are related to land conflicts involving climate damaging industries from fossil fuel production to deforestation by agribusinesses to mining, yet corporate accountability for such harms is lacking. The UN Special Rapporteur on Freedom of Assembly and Association has documented such tactics in a report presented to the UN General Assembly.¹⁰⁵

¹⁰² Garnett, S.T., Burgess, N.D., Fa, J.E. et al. A spatial overview of the global importance of Indigenous lands for conservation. *Nat Sustain* 1, 369–374 (2018). <https://doi.org/10.1038/s41893-018-0100-6>

¹⁰³ IWGIA (2022), "[Recognising the contributions of Indigenous Peoples in global climate action? An analysis of the IPCC report on Impacts, Adaptation and Vulnerability](#)", IWGIA Briefing Paper, March 2022; and IWGIA (2022), "[A new paradigm of climate partnership with Indigenous Peoples. An analysis of the recognition of Indigenous Peoples in the IPCC report on mitigation](#)", IWGIA Briefing Paper, June 2022.

¹⁰⁴ Global Witness (2021), "[Last line of defence](#)".

¹⁰⁵ UN Special Rapporteur on Freedom of Assembly and Association, Clément Nyaletsossi Voule (2021). [Exercise of the rights to freedom of peaceful assembly and of association as essential to advancing climate justice.](#)

This violence and repression is especially true for Indigenous and local communities defenders - women being particularly targeted. Most climate-damaging projects and false climate solutions are located in Indigenous lands or cross through Indigenous territories, where the pattern of failures in the consultation processes, repression, and silencing of opposition movements continues and endangers the lives and livelihoods of already vulnerable populations. The GST should take into account how the climate crisis - and misguided policy responses and false solutions - are contributing to the growing violence against defenders and activists, and particularly analyze how continued reliance on fossil fuels and other climate damaging activities are perpetuating a new form of colonial expropriation of Indigenous Peoples' territories and resources.



Red tagging and killing of Indigenous defenders opposing mega-projects in the Philippines

In the Philippines, environmental and human rights defenders are routinely subjected to pernicious harassment, surveillance, and “red tagging” or the criminalisation of activists, journalists, and other members of civil society by linking them with underground groups or armed communist rebels. Red tagging by the military and police is often used as a pretense for arrest or worse, extra-judicial killings. The OHCHR and various international rights organizations have denounced red tagging as a human rights violation.¹⁰⁶ In 2020, nine Tumandok Indigenous people were killed and a further 17 arrested in a coordinated operation by the military and police on 30 December on the island of Panay in the Philippines. Indigenous and human rights advocates contended that communities were particularly targeted for their opposition to Jalaur River Multi-Purpose Project Mega Dam, a joint project of the Philippine and South Korean governments that led to the displacement of at least 17,000 indigenous Tumandok. Prior to the massacre, the community and the leaders were labeled as communist rebel fronts.¹⁰⁷

¹⁰⁶ OHCHR, Press Briefing Notes on Philippines, 09-03-2021, [online](#).

¹⁰⁷ Eco-business, “Indigenous leader in Philippines ‘red-tagged’ and killed over dam opposition”, 09-02-2021, [online](#); Business and Human Rights Resource Centre, “Philippines: Killings of unarmed Indigenous leaders linked to dam opposition”, retrieved 15-08-2021, [online](#).

7.4. Land rights and food systems

The preamble of the Paris Agreement acknowledges **the crucial intersection of climate change, food production, and food security**. The way we produce, distribute, and eat food is closely entangled with global ecological destruction. The industrial food system is dominated by corporations and is a major driver of the climate emergency and eco-destruction, both regarding emissions and the destruction of carbon sinks (e.g. forests and other forms of vegetation as well as healthy soils). Relying heavily on chemicals primarily derived from fossil fuels, it accounts for up to 37% of global GHG emissions¹⁰⁸ and displaces and marginalizes Indigenous Peoples' and local communities' farming practices that were developed over generations, and function in harmony with nature. Indigenous Peoples' and local communities' production and management practices, in particular agroecology, are crucial elements to cool down the planet, restore biodiversity, and realize fundamental human rights, e.g. the human right to adequate food and nutrition. Industrial intensification of agriculture is an extractive practice that disturbs the foundations of our ecosystems and the very basis of our food. Agricultural activities and land-based ecosystems are thus significant in the climate regime.

Expansion of industrial monocultures, rising demand for energy and raw materials, unsustainable food consumption patterns, market-based climate change mitigation approaches, shrinking soil fertility, and extreme climate events have resulted in a global rush for land, further exacerbating the dispossession of rural communities and people. Similarly, dominant corporate-driven climate narratives aiming to make agriculture 'climate smart'¹⁰⁹ have perpetuated dynamics of expulsion, land concentration, and violence against nature and people. The people and communities who most suffer the consequences of eco-destruction and climate-related impacts are those who are already most vulnerable and marginalized. These include the world's 2.5 billion small-scale farmers, herders, fishers, and forest-dependent people who rely on land, water, and other natural resources for their survival.

¹⁰⁸ IPCC, 2022: Climate Change 2022: Impacts, Adaptation, and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press. In Press.

¹⁰⁹ The concept of Climate-Smart Agriculture (CSA) was originally developed by FAO, see [online](#). Climate-Smart Agriculture is a politically-motivated term. The approach does not involve any criteria to define what can or cannot be called "Climate Smart". The [Global Alliance for Climate Smart Agriculture](#) makes no reference to the wealth of knowledge, expertise and carefully considered approaches such as the [UNFCCC climate negotiations on agriculture](#), or the [FAO's Committee on World Food Security \(CFS\)](#). Agribusiness corporations that promote synthetic fertilizers, industrial meat production and large-scale industrial agriculture are part of the alliance: 60% of the private sector membership of the alliance is [related to the fertilizer industry](#). In addition, transnational corporations that have questionable social and environmental impacts, such as [Monsanto](#), [Walmart](#) and [McDonalds](#) have launched their own "climate-smart agriculture" programs, see [online](#).



Food insecurity due to climate change and environmental degradation partly caused by agro-industry in Honduras¹¹⁰

Honduras has in recent years been directly impacted by the frequency of natural disasters and is considered a geographical area highly vulnerable to the negative effects of climate change. This is exacerbating the food crisis, with just over 3.3 million people currently living in a situation of food insecurity. The coastal areas of the Department of Choluteca are a very affected region in the country. A case in point are artisanal fishermen and fisherwomen from the Municipality of Marcovia, from the communities of Guapinol, Cedeño, Pueblo Nuevo, and Punta Ratón who are constantly threatened by different natural phenomena, especially of meteorological origin, such as hurricanes, droughts, floods due to high rainfall, and rising sea levels. The intensity and frequency of these events is associated with climatic variability and environmental degradation, which is partly caused by shrimp farms and agro-industry that have deforested the mangroves, taken over protected areas to build up their lagoons, and polluted their rivers and seas.

In this municipality the majority of the population (65%) lives below the poverty line. Food insecurity in these communities is aggravated by climate change and environmental degradation, as the scarcity of marine species is preventing them from obtaining adequate remuneration for the sale of their products, or from being able to expand their food menu. The scarcity of subsistence crops, which are difficult to maintain due to droughts, water shortages, tidal waves, and high tides, is limiting nutrition intake to only those who can fish from the sea. In terms of climate change, marine intrusion is displacing fisheries by altering salinity, drying up wells, and causing disease in people, affecting people's economies and interfering with adequate food and nutrition. It is also causing loss of land and storm surges that have completely destroyed houses, hotels, roads, restaurants, etc., endangering more coastal areas and lowlands.

¹¹⁰ [Contribución escrita de FIAN Internacional y FIAN Honduras a la 81ª sesión previa del Comité para la eliminación de la discriminación contra la mujer](#) (5 al 9 julio 2021)

Despite the high climatic, environmental, economic, food, and nutritional vulnerability that places the entire population of these communities, especially women, in a situation of fragility, government authorities have almost no public policies in place and have taken almost no action to reduce these vulnerabilities.

Land is not only a major contributor to global warming but also plays a crucial part in reducing GHG emissions and ensuring climate justice. The 2019 IPCC special report on land recognizes **the importance of land tenure security for rural communities in the climate debate**.¹¹¹ Only when their right to land and tenure systems are effectively protected, can they fulfill their role as 'stewards of ecosystems' that is based on their sustainable land and forest management practices (such as agroforestry and agroecology). Thus, social land reforms, i.e. recognition, restitution, redistribution, and restoration of land, that are in many places incomplete and have been neglected, are core parts of responses to climate change. What is more, real solutions to climate change need to address the high concentration of land in the hands of corporations and finance firms.

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP)¹¹² recognize respectively the distinct rights of Indigenous Peoples and the rights of small-scale food producers to their lands and resources.¹¹³ Indigenous Peoples traditionally own, manage, use, and occupy at least a quarter of the global land area, which represents significant carbon storage and a significant contribution to global climate mitigation efforts. In addition, these lands contain 70% of the world's biodiversity. Yet these land rights are under constant attack, including from supposed green climate action such as the 30 x 30 project.¹¹⁴ As discussed above, Indigenous environmental defenders, defending the sacred, are subject to criminalization and assassination. Further, Indigenous and local science, which is crucial to assessing and addressing climate change, is inextricably tied to the close relation Indigenous Peoples and small scale food producers have to these lands, territories, and resources. The loss of their lands is the loss of their spiritual lives,

¹¹¹ IPCC, 2019: Climate Change and Land: an IPCC special report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems [P.R. Shukla, J. Skea, E. Calvo Buendia, V. Masson-Delmotte, H.-O. Pörtner, D. C. Roberts, P. Zhai, R. Slade, S. Connors, R. van Diemen, M. Ferrat, E. Haughey, S. Luz, S. Neogi, M. Pathak, J. Petzold, J. Portugal Pereira, P. Vyas, E. Huntley, K. Kissick, M. Belkacemi, J. Malley, (eds.)]. In press.

¹¹² The UN Declaration on the Rights of Peasants and Other People Working in Rural Areas promotes the needed transition towards more healthy, sustainable and just food systems (Arts. 13, 15, 19 and 20). It also provides protection to rural communities from the pressures from industrial farming (in particular Arts. 3, 15, 17, and 21) as well as from the devastating effects of climate change (preamble, Art. 18 and 25). Moreover, it can support challenging the power of transnational corporations and holding them accountable for their destructive activities and human rights abuses (Arts. 2 and 18).

¹¹³ FIAN, Peasants' rights briefings, 09-04-2021, [online](#).

¹¹⁴ UN bodies such as the Convention on Biological Diversity (CBD) and International Union for Conservation of Nature (IUCN) are discussing to place 30% of the Earth's surface under protection by 2030 - that would include both terrestrial and marine. Apart from implementation problems the "30x30" idea is criticized by Indigenous communities, numerous organizations from the Global South and scientists for a range of other reasons: They fear local people could be evicted from land they inhabited for thousands of years only to create protected areas. Indigenous communities have proven to effectively safeguard biodiversity on their land and the best conservation measure is to guarantee their land rights. See REDD-monitor, "CBD Alliance urges rejection of draft Global Biodiversity Framework, including 30% protection target: "Major step backwards in global biodiversity policy", 03-05-2021, [online](#); Mapping for Rights, "The Post-2030 Global Biodiversity Framework - How the CBD Drive to Protect 30 Percent of the Planet could Dispossess Millions", July 2020, [online](#); and African Center for Biodiversity, "Playing chess with the world's biodiversity. The Post 2020 Global Biodiversity Framework and Africa's future", 27-07-2022, [online](#).

ceremony and song. Indigenous Peoples' ability to govern themselves and to choose their own path to development is all about land, sovereignty, and self-determination. Thus, **the rights of Indigenous Peoples to their lands, territories, and resources must be respected and fully honored.** As the IPCC has recognized, strengthening Indigenous peoples and local communities' land access and tenure rights is necessary to achieve the Paris climate goals and to protect vulnerable landscapes in the climate fight.¹¹⁵



Village land commissions tackling environmental issues and the climate crisis in Mali

Since 2018 the Malian Convergence Against Land Grabbing has been supporting village land commissions in southern Mali. These commissions were able to demonstrate that community rights to land, food, and the environment are not only threatened by climate change but that safeguarding them is at the heart of counteracting the climate crisis and confronting the extractive and growth-led model at its origin.

The commissions tackled environmental issues such as loss of animal biodiversity, water pollution from gold mining and contested land management rules, such as restrictions on cutting trees and on sale of charcoal. They have also sought to renegotiate traditional sustainable practices in dialogue with new collective lessons on agroecology from international peasant movements as healthy and sustainable alternatives outside of corporate high-input (and fossil fuel-based) farming. In conjunction, these efforts are helping to prevent the takeover of land by carbon-heavy projects and to protect local vegetation without side-lining communities, as many environmental preservation projects do. Equally important is the role of land security and community dialogue in allowing adaptation and resilience to environmental change.

¹¹⁵ IPCC, 2019: Climate Change and Land: an IPCC special report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems [P.R. Shukla, J. Skea, E. Calvo Buendia, V. Masson-Delmotte, H.-O. Pörtner, D. C. Roberts, P. Zhai, R. Slade, S. Connors, R. van Diemen, M. Ferrat, E. Haughey, S. Luz, S. Neogi, M. Pathak, J. Petzold, J. Portugal Pereira, P. Vyas, E. Huntley, K. Kissick, M. Belkacemi, J. Malley, (eds.)]. In press.

Strengthening community and Indigenous land rights and promoting agroecological food production are part of the missing pathways of climate action. They are key bottom-up solutions given little attention in official climate summits and reports. Mali's village land commissions are an attempt to enact some of the principles of agrarian climate justice, an alternative framework and political proposal that recognizes the interdependence between ecological regeneration and justice for historically oppressed agrarian groups.¹¹⁶

8. Tools, guidelines, and methodologies for integration of human rights in climate action

Below is a list of publications and practical tools that can be used for integration of human rights in climate action.

- CLARA, "[The CLARA guide to NDCs](#)"
- OHCHR and CIEL (upcoming), "Integrating Human Rights In Nationally Determined Contributions, A Blueprint"
- UN Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment (2019), "[Report on the urgent need to ensure a safe climate for humanity and the right to a healthy environment](#)", with an [annex on good practices](#).
- OHCHR, "[Information materials - OHCHR and Climate Change](#)"
- CIEL (2021), "[Funding Our Future: Five Pillars for Advancing Rights-Based Climate Finance](#)"
- CDKN and WEDO (2021), "[Guide to strengthening gender integration in climate finance projects](#)"
- Schalatek, L. (2021), Gender and Climate Finance. [Climate Finance Fundamentals 10](#)
- Schalatek, L (2021), Core Steps to Increase Quality and Quantity of Gender-Responsive Climate Finance, [UN WOMEN Expert Paper for CSW 66](#)

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¹¹⁶ FIAN International (2021), "Mali: Grassroots groups confront climate crisis with strategies rooted in agrarian justice", 17-12-2021, [online](#).