



50th Session of the UN Human Rights Council

Written Statement

Submitted 23 May 2022

Item 3 - Interactive Dialogue with the Special Rapporteur on climate change

## **WELCOMING THE NEW SPECIAL RAPPORTEUR ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE CONTEXT OF CLIMATE CHANGE**

On behalf of the Geneva Interfaith Forum on Climate Change, Environment and Human Rights (GIF)<sup>1</sup>, we welcome the new UN Special Rapporteur on the promotion and protection of human rights in the context of climate change and salute the Special Rapporteur for already setting out important preliminary priorities in consultation with civil society.<sup>2</sup>

The adoption of the Council Resolution 48/14 in September last year is a result of joint efforts between members of this Council and hundreds of civil society stakeholders, including faith-based, women's and indigenous peoples organizations, which more than a decade ago have called the Council to take concrete actions to address the impacts of climate change on human rights.

As civil society and faith-based organizations, we encourage and expect the Rapporteur to develop systematic and inclusive ways of working with all civil society stakeholders, including faith-based and women's rights' organizations.

Taking into account the preliminary priorities of the mandate, we would highlight the following:

### **1. Climate Change Displacement**

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<sup>1</sup> The Geneva Interfaith Forum on Climate Change, Environment and Human Rights (GIF) is composed of the following faith-based NGOs: World Council Churches, Lutheran World Federation, Franciscans International, Dominicans for Justice and Peace, Brahma Kumaris World Spiritual University, Soka Gakkai International, and ACT Alliance.

<sup>2</sup> <https://srcclimatechange.medium.com/8-preliminary-key-themes-for-my-mandate-8337cea748c>.



We welcome the Special Rapporteur's preliminary priorities on climate change mobility, including migration and internal displacement from a human rights perspective. Migration and internal displacement as a result of climate change is becoming an increasing issue in various regions, including the Pacific, the Caribbean and on the African continent. In this regard, it is also important to recognize that human security is not just related to military conflicts but it is now affected by the impacts of climate change and, in some instances, of climate action.

## **2. Loss and Damage**

It is important that the Special Rapporteur visit affected regions and countries to collect evidence on the ground, including vulnerable countries in the Caribbean suffering extreme weather phenomena whose intensity and frequency are caused by the climate crisis. These extreme weather events take place and reinforce a multifaceted crisis including issues with water and sanitation, migration and adaptation among others. Towards COP27 and the Global Stocktake, we encourage the Special Rapporteur to support this process with the lens of human rights, especially looking at loss and damage from a human rights perspective. From another perspective, we commend Vanuatu's launch of a process to ask the International Court of Justice for an Advisory Opinion on human rights and climate change and the Special Rapporteur might consider supporting the process.

## **3. Just Transition**

We would like to highlight the following elements in relation to just transitions in the context of climate change: Representatives from Indigenous communities have shared how concerns for the damage to the Earth have reached a reality that is destroying lives: peoples, animals, plants. All these entities are viewed as equal and not to be marketed by many Indigenous Peoples. Their core teachings of subsistence living have sustained life for millenia. The mother tongues of many Indigenous Peoples foster a relationship of harmony. However the free use of Indigenous languages and practices is still violently discriminated against. The principle of Free Prior and Informed Consent (FPIC) in relation to the right to land and land tenure must add a new component of non-consent: in too many places, non-consent is actually criminalized in various ways. It is important to assess how climate action can also impact communities. For instance,



when considering wind power generation, windmills being built on indigenous land have caused the displacement of the local communities.

#### **4. Participation and Inclusion**

Participation and inclusion are key for respecting the dignity of everyone. It is crucial to listen and witness the reality of grassroots communities, including children and youth. In terms of youth participation, there are issues of intra-generational equity as participation is also a social justice and a human rights issue: in some countries, youth activists risk being put into jail for their activism. We encourage the Special Rapporteur to also include the voices of young people of faith, which has limited expression in existing constituencies (there are emerging networks at the international level in UNEP and in YOUNGO). Non-youth actors also have an important role in protecting space and creating partnerships and collaboration for youth voices to share their own narrative.

The Special Rapporteur might contribute to amplify and provide guidance to states with regard to the protection of environmental human rights defenders. The Special Rapporteur might also amplify the voices of the communities that are left in a legal gap such as the riverbank communities in Brazil.

#### **5. Business, Human Rights and Climate Change**

We also call upon the Special Rapporteur to ensure adequate protection to environmental defenders and access to legal redress at national level. We believe it is particularly important to ensure business and human rights norms are abided by and that profit-seeking practices do not trump human rights obligations. The voices of those whose human rights are already affected by climate change, many who are part of our faith communities, are critical stakeholders for fulfilling the Special Rapporteur mandate and we should therefore ensure that these prophetic voices are protected and supported.

#### **6. Technical Response to Climate Change**

Increasingly, geoengineering or large-scale interventions in the atmosphere, on land and in the oceans to manipulate the climate system and counteract some of the effects of climate change are pushed forward as a solution. However, the significant risks, unintended consequences and



potential impact on human rights that these large-scale manipulation of natural systems inherently carry are worrying. We must not confuse knowledge for wisdom. It is important to keep questioning what are the deeper motivations that underpin advancing with new climate manipulation technologies. From an ethical and spiritual perspective, large-scale manipulations of the climate system seem to reinforce a “view that the proper human relationship to nature is one of domination”.<sup>3</sup> Adopting a human rights-based approach is key not to leave out important ethical considerations such as justice, fairness, autonomy and legitimacy.

## 7. Litigation

Human rights in the context of climate change is also about sustainable development and survival: there are people who are thriving but others are surviving. We applaud particular examples of climate litigation such as the Irish climate justice case<sup>4</sup>. The role of national level legal experts is fundamental in ensuring duty bearers abide by International Human Rights commitments.

## 8. Linkage with other Special Rapporteurs

As other Special Rapporteurs have reported about the impacts of climate change in relation to their respective thematic focus, it will be important to build on the work done, to highlight the systemic impact of climate change and climate action on human rights. It might also be important to address the issue of mental health and well-being in relation to human rights and climate change.

Finally, we would like to conclude by sharing that compassion requires us to critique every decision we now make, recognising that the consequences of climate change impact most on those who have had least to do with its causation.

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<sup>3</sup> Jamieson, D. Intentional climate change. *Climatic Change* 33, 323-336 (1996).

<sup>4</sup> For more, see [Climate Case Ireland](#).