



## Submission by the Mary Robinson Foundation – Climate Justice 3 February 2016

Identifying opportunities for strengthening resilience, reducing vulnerabilities and increasing the understanding and implementation of adaptation actions as an input to the Technical Examination Process on Adaptation.

In response to paragraph 133 of the Paris Decision

### Introduction

The decision for the adoption of the Paris Agreement establishes a Technical Examination Process on Adaptation to enhance climate action prior to 2020. The Mary Robinson Foundation – Climate Justice is pleased to submit the following information in response to the request made in paragraph 133 of the decision taking into account the role of the Technical Examination Process as set out in paragraph 126. The information provided relates in particular to the following tasks of the Technical Process: a) to facilitate the sharing of good practices and lessons learned; and b) to identify actions that could significantly enhance the implementation of adaptation actions (para 128).

This submission makes the case that integrating human rights and gender equality into adaptation action will enhance implementation and that the Technical Examination Process on Adaptation can play a role in sharing lessons learned from these experiences.

The Foundation's climate justice approach is informed by the Principles of Climate Justice<sup>1</sup>. These principles are rooted in the frameworks of international and regional human rights law and do not require the breaking of any new ground. Applied in practice they shape climate actions that put people at the centre, protect the most vulnerable and deliver equity. They include the Principles 'Respect and Protect Human Rights' and 'Highlight Gender Equality and Equity' both of which have a direct application in the field of adaptation. Action on adaptation protects rights by increasing resilience and building adaptive capacity and human rights obligations can inform adaptation actions that enhance implementation by ensuring a people-centred approach.

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<sup>1</sup> MRFCJ Principles of Climate Justice available at <http://www.mrfcj.org/principles-of-climate-justice/>

## **The basis for climate action rooted in human rights and gender equality in the UNFCCC process**

The links between climate change and human rights have been acknowledged by the UN Human Rights Council (HRC) in resolutions adopted in 2008 and 2009. Resolution 10/4 of the HRC in 2009 (as noted in the preamble to the Cancun Agreements<sup>2</sup>), notes that ‘climate change-related effects have a range of implications, both direct and indirect, for the effective enjoyment of human rights’, and that the effects of climate change will fall hardest on the rights of those people who are already in vulnerable situations ‘owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability.’

Likewise the particular vulnerability of women, local communities, and indigenous people to the impacts of climate change has been recognised by the UNFCCC in decisions over the years (e.g. 1/CP.16, 2/CP.17, 15/CP.18, 2/CP.20). The Cancun Adaptation Framework emphasises the need to adopt a gender sensitive approach to adaptation action and to include vulnerable communities in adaptation planning. The need to increase the representation of women in climate related decision making is the focus of decision 23/ CP18 which in turn led to the creation of the Lima Work Programme on Gender which is holding a workshop focused on the gender dimensions of adaptation and capacity building during SB 44, May 2016.

The Cancun Agreements emphasise ‘that Parties should, in all climate change related actions, fully respect human rights’. This is echoed by the HRC in Resolution 18/22 which affirms that ‘human rights obligations, standards, and principles have the potential to inform and strengthen international and national policy making in the area of climate change, promoting policy coherence, legitimacy, and sustainable outcomes’.

As demonstrated, the impacts of climate change on human rights and the differential impact of climate change on men and women is well established, the next step is ensure that gender equality and human rights actively inform adaptation planning and action.

## **Sharing good practices**

Unfortunately this recognition of the links between climate change and human rights is not yet being actively captured in national reports to the HRC and UNFCCC. Research commissioned by the Foundation found that only 23% of national reports to the UNFCCC (National Communications and NAPAs) submitted between 2010 and 2014 recognised the links between human rights and climate change<sup>3</sup>. In fact only 12 countries acknowledged the links between human rights and climate change in both their reports to the HRC and the UNFCCC. Increased reporting by Parties on these issues would greatly enhance lesson learning and allow experiences to be shared; as envisaged in the Technical Examination Process.

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<sup>2</sup> UNFCCC (2010) Decision 1/CP.16 *The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention* available at <http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf> (Accessed 3 February 2016)

<sup>3</sup> MRFCJ (2014) *Incorporating Human Rights into Climate Action* available at <http://www.mrfcj.org/pdf/2014-10-20-Incorporating-Human-Rights-into-Climate-Action.pdf> (Accessed 3 February 2016)

The sharing of experiences is also an important focus of the Geneva Pledge, a voluntary undertaking to facilitate the exchange of expertise and best practice between human rights and climate experts to build capacity to deliver responses to climate change that are good for people and the planet<sup>4</sup>. The Geneva Pledge could be a useful model of cooperation and information sharing for the Technical Examination Process to consider in its work.

A specific focus on sharing good practices in the integration of human rights and gender equality into adaptation actions as part of the Technical Examination Process on Adaptation would be an important contribution to ongoing work on resilience.

### **Enhancing implementation by integrating human rights and gender equality**

In addition to the HRC Resolutions and decisions of the UNFCCC on human rights and gender equality, research and case studies commissioned by the Mary Robinson Foundation – Climate Justice show that integrating gender equality and human rights into climate actions can improve their effectiveness and ensure outcomes that benefit people as well as the planet.

Specifically in relation to adaptation to climate change, which tends to be implemented at the local level, actions that ensure the participation of women and local communities and that respect rights such as the right to health, food or water, tend to be more effective.

Some examples of rights informing adaptation action are summarised below and are available to read in more detail online<sup>5</sup>:

In **Costa Rica** a constitutional commitment to the right to a healthy environment informs the design of climate policy and actions. The country's livestock Nationally Appropriate Mitigation Action (NAMA) is one of these actions and although its primary objective is mitigation, the activities that the farmers engage in are also increasing resilience to climate impacts. An emphasis on providing farmers with access to information and training ensures that they are fully engaged and adopt the improved farming practices promoted by the project. As a result the project will result in an estimated aggregate saving of 12.9 million tonnes of CO<sub>2</sub> equivalent between reductions and storage. One of the primary benefits to farmers in addition to increased yields and reduced input costs is increased resilience to climate impacts. Their cattle are in better health due to improved practices, and improved pasture management and increased use of fodder allow the livestock to get through periods of drought.

In **Niger** the right to information on land rights has enhanced women's and community resilience to climate impacts. Women in Niger are primarily responsible for food and nutrition security yet existing gender inequalities mean that women can be prevented from accessing land, particularly if they are widowed. CARE Niger has been working with local communities since 2010 to secure land

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<sup>4</sup>The Geneva Pledge for Human Rights in Climate Action  
<http://www.rree.go.cr/?sec=politica%20exterior&cat=medio%20ambiente%20y%20desarrollo%20sostenible&cont=974> (Accessed 3 February 2016)

<sup>5</sup> MRFCJ (2015) *Rights for Action Putting People at the Centre of Action on Climate Change* available at <http://www.mrfcj.org/wp-content/uploads/2015/11/MRFCJ-Rights-for-Action-edition-2.pdf> (Accessed 3 February 2016)

rights for women to increase their involvement in agriculture and reduce their vulnerability to climate impacts and food insecurity. This work has taken a rights based approach which ensures access to information on land rights for women in vulnerable situations, the participation of women in community discussions and decision making on access to and control over land. Once women have established their land rights, they are able to access training, credit, improved seeds and irrigation, further increasing their resilience to climate impacts.

In **Vietnam**, the right to education and a commitment to gender equality have shaped the design of the national climate change strategy. This provides the basis for a project implemented by the Vietnam Women's Union and UN Women to provide adaptation training for women in disaster affected communities. Heavy rains and floods destroy livelihoods and kills people and livestock every year. Training in disaster preparedness specifically targeting women and the role they play in local communities has reduced human and animal losses in the face of floods.

These examples demonstrate that the integration of gender equality and human rights into the design and implementation of adaptation actions can improve results. The importance of including women and other members of vulnerable communities in adaptation planning is recognised by the Convention. The next step is to systematically integrate gender equality and human rights into all adaptation actions to enhance implementation in the pre-2020 period and beyond. Parties should consider whether they have the tools and capacity they need to undertake this integration or whether they should increase cooperation with other UN bodies, national experts or non-governmental organisations working on gender and human rights to further develop their capacity in this regard. The Geneva Pledge provides a good example of what countries can do to address human rights in climate action at the national level.

In summary, the Mary Robinson Foundation – Climate Justice suggests that the Technical Examination on Adaptation include the following activities in its work:

1. Provide a platform for lesson learning and information sharing on the integration of human rights and gender equality into adaptation action and consider how best to capture this information on an ongoing basis through national reports.
2. Identify ways to promote cooperation between experts working on climate change, human rights and gender equality at national and international level, using the Geneva Pledge as a model.
3. Identify capacity gaps and needs to enable the systematic integration of gender equality and human rights into adaptation planning and actions.

More information on the work of the Mary Robinson Foundation – Climate Justice on gender equality, human rights and climate change can be found at [www.mrfcj.org](http://www.mrfcj.org).