

SUBMISSION BY THE OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

AD HOC WORKING GROUP ON LONG-TERM COOPERATIVE ACTION UNDER THE
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Key messages of the Human Rights Council

The Office of the United Nations High Commissioner for Human Rights (OHCHR) would like to draw the attention of Parties to the United Nations Framework Convention on Climate Change (UNFCCC) to recent resolutions and deliberations of the United Nations Human Rights Council on human rights and climate change and to the findings of the OHCHR report on the relationship between climate change and human rights (A/HCR/10/61) which are of relevance to discussions of the Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA).¹

The United Nations Human Rights Council considered the OHCHR report at its tenth session in March 2009 and adopted resolution 10/4 (25 March 2009) in which it noted that: *“climate change-related impacts have a range of implications, both direct and indirect, for the effective enjoyment of human rights including, inter alia, the right to life, the right to adequate food, the right to the highest attainable standard of health, the right to adequate housing, the right to self-determination and human rights obligations related to access to safe drinking water and sanitation, and recalling that in no case may a people be deprived of its own means of subsistence,”*

In its resolution 10/4, the Council further recognized that: *“while these implications affect individuals and communities around the world, the effects of climate change will be felt most acutely by those segments of the population who are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability,”* and affirmed *“that human rights obligations and commitments 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,”*

A panel discussion of the Human Rights Council on human rights and climate change, held on 15 June 2009, indicated general agreement as to the value of considering climate change-related effects from a human rights perspective. In particular, delegates underlined how a human rights perspective:

- (a) Focuses the debate on climate change more directly on the real-life effects on the lives of individuals and communities;
- (b) Directs attention to the situation of the most vulnerable and to the need to ensure that their rights are protected;
- (c) Empowers individuals and communities and gives them a voice in decision-making processes;
- (d) Strengthens policy-making, drawing attention to the interactions between climate and human-rights policies and promoting policy coherence and a more holistic, coordinated and effective global response to climate change.

¹ The resolutions of the Human Rights Council on human rights and climate change, a summary of the Council's panel discussion, and the OHCHR report are available on the OHCHR website at: <http://www2.ohchr.org/english/issues/climatechange/index.htm>

Human rights in the Climate Agreement

The Office of the United Nations High Commissioner for Human Rights welcomes efforts to signal the relevance of human rights norms and standards to policy planning in the area of climate change in the draft negotiating text (FCCC/AWGLCA/2009/14). OHCHR would like to draw the attention of Parties to the importance of ensuring that any reference to human rights which may be included in an agreed outcome text is consistent with the core international human rights treaties and other universal human rights instruments. **In that regard, OHCHR notes that paragraph 13 on page 15 (Content of non-paper no. 33) lists as examples of “human rights” a number of rights which are not recognized under any universal human rights instrument, such as “the right to sustainable development”, the right to “statehood”, or “the right to live well”.**

The Office of the High Commissioner stands ready to provide any technical advice and assistance which may be deemed helpful by Parties to ensure the coherence of text under consideration by the AWG-LCA with universal human rights standards and instruments.