



# General Assembly

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## Human Rights Council

### Forty-fourth session

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Agenda item 3

### Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

**Armenia, Bangladesh, Chile, Costa Rica,\* Fiji, France,\* Haiti,\* India, Maldives,\* Marshall Islands, Nepal, Pakistan, Paraguay,\* Peru, Philippines, Uruguay, Viet Nam\* and State of Palestine\*\*: draft resolution**

#### 44/...Human rights and climate change

*The Human Rights Council,*

*Guided* by the Charter of the United Nations, and reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Vienna Declaration and Programme of Action,

*Recalling* the 2030 Agenda for Sustainable Development and its commitment to leave no one behind, including, inter alia, its Goal 13 on taking urgent action to combat climate change and its impacts,

*Reaffirming* the Addis Ababa Action Agenda as an integral part of the 2030 Agenda,

*Reaffirming also* that all human rights are universal, indivisible, interdependent and interrelated,

*Recalling* all its previous resolutions on human rights and climate change,

*Reaffirming* the United Nations Framework Convention on Climate Change and the objectives and principles thereof, and emphasizing that parties should, in all climate change-related actions, fully respect, promote and consider their respective obligations on human rights,

*Recalling* that the Paris Agreement adopted under the United Nations Framework Convention on Climate Change<sup>1</sup> acknowledges that climate change is a common concern of humankind and that parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities

\* State not a member of the Human Rights Council.

\*\* On behalf of the States Members of the United Nations that are members of the Group of Arab States.

<sup>1</sup> See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.



and people in vulnerable situations, and the right to development, as well as gender equality, the empowerment of women and intergenerational equity,

*Reaffirming* the commitment to realize the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change and the Paris Agreement adopted under the Convention, including in the context of sustainable development and efforts to eradicate poverty, in order to achieve the ultimate objective of the Convention,

*Stressing* the importance of holding the increase in the global average temperature to well below 2°C above pre-industrial levels and of pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, while recognizing that this would significantly reduce the risks and impact of climate change,

*Acknowledging* that, as stated in the United Nations Framework Convention on Climate Change, the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions, and acknowledging also that article 2, paragraph 2, of the Paris Agreement states that the Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances,

*Noting* the importance of the work of the scientific community and the Intergovernmental Panel on Climate Change, including its assessment reports and special reports, in support of strengthening the global response to climate change, including considering the human dimension, and indigenous peoples' and local communities' knowledge,

*Acknowledging* that, as stated in the United Nations Framework Convention on Climate Change, responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding an adverse impact on the latter, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty,

*Recognizing* that poverty in all its forms and dimensions, including extreme poverty, is one of the greatest global challenges and that poverty eradication is critical to the implementation of the Sustainable Development Goals, climate change resilience and the promotion and protection of human rights, including the rights of older persons who are disproportionately affected by the negative impacts of climate change,

*Recalling* the commemoration of the International Day of Older Persons in October 2019, with the theme "The journey to age equality," which emphasized the importance of reducing inequality in line with Sustainable Development Goal 10,

*Recalling* also the First and Second World Assemblies on Ageing, as well as the Madrid International Plan of Action on Ageing and the Political Declaration,

*Commemorating* the twenty-fifth anniversary of the Beijing Declaration and Platform for Action on the rights of women, and stressing the importance of the participation of women, including older women, and girls in climate action,

*Stressing* that human rights obligations, standards and principles have the potential to inform and strengthen international, regional and national policymaking in the area of climate change, thereby promoting policy coherence, legitimacy and sustainable outcomes,

*Emphasizing* that the adverse effects of climate change have a range of implications, which can increase with greater global warming, 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 enjoyment of the highest attainable standard of physical and mental health, the right to adequate housing, the right to self-determination, the rights to safe drinking water and sanitation, the right to work and the right to development, and recalling that in no case may a people be deprived of its own means of subsistence,

*Recognizing* that climate change poses an existential threat for some countries and recognizing also that it has already had an adverse impact on the full and effective enjoyment of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments,

*Expressing concern* that, while these implications affect individuals and communities around the world, the adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status where applicable, national or social origin, birth or other status and disability,

*Recognizing* that climate change, and biodiversity loss and other types of environmental degradation, put added pressure on the environment that may in turn exacerbate disease emergence and increase the impact of pandemics, including the spread of diseases, thereby increasing the risk of exposure of the most vulnerable segments of society, inter alia, older persons, especially older persons with disabilities or chronic illnesses, to the combined negative effects and consequences of these phenomena, and put added strain on health systems, particularly those of developing economies,

*Acknowledging* the efforts of States to determine the best way to strengthen the protection of the human rights of older persons, while taking note of the various proposals that have been made within the Open-ended Working Group on Ageing,<sup>2</sup>

*Welcoming* the work of the Independent Expert on the enjoyment of all human rights by older persons,<sup>3</sup>

*Stressing* the particular vulnerabilities of older persons, including older women and older persons with disabilities, exposed by the implications of climate change, including their increased susceptibility to diseases, heat stress, reduced mobility, social exclusion and reduced physical, emotional and financial resilience, as well as the need for measures to address their specific needs and to ensure their participation in disaster response planning for emergency situations and evacuations, humanitarian emergency response, and health-care services, as appropriate,

*Expressing concern* at the adverse impact of climate change on individuals with multiple vulnerability factors, including older persons, particularly women and those with disabilities and/or pre-existing conditions, and recognizing that older persons are among the most adversely affected in an emergency, as has been seen during the coronavirus disease (COVID-19) pandemic, sustaining disproportionately higher rates of morbidity and mortality, while at the same time being among those least able to have access to emergency support and health services,

*Recalling* the call for solidarity by the Secretary-General in the face of the COVID-19 pandemic,<sup>4</sup> and welcoming his release of a policy brief on the impact of COVID-19 on older persons,<sup>5</sup> that recommends, among other actions, ensuring the meaningful participation of older persons in decision-making processes that affect their lives,

*Emphasizing* that sudden-onset natural disasters and slow-onset events seriously affect the access of vulnerable segments of society, including older persons, to food and nutrition, safe drinking water and sanitation, health-care services and medicines, social protection, education and training, adequate housing, transportation and access to decent work,

*Reaffirming* the need for the continuing implementation of the Sendai Framework for Disaster Risk Reduction 2015–2030, adopted at the Third United Nations World Conference on Disaster Risk Reduction, and its references to human rights, as well as to older persons as key stakeholders in disaster risk reduction,

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<sup>2</sup> Human Rights Council resolutions 33/5 and 42/12.

<sup>3</sup> Human Rights Council resolution 42/12.

<sup>4</sup> UN News, “UN chief calls for ‘solidarity, unity and hope’ in battling COVID-19 pandemic”, 30 April 2020.

<sup>5</sup> United Nations, “Policy brief: the impact of COVID-19 on older persons”, May 2020.

*Recognizing* the need for ensuring meaningful participation, inclusion and leadership of older persons and their representative organizations within disaster risk management, emergency relief efforts and climate-related decision-making and in the design of policies, plans and mechanisms at the community, local, national, regional and global levels,

*Expressing concern* that developing countries, particularly least developed countries and small island developing States, lacking the resources to implement their adaptation plans and programmes of action and effective adaptation strategies, may suffer from higher exposure to extreme weather events, in both rural and urban areas,

*Taking into account* the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities,

*Emphasizing* the importance of implementing the commitments undertaken under the United Nations Framework Convention on Climate Change on mitigation, adaptation and the provision and mobilization of finance, technology transfer and capacity-building to developing countries, and emphasizing also that realizing the goals of the Paris Agreement would enhance the implementation of the Convention and ensure the greatest possible adaptation and mitigation efforts in order to minimize the adverse impact of climate change on present and future generations,

*Urging* States that have not already ratified the Paris Agreement and the Doha Amendment to the Kyoto Protocol to do so,

*Welcoming* the twenty-fifth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change held in Madrid in December 2019 under the presidency of Chile, and taking note of the Katowice climate package agreed at the twenty-fourth session of the Conference of the Parties, held in Katowice, Poland, in December 2018 in connection with the Paris Agreement,

*Noting* the announcements and commitments made by Governments and by private sector leaders at the Climate Action Summit held on 23 September 2019 in New York, including the call to action for resilience and adaptation, and recognizing that the global nature of climate change calls for the widest possible international cooperation to address the adverse impacts of climate change, to which vulnerable segments, including older persons, are particularly at risk,

*Noting also* the importance of some elements of the concept of “climate justice” when taking action to address climate change,

*Noting with appreciation* the continued efforts of the United Nations High Commissioner for Human Rights in highlighting the need to respond to the global challenge of climate change, including by reaffirming the commitments to ensure effective climate action while advocating for the promotion and protection of human rights for all, including older persons,

*Welcoming* the convening of a panel discussion on persons with disabilities, and looking forward to the summary report on the discussion to be prepared by the Office of the United Nations High Commissioner for Human Rights,

*Noting* the analytical study on the rights of persons with disabilities in the context of climate change prepared by the Office of the High Commissioner pursuant to Human Rights Council resolution 41/21 of 12 July 2019,

*Noting also* that the human rights obligations and responsibilities as enshrined in the relevant international human rights instruments provide roles for States and other duty bearers, including businesses, to promote, protect and respect, as would be appropriate, human rights, including those of older persons, when taking action to address the adverse effects of climate change,

*Taking note with appreciation* of the reports of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable

environment, focusing on climate change and human rights<sup>6</sup> and on air pollution and human rights,<sup>7</sup> the report of the Special Rapporteur on extreme poverty and human rights, relating to climate change and poverty,<sup>8</sup> the report of the Special Rapporteur on the right to food, focusing on the right to food in the context of natural disasters,<sup>9</sup> and the report of the Independent Expert on the enjoyment of all human rights by older persons, on the human rights of older persons in emergency situations,<sup>10</sup>

*Welcoming* the work of the Climate Vulnerable Forum, which asserts that climate change is a major threat to the enjoyment of human rights and fundamental freedoms,

*Noting* the importance of facilitating meaningful interaction between the human rights and climate change communities at both the national and international levels in order to build capacity to deliver responses to climate change that respect and promote human rights, taking into account the Geneva Pledge for Human Rights in Climate Action and other similar efforts,

*Noting also* the establishment and work of regional, subregional and other initiatives, such as the Small Island Developing States Accelerated Modalities of Action (Samoa Pathway) on addressing the adverse impacts of climate change,

1. *Expresses concern* that climate change has contributed and continues to contribute to the increased frequency and intensity of both sudden-onset natural disasters and slow-onset events, and that these adversely affect the full enjoyment of all human rights;

2. *Emphasizes* the urgent importance of continuing to address, as they relate to States' human rights obligations, the adverse consequences of climate change for all, particularly in developing countries and for the people whose situation is most vulnerable to climate change;

3. *Calls upon* States to consider, among other aspects, human rights within the framework of the United Nations Framework Convention on Climate Change;

4. *Calls upon* all States to adopt a comprehensive, integrated, gender-responsive, age-inclusive and disability-inclusive approach to climate change adaptation and mitigation policies, consistent with the United Nations Framework Convention on Climate Change and the objective and principles thereof, to address efficiently the economic, cultural and social impact and human rights challenges that climate change presents, for the full and effective enjoyment of human rights for all, and particularly to support the resilience and adaptive capacities of older persons, both in rural and urban areas, to respond to the adverse impact of climate change;

5. *Calls upon* States to continue and enhance international cooperation and assistance, in particular in financing, the transfer of technology and capacity-building, for mitigation and adaptation measures to assist developing countries, especially those that are particularly vulnerable to the adverse effects of climate change;

6. *Also calls upon* States to better promote human rights in general and the access of older persons in particular to livelihoods, food and nutrition, safe drinking water and sanitation, social protection, health-care services and medicines, education and training, adequate housing and decent work, clean energy, science and technology, and ensure services can be adapted to emergency and humanitarian contexts;

7. *Further calls upon* States to develop, strengthen and implement policies for the protection of the right of older persons in response to climate change, as appropriate, by, among other actions, the inclusion of their rights, specific risks, needs and capabilities in climate action plans and other relevant policies or legislation, the mainstreaming of climate change action into resilient and adaptive social and health care, and the provision of information on climate change and disaster preparedness response and planning through all accessible means of communication;

<sup>6</sup> A/HRC/43/53 and A/74/161.

<sup>7</sup> A/HRC/40/55.

<sup>8</sup> A/HRC/41/39.

<sup>9</sup> A/HRC/37/61.

<sup>10</sup> A/HRC/42/43.

8. *Urges* States to strengthen and implement policies aimed at promoting the participation of older persons in the design of policies, plans and mechanisms in climate-related decision-making and disaster risk reduction and management at the community, local, national, regional and international levels, including for preparedness, contingency planning, early warning, evacuation planning, emergency relief, humanitarian response and assistance arrangements,

9. *Decides* to incorporate into its programme of work for the forty-seventh session, on the basis of the different elements contained in the present resolution, a panel discussion focusing on the adverse impact of climate change on the full and effective enjoyment of human rights by older persons and best practices and lessons learned in the promotion and protection of the rights of older persons, and also decides that the panel discussion will have international sign interpretation and captioning;

10. *Invites* special procedure mandate holders, within their respective mandates, and other relevant stakeholders with appropriate expertise, including academic experts, and civil society organizations, including older persons and their associations, to contribute actively to the panel discussion;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights to submit a summary report on the panel discussion to the Human Rights Council at its forty-ninth session, and to make the report available in accessible formats, including Plain Language and Easy-to-Read;

12. *Also requests* the Office of the High Commissioner, in consultation with and taking into account the views of States, the special procedures of the Human Rights Council, including the Independent Expert on the enjoyment of all human rights by older persons, the Open-ended Working Group on Ageing, the World Health Organization, the United Nations Environment Programme, the World Meteorological Organization and other relevant international organizations and intergovernmental bodies, including the Intergovernmental Panel on Climate Change and the secretariat of the United Nations Framework Convention on Climate Change, and other stakeholders, to conduct, from within existing resources, a study on the promotion and protection of the rights of older persons in the context of climate change, including their particular vulnerabilities, such as physical and mental health risks, and their contributions to efforts to address the adverse impact of climate change, to be circulated to States and other stakeholders, including older persons and their associations, and to be submitted to the Council prior to its forty-seventh session, and further requests the Office to make the study available in accessible formats, including Plain Language and Easy-to-Read;

13. *Encourages* relevant special procedure mandate holders to continue to consider the issue of climate change and human rights, including the adverse impact of climate change on the full and effective enjoyment of human rights, particularly the rights of older persons, within their respective mandates;

14. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and technical assistance necessary for the effective and timely realization of the above-mentioned panel discussion and the summary report thereon;

15. *Decides* to remain seized of the matter.

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