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

Bangladesh, Ecuador*, Paraguay, Peru*, Philippines* and Viet Nam: draft resolution

56/... 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, the International Convention on the Elimination of All Forms of Racial Discrimination 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 previous Human Rights Council resolutions on human rights and climate change, and taking note of the panel discussions and reports mandated by those resolutions,

Reaffirming the United Nations Framework Convention on Climate Change and the Paris Agreement adopted under the United Nations Framework Convention on Climate Change,¹ and the objective 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 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 and people in vulnerable situations, and the right to development, as well as gender equality, the empowerment of women and intergenerational equity, and also acknowledging the need to respect, promote and consider their respective obligations on the

* State not a member of the Human Rights Council.

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



right to food, the rights of peasants, youth, people living in developing States and least developed countries, and in conditions of water scarcity, desertification, land degradation and drought, as well as the empowerment of girls,

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, end hunger and malnutrition and promote livelihood resilience, 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 impacts of climate change,

Noting with serious concern the findings contained in the synthesis report of the Intergovernmental Panel on Climate Change Sixth Assessment Report and the findings from the contribution of Working Group III to the Assessment Report, which set out that limiting warming to around 1.5°C requires global greenhouse gas emissions to peak before 2025 at the latest, and to be reduced by 43 per cent by 2030, and by 69 per cent by 2040, relative to 2019 levels, and achieving net zero carbon dioxide emissions by 2050,

Stressing the urgency of enhancing ambition for climate action in the implementation of the United Nations Framework Convention on Climate Change and the Paris Agreement² in relation to climate mitigation, adaptation and the provision of the means of implementation, especially finance to developing countries,

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,

Recalling General Assembly resolution 77/276 of 29 March 2023, in which the Assembly requested an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change, and Assembly resolution 76/300 of 28 July 2022, on the human right to a clean, healthy and sustainable environment,

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', peasants' 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 adverse impacts 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, and further, recognizing the need to end hunger and malnutrition and to achieve livelihood resilience in the face of loss and damage brought about by extreme weather and slow-onset events,

Recognizing that poverty in all its forms and dimensions, including extreme poverty, is one of the greatest global challenges, and that eradicating poverty and ending hunger and malnutrition are critical to the implementation of the Sustainable Development Goals, climate change resilience and the promotion and protection of human rights, inter alia the full realization of the right to an adequate standard of living, and maintaining resilient livelihoods,

² Adopted under the United Nations Framework Convention on Climate Change; see FCCC/CP/2015/10/Add.1, decision 1/CP.21.

particularly of people living in developing countries, including small island developing States and least developed countries, and other climate-vulnerable countries who are disproportionately affected by the negative impacts of climate change,

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, both direct and indirect, that increase with greater global warming, 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,

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, race, ethnicity, Indigenous or minority status where applicable, national or social origin, birth or other status, and disability, among others,

Expressing extreme concern that climate change poses an existential threat to some countries, and 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,

Recalling that the Paris Agreement recognizes that parties may be affected not only by climate change but also by the impacts of the measures taken in response to it, and emphasizes the intrinsic relationship that climate change actions, responses and impacts have with equitable access to sustainable development and eradication of poverty,

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, and recalling decision 1/CMA.3,³ paragraph 85, in which the need was recognized to ensure just transitions that promote sustainable development and eradication of poverty, and the creation of decent work and quality jobs, including through making financial flows consistent with a pathway towards low greenhouse gas emission and climate-resilient development, including through deployment and transfer of technology, and provision of support to developing countries,

Welcoming the establishment of a work programme and annual ministerial dialogue on just transition pathways at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change,

Acknowledging that just transitions can support more robust and equitable mitigation outcomes, with tailored approaches addressing different contexts, noting that just transition of the workforce, the creation of decent work and quality jobs, and economic diversification are key to maximizing the positive and minimizing the negative impacts of response measures, and that strategies related to just transition and economic diversification should be implemented taking into account different national circumstances and contexts,

Recognizing the opportunities, challenges and barriers relating to sustainable development and poverty eradication as part of transitions globally to low emissions and climate resilience, and reaffirming the importance of international cooperation as an enabler of just transition pathways towards achieving the goals of the Paris Agreement, including through the scaling-up of investment flows and relevant financial support, including low-cost finance, increased access to clean energy technologies and capacity-building for developing countries,

Recognizing also that States should cooperate on promoting a supportive and open international economic system aimed at achieving sustainable economic growth and

³ See FCCC/PA/CMA/2021/10/Add.1.

development in all countries, and thus enabling them to better address the problems of climate change, and noting that measures taken to combat climate change, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade,

Noting further the importance for some of the concept of “climate justice” when taking action to address climate change,

Affirming that prioritizing equity, climate justice, social justice, inclusion and just transition processes can enable adaptation and ambitious mitigation actions and climate-resilient development, and emphasizing that adaptation outcomes are enhanced by increased support to regions and people with the highest vulnerability to climatic hazards, and that integrating climate adaptation into social protection programmes improves resilience,

Expressing concern that climate change directly and disproportionately affects women and girls, children, youth, older persons, persons with disabilities, Indigenous Peoples, local communities, migrants, persons living in poverty and others in vulnerable situations, undermining their well-being and their enjoyment of a whole range of human rights, and that measures taken to address it may have adverse impacts,

Recognizing that the erosion of livelihoods through, inter alia, the destruction of homes and infrastructure, loss of property and income, human health and food security, partly caused by the adverse effects of climate change, is a push factor for displacement and migration, especially from rural to urban areas, and may contribute to increased risk of exploitation, including trafficking in persons on the move, in particular women and girls,

Emphasizing that social security is a human right and a potent tool in the promotion of social inclusion and human dignity, especially the most marginalized, and underscoring that efforts to realize the right to social security should be inclusive and accessible to all,

Expressing concern at the inadequate social protection schemes for workers in the informal economy and low coverage and penetration of crop insurance schemes in vulnerable farming populations, which would provide income security in the event of contingency,

Reaffirming that social security systems can help to support just transitions and to minimize the impact of job losses by creating access to continuing education, improving labour market opportunities and helping workers, including those in the informal economy, to transition to jobs in new and emerging sustainable industries,

Recognizing that women and girls are disproportionately affected by the effects of climate change, inter alia, concerning the realization and enjoyment of their human rights, and stressing the importance of the participation of women, including older women, Indigenous women and girls, in the context of climate change, environmental and disaster risk reduction policy and decision-making processes,

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, livelihood protection and food security,

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,

Emphasizing the importance of implementing the commitments undertaken under the United Nations Framework Convention on Climate Change regarding 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 Framework Convention and help to ensure the greatest possible adaptation and mitigation efforts in order to avert, minimize and address loss and damage from the adverse impacts of climate change on present and future generations,

Recalling the outcomes adopted at the twenty-eighth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the fifth session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, held in Dubai from 30 November to 13 December 2023, including decision 1/CMA.5 on the outcome of the first global stocktake, and decision 3/CMA.5 on the United Arab Emirates just transition work programme, and noting the commitments made at those sessions,

Welcoming the decision adopted at the twenty-eighth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the fifth Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on the operationalization of the new funding arrangements, including a fund, that was established in Sharm El Sheikh at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the fourth Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, for responding to loss and damage to assist developing countries that are particularly vulnerable to the adverse effects of climate change in responding to economic and non-economic loss and damage associated with the adverse effects of climate change, including extreme weather events and slow-onset events, by providing and assisting in mobilizing new and additional resources, and that these new arrangements complement and include sources, funds, processes and initiatives both under and outside the Convention and the Paris Agreement,

Looking forward to the adoption of more ambitious decisions at the twenty-ninth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, the nineteenth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol and the sixth session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, to be held in Baku from 11 to 22 November 2024,

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,

Welcoming the convening of a panel discussion, held pursuant to Human Rights Council resolution 53/6 of 12 July 2023, on ensuring livelihood resilience in the context of the risk of loss and damage relating to the adverse effects of climate change for achieving progressively the full realization of all human rights and ways forward to address the challenges thereto on the basis of equity and climate justice,

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

Noting with appreciation the work of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, and taking note of the mandate holder's most recent reports,⁴ and recalling the report of the Special Rapporteur on trafficking in persons, especially women and children, focusing on addressing the gender dimension of trafficking in persons in the context of climate change, displacement and disaster reduction,⁵ the Special Rapporteur on the right to food, focusing on the right to food in the context of natural disasters⁶ and on the impact of climate change on the right to food,⁷ the reports of the Special Rapporteur on the human right to a clean, healthy and sustainable environment, focusing on climate change and human rights⁸ and on air pollution and human rights,⁹ and

⁴ A/HRC/55/43 and Add.1–2 and A/78/255.

⁵ A/77/170.

⁶ A/HRC/37/61.

⁷ A/70/287.

⁸ A/HRC/43/53 and A/74/161.

⁹ A/HRC/40/55.

the report of the Special Rapporteur on extreme poverty and human rights, on climate change and poverty,¹⁰

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, and taking note of its Traffic Light Assessment of nationally determined contributions,¹¹

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 impact of climate change,

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

2. *Emphasizes* the importance of continuing to address urgently, as they relate to States' human rights obligations, climate change and its adverse consequences 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 and the Paris Agreement adopted under the Convention;

4. *Encourages* States that have not yet ratified or acceded to the Paris Agreement to do so;

5. *Recognizes* the importance for all countries of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow-onset events, and the role of sustainable development in reducing the risk of loss and damage, and in that regard looks forward to the further operationalization of the Santiago Network and the operationalization of the new funding arrangements, including a fund, that was established in Sharm El Sheikh at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the fourth Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, for responding to loss and damage to assist developing countries that are particularly vulnerable to the adverse effects of climate change in responding to loss and damage associated with the adverse impacts of climate change, in the context of relevant decisions of the Conference of the Parties to the United Nations Framework Convention on Climate Change and of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;

6. *Calls for* deep and rapid cuts in global emissions to avert, minimize and address loss and damage from sudden and slow-onset climate events that have an adverse impact on the enjoyment of human rights;

7. *Calls upon* States to enhance international cooperation and assistance and reiterates the urgency of scaling up action and support, in particular in financing, the transfer of technology and capacity-building, for mitigation and adaptation measures and to assist developing countries in averting, minimizing and addressing loss and damage, especially those that are particularly vulnerable to the adverse effects of climate change;

8. *Urges* States to adopt an ambitious new collective quantified goal on climate finance at the twenty-ninth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change to assist developing countries in their adaptation

¹⁰ A/HRC/41/39.

¹¹ www.thecvf.org/blog/traffic-light-assessment-report-2023/.

and mitigation initiatives, including in the pursuit of just transition pathways from a high-carbon economy to a low-carbon economy;

9. *Calls upon* all States to adopt a country-driven, people-centred, comprehensive, integrated, gender-responsive, age-inclusive and disability-inclusive approach to climate change adaptation and mitigation policies based on the best available science, 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;

10. *Calls upon* States to better promote the human rights of persons in vulnerable situations, their inclusion in risk reduction decision-making and their access 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 and low-emission energy, science and technology, including digital technology and early warning systems, and ensure that services can be adapted to emergency and humanitarian contexts;

11. *Urges* States to develop and effectively implement policies that facilitate just transitions, in accordance with nationally defined development priorities, ensuring that the transition pathways from high-carbon to low-carbon economies are fair, equitable, inclusive and sustainable, leaving no one behind, creating decent work and quality jobs, enhancing social security, addressing joblessness, reducing inequalities and poverty, align with national circumstances and uphold the human rights of all, with special attention to supporting those most affected by climate change and the measures taken in response to it, including workers and affected communities, and persons in vulnerable situations;

12. *Encourages* States to develop more national case studies involving the assessment and analysis of the positive and negative impacts of the implementation of just transition measures in the context of human rights to enable an exchange of experience, best practices and lessons learned among States, considering the work under the Work Programme on just transition established in decision 1/CMA.4;

13. *Recognizes* the link between the adverse impacts of climate change, including on livelihoods, and displacement and migration, and encourages States to implement adaptation measures that benefit the most vulnerable, facilitate safe and voluntary movement, minimize forced movement and address human rights protection gaps in order to, inter alia, reduce the risk of trafficking and exploitation of people on the move, especially women and girls;

14. *Urges* States, consistent with the Guiding Principles on Business and Human Rights, to uphold the principle of corporate responsibility to respect human rights, including the responsibility to avoid causing or contributing to adverse human rights impacts through business activities that may harm the environment and the climate system, in accordance with national pathways, circumstances and approaches;

15. *Calls upon* business enterprises, both transnational and others, to meet their responsibility to respect human rights, including in the context of climate change and the environment, in conformity with their respective national laws;

16. *Reaffirms* its commitment to advocate for combating climate change and addressing its adverse impact on the full and effective enjoyment of human rights, and recognizes the importance of the safe and meaningful participation of civil society in climate action and the work of the Human Rights Council and its mechanisms in the context of climate change, conducted in a regular, systematic and transparent manner;

17. *Recalls* Human Rights Council resolution 47/24 of 14 July 2021, in which the Council decided to incorporate into its annual programme of work, beginning in 2023, at a minimum a panel discussion, and decides that the annual panel discussion to be held at the fifty-ninth session shall focus on facilitating just transitions in the context of addressing adverse impacts of climate change on the full realization of human rights for all people, and ways forward to address the challenges thereto, as well as on best practices and lessons learned, and also decides that the panel discussion will have International Sign interpretation and captioning;

18. *Requests* the United Nations High Commissioner for Human Rights to submit a summary report on the panel discussion held at the fifty-ninth session to the Human Rights Council at its sixty-first session, and to make the report available in accessible formats, including in easy-to-read versions;

19. *Requests* the Secretary-General, in consultation with and taking into account the views of States, the special procedures of the Human Rights Council, the United Nations Environment Programme, the World Meteorological Organization, the International Labour Organization, the United Nations Entity for Gender Equality and the Empowerment of Women, 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 prepare a synthesis report on opportunities, best practices, actionable solutions, challenges and barriers relevant to just transition and the full realization of human rights for all people, and to submit the report to the Council at its sixtieth session, to be followed by an interactive dialogue, and also requests the Secretary-General to make the report available in accessible formats, including in easy-to-read versions;

20. *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 persons in vulnerable situations, within their respective mandates;

21. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human, technical and financial assistance necessary for the effective and timely realization of the above-mentioned panel discussion, reports and interactive dialogue;

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