



# General Assembly

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## Human Rights Council

### Forty-first 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,\* Australia, Bangladesh, Bolivia (Plurinational State of),\* Cuba, Egypt,  
Ethiopia,\* Fiji, Haiti,\* India, Iraq, Kuwait,\* Mexico, Mongolia,\* Peru, Philippines,  
Qatar, Saudi Arabia, United Arab Emirates,\* Uruguay, Viet Nam,\* State of  
Palestine:\* draft resolution**

#### 41/... 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 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

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

<sup>1</sup> See FCCC/CP/2015/10/Add.2, decision 1/CP.21, annex.



and people in vulnerable situations and the right to development, as well as gender equality, 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 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 persons with disabilities who are disproportionately affected by the negative impacts of climate change,

*Affirming* 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, 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 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 climate change 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, national or social origin, birth or other status and disability,

*Recognizing* that persons with disabilities are among the most adversely affected in an emergency, sustaining disproportionately higher rates of morbidity and mortality, and at the same time being among those least able to have access to emergency support,

*Expressing concern* at the adverse impacts of climate change on individuals with multiple vulnerability factors, including women and girls with disabilities, and emphasizing the need for States to take and to support adequate measures to address their specific needs and to ensure participation in disaster response planning for emergency situations and evacuations, humanitarian emergency response and health-care services,

*Emphasizing* that sudden-onset natural disasters and slow-onset events seriously affect the access of persons with disabilities to food and nutrition, safe drinking water and sanitation, health-care services and medicines, education and training, adequate housing 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,

*Noting* the Dhaka Conference on Disability and Disaster Risk Management, held in 2015 and in 2018, and the adoption of the Dhaka Declaration 2015 and the Dhaka Declaration 2015+ respectively,

*Recognizing* the need for ensuring meaningful participation, inclusion and leadership of persons with disabilities and their organizations within disaster risk management and climate-related decision-making at the local, national, regional and global levels,

*Expressing concern* that countries 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, particularly in developing countries, including those in least developed countries and small island developing States,

*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 would 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-fourth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Katowice, Poland in December 2018, taking note of the adoption of the implementation guidelines for the Paris Agreement, and looking forward to the climate action summit called for by the Secretary-General, to be held in New York in September 2019, and to the twenty-fifth session of the Conference of the Parties in Santiago, in December 2019, with the pre-Conference meeting to be held in San José in October 2019,

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

*Welcoming* the convening of the panel discussion on women’s rights and climate change: climate action, good practices and lessons learned, 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 gender-responsive climate action for the full and effective enjoyment of the rights of women prepared by the Office of the High Commissioner pursuant to Human Rights Council resolution 38/4 of 5 July 2018,<sup>2</sup>

*Welcoming* the World Meteorological Organization *Statement on the State of the Global Climate in 2018*, its twenty-fifth anniversary edition, that highlights the record rise in sea levels and the exceptionally high land and ocean temperatures recorded in recent years, and expressing concerns at their adverse impacts on human rights,

*Noting* 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 persons with disabilities, when taking action to address the adverse effects of climate change,

*Taking note* 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>3</sup> and on air pollution and human rights,<sup>4</sup> the report of the Special Rapporteur on extreme poverty and human rights relating to climate change and poverty,<sup>5</sup> and the report of the Special Rapporteur on the right to food focusing on the right to food in the context of natural disasters,<sup>6</sup>

*Noting with appreciation* the work of the Climate Vulnerable Forum which asserted 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 events have adverse effects on 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. *Encourages* the Office of the United Nations High Commissioner for Human Rights to support the Secretary-General in the preparation of the climate action summit and through its follow-up arrangements, in coordination with other relevant international organizations, agencies, convention secretariats and programmes;

5. *Calls upon* all States to adopt a comprehensive, integrated, gender-responsive 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 challenges that climate change represents, for the full and effective enjoyment of human rights for all, particularly to support the resilience and adaptive capacities of persons

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<sup>2</sup> A/HRC/41/26.

<sup>3</sup> A/HRC/31/52.

<sup>4</sup> A/HRC/40/55.

<sup>5</sup> A/HRC/41/39.

<sup>6</sup> A/HRC/37/61.

with disabilities both in rural and urban areas to respond to the adverse impacts of climate change;

6. *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, to better promote human rights in general and the access of persons with disabilities in particular to livelihoods, food and nutrition, safe drinking water and sanitation, health-care services and medicines, education and training, adequate housing and decent work, clean energy, science and technology;

7. *Urges* States to strengthen and implement policies aimed at increasing the participation of persons with disabilities in climate change responses at the local, national, regional and international levels, and calls upon the United Nations Partnership to Promote the Rights of Persons with Disabilities and other United Nations agencies to support upon request national programmes and projects in this regard;

8. *Decides* to incorporate into the programme of work for the forty-fourth session of the Human Rights Council, on the basis of the different elements contained in the present resolution, a panel discussion on the theme “Promoting and protecting the rights of persons with disabilities in the context of climate change”, focusing on best practices and lessons learned in the promotion and protection of the rights of persons with disabilities in the context of the adverse impact of climate change, and also decides that the panel discussion will have international sign interpretation and captioning;

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

10. *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 Special Rapporteur on the rights of persons with disabilities, the Special Envoy of the Secretary-General on Disability and Accessibility, the United Nations Partnership on the Rights of Persons with Disabilities, the Inter-Agency Support Group for the Convention on the Rights of Persons with Disabilities, the Committee on the Rights of Persons with Disabilities, 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, including organizations of persons with disabilities, to conduct, from within existing resources, an analytical study on the promotion and the protection of the rights of persons with disabilities in the context of climate change, to be circulated to States and other stakeholders and to be submitted to the Human Rights Council prior to its forty-fourth session, and further requests the Office to make the study available in accessible formats, including Plain Language and Easy-to-Read;

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

12. *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 rights of persons with disabilities, within their respective mandates;

13. *Decides* to consider the possibility of organizing follow-up events on climate change and human rights;

14. *Requests* the Secretary-General and the High Commissioner 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.