**Office of the United Nations High Commissioner for Human Rights (OHCHR).**

**Questionnaire in relation to Human Rights Council resolution 47/24 on human rights and climate change**

In Mexico City, the actions implemented by the government to mitigate the effects of climate change and the production of greenhouse effect gases indicates that from 2014 to 2020 the city reduced 2.3 million tons of carbon dioxide equivalent (CO2 eq), this, according to local government estimates, represents 34% of the goal that was proposed to be achieved in 2018; also the programmatic instruments proposed for the next years, seek to promote the adaptive capacities to climate change of 8.8 million people by 2025, that is, 95.62% of the people who live here.

It’s important to highlight local authorities actions in this area, such as the increase in lanes to encourage non-motorized mobility; the creation of confined lanes that privilege public transportation; the emerging integrated management of water resources to respond to the risks and impacts associated with climate change and socio-environmental pressures, in order to ensure equity in access, and ensure water security; or, the implementation of mechanisms aimed to reduce the amount of wastes that reaches landfills. Despite all this, Mexico City, being the largest urbanization in the country, continues to contribute to the generation of greenhouse effect gases through its consumption of 160 thousand gigawatts per hour (more than 60% is produced in the transport sector) and producing 43 769 048 tons of carbon dioxide per year; the city sends 7,990 tons a day to four landfills located in the states of Mexico and Morelos; and although it has managed to reduce the impacts of flooding through a large drainage infrastructure known as the eastern emitter, this year’s rainfall from the Valley of Mexico basin was transferred to other basins through the emitter, causing floods and overflows in other states such as Hidalgo, putting at risk other populations outside the city and transferring the externalities and impacts of pollution, to other basins.

Although, various actions have been carried out that seem to respond to the obligations subscribed by the country in the United Nations Framework Convention on Climate Change (UNFCCC) (as shown in this document), due to the contradictions described in this section, it is still considered a pending issue that actions for mitigation and adaptation to climate change are being concurrently structured, including effective participation in the generation of strategies to people with emphasis on those who are at greater risk; and not only from the normative and programmatic ordering.

1. Describe the impacts of the adverse effects of climate change on the full and effective enjoyment of the human rights of people in vulnerable situations[[1]](#endnote-1). If possible, please share specific examples and stories.

Mexico is one of the 30 countries with the greatest potential for disaster risks associated with the climate, its location between two oceans, and its latitude and reliefs, make it particularly exposed to different hydrometeorological phenomena (hurricanes, extreme rains, floods, landslides and droughts). Likewise, a determining factor of social vulnerability in Mexico is poverty. It is estimated that 68% of the population has ever been affected by disasters, a figure that coincides with groups in poverty situation and extreme poverty. [The country is in ninth place worldwide in losses with 46.5 billion dollars in the last two decades](https://www.gob.mx/inecc/prensa/presentan-resultados-de-proyecto-para-fomentar-la-adaptacion-al-cambio-climatico-de-la-poblacion). Climate change increases disaster risk in several ways, it changes the magnitude and frequency of extreme events, increases the incidence of climate variability conditions, increases underlying risk factors, and generates new threats that directly or indirectly impede the effective enjoyment of human rights.

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| **Priority groups** | **Rights affected** | **Mexico’s 2021 weather phenomena** |
| Women, children, older people, people with disabilities. Peasant people with small, subsistence and temporary property, indigenous and afromexican communities; migrants, people in informal human settlements. | Water  Food  Adequate standard of living  Healthy environment  Health  Development | In April 2020, Mexico suffered a [historic drought](https://smn.conagua.gob.mx/es/climatologia/monitor-de-sequia/monitor-de-sequia-en-mexico) that emptied most of the country dams. During march the drought affected more than 80% of the country's territory. |
| Women, children, older people, people with disabilities, fishermen, peasant people with small, subsistence and temporary property, indigenous and afromexican communities, migrants, people in informal human settlements, coastal settlements and in riverbeds. | Life  Water and Sanitation  Food  Adequate standard of living  Housing  Education | During the [rainy season](https://smn.conagua.gob.mx/es/ciclones-tropicales/lluvias-asociadas-a-ciclones-tropicales), which was extreme, different floods occurred, among which stands out the [overflows of rivers in the State of Mexico, Jalisco, Chihuahua, Querétaro and Hidalgo, leaving a trail of destruction and dozens of deaths](http://sil.gobernacion.gob.mx/Archivos/Documentos/2021/10/asun_4244175_20211026_1632413755.pdf). |
| Peasant people of small, subsistence and temporary property, indigenous and afromexican communities, migrants, people in informal human settlements. | Water  Food  Adequate standard of living  Healthy environment  Health  Development  Housing  Culture | As of november of this year, more than [7,000 wildfires were registered across the country, consuming 649,174 hectares of forests in the country](https://www.gob.mx/cms/uploads/attachment/file/683810/Reporte_del_01_de_enero_al_25_de_noviembre_del_2021.pdf), nearly double than in 2020. |

1. Describe any specific policy, legislation, practice or strategy that the government has undertaken, in compliance with applicable international human rights law, to promote an approach to climate change mitigation and adaptation, as well as loss and damage that ensures the full and effective enjoyment of the human rights of people in vulnerable situations. Identify any relevant mechanisms for ensuring accountability for these commitments, including their means of implementation.

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| **Normative systems** | |
| Political Constitution of the United Mexican States. | "Everyone has the right to a healthy environment for their development and well-being. The State shall guarantee respect for this right. Environmental damage and deterioration shall generate liability for the person who causes it in terms of the provisions of the law" (4th article). |
| General Law on Climate Change (LGCC), 2012 | The objectives are: to guarantee the right to a healthy environment; it defines concurrence between the three levels of government; it regulates emissions of greenhouse effects gases and compounds of anthropogenic origin; it regulates actions for mitigation and adaptation to climate change; it reduces the vulnerability of the population and ecosystems; it promotes education, research, development, the transfer of technology and innovation, and dissemination in the field of mitigation and adaptation; it establishes the bases for consultation with society; establishes the basis for Mexico to contribute to the fulfillment of the Paris Agreement, and promotes the transition to a competitive, sustainable and low-emission economy (2nd article). |
| [General Law of Ecological Balance and Environmental Protection](http://www.diputados.gob.mx/LeyesBiblio/pdf/148_180121.pdf), 1988, Contains important reforms in this matter (2011, 2012, 2016 and 2018) | The authorities of the federation, the states, Mexico City and the municipalities, within the sphere of their competence, must avoid human settlements in areas where populations are exposed to the risk of disasters due to adverse impacts of climate change (23th article, section X).  Chapter IV, section VIII, is dedicated to scientific research and development to promote the incorporation of ecological content, sustainable development, mitigation, adaptation and reduction of vulnerability to climate change, environmental protection, knowledge, values and skills, in the various educational cycles, especially at the basic level, as well as in the cultural formation of children and youth (articles 39 and 41). |
| **Programmatic** | |
| National Climate Change Strategy (ENCC), 2013. Vision 10-20-40 | It is the guiding instrument of national policy in the short, medium and long term to move towards a sustainable economy; it is prepared by SEMARNAT and submitted to the CICC\* for consideration, must contain the diagnosis and climate scenarios, trends and proposals in the uses of the territory and resources, opportunities for mitigation, baseline emissions scenario, and adaptation and mitigation actions and goals (aligned with articles 60 to 64, LGCC). |
| [Special Climate Change Program](http://dof.gob.mx/nota_detalle.php?codigo=5634785&fecha=08/11/2021) (PECC) 2021-2024 | Elaborated by SEMARNAT with the participation of the INECC and the CCC\*\* and submitted to the CICC for consideration, and contains, among other things, the six-year goals for adaptation and mitigation, the actions to achieve these goals, the necessary budget estimates, as well as those responsible for their execution (67th article, LGCC).  It is a key instrument for the implementation of actions to face the negative impacts of climate change on biocultural heritage, national infrastructure, economy and the welfare state; consists of 24 Strategies and 169 mitigation and adaptation actions. The fourth priority objective considers implementing the human rights approach to achieve the participation of different sectors.  The first [Special Climate Change Program 2014-2018](https://www.gob.mx/cms/uploads/attachment/file/261388/Informe__evaluacion_PECC_final_limpio_1_.pdf), presented deficiencies, such as the monitoring of progress of each line of action, as well as the establishment of guidelines and criteria to implement the measurement, reporting and verification of mitigation measures and actions. |
| State Climate Change Programs | They are instruments that establish the strategies, policies, guidelines, objectives, actions, goals and indicators of the state public administration; they must be prepared at the beginning of each administration and contain the climate change scenarios and the diagnoses of vulnerability and adaptive capacity, the goals and actions of mitigation and adaptation, as well as the measurement, reporting and verification of them (in accordance with articles 71 and 72, LGCC). Currently, at least eight states have state climate change programs, including Chiapas, Mexico City, Guanajuato, Hidalgo, Nuevo León, Puebla, Tabasco and Veracruz. |
| Nationally Determined Contributions (NDC) | They are climate action plans and strategies to meet international commitments since Mexico receives resources from international cooperation for their fulfillment and must report the progress of these contributions every five years. |
| **Institutions** | |
| Secretariat of Environment and Natural Resources (SEMARNAT) | It formulates, conducts and evaluates national policy on the subject. |
| National Institute of Ecology and Climate Change (INECC) | Research and regulatory functions. |
| Federal Attorney for Environmental Protection | Surveillance actions. |
| National Forestry Commission (CONAFOR) | Develops, promotes and impulse, productive, conservation and restoration activities in forest matters. |
| Inter-Secretarial Commission on Climate Change (CICC)\* | Chaired by the Mexican President and composed of the heads of fourteen secretaries of State, including SEMARNAT. In charge of coordinating climate change actions among the dependencies and entities of the federal public administration. |
| Climate Change Council (CCC)\*\* | The CICC's permanent consultation body, composed by at least fifteen members from the social, private and academic sectors. |

1. Share a summary of any relevant data that captures how the adverse effects of climate change have affected people in vulnerable situations, taking into account multiple and intersecting forms of discrimination (i.e., discrimination based on a combination of multiple grounds, including disability, gender, race, color, sex, language, religion, nationality, and immigration status).

The displacement of people in the territories have been studied from the social or political causes of migration, however, paired with the structural aspects that condition the departure of people from their places of origin, it is necessary to recognize that the countries of Central America and the Caribbean, due to their geographical location, are significantly exposed to the effects of climate change; projections made by the World Bank, indicate that the number of **climate-related migrants** will increase in the region and scenarios show that it could be an average between 1.4 to 2.1 million people by 2050. For example, the phenomenon of the canícula, which is characterized by a noticeable and non-uniform decrease in rainfall amounts between july and august, time when precipitation can decrease up to 40%, affecting agriculture. Poverty and lack of adaptive responses, paired with **gender, class, ethnicity and age,** often determine the degree of exposure and vulnerability. In this scenario, the living conditions of indigenous or peasant communities may be seriously threatened by the **effects** of global warming, because they depend on natural resources as means of subsistence and cultural identity. Likewise, disasters produce temporary migratory flows, which are destined for other countries inside and outside the region, as well as urban concentrations within the countries of origin, causing uprooting and increasing social conflicts related to the territory, its equitable distribution, the work or development of camps or human settlements in areas without infrastructure and services, on forest land or in areas of risk. It is also essential to note that migrants experience the effects of climate change during transit, since, of the 319 Mexican municipalities presumably vulnerable to climate change, in 110 there is international migratory transit, however, the instruments for capturing empirical information on international migration currently in force in Mexico were not designed to collect data on climate aspects. Facing the information gap that allows us to know how many people move annually due to climate causes, it is an area of opportunity to build instruments that allow documenting the environmental [causes of displacement](https://www.redalyc.org/journal/5526/552662410008/html/).

1. Describe any mechanisms and tools that are in place to measure and monitor the impacts of climate change on the full and effective enjoyment of human rights of people in vulnerable situations.

The national climate change policy on adaptation, aims to reduce the vulnerability of people and of the ecosystems, facing the effects of climate change; strengthen their resistance and resilience; minimize risks and damage based on current and future scenarios; establish mechanisms for immediate and expeditious attention; facilitate and promote food security and the preservation of ecosystems and natural resources. It foresees a series of adaptation actions and instruments, some of which have not been implemented in time and therefore, not having a follow up systematic monitoring and evaluation that allows us to know their true impact on the guarantee of human rights.

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| Adaptation (long-term, integrated and continuous measures and adjustments aimed at reducing current and future vulnerability to climate change in human or natural environments). | |
| [National Climate Change System](https://www.gob.mx/inecc/acciones-y-programas/sistema-nacional-de-cambio-climatico-sinacc) (SNCC) | Implement the necessary actions in terms of adaptation and mitigation with the purpose of reaching out, the established deadlines, and the goals contemplated in the General Law on Climate Change. |
| [National Index of Determined Contributions](https://www.gob.mx/inecc/acciones-y-programas/contribuciones-previstas-y-determinadas-a-nivel-nacional-indc-para-adaptacion) (INDC) | It foresees a series of adaptation measures for 2030, mainly focused on the protection of vulnerable communities susceptible to social, economic or geographical damage. As well as to increase the resilience of infrastructure and strategic ecosystems. These measures include strengthening the adaptive capacity of at least 50% of the most vulnerable municipalities to the adverse effects of climate change; establish early warning and comprehensive risk management systems for each level of government and achieve zero deforestation. |
| [National Risks Atlas](http://www.atlasnacionalderiesgos.gob.mx/) | Dynamic documents that evaluates the risk of vulnerable human settlements, regions or geographical areas, considers current and future climate scenarios. |
| Urban development plans, building regulations and territorial ordering | Planning documents that must be prepared by all states and municipalities and must consider the information generated in the risk atlas. |
| Other specific planning tools | \* Environmental protection and contingency plans against extreme weather events in areas of high vulnerability, protected natural areas and biological corridors.  \* Protection and contingency plans in tourist areas and sustainable tourism development.  \* Strengthened epidemiological prevention and risk programs. |
| Early warning systems | Coordination tool, to alert the population of any threat, and for institutional action. Consider actions and mechanisms to communicate in isolated areas that lack telecommunications infrastructure. |
| [National Program Against Hydraulic Contingencies](https://www.gob.mx/conagua/acciones-y-programas/inicio) (PRONACCH) | Its objective is to reduce flood risk and protect vulnerable human settlements from hydrometeorological events. |
| [National Water Program 2020-2024](https://www.gob.mx/cms/uploads/attachment/file/642632/PNH_2020-2024__ptimo.pdf) | It delimits channels and bodies of water of national property and its federal zones, strengthens early warning systems, and prevention and mitigation actions in case of emergencies due to hydrometeorological phenomena, as a priority in municipalities of high and very high marginalization. It does not contain a diagnosis of damage of the water ecosystems on the available volumes of it and its territorial distribution that supports adaptation measures regarding the availability of water for people in vulnerable situations. |

1. Identify and share examples of good practices and challenges in the promotion, protection and fulfillment of the human rights of people in vulnerable situations in the context of the adverse effects of climate change.

Mexico City is in a medium-high range of vulnerability to the adverse effects of climate change, which accentuates inequality gaps and socio-environmental conflicts in the territory. In pursuance of the Law on Mitigation and Adaptation to Climate Change and Sustainable Development for Mexico City, the local government presented a document that combines the two instruments that direct climate policy in Mexico City, the Local Climate Action Strategy 2021-2050 and the Climate Action Program 2021-2030: both seek to integrate, coordinate and promote public policies to reduce the environmental, social and economic risks derived from climate change, **especially of people in vulnerable situations and priority attention groups[[2]](#endnote-2),** and thus, direct the city towards a low-carbon and resilient development, framed in the approaches and principles of the circular economy, social inclusion, human rights and gender equity. The process of construction of the document was participatory and consisted of the development of ten workshops attended by 840 people, representatives of various areas of the Government of Mexico City, the mayors, the state governments that integrates the metropolitan area, civil society organizations, academic institutions and research centers, international technical cooperation agencies, and concerned citizens. It placed on the center of climate policy, people's well-being, and is based on a gender perspective, social inclusion, respect and guarantee of the human rights and the creation of environmentally friendly jobs for a sustainable and fair transition. [The Strategy and the Program](https://www.sedema.cdmx.gob.mx/storage/app/media/DGCPCA/PACCM_y_ELAC.pdf) contemplate eight strategic axes and 23 lines of action: 1) Integrated and sustainable mobility, 2) Solar city, 3) Zero waste, 4) Sustainable water management and rescue of rivers and water bodies, 5) Revegetation of the countryside and the city, 6) Adaptive capacity and urban resilience, 7) Air quality, and 8) Climate culture. In terms of short term, the objective of the Climate Action Program is to present the city's goals and measures on climate change for the period 2021-2030, with intermediate goals that propose the reduction of 10% of Mexico City's emissions and the increase of the adaptive capacity of ecosystems, strategic infrastructure, communities and their livelihoods by 2024. The document includes an interesting chapter, dedicated to urban planning Post-Covid 19, it is in general a document that considers various problems that must be addressed such as mobility, wastewater management or the reduction of the generation of urban solid waste in the city, however, as its publication is recent, we will have to wait for the first phase of results to know its degree of implementation, effectiveness and impact.

1. Include examples and good practices that highlight international and multilateral cooperation and approaches that are implemented through close consultation with and active involvement of people in vulnerable situations.

The implementation of a project to improve the effectiveness of the management and resilience of Natural Protected Areas (ANP) to protect biodiversity threatened by climate change, which is also known as "Resilience" (consisting of seeking nature-based solutions[[3]](#endnote-3) or ecosystem-based[[4]](#endnote-4) adaptation). The project was in charge of the National Commission of Protected Natural Areas (CONANP) which is the federal institution in charge of conserving the country's natural heritage and the ecological processes of 182 ANP. The project was supported by the United Nations Development Program (PNUD) in Mexico and was co-financed by a grant from the Global Environment Fund (GEF). During six years Resilience, was implemented in 17 ANP, managing to mainstream the issue of climate change and position the [ANP as a natural solution to the challenge of climate change](https://www.gob.mx/conanp/documentos/herramienta-para-el-analisis-de-vulnerabilidad-social-a-los-impactos-climaticos-a-nivel-local-en-areas-naturales-protegidas), also offered innovative and sustainable alternatives to comply with some international and national obligations such as the elimination of gender inequalities, the promotion of social participation and the involvement of indigenous people in the design of public policies. Among the results of this work, it is important to recognize that healthy ecosystems improve the conditions of well-being of people by reducing vulnerability and threats. However, we were unable to identify the public policies designed by and for people in vulnerable situations in the [Climate Change Adaptation Programs of the ANP](https://www.gob.mx/conanp/documentos/programas-de-adaptacion-al-cambio-climatico-en-areas-naturales-protegidas) that are available on the CONANP website, except for the reference to the participation of communities or "interested persons" in the design of these programs.

1. Provide any additional information you believe would be useful to support climate action that promotes the full and effective enjoyment of human rights of people in vulnerable situations.

As part of the effective implementation of mitigation and adaptation measures[, civil society](https://www.cemda.org.mx/cemda-en-octubre-de-2021/) in Mexico has called on the Mexican State to commit to:

1. Present next year to the UNFCCC, the NDC and the new version of the [Long-Term Strategy](https://wrimexico.org/news/posicionamiento-los-acuerdos-en-la-cop26-deben-convertirse-en-acci%C3%B3n-y-ser-m%C3%A1s-ambiciosos-en) 2030 to 2050 aligned to reach the [1.5 degree target](https://wrimexico.org/news/posicionamiento-los-acuerdos-en-la-cop26-deben-convertirse-en-acci%C3%B3n-y-ser-m%C3%A1s-ambiciosos-en).
2. Present a clear route that contains actions to achieve goals linked to a public budget that promotes the protection/restoration of ecosystems.
3. A policy of protection for nature defenders.
4. Increase the public budget for a fair energy transition.
5. Restore the Climate Change Fund.
6. Publish the National Electromobility Strategy.
7. Cease fracking activities that have a federal government budget by 2022.
8. Apply administrative regulations and official Mexican standards that will help reduce emissions.
9. Commit to the closure of carboelectric power plants and fuel oil generation in this decade.
10. Promote respect for human rights, gender equity and intergenerational rights in all its governmental positions.
11. Ensure access to energy as a human right, respecting the rights of indigenous and local communities.
12. Support the consolidation of a financial mechanism to address the losses and damages as a result of the impacts of climate change, in particular for the most vulnerable countries and focused on priority attention groups.
13. Accelerate the decarbonization of its public finances, reduce its dependence on carbon-intensive revenues, such as those from mining and oil concessions and the sale of gasoline and diesel.

1. In this questionnaire vulnerability is understood as the degree of susceptibility or incapacity of people to address the adverse effects of climate change. [↑](#endnote-ref-1)
2. Article 11 of the Political Constitution of Mexico City considers the structural inequality of some population groups, which are called priority attention groups, and for which will be taken necessary measures to ensure full access to their human rights and to aim the removal of barriers that have prevented their full inclusion. These groups are served at the federal level as people in vulnerable situations. [↑](#endnote-ref-2)
3. The solutions based on the nature are actions aimed at protecting, managing and sustainably restoring natural or modified ecosystems, which address societal challenges in an effective and adaptable way, simultaneously providing human well-being and biodiversity benefits. [↑](#endnote-ref-3)
4. The adaptation based on ecosystems is understood as the use of biodiversity and ecosystem services, as part of a broader adaptation strategy, to help people adapt to the adverse effects of climate change. It integrates sustainable management, conservation and ecosystem restoration. [↑](#endnote-ref-4)