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# Office of the United Nations High Commissioner for Human Rights International Labour Organization

**United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)**

**(2 February 2018)**

Response to the request of the SBI for views from Parties and observers on potential topics for the 7th meeting of the Durban Forum on capacity-building, to take place at SBI 48, that are thematically aligned with the 2017–2018 focus area or theme of the Paris Committee on Capacity-building.

The Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Labour Organization (ILO) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) welcome the opportunity to submit their views on potential topics for the 7th meeting of the Durban Forum on Capacity-Building (Durban Forum). OHCHR, ILO and UN Women would like to emphasize the importance of capacity building in the area of human rights and climate change including with respect to realizing gender equality and women’s rights, labor rights and just transition, and the rights of indigenous peoples.

The Preamble of the Paris Agreement to the UNFCCC makes it clear that all States “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, empowerment of women and intergenerational equity.” It further calls for “taking into account the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with national defined development priorities”.

Human Rights Council resolution 35/30 affirms “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”.

The ILO [*Guidelines for a just transition towards environmentally sustainable economies and societies for all*](http://www.ilo.org/global/topics/green-jobs/news/WCMS_422575/lang--en/index.htm)*,* which have been endorsed by the ILO’s tripartite constituents (governments, trade unions and employers’ organizations), provide valuable guidance regarding climate change and the world of work, including promoting decent, green jobs that can contribute significantly to poverty eradication and social inclusion, as well as efforts to mitigate and adapt to climate change.

Parties to the UNFCCC endorsed its first Gender Action Plan (GAP) at COP 23. One of the priorities identified in the GAP is *Capacity-building, knowledge sharing and communication* which seeks to enhance the understanding and expertise of stakeholders on the systematic integration of gender considerations and the application of such understanding and expertise in the thematic areas under the Convention and the Paris Agreement, in policies, programmes and projects on the ground, and in the design and implementation of NDCs.

The IPCC affirms that “recognition of diverse interests, circumstances, social-cultural contexts and expectations can benefit decision-making processes”. For example, “indigenous, local and traditional knowledge systems and practices, including indigenous peoples’ holistic view of community and environment, are a major resource for adapting to climate change.” Indigenous peoples thus must be seen as powerful agents of change, accorded access to decent work opportunities and the capacity to participate in the development, implementation and evaluation of sustainable policies and measures aimed at combating climate change.

There is a clear consensus that human rights norms, principles and standards related to access to information, transparent, inclusive and participatory processes, justice and solidarity apply to climate action and are essential to its effectiveness. In its [Key Messages on Human Rights and Climate Change](http://www.ohchr.org/Documents/Issues/ClimateChange/KeyMessages_on_HR_CC.pdf), OHCHR outlines human rights obligations related to climate change. The Key Messages directly touch upon critical areas relevant to capacity building. They emphasize, *inter alia*, that States have obligations to:

· Ensure that all persons have the necessary capacity to adapt to climate change

· Ensure accountability and effective remedy for human rights harms caused by climate change

· Mobilize maximum available resources for sustainable, human rights-based development

· Cooperate internationally

· Guarantee that everyone enjoys the benefits of science and its applications

· Ensure meaningful and informed participation

A just transition, which promotes decent work, including relevant international labour standards, is also vital for addressing the multiple socio-economic vulnerabilities of those most affected by climate change, as well as creating opportunities for strong and inclusive climate action in the world of work. The ILO’s Guidelines for a Just Transition highlight some key principles necessary to make the shift towards low-carbon, resilient, fair and inclusive economies. In addition to technical capacity in specific policy areas, there needs to be capacity development that pertains to cross-cutting principles and the policy processes themselves. In particular, it would be important to have relevant capacity development to ensure that:

* Policy-making is based on strong social consensus, recognizing that social dialogue, which includes governments, workers’ and employers’ organisations, is an integral part of the institutional framework for policy processes
* Policies respect, promote and realize fundamental principles and rights at work
* Policies and programmes take into account the gender dimension of environmental challenges and responses
* There is integration and coherence across policy fields, including economic, environmental, social, education/training and labour portfolios
* Coherent policy responses have to ensure a just transition for all, maximizing opportunities for the creation of more decent jobs, and paths of social inclusion, and minimizing and addressing risks in terms of employment and social outcomes. These would include, for example, measures for anticipating impacts on employment, adequate and sustainable social protection for job losses and displacement, skills development and social dialogue.

The ILO’s publications on [gender](http://www.ilo.org/global/topics/equality-and-discrimination/publications/WCMS_592348/lang--en/index.htm), as well as on [indigenous peoples](http://www.ilo.org/global/topics/indigenous-tribal/WCMS_551189/lang--en/index.htm), further emphasize the importance of capacity building among groups that are critical change agents for strong climate action, and have a fundamental role to play in furthering green jobs and enterprises, minimizing climate related socio-economic risks as well as building resilient societies.

Capacity-building is needed to ensure that States understand, assess and follow-through on the commitment to respect, promote and consider their respective obligations on human rights, gender equality and women’s empowerment when taking actions to address climate change. These include, *inter alia*, obligations related to assessing environmental, social and human rights impacts, including gender impacts, the mobilization of finance, transparency, participation, education, training and public awareness all of which are identified as priority areas within decision 1/CP.21 and must be addressed from a gender perspective. Capacity-building is also needed to ensure a just transition towards environmentally sustainable economies and societies for all, and capacity building activities should engage with and address world of work issues related to climate change. The ILO’s [Guidelines](http://www.ilo.org/global/topics/green-jobs/news/WCMS_422575/lang--en/index.htm) on the issues provide an important framework in this regard.

The Paris Committee on Capacity Building (PCCB) workplan for 2016-2020, as outlined in decision 1/CP.21, calls upon States to collaborate with institutions under and outside the Convention, to identify capacity gaps and ways to address them, to promote the development of tools for capacity building, and to foster global, regional, national and subnational cooperation.

OHCHR, ILO and UN Women support the proposal of the PCCB that the 7th meeting of the Durban Forum should be centered on the 2017-2018 focus area for the PCCB: “capacity-building activities for the implementation of Nationally Determined Contributions (NDCs) in the context of the Paris Agreement”***.*** Noting that decision 16/CP22 requested the PCCB to “take into consideration cross-cutting issues such as gender responsiveness, human rights and indigenous peoples’ knowledge”, OHCHR, ILO and UN Women suggest that the topic for the 7th Durban Forum be:

**Enhancing the implementation of Nationally Determined Contributions through the integration of crosscutting issues such as human rights, gender equality and women’s empowerment, just transition and indigenous peoples’ rights.**

OHCHR, ILO and UN Women advise that relevant experts from States, UN organizations and civil society be invited to share their views and experiences on this subject. To the extent that resources permit, OHCHR ILO and UN Women stand ready to provide relevant support for capacity building in the areas of human rights, gender equality and women’s empowerment, just transition and climate change and encourage Member States to include this area within their capacity-building work.