

Germany thanks the SR on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David Boyd, for his work and would like to make the following contribution to some questions for his report:

3. Please provide examples of good practices in preventing, reducing, or eliminating the adverse impacts of climate change on human rights. Specific examples could include legislation, regulations, standards, policies, investments, and programmes in relation to climate change mitigation and/or adaptation. These examples may occur at the international, national, sub-national, or local level. Examples could involve:

- research and monitoring;*
- guaranteeing procedural rights (e.g. access to climate change information, public participation in decision-making about climate change, access to justice and remedies);*
- eliminating subsidies for fossil fuel production and use; climate change legislation, regulations, standards, and policies;*
- initiatives to reduce greenhouse gas emissions from specific sectors (e.g. electricity generation, industry, government, transportation, agriculture, waste management);*
- laws, policies and programs to protect vulnerable populations from climate change;*
- laws, policies, or programs to concurrently address climate change and air pollution (e.g. programs promoting clean fuels and stoves for cooking and heating); and*
- effective enforcement of rules governing greenhouse gas emissions, deforestation, and industrial agriculture.*

In 2011, Germany adopted a Strategy on Human Rights in German Development Policy. The strategy underscores the significance of human rights as a guiding principle and cross-cutting issue in German development policy and is binding for Germany's official implementing agencies. Climate change impacts, directly and indirectly, a great many of internationally guaranteed human rights. Together with our partners and within networks, we strive to prevent and redress these climate impacts by fostering a global transformation towards a climate-resilient and low-carbon development.

Strengthening marginalized and disadvantaged persons and groups' rights as well as strengthening gender equality (guided by Germany's [Gender Equality in German Development Policy](#) (2014) and [Development Policy Action Plan on Gender Equality 2016-2020](#)) are a consistent focus in all sectors of German development cooperation as well as on international policy level. To ensure gender sensitivity and responsiveness a **gender analysis is mandatory for all projects commissioned** by BMZ. Germany contributes to **multilateral funds**, such as the **Green Climate Fund (GCF)** and the **Global Environment Facility (GEF)**, where a gender analysis is mandatory for all programs/projects financed by the funds. Moreover, supported by Germany, GCF has adapted a strong policy on indigenous people's rights for projects.

Integrating gender aspects and to leave no one behind are central aspects of the global **NDC Partnership**, co-founded and financed by Germany. The Partnership assists partners from developing countries in implementing their NDCs in the context of the 2030 Agenda. Ten guiding principles serve as the framework for the Partnership, including "support multi-stakeholder engagement" and promote "gender parity". Multi-stakeholder engagement aims at ensuring that all voices – including those of vulnerable and marginalized groups – are heard in designing and implementing national climate strategies. One central element is the Country Engagement Process between relevant stakeholders and donors to further operationalize NDC implementation explicitly addressing gender aspects and participation of respective stakeholders. The first Partnership Plans for Uganda and Honduras, presented in 2018, illustrate this by highlighting gender equality as a driver for climate transition. As of November 2018, 36 industrialized countries and multilateral organizations support NDC implementation in 36 developing and emerging countries.

Through its support of the **Global Commission on Adaptation (GCA)**, Germany aims at increasing the public and political attention for adaptation and catalyzing global commitments for adaptation measures. In many developing countries people living in poverty are highly affected by climate change. The GCA focuses on these vulnerable groups in order to secure their livelihoods and defend their socio-economic human rights. Germany contributes to this goal by, inter alia, helping 60 million smallholder farmers - a particular vulnerable group - to become more climate resilient by the year 2030.

Moreover, we support the [InsuResilience Global Partnership for Climate and Disaster Risk Finance and Insurance Solutions](#), which aims to strengthen the resilience of developing countries and protect the lives and livelihoods of people living in poverty and vulnerable people against the impacts of disasters. To reach these objectives, the Partnership developed "Pro-Poor Principles" with its stakeholders to put poor and vulnerable peoples' needs at the center of climate and disaster risk finance and insurance. The Principles will provide a frame of reference for designing and implementing risk-financing solutions that are in line with a people centered approach. In addition, the Partnership acknowledges the specific vulnerability of women and girls as well as marginalized groups to climate and disaster risks. Thus, the Partnership has started to identify solutions of how women can be better included and benefit from risk mitigation measures, such as climate risks insurance.

With the **Development and Climate Alliance**, which was launched by Germany in 2018, we are mobilizing private funds for development and climate protection in developing countries: The Alliance brings together the private sector, associations, project developers, compensation providers and civil society. Today, already more than 280 supporters strive to work towards climate-neutrality while taking into account the triad of "avoidance, reduction, compensation" of greenhouse gas emissions. They invest in climate protection projects in developing and emerging countries in order to offset their remaining CO2 emissions.

Germany also supports activities of the [Disability inclusive Network for Asia and Pacific \(DiDRRN\)](#) and [Malteser International in Vietnam](#), which include persons with disabilities in inclusive, community-based disaster risk management. Germany also supports the [Inclusive Community Resilience \(ICR\) Initiative of the Global Facility for Disaster Reduction and Recovery \(GFDRR\)](#) of the World Bank, which developed the [Disability Inclusion Action Plan 2018-2023](#).

Good practice of strengthening marginalized groups in international forest conversation: Germany has long been committed to international forest conservation and is one of the largest donors worldwide in this area. In a nutshell, the cooperation focuses on three strategic lines: (1) **REDD+** (Reducing Emissions from Deforestation and Forest Degradation), (2) **forest landscape restoration (FLR)** and (3) **deforestation-free supply chains**. The first two are discussed below.

- (1) In its entire **REDD+ commitment**, Germany attaches great importance to the human rights-based design of REDD+ programs and the adherence to safeguards in their implementation. REDD+ supports sustainable forest and land management, and offers opportunities to tackle long-standing conflicts over land and resource use rights. Essential components are integrated land use planning and the respect for and strengthening of formal and informal tenure rights of indigenous and local communities. The **REDD Early Movers (REM) program**, co-financed by UK and Norway, rewards forest and climate protection pioneers by compensating for emission reductions from deforestation. It currently operates with **four country components in the Brazilian states of Acre and Mato Grosso, in Colombia and Ecuador** with indigenous people and other forest dwellers being explicit target groups. Through benefit sharing programs at least half of the payments go directly to small farmers, women and indigenous and local forest-dependent communities; in Colombia and Mato Grosso it is 60% of the payments, in Acre and Ecuador 70%. Overall, REM has anchored the involvement of

indigenous peoples and forest dwellers in REDD programs, establishing grievance mechanisms and management systems for social and environmental risks.

In Colombia, for example, REM supports the Ministry of the Environment in developing and implementing the Colombian "Visión Amazonía" program. REM funds are invested in the five pillars (one being the indigenous pillar) of the Amazon Vision. Its design and prioritization of investments were defined in a participatory process that strengthened both national, regional and local indigenous organizations and state institutions in their administrative and organizational capacities. All pillars use a REM specific social and environmental risk management approach in planning, implementation and monitoring of REM results-based payments, and respond to inquiries and grievances that enter through the country's REDD Grievance Mechanism.

Germany is the largest donor of the **FCPF (Forest Carbon Partnership Facility)** of the World Bank (WB) – a multilateral financing facility for the piloting of REDD+. Based on the WB's Social and Environmental Safeguards Policies and internationally negotiated REDD safeguards, the FCPF has developed specific tools for engaging indigenous peoples and local communities in planning and decision-making processes and distributing REDD payments. The FCPF sub-program **Capacity Building Program for Forest Dependent Indigenous Peoples and Southern Civil Society Organizations** was initiated in 2008. The objective is to enhance the knowledge and understanding of REDD+ of forest-dependent communities in FCPF partner countries so that they qualify for REDD+ planning and implementation. The program is now in its second phase, and is implemented through 6 regional intermediary organizations - one indigenous and one civil society one per region. To date, 27 projects have been funded in Africa, the Asia-Pacific region and Latin America, mainly focusing on training and awareness raising on REDD+, and on developing position papers and strategies on the use of traditional knowledge and tenure rights. At the regional level, the exchange of experiences strengthens agendas and networks of indigenous and local leaders. In 2017, the highly demanded program was extended until 2019 and with an increased budget of \$ 8 million.

- (2) **Forest landscape restoration (FLR)** aims to regain ecological functionality and to enhance human well-being across degraded forest landscapes by restoring them. As integrated landscape approach FLR combines different processes such as new tree plantings, managed natural regeneration, agroforestry or improved land management. Other Important elements of the approach are the involvement of relevant stakeholders, improvement of the legal and institutional framework and capacity building. FLR was recognized internationally through the York Declaration on Forests (2014) as an extension of Bonn Challenge (2011) aiming to restore 350 million hectares of degraded forest landscapes by 2030. In this context Germany together with partners launched **The African Forest Landscape Restoration Initiative (AFR100)** in December 2015 at COP21 in Paris. AFR100 is a country-driven and African-led partnership of technical and financial partners as well as 28 African governments, which have pledged to restore 113 million hectares of degraded forest landscape by 2030 thereby enhancing food security, increasing climate change resilience and mitigation, and combatting rural poverty.

6. What are ways in which high-income States should assist low-income States in responding to climate change, while simultaneously contributing to sustainable development in those low-income States?

With the Paris Agreement the global community has committed itself to three goals: 1) to hold the increase in global average temperature to well below 2°C and pursuing efforts to limit the increase to 1.5°C; 2) to increase the ability to adapt to the adverse impacts of climate change and foster climate resilience; and 3) to make all finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.

To this end, high-income States can cooperate with low-income States to enhance their capacity to take effective climate change action to implement adaptation and mitigation actions, e.g. through initiatives mentioned above (NDCP etc.). In line with the Paris Agreement's aim of strengthening developing countries' ability to deal with the impacts of climate change while acknowledging human rights, high-income states have committed themselves to mobilizing USD 100 billion annually in climate finance from private and public sources from 2020 onwards. Germany is fully committed to this goal and has announced to double its climate finance efforts from EUR 2 to 4 billion by 2020.

To foster the transformative action needed and ensuring sustainable development, high income states can align their cooperation with low income states with the objectives of the Paris Agreement. To illustrate how this can look like in practice: Germany does not support the construction of new coal power plants or the revival of old plants in its partner countries and instead prioritizes the energy efficiency and renewable energy.

Examples of REM benefit-sharing programs and the FCPF capacity building program, see answer 3

8. What are ways in which additional protection is provided (or should be provided) for populations who may find themselves in circumstances in which they are particularly vulnerable to climate change (e.g. women, children, persons living in poverty, Indigenous peoples and members of traditional communities, older persons, persons with disabilities, ethnic, racial or other minorities and displaced persons)? What are ways in which these populations can be empowered to act as agents of change in addressing climate change?

German development cooperation follows the guiding principle that climate change and development are inextricably linked. Following a human rights-based approach in our development cooperation, we are putting a strong focus on including persons with disabilities, children and elderly people, women, indigenous and local communities when addressing climate change impacts. Accordingly, Germany adopted the 2030 Agenda's principle "leave no one behind", committing itself to address the specific needs of vulnerable people in Sustainable Development Goals (SDGs) implementation. In addition, Germany supports developing countries with a considerable proportion of **climate finance**. To strengthening resilience and adaptive capacities to climate change, Germany committed, a total of around 1.21 billion euros (2017) in official budget funds for **adaptation**. For instance, Germany contributes as the largest donor, to the **Least Developed Countries Fund (LDCF)** (265 million euros). Likewise, Germany closely collaborates with the **Climate Vulnerable Forum (CVF)**, **Least Developed Countries Expert Group (LEG)**, and the **Local Communities and Indigenous Peoples Platform (UNFCCC)** to make their voices heard and empowering them in raising climate ambition. Germany advises and supports its most vulnerable partner countries through a **comprehensive risk management** to reduce disaster and climate risks. Thus, combining a right mix of strategies and instruments from the fields of mitigation, adaptation, disaster risk management as well as the entire suite of climate risk finance and insurance instruments, including sovereign climate risk insurance, agricultural and property microinsurance, scalable social safety nets, and contingent financing instruments. These financial solutions to cope with residual risks complement humanitarian aid in case of disaster strikes.

Example of forest conservation measures and strengthening indigenous peoples rights: Germany adheres to human rights standards, applies social and environmental standards, i.e. the Cancun Safeguards adopted under the Framework Convention on Climate Change (UNFCCC), and supports partner organizations in their safeguards implementation to prevent and avoid negative environmental or social impacts of REDD activities. The safeguards ensure that REDD renders additional positive impacts, so-called non-carbon benefits that go beyond greenhouse gas emission reductions.

The experiences from local and indigenous communities and other stakeholders with regard to the above mentioned programs **REM** and **FCPF Capacity Building Program for Forest Dependent Indigenous Peoples and Southern Civil Society Organizations** were gathered at the conference “Social Inclusion in REDD+ processes” in Weilburg, Germany, in November 2018. Key findings included: REDD+ safeguards processes have contributed to strengthened participation in the political arena increasing political influence, and to enhanced risk management in strategies and activities to reduce deforestation ; REDD has provided new entry points to the tenure agenda of indigenous peoples and local communities; most REDD+ implementing countries have undertaken participatory dialogue engagement processes with REDD+ stakeholders at the national level, which has given Indigenous Peoples, local communities, civil society organizations and women the opportunity to participate and articulate their demands within decision-making processes.

REDD+ offers avenues for tropical forest countries to generate carbon and non-carbon (monetary and non-monetary) benefits. A key question for each REDD+ country is how both carbon and non-carbon revenues from REDD+ are to be effectively and equitably shared between different stakeholders. Benefit sharing arrangements and safeguards systems support REDD+ governments to achieve greater social inclusivity. Participatory policy and activity design and benefit sharing plans also give affected communities the opportunity to participate in decision-making as equal partners. Equitable and collaborative benefit sharing arrangements help to enhance sustainability of reduced deforestation by turning conflicts over natural resources into consensual and long-term solutions.

Germany through its development agency Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) is implementing a pilot project on **children’s and youth rights and climate change** in Indonesia: in the city of Malang 250 children are empowered in exercising their rights to express their own opinions and to actively participate in creating a climate-friendly environment. Creating an active-learning environment is central to the project. In a participatory activity, for instance, students planted trees while learning about the CO2 reduction potential of trees. In order to campaign and publicly voice out their opinions, ideas and innovation in their schools related to climate action, the children and youth have initiated #GENSALIM. By now, also the Agencies for Education, Environment and Planning actively post #GENSALIM activities in their social media. The project brings children, youth and the local/national policy level together on one table for a rights-based action on climate change.

9. How do you ensure that the rights of individuals working on climate change (environmental human rights defenders) are protected? What efforts has your Government or business made to create a safe and enabling environment for them to freely exercise their rights without fear of violence, intimidation, harassment or reprisal?

Germany promotes the protection of human rights defenders (HRD) in projects of bilateral state development cooperation through integrated components for their protection , as well as by financing measures of private institutions (e.g. funding titles for political foundations, churches, civil society organizations). At **EU-level**, the EU Guidelines for the Protection of Human Rights Defenders (2004) provide the framework for EU delegations and embassies to support and protect HRD. EU delegations have contact persons for local civil society so-called human rights focal points. Germany also supports the European Instrument for Democracy and Human Rights (EIDHR) funded protection mechanism for HRD – Protect Defenders (www.protectdefenders.eu), a consortium of twelve human rights organisations, such as Urgent Action Fund For Women’s Human Rights, which offers support to the work of HRD worldwide.

