



27 November 2019

**Open-Letter from the United Nations High Commissioner for Human Rights to Member States
on priorities for human rights-based climate action at the 25th Conference of the Parties to the
United Nations Framework Convention on Climate Change**

Excellency,

The 25th Conference of the Parties to the United Nations Framework Convention on Climate Change takes place at a pivotal moment in history. Across the globe, the climate crisis is already having severe impacts on the health and welfare of all people. This crisis leaves no country and no person untouched. For those on the frontlines, the impacts are particularly severe. Access to food, water and sanitation, adequate housing, health, and decent work – all fundamental human rights - are being eroded. In many cases, lives are at risk.

Those who have the least and are least responsible for climate change are often among those most affected including people and communities living in vulnerable situations and the poor. The injustice of environmental harms, including climate change; increasing inequalities; and shrinking civic space have sparked unrest around the world. At a time when all nations and all people must come together to stop climate change, we instead often find ourselves increasingly at odds over resources, over borders, and over responsibility for action.

Accelerating progress at the climate negotiations is crucial. With only 10 years left to avert climate catastrophe, we are running out of time. The international community must stand united in action and purpose. I call on States to be mindful of their commitment to respect, promote and consider their respective human rights obligations when taking climate action to 1) renew and revise their nationally determined contributions (NDCs), 2) develop the rules for implementation of article 6 of the Paris Agreement and 3) address loss and damage.

1) *Renewing and revising nationally determined contributions.*

Following the release of the Intergovernmental Panel on Climate Change's Special Report on 1.5°C, the need for higher ambition to protect human rights, health and welfare has never been clearer. Over the next year, States may renew and revise their NDCs under the Paris Agreement. I ask that you take this opportunity to align the ambition of your NDC with your obligations to respect, protect and fulfil human rights for all persons and your commitments under the UNFCCC to protect human health and welfare and undertake best efforts to limit global temperature increases to 1.5°C.

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Permanent Missions to the United Nations
in Geneva and New York



Furthermore, I call on you to ensure the right to participation in the development and implementation of your NDC. This will promote more effective, equitable and long-lasting climate solutions.

2) *Protecting and promoting rights in the operationalization of article 6 of the Paris Agreement*

Article 6 under the Paris Agreement establishes several mechanisms to facilitate international cooperation for climate action. The finalization of the guidelines for implementation of these mechanisms will be a key metric of the success of COP25.

I urge you to negotiate guidelines that are consistent with fundamental human rights recognized under both environmental and human rights law. This includes the rights to meaningful and informed participation, access to information and access to justice by all people leaving no one behind. The rules for Article 6 should include basic human rights protection measures, such as stakeholder consultations, environmental and social safeguards, and an independent grievance / redress mechanism.

We have seen that projects are better designed and more sustainable when affected people, local communities and indigenous peoples are consulted, and safeguards and accountability mechanisms are in place. Rules to facilitate the change we need to address climate change should empower us all to work together in constructive and informed decision-making processes.

3) *Addressing the harms of climate change in an equitable manner*

States have agreed to cooperate, in line with the principles of equity and common but differentiated responsibility, to make real progress to address the climate-related loss and damage suffered by the most vulnerable countries and populations. Safeguarding the rights of those currently affected by climate change and at greatest risk of future harms should be the guiding principle for climate action.

Under human rights law, those who suffer human rights harms because of climate change are entitled to protection and effective remedy. An equitable loss and damage regime will ensure that the 2030 Agenda to leave no one behind. At COP25, I appeal you to continue strengthening your work to address the human rights harms caused by climate change.

The world has never seen a threat to human rights, human health and human welfare like climate change. The economies of all nations; the institutional, political, social and cultural fabric of every State; and the rights of all people – and future generations – will be impacted. This crisis demands your urgent action. My Office stands ready to support your efforts to ensure right-based climate action.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read "Michelle Bachelet".

Michelle Bachelet
High Commissioner for Human Rights