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Abstract

Inputs from academic research

Input for 2022 UNGA77

Special Rapporteur on the promotion and protection of human rights in the context of climate change

Questionnaire

1. What experiences and examples are you aware of that are being faced by particularly individuals and communities in vulnerable situations (as identified above) that have suffered loss and damage due to the adverse impacts of climate change?

From my research experience on national and local climate and environmental justice movements (29 countries and 57 cases), I am aware that the rural communities suffered from violence and oppression from trying to preserve their landscapes, traditional knowledge and values that can help them adapt to the adverse effect of climate change. Moreover, there are oppressions towards the people who speak out against the expansion of hydrocarbon activities. Our study on “How social movement contributes to limiting global carbon budget” found that there is more violence (by the police forces and military) when protests against land-grabbing, loss of livelihood related to hydrocarbon carbon activities involved vulnerable populations, such as ethnic minorities and indigenous people (See Attachment 1). Here, I emphasize that the criminalization and violence toward vulnerable populations happen despite their participation in these movements raise awareness of climate change issues.

The same is true for the cases of women environmental defenders who face life-threatening situations when they voice out about the climate and environmental injustice. See research on women environmental defenders (Attachment 2).

2. What legislation, policies and practices do you think are necessary to provide redress for particularly individuals and communities in vulnerable situations that have suffered and will continue to suffer loss and damage due to the adverse impacts of climate change?

The human rights protection of rural populations, women and ethnic minorities/indigenous population is necessary as environmental degradation and the effects of climate change increases. Without legal protections and policies to minimize the violation of human rights against vulnerable people who speak for themselves, there is a high risk of the mass destruction of humans and other species within the ecosystem.

3. Please provide examples of policies and practices (including legal remedies) and concepts of how States, business enterprises, civil society and intergovernmental organizations can provide redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage to the adverse impacts of climate change.

The transparency of the legal system by the State and enterprises is necessary so that the vulnerable people can participate in the legal process to address the social and environmental issues that arose from the violation of environmental regulations. Civil Society organizations and intergovernmental organizations can transfer knowledge and skills to local communities on how to address the violation of environmental rights.

4. Please provide examples of ways in which States, the business enterprises, civil society and intergovernmental organizations have provided redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse effects of climate change.

The Salween Peace Park (Karen State, Myanmar) is one example of Indigenous initiatives toward self-managing commons and preserving traditional values for climate change adaptation. However, the Burmese military junta assaults threaten the preservation of rivers, forests and livelihoods. The international society must find ways to stop the Burmese military junta’s increased massacres against people who are proactive toward climate change adaptation.

5. What international, regional and national policies and legal approaches are necessary to protect current and future generations and achieve intergenerational justice for particularly for individuals and communities, from the adverse impacts of climate change?

I am quoting some of the findings from our research (Attachment 1). The qualitative meta-analysis of 57 selected anti-fossil fuel movements showed that social movements constrain fossil fuel supplies, support social and political processes needed for climate change mitigation, and potentially avoid emissions through at least ten different contributions. The findings further identified how the specific contributions to staying within the global carbon budget were associated with the different movement strategies and the participation of specific actors, such as indigenous people involved in mobilizations. In this context, scientists, science-policy interface institutions, notably the IPCC, and policymakers, should pay more attention to the contributions of social movements to staying within the global carbon budget. Also, our analysis extends the argument on movements as forces of sustainability by providing evidence on the diversity of mobilization strategies and contributions and identifying associations between both. Secondly, the study provides further evidence for the existing claims that marginalized people, in alliance with other segments of society, contribute to global environmental and climate justice through collective resistance against unsustainable resource use, such as hydrocarbon activities. These alliances are identified in various grassroots movements, including women, indigenous people and minorities, and professional communities, to form partnerships across the social spectrum. From a climate justice perspective, participation from vulnerable groups, indigenous people, and movements from the Global South is vital in shaping more just energy transition pathways and climate change mitigation.

6. In 2021 at 26th session of the UN Climate Change Conference (COP26), some Parties and civil society organizations proposed a new financial facility to support loss and damage.

a. Please provide ideas and concepts on how a new facility would operate and how the funds needed to underwrite this fund would be established and maintained.

I propose a global index for governing environmental and climate justice. The index should monitor the violation of human rights by corporations and governments (such as a corporate social (ir)responsibility index). Furthermore, funds should be distributed between academic scholars of environmental justice, practitioners (NGOs), and communities.

b. Please provide ideas and concepts on how a new financial facility for loss and damage could provide redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse impacts of climate change.

A partnership between academics, civil society organizations (CSOs) and communities can facilitate responsible corporate and national/local government actions towards communities.

7. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organizations to dramatically increase efforts to reduce emissions of greenhouse gases, including through support to developing countries, in particular small island developing States, least developed countries and landlocked developing States, to limit the human rights impacts on particularly individuals and communities in vulnerable situations to the adverse impacts of climate change?

1) Promoting the right to participate in public demonstrations,

2) Raising awareness on how to participate in public litigations

3) Promoting rights to preserve traditional livelihoods, knowledge and landscapes

8. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organizations to increase efforts to ensure that actions to adapt to the impacts of climate change contribute to reducing, and not exacerbating, the vulnerabilities of individuals and communities in vulnerable situations to the adverse impacts of climate change?

Emphasizing much on top-down policies, such as gentrification, can exacerbate vulnerabilities (see attachment 3).

Focusing more on local initiatives and paying attention to social mobilizations and indigenous representatives are necessary for enhancing climate change adaptations.

Attachment 1

May Aye Thiri, Sergio Villamayor-Tomás, Arnim Scheidel, Federico Demaria, How social movements contribute to staying within the global carbon budget: Evidence from a qualitative meta-analysis of case studies, Ecological Economics, Volume 195, 2022, 107356, ISSN 0921-8009, https://doi.org/10.1016/j.ecolecon.2022.107356.

Attachment 2

Tran, D. & Martinez-Alier, J. & Navas, G. & Mingorria, S., (2020) “Gendered geographies of violence: a multiple case study analysis of murdered women environmental defenders”, Journal of Political Ecology 27(1), p.1189-1212. doi: https://doi.org/10.2458/v27i1.23760

Attachment 3

Isabelle Anguelovski, James J. T. Connolly, Laia Masip & Hamil Pearsall (2018) Assessing green gentrification in historically disenfranchised neighbourhoods: a

longitudinal and spatial analysis of Barcelona, Urban Geography, 39:3, 458-491, DOI:

10.1080/02723638.2017.1349987