

SB 44 side event: Ensuring Human Rights in Climate Mitigation Actions

25 May 2016, Bonn, Germany

On 25 May 2016, as part of the UNFCCC Bonn intersession, Carbon Market Watch together with Misereor organized a side event on how to ensure human rights in climate mitigation actions.

Juliane Voigt from Carbon Market Watch highlighted that climate mitigation actions, even though they might be well intentioned, can have severe impacts on human rights and reflected on experiences made especially with the Clean Development Mechanism (CDM). Highlighting that lessons learnt from existing mechanisms will inform the design of the newly established Sustainable Development Mechanism (SDM), a human rights based approach as well as social and environmental safeguards were underlined as essential elements for its modalities and procedures.



Alyssa Johl from the Center for International Environmental Law (CIEL) presented the case of the Barro Blanco hydro dam in Panama, a project registered under the CDM, and pointed out the human rights implications of this dam on the local communities. Thereby, she informed about the latest developments around this project and the recently initiated flooding of indigenous territories.

The last speaker, Kate Dooley from the University of Melbourne reflected on the risks of social and environmental impacts from mitigation activities, especially with regards to land rights implications of indigenous peoples. She underlined the need to respect and strengthen collective rights to land.

The panel was joined by Victoria Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples, who shared experiences with climate mitigation projects and the impacts they can have in particular on indigenous peoples rights. She clearly underlined that a human rights based approach to climate action is needed to avoid future conflicts and to sufficiently protect indigenous peoples rights.

Opening remarks were given by Stefan Tuschen from Misereor who also moderated the respective debate. He stressed the need to streamline human rights in the in the Paris Agreement and the importance to include human rights considerations when implementing the Agreement on the ground.

At the occasion of the event, a joint report by CIDSE, Misereor and Carbon Market Watch on [Human Rights Implications of Climate Mitigation Actions](#) was launched.

Below is a more detailed summary of the presentations:

Juliane Voigt, Policy Officer at Carbon Market Watch briefly shared her experiences with projects implemented under the CDM and highlighted that climate mitigation actions can have significant effects on the full enjoyment of human rights. She reflected on existing human rights obligations as well as the preambular language of the Paris Agreement and underlined the importance for the newly established Sustainable Development Mechanism to apply a human rights based approach. Providing an overview on the negotiations of the modalities and procedures of the SDM, she stressed the need

to develop clear and detailed guidance for local stakeholder consultations, the need to adopt sustainable development criteria as well as to establish an international-level independent grievance mechanism to provide means for project affected peoples and communities to raise concerns. Furthermore, she presented a report on [Human Rights Implications of Climate Mitigation Actions](#) that was jointly launched by CIDSE, Misereor and Carbon Market Watch.

Alyssa Johl, Senior Attorney at the Center for International Environmental Law presented the Barro Blanco hydro dam, a CDM project implemented in Panama. She highlighted the recent developments around this project and informed about the test flooding of indigenous peoples territory that started only days before this side event and that will force indigenous peoples communities and individuals living in the affected area to leave their territories. Furthermore, she reflected on the lack of consultation of the local communities and shared her experiences with this project, especially with regards to legal actions taken and complaints filed against this project. Concluding her presentation, the need for international safeguard policies, monitoring systems as well as the necessity for grievance processes and meaningful stakeholder participation was underlined.



Kate Dooley, PhD candidate at the University of Melbourne focused her presentation on the implications of land use in climate mitigation actions on human rights. She pointed out that how land use is regulated and who is able to access land will play a critical role in achieving global food security objectives as well as many of the other Sustainable Development Goals (SDGs) and will furthermore be decisive for the rights and livelihoods of indigenous peoples and local communities and biodiversity protection. She underlined that it needs to be ensured that the burden of mitigation and mitigation actions does not fall to land use in the most vulnerable communities.



Victoria Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples stressed that if no human rights based approach to climate action is applied, more conflicts will be created in the future. She emphasized that indigenous peoples and communities are often at the heart of conflicts arising from climate actions and that it is urgently needed to learn and reflect on the experiences made with the CDM.

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