



# General Assembly

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## Human Rights Council

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Agenda item 3

### Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

**Bangladesh, Bhutan,\* Chile, Colombia,\* Ecuador,\* Guatemala,\* Luxembourg, Mexico, Nepal, Paraguay, Peru,\* Philippines,\* Somalia, State of Palestine,\* Timor-Leste,\* Tunisia,\* Uruguay,\* Vanuatu,\* Viet Nam and Yemen\*: draft resolution**

### 53/... Human rights and climate change

*The Human Rights Council,*

*Guided* by the Charter of the United Nations, and reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination and the Vienna Declaration and Programme of Action,

*Recalling* the 2030 Agenda for Sustainable Development and its commitment to leave no one behind, including, inter alia, its Goal 13 on taking urgent action to combat climate change and its impacts,

*Reaffirming* the Addis Ababa Action Agenda as an integral part of the 2030 Agenda,

*Reaffirming also* that all human rights are universal, indivisible, interdependent and interrelated,

*Recalling* all previous Human Rights Council resolutions on human rights and climate change,

*Reaffirming* the United Nations Framework Convention on Climate Change and the Paris Agreement adopted under the United Nations Framework Convention on Climate Change,<sup>1</sup> and the objectives and principles thereof, and emphasizing that parties should, in all climate change-related actions, fully respect, promote and consider their respective obligations on human rights,

*Recalling* that the Paris Agreement acknowledges that climate change is a common concern of humankind and that parties should, when taking action to address climate change, respect, promote and consider their respective obligations with regard to human rights, including the right to food, the right to health, the rights of Indigenous Peoples, local communities, peasants, migrants, children, persons with disabilities and persons in

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\* State not a member of the Human Rights Council.

<sup>1</sup> See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.



vulnerable situations, including people living in small island developing States and least developed countries, and in conditions of water scarcity, desertification, land degradation and drought, and the right to development, as well as gender equality, the empowerment of women and intergenerational equity,

*Reaffirming* the commitment to realize the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change and the Paris Agreement adopted under the Convention, including in the context of sustainable development and efforts to eradicate poverty, end hunger and malnutrition and promote livelihood resilience, in order to achieve the ultimate objective of the Convention,

*Stressing* the importance of holding the increase in the global average temperature to well below 2°C above pre-industrial levels and of pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, while recognizing that this would significantly reduce the risks and impact of climate change,

*Noting with serious concern* the findings contained in the synthesis report of the Intergovernmental Panel on Climate Change Sixth Assessment Report and findings from the contribution of Working Group III to the Assessment Report which set out that limiting warming to around 1.5°C requires global greenhouse gas emissions to peak before 2025 at the latest, and to be reduced by 43 per cent by 2030 relative to 2019 levels, to achieve net zero by 2050,

*Acknowledging* that, as stated in the United Nations Framework Convention on Climate Change, the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions, and acknowledging also that article 2, paragraph 2 of the Paris Agreement states that the Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances,

*Recalling* General Assembly resolutions 77/276 of 29 March 2023, in which the Assembly requested an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change, and 76/300 of 28 July 2022, on the human right to a clean, healthy and sustainable environment,

*Noting* the importance of the work of the scientific community and the Intergovernmental Panel on Climate Change, including its assessment reports and special reports, in support of strengthening the global response to climate change, including considering the human dimension, and Indigenous Peoples', peasants' and local communities' knowledge,

*Acknowledging* that, as stated in the United Nations Framework Convention on Climate Change, responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding an adverse impact on the latter, taking into full account the legitimate priority needs of developing countries to achieve sustained economic growth, eradicate poverty, end hunger and malnutrition, and achieve livelihood resilience in the face of loss and damage brought about by extreme weather and slow-onset events,

*Recognizing* that poverty in all its forms and dimensions, including extreme poverty, is one of the greatest global challenges, and that eradicating poverty and ending hunger and malnutrition are critical to the implementation of the Sustainable Development Goals, climate change resilience and the promotion and protection of human rights, inter alia the full realization of the right to an adequate standard of living, and maintaining resilient livelihoods, particularly of people living in developing countries, including small island developing States and least developed countries, and other climate-vulnerable countries who are disproportionately affected by the negative impacts of climate change,

*Stressing* 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, thereby promoting policy coherence, legitimacy and sustainable outcomes,

*Emphasizing* that the adverse effects of climate change have a range of implications, both direct and indirect, that increase with greater global warming, for the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the right to the enjoyment of the highest attainable standard of physical and mental health, the right to adequate housing, the right to self-determination, the rights to safe drinking water and sanitation, the right to work and the right to development, and recalling that in no case may a people be deprived of its own means of subsistence,

*Expressing concern* that, while these implications affect individuals and communities around the world, the adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, race, ethnicity, indigenous or minority status where applicable, national or social origin, birth or other status, and disability, among others,

*Expressing extreme concern* that climate change poses an existential threat to some countries, and has already had an adverse impact on the full and effective enjoyment of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments,

*Noting with serious concern* the findings contained in the synthesis report of the Intergovernmental Panel on Climate Change Sixth Assessment Report and the findings from the contribution of Working Group II to the Assessment Report, entitled *Climate Change 2022: Impacts, Adaptation and Vulnerability*, in which the Intergovernmental Panel on Climate Change stated that human-induced climate change had caused widespread adverse impacts and related losses and damages to nature and people affecting livelihoods through, inter alia, destruction of homes and infrastructure, loss of property and income, human health and food security, which has a negative impact on the full and effective enjoyment of human rights of persons living in affected areas,

*Noting with grave concern* that soft adaptation limits have been reached in some ecosystems, and that without deep, rapid and sustained mitigation and accelerated adaptation actions, losses and damage will continue to increase, including projected adverse impacts in Africa, least developed countries, small island developing States, Central and South America, Asia and the Arctic, disproportionately affecting the human rights of persons in the most vulnerable situations,

*Expressing concern* that loss and damage to livelihoods caused by sudden- and slow-onset events directly and disproportionately affect women and girls, children, youth, older persons, persons with disabilities, Indigenous Peoples, migrants, persons living in poverty and others in vulnerable situations, undermining their well-being and their enjoyment of a whole of range of human rights,

*Recognizing* that the erosion of livelihoods through, inter alia, the destruction of homes and infrastructure, loss of property and income, human health and food security, partly caused by the adverse effects of climate change, is a push factor for displacement and migration, especially from rural to urban areas, and may contribute to increased risk of exploitation, including trafficking in persons on the move, in particular women and girls,

*Emphasizing* that social security is a human right and a potent tool in the promotion of social inclusion and human dignity, especially the most marginalized, and underscoring that efforts to realize the right to social security should be inclusive and accessible to all,

*Expressing concern* at the inadequate social protection schemes for workers in the informal economy and low coverage and penetration of crop insurance schemes in vulnerable farming populations, which would provide income security in the event of contingency,

*Recognizing* that women and girls are disproportionately affected by the effects of climate change, inter alia, concerning the realization and enjoyment of their human rights, and stressing the importance of the participation of women, including older women, Indigenous women and girls, in the context of climate change, environmental and disaster risk reduction policy and decision-making processes,

*Reaffirming* the need for the continuing implementation of the Sendai Framework for Disaster Risk Reduction 2015–2030, adopted at the Third United Nations World Conference

on Disaster Risk Reduction, and its references to human rights, livelihood protection and food security,

*Expressing concern* that developing countries, particularly least developed countries and small island developing States, lacking the resources to implement their adaptation plans and programmes of action and effective adaptation strategies, may suffer from higher exposure to extreme weather events in both rural and urban areas,

*Taking into account* the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities,

*Emphasizing* the importance of implementing the commitments undertaken under the United Nations Framework Convention on Climate Change regarding mitigation, adaptation and the provision and mobilization of finance, technology transfer and capacity-building to developing countries, and emphasizing also that realizing the goals of the Paris Agreement would enhance the implementation of the Framework Convention and help to ensure the greatest possible adaptation and mitigation efforts in order to avert, minimize, and address losses and damage from the adverse impact of climate change on present and future generations,

*Recalling* the outcomes, adopted at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the fourth session of the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, held in Sharm el-Sheikh, Egypt in November 2022, and noting the commitments made at both conferences,

*Welcoming* the decision adopted at the twenty-seventh session of the Conference of the Parties to establish new funding arrangements to assist developing countries, including those that are particularly vulnerable to the adverse effects of climate change, in responding to economic and non-economic loss and damage, by providing and assisting in mobilizing new and additional resources, and that these new arrangements complement and include sources, funds, processes and initiatives both under and outside the Convention and the Paris Agreement,

*Looking forward* to the adoption of more ambitious commitments at the twenty-eighth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, the eighteenth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol and the fifth session of the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, to be held in Dubai, United Arab Emirates, from 30 November to 12 December 2023,

*Looking forward also* to the convening of the Climate Ambition Summit and the Sustainable Development Goals Summit by the Secretary-General in September 2023, ahead of the completion of the global stocktake,

*Noting with appreciation* the continued efforts of the United Nations High Commissioner for Human Rights in highlighting the need to respond to the global challenge of climate change, including by reaffirming the commitments to ensure effective climate action while advocating for the promotion and protection of human rights,

*Welcoming* the convening of a panel discussion, held pursuant to Human Rights Council resolution 50/9 of 7 July 2022, on the adverse impact of climate change on the full realization of the right to food for all people and ways forward to address the challenges thereto, as well as on best practices and lessons learned, including science-based approaches and local and Indigenous knowledge,

*Taking note* of the report of the Secretary-General on the adverse impact of climate change on the full realization of the right to food, submitted pursuant to Human Rights Council resolution 50/9,<sup>2</sup>

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<sup>2</sup> A/HRC/53/45.

*Noting* that the human rights obligations and responsibilities as enshrined in the relevant international human rights instruments provide roles for States as duty bearers and responsibility bearers, including businesses, to promote, protect and respect, as would be appropriate, human rights, when taking action to address climate change and the adverse effects thereof,

*Noting with appreciation* the work of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, and taking note of the mandate holder's most recent reports,<sup>3</sup> and recalling the reports of the Special Rapporteur on trafficking in persons, especially women and children, focusing on addressing the gender dimensions of trafficking in persons in the context of climate change, displacement and disaster reduction,<sup>4</sup> the Special Rapporteur on the right to food, focusing on the right to food in the context of natural disasters<sup>5</sup> and on the impact of climate change on the right to food,<sup>6</sup> the reports of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, focusing on climate change and human rights<sup>7</sup> and on air pollution and human rights,<sup>8</sup> and the report of the Special Rapporteur on extreme poverty and human rights, on climate change and poverty,<sup>9</sup>

*Welcoming* the work of the Climate Vulnerable Forum, which asserts that climate change is a major threat to the enjoyment of human rights and fundamental freedoms, and taking note of its Traffic Light Assessment of nationally determined contributions,<sup>10</sup>

*Noting* the importance of facilitating meaningful interaction between the human rights and climate change communities at both the national and international levels in order to build capacity to deliver responses to climate change that respect and promote human rights, taking into account the Geneva Pledge for Human Rights in Climate Action and other similar efforts,

*Noting also* the establishment and work of regional, subregional and other initiatives, such as the Small Island Developing States Accelerated Modalities of Action (Samoa Pathway) on addressing the adverse impact of climate change,

*Noting further* the importance for some of the concept of "climate justice" when taking action to address climate change,

*Affirming* that prioritizing equity, climate justice, social justice, inclusion and just transition processes can enable adaptation and ambitious mitigation actions and climate-resilient development,

1. *Expresses grave concern* that climate change has contributed and continues to contribute to the increased frequency and intensity of both sudden-onset natural disasters and slow-onset events, and that these adversely affect the full enjoyment of all human rights;
2. *Emphasizes* the importance of continuing to address urgently, as they relate to States' human rights obligations, climate change and its adverse consequences for all, particularly in developing countries and for the people whose situation is most vulnerable to climate change;
3. *Calls upon* States to consider, among other aspects, human rights within the framework of the United Nations Framework Convention on Climate Change;
4. *Urges* States that have not yet ratified or acceded to the Paris Agreement to do so;
5. *Recognizes* the importance for all countries of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow-onset events, and the role of sustainable development in

<sup>3</sup> A/HRC/53/34 and Add.1 and A/77/226.

<sup>4</sup> A/77/170.

<sup>5</sup> A/HRC/37/61.

<sup>6</sup> A/70/287.

<sup>7</sup> A/HRC/43/53 and A/74/161.

<sup>8</sup> A/HRC/40/55.

<sup>9</sup> A/HRC/41/39.

<sup>10</sup> [https://thecvf.org/wp-content/uploads/2022/11/CVF\\_PTLAReport\\_2022.pdf](https://thecvf.org/wp-content/uploads/2022/11/CVF_PTLAReport_2022.pdf).

reducing the risk of loss and damage, and in that regard looks forward to the further operationalization of the Santiago Network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, and encourages the Parties to constructively engage in the Glasgow Dialogue and to support the work of the Transitional Committee to operationalize expeditiously the new funding arrangements, including a fund for assisting developing countries, including those that are particularly vulnerable to the adverse effects of climate change, in responding to loss and damage associated with the adverse impacts of climate change, in the context of relevant decisions of the Conference of the Parties to the United Nations Framework Convention on Climate Change and of the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement;

6. *Calls for* deep and rapid cuts in global emissions to avert, minimize and address loss and damage from sudden and slow-onset climate events that have an adverse impact on the enjoyment of human rights;

7. *Calls upon* States to enhance international cooperation and reiterates the urgency of scaling up action, in particular in financing, the transfer of technology and capacity-building, for mitigation and adaptation measures and to assist developing countries in averting, minimizing and addressing loss and damage, especially those that are particularly vulnerable to the adverse effects of climate change;

8. *Calls upon* all States to adopt a country-driven, comprehensive, integrated, gender-responsive, age-inclusive and disability-inclusive approach to climate change adaptation and mitigation policies, consistent with the United Nations Framework Convention on Climate Change and the objective and principles thereof, to address efficiently the economic, cultural and social impact and human rights challenges that climate change presents, for the full and effective enjoyment of human rights for all;

9. *Calls upon* States to better promote the human rights of persons in vulnerable situations, their inclusion in risk reduction decision-making and their access to livelihoods, food and nutrition, safe drinking water and sanitation, social protection, health-care services and medicines, education and training, adequate housing and decent work, clean and low-emission energy, science and technology, including digital technology and early warning systems, and ensure that services can be adapted to emergency and humanitarian contexts;

10. *Urges* States to develop and effectively implement policies that promote sustainable agriculture, forest management, fisheries, aquaculture practices and marine environment management in order to enhance the adaptive capacities and livelihood resilience of communities for the full and effective enjoyment of human rights;

11. *Recognizes* the link between the adverse impacts of climate change, including on livelihoods, and displacement and migration, and the need for adaptation measures that benefit the most vulnerable, facilitate safe and voluntary movement, minimize forced movement, and address human rights protection gaps in order to, inter alia, reduce the risk of trafficking and exploitation of people on the move, especially women and girls;

12. *Urges* States, consistent with the Guiding Principles on Business and Human Rights, to uphold the principle of corporate responsibility to respect human rights, including the responsibility to avoid causing or contributing to adverse human rights impacts through business activities that may harm the environment and the climate system;

13. *Calls upon* business enterprises, both transnational and others, to meet their responsibility to respect human rights, including in the context of climate change and the environment;

14. *Reaffirms* its commitment to advocate for combating climate change and addressing its adverse impact on the full and effective enjoyment of human rights, and recognizes the importance of the safe and meaningful participation of civil society in climate action and the work of the Human Rights Council and its mechanisms in the context of climate change, conducted in a regular, systematic and transparent manner;

15. *Recalls* the decision to incorporate into its annual programme of work, beginning in 2023, at a minimum a panel discussion, and decides that the annual panel discussion to be held at the fifty-sixth session shall focus on ensuring livelihood resilience in

the context of the risk of loss and damage related to the adverse effects of climate change for achieving progressively the full realization of all human rights and ways forward to address the challenges thereto on the basis of equity and climate justice, and also decides that the panel discussion will have International Sign interpretation and captioning;

16. *Requests* the United Nations High Commissioner for Human Rights to submit a summary report on the panel discussion held at the fifty-sixth session to the Human Rights Council at its fifty-eighth session, and to make the report available in accessible formats, including in easy-to-read versions;

17. *Requests* the Secretary-General, in consultation with and taking into account the views of States, the special procedures of the Human Rights Council, the United Nations Environment Programme, the World Meteorological Organization, the International Telecommunication Union, the International Organization for Migration, the International Federation of Red Cross and Red Crescent Societies, and other relevant international organizations and intergovernmental bodies, including the Intergovernmental Panel on Climate Change and the secretariat of the United Nations Framework Convention on Climate Change, and other stakeholders, to conduct an analytical study on the impact of loss and damage from the adverse effects of climate change on the full enjoyment of human rights, exploring equity-based approaches and solutions to addressing the same, and to submit the study to the Human Rights Council at its fifty-seventh session, to be followed by an interactive dialogue, and also requests the Secretary-General to make the report available in accessible formats, including in easy-to-read versions;

18. *Encourages* relevant special procedure mandate holders to continue to consider the issue of climate change and human rights, including the adverse impact of climate change on the full and effective enjoyment of human rights, particularly the rights of persons in vulnerable situations, within their respective mandates;

19. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human, technical and financial assistance necessary for the effective and timely realization of the above-mentioned panel discussion, reports and interactive dialogue;

20. *Decides* to remain seized of the matter.

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