

AMNESTY INTERNATIONAL

RECOMMENDATIONS TO UN MEMBER STATES AHEAD OF THE CLIMATE ACTION SUMMIT 2019

On 23 September 2019, the UN Secretary-General (SG) António Guterres is hosting the Climate Action Summit in New York with the stated objective of boosting states' ambition in addressing the climate crisis and rapidly accelerating action to implement the Paris Agreement. The SG is calling on all leaders to come to New York with concrete, realistic plans to enhance their nationally determined contributions (NDCs) by 2020, in line with reducing greenhouse gas emissions by 45 per cent over the next decade, and to net zero emissions by 2050.

The Summit will convene governments, the private sector, civil society, local authorities and other international organizations to develop ambitious solutions in six areas: Energy Transition (a global transition to renewable energy and energy efficiency); Cities and Local Action (sustainable and resilient infrastructures and cities); Industry Transition (transforming industries such as Oil and Gas, Steel, Cement, Chemicals and Information Technology); Nature-based Solutions (sustainable agriculture and management of forests and oceans); Resilience and Adaptation (mitigating climate impacts and risks); and Finance (alignment of public and private finance with a net zero economy), alongside three other strands: youth and public mobilization to propose solutions to the social and political challenges that are impeding ambitious climate action; the Social and Political Drivers needed to ensure a fair and just transition, including in health and decent jobs; and Mitigation (to raise the stakes for the largest emitters to present new commitments to significantly cut emissions). The SG created nine coalitions that came together at the Abu Dhabi Climate Meeting on 30 June-1 July 2019 to take stock of progress across all nine Action Areas, with the aim of identifying and developing concrete proposals for action.

Amnesty International welcomes the SG's initiative to tackle the climate change crisis and the expected outcomes of more ambitious NDCs and concrete initiatives arising from the nine coalitions. We join the SG in urging all UN member states to come to the Summit with bold ambitions to increase their currently stated NDCs with the intention of reducing emissions even faster to ensure that the increase of global average temperatures is kept to under a rise of 1.5°C compared to pre-industrial levels.

Mere public commitments are not enough but must be followed by concrete action. In this regard, we welcome the initiatives arising from the nine coalitions, which – if implemented – could make huge progress towards the needed change. All UN member states – particularly the wealthiest and most polluting states - **must take the most ambitious measures possible** to prevent or reduce greenhouse gas emissions and tackle climate change **as fast and as fairly as possible**. They must **publicly recognise** the need to act immediately, collaboratively seek progress and urge other states to follow suit. Such efforts **must not directly or indirectly violate human rights** and should **learn from the experience** of previous conservation or renewable energy projects, for example where indigenous land has been made use of without the free, prior and informed consent of the affected Indigenous peoples. Conversely, **climate change policies and measures must have human rights at their heart**, thereby advancing equality, justice and dignity for all, in line with the Sustainable Development Goals (SDGs).

CLIMATE CHANGE: A THREAT TO HUMAN SURVIVAL AND RIGHTS

As recently highlighted by the UN Special Rapporteur on Extreme Poverty¹, climate heating is a global human rights issue; impacting the rights to life, health, housing, water, sanitation, among many others. It disproportionately affects individuals

¹ Climate change and poverty, Report of the Special Rapporteur on extreme poverty and human rights, UN Doc. A/HRC/41/39
https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session41/Documents/A_HRC_41_39.docx

and communities that are marginalized or subject to discrimination – including women and girls and indigenous communities and with young people bearing the brunt of future impacts - but no one is exempt from the risks associated with climate change. Millions of people are already suffering from the catastrophic effects of extreme disasters exacerbated by climate change – estimated at one climate-related disaster per week according to Mami Mizutori, the UN Secretary-General's Special Representative on Disaster Risk Reduction². Examples range from prolonged drought in sub-Saharan Africa and India to devastating tropical storms sweeping across Southeast Asia, the Caribbean, southern Africa and the Pacific, and intense heatwaves and subsequent wildfires in the northern hemisphere.

Such a global and urgent crisis requires that everybody and especially those most affected, have a say in environmental decision-making, in line with SDG16. In this respect, we welcome the focus on youth and public participation in the Summit and the expected outcomes on gender and climate change, which aim to ensure the equal participation of women in climate change decision-making processes at all levels. However, human rights defenders protecting their land, territory and the environment are frequently met by hostility and violence.

The escalation of such attacks is often related to social tension leading to violence within communities, generated by a lack of adequate participation, genuine consultation and information regarding resource exploitation projects driven both by states and private companies. In other cases, the violence is carried out by state security forces or private security agents acting on behalf of private business interests.³ Killings such as that of Mexican environmental rights defender Samir Flores Soberanes in February 2019, after receiving death threats for his work on defending the community's territory from a geothermal plant,⁴ are stark indications of the challenges that lie ahead and the need for urgent and collaborative action. Such actions against the legitimate activities of environmental defenders must stop and their important role in sustainable development and environmental protection must be recognized and protected to ensure they are able to have a say in the way the environment and natural resources are used, without fear of reprisals by powerful actors.

RESPONSIBILITY OF WEALTHIER NATIONS

The 2018 Special Report of the UN Intergovernmental Panel on Climate Change (IPCC) confirmed that limiting global warming below 1.5°C is an absolute imperative to avoid the worst consequences for human rights in the coming years. This compelling wake-up call made clear that greenhouse gas emissions must be reduced by 45 per cent from their 2010 levels by 2030 to avoid reaching and surpassing 1.5°C above pre-industrial levels. The report also showed how current pledges under the Paris Agreement are utterly inadequate as they would lead to a 3.2°C increase of average global temperature by 2100⁵.

Wealthy nations are currently failing to set sufficiently ambitious climate targets. Not only is around 82% of energy in G20 countries sourced from fossil fuels, but the share of fossil fuels in Canada, India and Indonesia has increased between 2012 and 2017⁶ with the G20 collectively responsible for some 79 per cent of greenhouse gas emissions⁷. Subsidies by G20 countries to coal, oil and gas continue, with Saudi Arabia, Italy, Australia, Brazil, Indonesia and Argentina being the highest providers in 2016⁸. Worryingly, there is evidence that subsidies for coal-fired power across the G20 almost tripled between 2013 and 2017⁹.

² The Guardian, *One climate crisis disaster happening every week, UN warns*, 7 July 2019, <https://www.theguardian.com/environment/2019/jul/07/one-climate-crisis-disaster-happening-every-week-un-warns>

³ Amnesty International, *Deadly but Preventable: Attacks, killings and enforced disappearances of those who defend human rights*, 5 December 2017, Index: ACT 30/7270/2017, <https://www.amnesty.org/en/documents/ior30/0174/2019/en/>

⁴ Amnesty International, *Urgent Action: Environmental Rights Defender killed*, 29 February 2019, <https://www.amnesty.org.uk/resources/urgent-action-environmental-rights-defender-killed>

⁵ <https://climateactiontracker.org/global/temperatures/>

⁶ CNN 'No G20 countries are meeting climate targets' <https://edition.cnn.com/2018/11/14/europe/g20-climate-targets-fossil-fuel-report-intl/index.html>

⁷ ODI and others, *G20 coal subsidies: Tracking government support to a fading industry*, June 2019, <https://www.odi.org/publications/11355-g20-coal-subsidies-tracking-government-support-fading-industry>

⁸ The Guardian, *G20 nations still led by fossil fuel industry*, <https://www.theguardian.com/environment/2018/nov/14/g20-nations-still-led-by-fossil-fuel-industry-climate-report-finds>

⁹ ODI and others, *G20 coal subsidies: Tracking government support to a fading industry*, June 2019, <https://www.odi.org/publications/11355-g20-coal-subsidies-tracking-government-support-fading-industry>

Although the amount of international climate finance to support climate change mitigation and adaptation in developing countries is increasing¹⁰, this is far from what is needed to ensure that the rise of global average temperatures is kept under 1.5°C above pre-industrial levels and that mitigation and adaptation efforts do not translate into an excessive burden for people in developing countries. **The wealthiest nations with historical responsibility for climate change have the obligation, under international human rights law, to mobilize more resources.** States should also use international and regional political and economic forums to collaborate, boost climate finance and support one another in leading a just and human rights compliant transition to a zero-carbon economy at home and abroad.

CORPORATE RESPONSIBILITY

Businesses have a responsibility to respect human rights. To meet this responsibility, companies must assess the potential effects of their activities on human rights – which would extend to human rights harms in the context of global heating - and put in place measures to prevent negative impacts. They must make such findings and any prevention measures public. Companies must also take measures to remedy human rights abuses they cause or to which they contribute, either by themselves or in cooperation with other actors.

Corporations, and particularly fossil fuel companies (which have historically been the most responsible for climate heating)¹¹, **must also immediately put measures in place to minimize greenhouse emissions** – including by fossil fuel companies diversifying their own business activities into human rights-consistent renewable energy– and make relevant information about their emissions and mitigation efforts public. These efforts must extend to all the major subsidiaries, affiliates and entities in their supply chain.

We note the focus on industry transition particularly for heavy industry and transport (i.e. steel, cement and concrete, chemicals including plastics, aviation and heavy-duty transportation including shipping) at the Climate Action Summit. According to the industry transition coalition, the emissions of these sectors, account for 10 Gt (30 per cent) of total global CO2 emissions, which on current trends, could account for 16Gt by 2050¹². In this regard, we welcome the recent commitment from 28 heavy industry CEOs to reaching net zero emissions by 2050¹³ but in light of the urgency of the climate crisis, we urge them to make even more ambitious commitments. We echo the desire of the SG to ensure there are clear plans on how this will be achieved, with a clear near-term deliverable, backed up by an analytical road map and his call to action to the rest of the sector – which we extend to all corporations - to commit to and move towards net zero emissions by 2050, or ideally well before. States should do all within their power through fair and just policy change to aid industry transition.

RECOMMENDATIONS FOR THE SUMMIT AND THE RUN-UP TO COP26

Amnesty International urges all UN member states to:

- **Announce ambitious new Nationally Determined Contributions (NDCs) at the Summit or by early 2020 at the latest which will align their emissions reduction targets for 2030 and 2050 with the imperative to keep the increase of global average temperature as low as possible and no higher than 1.5°C above pre-industrial levels.**

Plans to achieve the NDCs should:

- **Include clear timelines to rapidly end fossil fuel subsidies and the use of all fossil fuels as soon as possible and to shift to 100 per cent renewable energy generated in full compliance with human rights standards as quickly as possible;**
 - **Aim to establish regulations and policy measures including mandatory human rights due diligence for companies and ensure that businesses move towards net zero emissions;**
- **Ensure that the transition towards a zero-carbon economy and a more resilient society is just, fair, human rights compliant and reduces inequality. Such a transition is necessary to achieve the Sustainable Development Goals;**

¹⁰ Climate Transparency, *Brown to Green Report*, 2018. <https://www.climate-transparency.org/g20-climate-performance/g20report2018>

¹¹ *Just 100 companies responsible for 71% of global emissions, study says*, The Guardian, 10 July 2017, <https://www.theguardian.com/sustainable-business/2017/jul/10/100-fossil-fuel-companies-investors-responsible-71-global-emissions-cdp-study-climate-change>

¹² Abu Dhabi Climate Meeting, *Overview of the work of the nine tracks*, <https://www.un.org/en/climatechange/assets/pdf/abu-dhabi-action-area-overview.pdf>

¹³ UN, *28 companies with combined market cap of \$1.3 trillion step up to new level of climate ambition*, 23 July 2019, <https://www.un.org/sustainabledevelopment/blog/2019/07/un-global-compact-pr/>

- **Respect, protect and fulfil the right to information, participation and to effective remedies, as well as to freedom of expression and assembly in the design, implementation, monitoring and evaluation of the NDCs and all climate policies and strategies in line with SDG 16: peace, justice and strong institutions. Human rights defenders protecting their land, territory and the environment must be allowed to continue their legitimate work without fear of reprisals.**

Additionally, the organization urges wealthier nations to:

- **Take the lead in announcing emission reduction targets that would enable them to halve emissions well before 2030 and reach net zero emissions well before 2050, given their greater capacity and greater contribution to the climate crisis;**
- **Substantially increase funding and support for human rights-consistent climate initiatives, including technology transfer, in less wealthy countries that would not be able to effectively mitigate and adapt to climate change themselves;**
- **Provide means, support and access to legal remedy to people whose rights have been negatively affected as the result of loss and damage caused by climate change, particularly in less wealthy countries.**

The organization also urges all corporations, especially fossil fuel companies and heavy industries and transport, to:

- **Meet the corporate responsibility to respect human rights by identifying and addressing the human rights impacts of their activities and business relationships in the context of global heating. This must include:**
 - **Immediate measures to minimize greenhouse emissions across all subsidiaries, affiliates and entities in their supply chain – including for fossil fuel companies by diversifying their own business activities into human rights-consistent renewable energy;**
 - **Committing to net zero emissions by 2050, or ideally well before, and publishing and implementing ambitious action plans to that effect;**
 - **Genuine and meaningful consultation with relevant stakeholders and potentially affected individuals and communities;**
- **Make public relevant information about their emissions, how they identified and addressed their human rights impacts in the context of global heating, and their mitigation efforts.**