



Key Messages & Recommendations

21st Informal ASEM Seminar
on Human Rights (ASEMHRS21):
Human Rights and Climate Change

16-18 March 2022
Luxembourg / Online

21st Informal ASEM Seminar of Human Rights - “Human Rights and Climate Change” 16-18 March 2022

Key Messages

Human induced climate change affects the enjoyment of a wide range of internationally recognised human rights –including the right to life, the right to adequate food, the right to the enjoyment of 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. At the same time, measures adopted to tackle climate change and its impacts (often called ‘climate change response measures’) may themselves negatively affect the enjoyment of human rights. This is especially the case for measures constraining access to, and use of, natural resources – such as land, water, and forests – which can in turn hinder the enjoyment of rights – such as that to culture, food, access to safe drinking water and sanitation, and that to respect for private and family life. So, while climate change is a major aggravating factor hindering the enjoyment of human rights, at times human rights considerations may be perceived to stand in the way of climate change response measures and projects. And even if in principle there is no incompatibility between action to tackle climate change and the protection of human rights, in practice policy conflicts between the two do emerge.

The [21st Informal ASEM Seminar on Human Rights \(ASEMHRS21\)](#) engaged with the topical theme of ‘Human Rights and Climate Change’. The Seminar was organised by the Asia-Europe Foundation (ASEF), the Raoul Wallenberg Institute (nominated by the Swedish Ministry of Foreign Affairs), the French Ministry for Europe and Foreign Affairs, the Philippine Department of Foreign Affairs, the Swiss Federal Department of Foreign Affairs, and the Ministry of Foreign Affairs of the People’s Republic of China. The Seminar brought together over 150 official government representatives and civil society experts, representing 47 ASEM Partner countries to discuss and share best practices and innovative ideas to better integrate human rights in climate change policies and actions.

The Seminar was held in hybrid format on 16-18 March 2022 and was hosted by the Ministry of Foreign and European Affairs of the Grand Duchy of Luxembourg. A [background paper](#) for the Seminar was prepared by Dr Annalisa SAVARESI (University of Eastern Finland).

The Seminar convened four working groups which discussed a number of cross-cutting questions as well as specific themes. The themes were **Reinforcing socio-ecological resilience of communities through information and public participation**; **Promoting the full enjoyment of human rights by all persons affected by climate change**; **Green, equitable and inclusive: Innovative ideas on international cooperation to address the impacts of climate change on human rights**; and **Taking stock of national and international human rights regimes to protect against the consequences of climate change**. The Seminar report will summarise and

synthesise the Seminar presentations, discussions and conclusions, but highlighted here are some of the key findings and recommendations from the discussions.

Key Messages

- There is an urgent need to address human rights violations associated with the impacts of climate change, particularly loss and damage, climate change induced migration and internal displacement.
- Human rights mechanisms at the national, regional and international level can be used as institutionalised pathways to monitor and sanction human rights violations associated with climate change, and with the implementation of climate change response measures.
- There is a need to bolster mechanisms to ensure state and corporate accountability for climate change at the international, regional and national level
- There is a need to ensure just transitions away from fossil fuels and towards net zero emission societies in line with human rights.
- Climate change is a pressing global challenge in areas of development and environment and has serious impact on human rights.

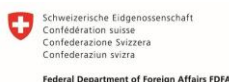
General Recommendations

ASEM Member States should:

- Cooperate to ensure that human rights are taken into consideration in **international, regional and national climate action**
- Support the recognition of the **right to a clean, healthy and sustainable environment** at the national, regional and international level, including the upcoming recognition by the UN General Assembly
- Be vigilant of the **human rights implications of climate policies and measures**, ensuring that no perverse outcomes are engendered in the pursuit of climate objectives
- Engage with international **finance bodies** to ensure that their policies and funding criteria fully align with human rights. Furthermore, scale up **climate finance** to address human rights violations associated with the impacts of climate change
- Ensure greater accountability of state and **corporate actors** for climate action and train judges and lawyers to support this crucial mission
- Ensure that their official **development assistance** target climate friendly activities, which align with human rights obligations
- Note that **nationally determined contributions** (NDCs) submitted under the Paris Agreement contribute to the promotion and protection of human rights. Ensure that NDCs are prepared and implemented in a participatory manner
- Ensure that national climate policies and legislation are developed with meaningful and effective **public participation**, especially of vulnerable groups. Make use of international instruments such as the **Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters** to facilitate the sharing of good practices and to protect the right to participate

- Recognise and address the entrenched drivers of vulnerability and inequality, and mainstream **gender equality** into climate policies, programmes and action
- Empower **National Human Rights Institutes (NHRIs)** and other similar bodies to address human rights concerns associated with the impacts of climate change and climate change response measures
- Support civil society and youth-led initiatives, including with adequate financing, and foster the ability for civil society and communities to participate in climate policymaking through **training and capacity building** for civil society advocates, community leaders, civil servants and policymakers
- Protect the rights of **future generations** and empower **youth representatives** in climate change decision-making processes at the national, regional and international level – including through official youth delegate programs in relevant international forums
- Protect **environmental human rights defenders (EHRDs)** against harassment and prosecution. Facilitate protection for individuals and groups in accordance with the **United Nations Environment Programme’s (UNEP)** guidelines for defending environmental rights and for solutions to mitigating abuses related to environmental rights
- Find durable intergovernmental solutions to address climate change induced human **displacement and migration**. Commit to implementing the **Global Compact for Safe, Orderly and Regular Migration, Global Compact on Refugees, and the Nansen Protection Agenda** to address climate displacement
- Adopt mechanisms to recognise and integrate the **traditional and cultural knowledge** and skills of the indigenous communities in climate actions
- Engage with the **UN Special Rapporteur on Human Rights and Climate Change** and support his mandate to promote and exchange views on lessons learned and best practices on human rights-based, gender-responsive, age-sensitive, disability-inclusive and risk-informed approaches to climate change adaptation and mitigation.

Co-organisers:



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the People's Republic of China



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Host:



THE GOVERNMENT
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Ministry of Foreign and European Affairs