



STOP BURNING OUR RIGHTS!

WHAT GOVERNMENTS AND CORPORATIONS MUST DO
TO PROTECT HUMANITY FROM THE CLIMATE CRISIS

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Cover photo: Protesters sing during a rally in Johannesburg, South Africa, for climate action on 20 September 2019, as part of a Global Climate Action day.

Photo © Michele Spataro / AFP via Getty Images

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EXECUTIVE SUMMARY

CLIMATE CHANGE IS A HUMAN RIGHTS CRISIS

The climate emergency is a human rights crisis of unprecedented proportions. Climate change threatens the enjoyment of civil, political, economic, social and cultural rights of present and future generations and, ultimately, the future of humanity. When climate change-related impacts hit a country or a community, the knock-on effects can seriously undermine the enjoyment of the right to life lived in dignity, endanger a range of freedoms, and in many cases even put at risk the cultural survival of entire peoples.

At the current level of 1.1°C of global warming above pre-industrial levels, we are already witnessing devastating impacts, such as heatwaves and unprecedented wildfires, back-to-back tropical storms of high intensity and severe drought. These events, together with the slow-onset impacts of climate change such as sea-level rise, severely affect the enjoyment of the human rights of millions of people, including the rights to life, water, food, housing, health, sanitation, adequate standard of living, work, development, healthy environment, culture, self-determination as well as the right to be free from discrimination and cruel, inhuman and degrading treatment, among others. This publication describes how people are denied enjoyment of these rights due to climate change, and what the future threats are. For example, about 6,300 people died in the aftermath of super-typhoon Haiyan in the Philippines in 2013 and almost 4 million were affected by the 2019 cyclones in Mozambique, Malawi and Zimbabwe, being killed, displaced and losing access to schools, hospitals and sanitation. According to the Internal Displacement Monitoring Centre, on average, 20.88 million people were internally displaced every year by weather-related events between 2008 and 2018.



*Local villagers seen on a dried river bed in 2015 in Satkhira, Bangladesh. Bangladesh is one of the most vulnerable continental countries to climate change. Its people are threatened by sea level rise, tropical cyclones, river erosion, floods, landslides and drought.
Photo © Barcroft Media via Getty Images*

Every further increase of global average temperature will aggravate the impacts of climate change for people and the planet. For example, the World Health Organization predicts that climate change is expected to cause 250,000 additional deaths per year between 2030 and 2050 due to malaria, malnutrition, diarrhoea and heat stress. The World Food Programme expects that climate change could lead to a 20% increase in global hunger and malnutrition by 2050. A 2°C rise in global temperature would lead to more than 1 billion people suffering from a severe reduction in water resources.

Scientists have confirmed that it is crucial that global warming is maintained within 1.5°C. For example, the Intergovernmental Panel on Climate Change (IPCC) estimated that holding the increase in the global average temperature to 1.5°C could – compared with 2°C – result in 420 million fewer people frequently exposed to extreme heatwaves, reduce the number of people exposed to climate-induced water stress by 50% and reduce the risk of coastal flooding by up to 80% for small island developing states. The 1.5°C threshold can still be met but urgent and wide-ranging measures are needed and the window for

action is closing rapidly. Once carbon emissions are reduced to zero, states will need to establish a further, lower threshold for the global average temperature that reduces even further the harmful impacts on human rights that have occurred even at the current global average temperature.

The climate crisis is a manifestation of deep-rooted injustices. Although climate change is a global problem affecting everybody, it disproportionately affects individuals and groups who are already subjected to multiple and intersecting forms of discrimination or who are marginalized as a result of structural inequalities, ingrained practices or official policies that unfairly distribute resources, power and privilege. For example, women are often confined to roles and jobs that make them more reliant on natural resources and therefore more exposed to climate impacts. Because they face barriers in accessing financial or technical resources or are denied land ownership, they are less able to adapt to climate change. Because Indigenous Peoples heavily rely on the natural environment for their livelihoods, housing, medicines and cultural identity, and because they often live in areas prone to climate-related disasters due to a history of expropriation and forced evictions, they are among the groups suffering the most from climate impacts. People with disabilities are at greater risk during climate disasters compared with people without disabilities and their needs and voices are generally neglected in disaster risk reduction strategies. This publication describes the way in which climate change impacts these groups as well as other people marginalized on the basis of gender, class, caste, race and minority status, disability, age and migration status.

The climate crisis also disproportionately affects people in developing countries, especially in low-lying small island states and least developed countries, due not only to their exposure to climate-related disasters, but also to underlying political and socio-economic factors that amplify the impacts of those events, including the lasting consequences of colonialism. Climate change will not only perpetuate the effects of colonialism but, in effect, it is a new form of atmospheric colonization by states that had established colonial empires, and the states based on the settler societies they left behind. The climate scientists James Hansen and Makiko Sato have shown that between 1751 and 2014, the USA, UK and Germany produced cumulative per capita greenhouse

gases (GHG) emissions that were at least six times higher than the global average. Russia, Canada and Australia meanwhile produced four to five times the global average. Responsibility for climate change closely tracks privilege across the world. OXFAM has calculated that from 1990 to 2015, the richest 10% of the world's population (about 630 million people) were responsible for more than half of the cumulative carbon emissions, while the poorest 50% (about 3.1 billion people) were responsible for just 7% of cumulative emissions. The wealthiest 1% of the world's population were responsible for the emission of more than twice as much carbon dioxide (CO₂) as the poorer half of the world combined.

HUMAN RIGHTS ARE ESSENTIAL TO TACKLE THE CLIMATE CRISIS

Under international human rights law, states have legal and enforceable obligations to tackle the climate crisis. When states fail to take sufficient measures to prevent human rights harms caused by climate change, including foreseeable long-term harms, they violate their obligations under human rights law.

International human rights law provides extensive legally binding obligations that can be used to demand effective climate change policies and measures. Human rights law also provides extensive tools to enforce states' legal obligations. Similarly, human rights principles and standards provide significant guidance to establish the responsibility of businesses in relation to the climate crisis. Human rights are therefore essential to hold states and corporations accountable for the human rights harms related to climate change for which they are responsible.

Recognizing that the climate emergency is a human rights crisis is also important as it can broaden the spectrum of people inspired to campaign for a just and rapid response to tackling climate change. Campaigning and advocating on the basis of human rights – as opposed to solely environmental protection – can motivate some decision-makers to adopt decisions in favour of human rights-consistent

climate action, either due to the intrinsic argument made, or by showing that climate action has broad support in society.

As illustrated by several UN agencies and experts, civil society organizations and Indigenous Peoples, human rights are essential to strengthening climate action. Ensuring that climate measures and policies are consistent with human rights and centred in human rights principles, such as public participation, respect of free, prior and informed consent of Indigenous Peoples, equality and non-discrimination and respect of labour rights, is a legal obligation based on the human rights treaties that states have joined. It is also an effective approach to ensure the shift to a zero-carbon economy happens at the speed and scale required to limit global heating to 1.5°C or below without negatively impacting disproportionately on the rights of the most marginalized and those living in poverty. Affirming human rights principles and standards, but also using human rights mechanisms, tools and tactics to enforce these rights, can and has provided a crucial contribution to shape climate action that is ambitious enough to bring real positive transformation to people and the environment.

Groups most affected by the climate crisis, such as women, Indigenous Peoples, persons with disabilities, migrants and refugees, must not be seen only as victims, but everyone should recognize them as key agents of change and leaders in the local, national and international efforts to tackle climate change.

This publication presents Amnesty International's analysis of international human rights standards and how they are relevant to climate change as a human rights issue and to key climate change-related issues such as mitigation, adaptation and loss and damage. It explains the importance of adopting a human rights lens to tackle the climate crisis, and it illustrates how climate change adversely affects the enjoyment of human rights and worsens inequality and discrimination. This document therefore seeks to spell out state obligations and corporate responsibilities as precisely as possible.

Amnesty International's positions described in this document are based on human rights law, as developed by international and regional human rights treaty bodies and courts. They are also informed by the work of numerous UN and regional agencies and independent human rights

experts, NGOs, think tanks and academics over the past decade as well as the activism of social movements and grassroots groups on the frontline of the fight for climate justice.

FAILING TO TAKE AMBITIOUS STEPS TO TACKLE CLIMATE CHANGE VIOLATES HUMAN RIGHTS

Many governments, particularly in major emitting countries and nations with historical responsibility for the climate crisis, still lack the political will to take the bold and unprecedented measures that scientists have told us are necessary to avoid an impending catastrophe. The first round of governments' emissions reduction plans adopted in 2015 put us on a course to reach at least 3°C increase by 2100. While a slew of new 2030 and carbon-neutrality targets have recently been announced, most countries – especially wealthier states that are members of the G20 – are currently failing to adopt sufficiently ambitious and human rights-consistent climate plans that would contribute to avoiding the worst human rights impacts of climate change. The current emission gap is a major concern from a human rights perspective, as the impacts associated with the predicted level of global warming would be catastrophic for the enjoyment of human rights.

Given the extensive knowledge about the causes and harms of climate change, failure to take adequate action to reduce climate change, to support people to adapt to its unavoidable effects and to provide remedy to those whose rights have been violated as a result of the loss and damage resulting from climate-related impacts, represents a human rights violation. Human rights violations related to insufficient ambition on climate action are no different than other human rights violations, and even bigger in scope. They condemn millions of people to premature death, hunger, diseases, displacement, not just in the future but also at present. They contribute to conflicts and to the unfolding cycle of human rights violations. They perpetuate and accelerate current inequalities and discrimination against those who are

already being oppressed by systemic injustices. Failure to adequately tackle the climate crisis is a form of discrimination.



Amnesty International France's supporters take part in the World Climate March, Paris, 20 September 2019
Photo: © Benjamin Girette / Hans Lucas

WEALTHY COUNTRIES MUST ACT FASTER DOMESTICALLY AND ABROAD

The transboundary nature of climate change requires all countries to reduce emissions, achieve zero carbon emissions as soon as possible and help people to adapt to climate change to the full extent of their abilities. However, this does not mean that countries are equally responsible for the climate crisis, nor that they have the same level of responsibility on climate action. G20 countries are responsible for 78% of current global annual emissions, with some having a heightened responsibility because of the emissions they have historically produced since the beginning of the industrial revolution. In addition, all of the highest historical emitters are also among the wealthiest states with greater capacity to act.

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As a consequence, according to the principle of common but differentiated responsibilities and respective capabilities, a principle that is also implicitly reflected in international human rights law, wealthier countries must take the lead in climate mitigation efforts by decarbonizing their economies more quickly than developing countries, including by stopping the expansion of fossil fuel production. However, until now the vast majority of wealthier countries have not showed their willingness to act faster. For wealthier countries, net-zero emission targets by 2050 are too little, too late.

Based on their obligations under international law, wealthy countries must also provide sufficient financing and support to developing countries to allow them to meet their climate mitigation targets and implement effective climate change adaptation measures, as well as to provide compensation and other forms of remedies for the losses and damages people have already suffered due to the climate crisis. However, wealthier countries continue to fail in this duty. Although the amount of international climate finance to support climate change mitigation and adaptation in developing countries is increasing, this is far from what is needed to ensure that the rise of global average temperatures is kept below 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. In particular, the target for developed countries to jointly mobilize USD\$100 billion a year by 2020 to support developing countries for climate change mitigation and adaptation measures remains significantly unmet, while the vast majority of the funds provided have been in the form of loans as opposed to grants, half of which were non-concessional, meaning that the loans were offered on ungenerous terms. Moreover, states have until now failed to agree on adequate mechanisms to mobilize new and additional finances for loss and damage caused by the effects of climate change.

Wealthy countries that refuse to pay their fair share are in practice turning their back to the millions of people displaced every year by

climate change-related events or to residents of low-lying Pacific islands who face an existential threat.



*Gas flares at a crude oil extraction site in the Niger Delta, Nigeria, April 2010.
Photo: © SU- Anna Tresse*

FOSSIL FUELS ARE INCOMPATIBLE WITH HUMAN RIGHTS PROTECTION

Burning fossil fuels such as coal, oil and gas is the source of most GHG emissions for almost all economic sectors and accounts for more than 70% of global GHG emissions. Despite the urgency of the climate crisis and the commitments made by states under the Paris Agreement,

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carbon emissions from fossil fuel use continued to grow by roughly 1% annually between 2010 and 2018. Emissions were slightly higher in 2019 compared to 2018 and dropped by 5.8% in 2020 due to the fallout from the COVID-19 pandemic. The International Energy Agency projects that they will grow by 4.8% in 2021, in what could be the second biggest annual rise in history. Total carbon dioxide (CO₂) emissions are now 62% higher than emissions at the time international climate negotiations began in 1990.

Overall fossil fuel production needs to be cut by roughly 6% per year until 2030 in order to limit the increase of the global average temperature to 1.5°C. Yet in 2020 the United Nations (UN) Environment Programme (UNEP) calculated that countries were instead planning an annual increase of 2%. In response to the COVID-19 pandemic and its economic consequences, many wealthy industrialized countries and states have injected public money in bailing out or supporting fossil fuel companies, the aviation industry and other carbon-polluting companies with no conditions attached.

The IPCC has confirmed that the only way to keep the increase of temperatures below 1.5°C is to quickly phase out fossil fuels. This requires action addressing both the supply and the demand side. The supply side refers to reducing the production of fossil fuels, including curbing exploration, extraction, production and supply of fossil fuels abroad, and related investments. Demand side action involves cutting the demand for and the consumption of fossil fuels, for example by promoting energy efficiency, facilitating access to renewable energy that is responsibly produced in a manner that does not violate human rights, putting in place financial and other incentives and disincentives to switch production and use of energy from fossil fuels to renewable energy, and promoting behavioural change to reduce consumption.

Rapidly phasing out fossil fuel production and use, including by ending fossil fuel subsidies, is therefore an urgent task if we are to reduce emissions to a level where we can mitigate the worst impacts of the climate crisis on the enjoyment of human rights. At the same time, the transition to renewable energy and a zero-carbon economy must be just, sustainable and human rights-consistent, to facilitate access to energy to all and ensure it is not carried out to the detriment of communities and individuals who are already marginalized or disadvantaged. For example, climate change mitigation and forest

conservation projects must strengthen the rights of Indigenous Peoples, including by ensuring security of tenure on their ancestral land, so they have some form of legal protection against forced eviction. Carbon taxes must reduce inequalities rather than deepen them, thus putting the burden primarily on fossil fuel corporations and wealthier consumers while protecting low-income groups from regressive impacts through subsidies, grants and tax reforms and ensuring their access to affordable energy.

States that are failing to phase out fossil fuels in a timeline aligned with the 1.5°C imperative and with their respective capabilities are violating human rights. Similarly, companies, including financial institutions, that advance the production and use of fossil fuels without taking sufficient measures to reduce emissions in a timeline compatible with the 1.5°C imperative are abusing human rights and are accountable for human rights harms.

NOT JUST ZERO EMISSIONS, ALSO ZERO HUMAN RIGHTS ABUSES IN THE PROCESS

It has been well documented that some climate mitigation and adaptation projects and measures can negatively impact on the enjoyment of human rights, often disproportionately affecting groups already facing discrimination and marginalization. For example, renewable energy projects, biofuel crop farms and conservation projects are often initiated in violation of the rights of Indigenous Peoples and local communities who live there. An excessive reliance on crop-based biofuels as a climate change mitigation measure or on carbon removal mechanisms such as Bioenergy with Carbon Capture and Storage (BECCS) can have very serious impacts on the right to food.

The mass production of rechargeable batteries for electric vehicles and renewable energy storage and generation is essential for the shift to renewable energy, reducing carbon emissions from transport and power generation. However, this requires a massive increase in extraction of critical minerals, that all too often results in widespread human rights abuses of local communities, and egregious environmental harm from irresponsible water, waste, and tailings management. Amnesty

International's research has demonstrated this is often in arid ecosystems severely impacted by climate change.

Decarbonizing the economy and ensuring all societies are resilient to climate impact are crucial objectives to tackle the climate crisis. However, how these objectives are achieved equally matters. The transition must lead to a more equal society, rather than putting most of the costs and burdens on those least able to carry them. Human rights principles, such as equality and participation, must be applied to help shape the policies underlying this transition.



Members of the Sengwer Indigenous People, Kenya - The Sengwer have suffered repeated forced evictions from their forest lands in Embobut, Kenya, due to abusive forest conservation policies. They are defending their human rights, and their demands are clear: the government must recognize their land rights and work with them to protect the forest. Photo: © Amnesty International

States must therefore ensure that measures intended to protect people from the effects of climate change do not result in the violation of other human rights and must avoid using the response to climate change to justify violations of human rights. They should also ensure a just transition for all workers and communities affected by climate change and the decarbonization process, taking the opportunity to reducing poverty and correct existing inequality in the enjoyment of human rights.

RECOMMENDATIONS TO STATES

The following are Amnesty International's key recommendations to states on immediate steps to implement their obligations under international law to respect, protect and fulfil human rights in the face of the climate crisis.

PROTECT PEOPLE BY URGENTLY PHASING OUT GREENHOUSE GAS EMISSIONS

Under human rights law, states have obligations to protect people and the enjoyment of their human rights from environmental harm caused by conduct or omissions within their territory or jurisdiction, whether committed by state or non-state actors, including businesses. This requires states to prevent or minimize the adverse impacts of climate change on human rights by taking adequate action to reduce GHG emissions. In particular, states must take all feasible steps to the full extent of their abilities, both nationally and through international co-operation, to reduce global GHG emissions within the shortest possible time-frame and in a manner compatible with the imperative of keeping the global average temperature rise as low as possible and no higher than 1.5°C above pre-industrial levels (climate change mitigation).

In particular, states must:

- Adopt and implement national climate plans, such as new nationally determined contributions (NDCs) and long-term decarbonization strategies. These must be consistent with human rights obligations, reflect each state's level of responsibility and capacity and align states' emissions reduction targets and related implementation plans, as well as their climate- and energy-related policies, 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;
- Reject any multilateral mechanisms for carbon trading that do not lead to genuine emission reductions and do not include human rights safeguards;

- Rapidly phase out and implement a just transition away from fossil fuel production and consumption as quickly as possible based on their capacities and responsibility for emissions, commencing with eliminating fossil fuel subsidies (with the exception of clean cookstove programmes as an interim measure for people who do not yet have access to affordable electricity) and the most polluting fossil fuels and forms of production, such as coal, peat, fracking, tar sands, and immediately halting fossil fuel expansion;
- Shift towards renewable energy for all produced in a manner consistent with human rights as quickly as possible, based on their capacities and responsibility for emissions and the Sustainable Development Goals (SDGs), and complete this process no later than 2050;
- Adopt sustainable and human rights-consistent policies across the food system, including public policies that promote and facilitate a just transition from unsustainable and exploitative agriculture and food systems to sustainable and human rights-consistent agricultural and land management practices;
- Ensure access to land and legal security of tenure for all, including communities who are dependent on land for their livelihood and access to food, water and housing;
- Adopt and implement effective policies to end deforestation by 2030 and restore natural forests;
- Review the use of bioenergy as a climate mitigation measure by taking human rights and environmental risks fully into account. In particular, they should phase out and end subsidies and tax exemptions for the production and use of bio-energy from forest biomass and crop-based biofuels. States must also ensure that human rights impact assessments and consultations with Indigenous Peoples and local communities are carried out prior to the approval of bio-energy projects in a way that allows for their meaningful participation and respects the right of Indigenous Peoples to free, prior and informed consent;
- Prioritize measures to prevent and reduce emissions in order to avoid CO₂ removal mechanisms and other offsetting measures

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that violate people's human rights. Among CO₂ removal measures, prioritize nature-based mechanisms, and particularly those that provide the best outcomes for ecosystems and human rights and do not compete with them for land use;

- Adopt human rights-consistent measures to reduce emissions from the transport sector, including adopting comprehensive, multi-sectoral and human rights-consistent policies and measures to reduce the demand for private cars and air travel; replacing fossil fuel-powered vehicles with electric vehicles while addressing human rights risks and environmental damage across the lithium-ion battery supply chain and life-cycle; requiring aviation companies to set time-bound commitments to reduce emissions in absolute terms without relying on offsets; and establishing regulations to reduce emissions from maritime shipping in a manner compatible with keeping global warming within the 1.5°C target;
- In the context of the COVID-19 pandemic, commit to and implement a just and environmentally sustainable recovery that puts human rights and climate action at its centre. In particular, ensure that stimulus packages and recovery measures facilitate the transition to a zero-carbon economy and resilient society, while also contributing to addressing the inequalities that the pandemic and the climate crisis have exacerbated and brought to light.

In addition, wealthy industrialized states must move fastest on climate mitigation efforts and avoid imposing unreasonable expectations on developing countries. In light of the imperative of reducing global GHG emissions by 45% from 2010 levels by 2030, they must:

- Adopt and implement the most ambitious emission reduction targets possible that would enable them to reduce emissions by half well before 2030 and reach zero carbon emissions by 2030 or as soon as feasible after that while ensuring a just transition that enhances human rights;
- Phase out fossil fuels and shift to renewable energy produced consistently with human rights by 2030 or as soon as possible after that;

- End the production and use of most polluting fossil fuels and forms of production, such as coal, peat, fracking and tar sands, as soon as possible and no later than 2030;
- End fossil fuel subsidies immediately;
- Prohibit, in law and practice, further investments to expand fossil fuel exploration, extraction and production including the development of new infrastructure, and decommissioning existing fossil fuel production within their territory;
- Stop financing fossil fuel projects in other countries, as a rapid fossil fuel phase-out by wealthier countries must not be pursued by simply shifting sources of production to developing countries.

HELP AFFECTED PEOPLE TO ADAPT TO UNAVOIDABLE CLIMATE CHANGE

States have the obligation to adopt all necessary measures to assist those within their jurisdiction to adapt to the foreseeable and unavoidable effects of climate change, thus minimizing the impact of climate change on their human rights (climate change adaptation).

In particular, states must:

- Adopt and implement human rights-consistent adaptation measures that adequately protect people from the foreseeable and unavoidable impacts of the climate crisis;
- Take into account the needs and requirements of different groups in the design and implementation of climate change adaptation and disaster-risk reduction strategies. This requires identifying and addressing the factors, including marginalization and discrimination, that increase the risks of harm from climate impacts and allocating adequate resources to the realization of the economic, social and cultural rights of all persons, with priority to those facing the greatest risks;
- Ensure adaptation measures give priority to the most marginalized groups, communities and individuals, address

gender imbalances, and seek to be informed by the traditional knowledge of Indigenous Peoples and other local communities.

ENSURE CLIMATE ACTION IS CONSISTENT WITH PEOPLE'S RIGHTS

States must respect, protect and fulfil human rights in all climate policies and initiatives. In particular, they must ensure that the transition to decarbonized economies and resilient societies is just and fair for all, in line with states' human rights obligations, creating opportunities to combat existing inequalities both within and between countries, including promoting gender, racial, ethnic, disability and inter-generational equality.

In particular, states must:

- Ensure that measures intended to protect people from the effects of climate change do not result in the violation of other human rights;
- Avoid using the response to climate change to justify violations of human rights;
- Guarantee the right to be informed of the effects of climate actions, to take part in decision-making processes, to have their concerns taken into account and to have access to appropriate and effective remedies for violations of their rights;
- Ensure that the transition towards more resilient and zero-carbon societies is an opportunity to reducing poverty and correct existing imbalances in the enjoyment of human rights;
- Ensure a just transition to all workers and communities affected by climate change and the decarbonization process;
- Ensure that the transition towards more resilient and zero-carbon societies occurs at a pace and in a manner consistent with the human rights of future generations;
- Integrate human rights in climate policies and practices.

GUARANTEE EVERYONE'S RIGHTS TO INFORMATION, PARTICIPATION AND REMEDY

States have several procedural obligations in relation to their duty to protect people from environmental harm, including climate change. Their main obligations are to provide access to information, facilitate public participation, and provide access to justice and effective remedies. All of these obligations recognize the crucial role that environmental human rights defenders play in demanding action and accountability in the protection of the environment, and the necessary pre-conditions that states must provide so that defenders can play that role safely and effectively.

In particular, states must:

- Collect, update and disseminate information about climate change, provide access to environmental information, including related to climate change, and ensure children have access to environmental education;
- When planning and designing climate strategies, laws, national plans, as well as specific climate mitigation and adaptation projects and initiatives, conduct adequate and meaningful public consultation, particularly ensuring the participation without discrimination of those most affected by climate change and by the proposed decisions. Specifically, in relation to Indigenous Peoples, states should consult and co-operate with them and obtain their free, prior and informed consent before adopting measures that may affect them, and provide for redress measures in the event that land or property is taken from them without their consent. In particular, states should facilitate the public participation of individuals, communities, groups and peoples who are disproportionately affected by the climate crisis;
- Ensure the right to remedy for those whose rights are affected by climate change or climate-related measures. In particular, states must provide affordable and timely access without discrimination to administrative, judicial, legislative or any other appropriate means to adjudicate claims of imminent and foreseeable human rights violations resulting from climate change or climate measures, as well as past and current violations, including when

conduct within their jurisdiction harms the rights of people outside their borders. States must also ensure that victims have access to effective and comprehensive remedies, including measures of cessation, restitution and remediation, compensation, rehabilitation, satisfaction and guarantees of non-repetition, and that all affected individuals have equal access to remedies and reparations;

- Recognize environmental defenders as human rights defenders and protect them in line with the UN Declaration on Human Rights Defenders, adopted by consensus in 1998;
- Protect the rights of everyone to speak out and mobilize for climate action or the protection of the environment, livelihoods and access to land, including through civil disobedience, guaranteeing the freedoms of expression, association and peaceful assembly and ensuring a culture of zero tolerance towards those who attack environmental human rights defenders.

PROVIDE AFFECTED PEOPLE WITH REMEDY FOR LOSS AND DAMAGE

The climate crisis is already seriously harming the enjoyment of human rights for people around the world, and especially in low-income, small island, coastal or arid developing countries that are most exposed to the impacts of climate change and have the most limited resources to deal with them.

Even if actions to mitigate and adapt to climate change are radically stepped up around the world, it is widely recognized that some consequences are inevitable because of historical emissions, the slow pace of mitigation and adaptation so far, and because some effects are beyond people's adaptive capacity. Such inevitable and irreversible residual effects that we see now, and will continue to see growing at an exponential level if climate mitigation and adaptation efforts do not match the urgency of the current crisis, are commonly referred to as "loss and damage". Examples of loss and damage include loss of life or income, degrading health, damage to infrastructure, displacement, inability to continue living on ancestral land and to maintain the identity and the cultural traditions associated with this.

Based on the obligation to provide an effective remedy, all states that have failed to take steps within their ability to limit emissions or to adapt to climate change are collectively responsible for the loss and damage resulting in human right violations within their territory and abroad in accordance with their respective contribution to the harm caused.

Amnesty International urges states to deal with loss and damage on the basis of their human rights obligations.

In particular, states must:

- Step up mitigation and adaptation efforts in order to avoid loss and damage to the greatest possible extent;
- When assessing the losses and damages caused by climate change-related events, and especially non-economic losses, consider the adverse effects of climate change on the enjoyment of human rights, such as the rights to life, health, food, adequate housing, education, work, culture and self-determination;
- Provide adequate resources (such as funds, technology transfer and technical advice) to address and provide remedy, including compensation, for loss and damage.

In particular, based on the duty of international co-operation and on the duty to provide remedy for human rights violations (in this case, the failure to prevent foreseeable human rights harm), **wealthy industrialized countries must provide financial means, technical support and access to remedy, including compensation, to people in developing countries whose rights have been negatively affected as the result of loss and damage caused by the climate crisis.** This includes ensuring that new and additional finance is mobilized specifically to support and compensate people in developing countries for the losses and damages suffered.

INCREASE INTERNATIONAL CO-OPERATION AND ASSISTANCE

Based on the principle of “common but differentiated responsibilities and respective capabilities” under environmental law and the duty of international co-operation under human rights law, all states in a position to do so must provide financial resources, capacity-building

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and technology transfer according to their capacity, capability and respective responsibility in causing climate change. It is a matter of international law and of climate justice that, while each state has obligations to prevent and tackle climate change, they should do so to the full extent permitted by their capacities and according to their responsibilities. Countries that have contributed the least to the climate crisis should be supported in meeting their climate mitigation and adaptation goals, and in addressing loss and damage.

In particular, states must:

- Co-operate to achieve a swift and human rights-consistent transition towards a zero-carbon and resilient future in a timeframe that allows global average temperatures to remain below 1.5°C. This requires that all states who need assistance request it, and those states in a position to do so provide the necessary financial resources, capacity-building and technology transfer to those countries that would not otherwise be able to meet their climate targets alone, to support people to adapt to climate change or to cope with the loss and damage caused by the climate crisis;
- Ensure that climate funding is additional to existing commitments for overseas development assistance, that climate finance to low-income countries is in the form of grants, not loans, and that a better balance is achieved between mitigation and adaptation funding;
- Ensure that projects supported by national and international climate finance mechanisms respect and protect all human rights, and that climate projects that specifically advance the enjoyment of human rights, including promoting gender justice and fulfilling the rights of Indigenous Peoples, are prioritized;
- Support policies and implementing mechanisms within intergovernmental organizations, including multilateral development banks, of which they are members to ensure that these institutions act in conformity with the human rights obligation of their members. In particular, they should oppose any financing and investing in projects, activities and industries that drive fossil fuel expansion and deforestation and support

phasing out existing funding and investments on a timeline aligned with the 1.5°C imperative.

In addition, wealthy industrialized states must:

- Significantly increase funding for human rights-consistent climate initiatives in less wealthy countries, including for loss and damage. This means that they should make concrete pledges reflecting their level of responsibility and capacity with a specific timeline for delivery, to jointly meet and go beyond the agreed annual target of USD\$100 billion. At international climate negotiations within the UN Framework Convention on Climate Change (UNFCCC) they should also adopt a higher target that matches actual needs for support from developing countries.

SAFEGUARD THE HUMAN RIGHTS OF PEOPLE DISPLACED OR AT RISK OF DISPLACEMENT DUE TO CLIMATE CHANGE

The impacts of the climate crisis are already a significant driver of human mobility. The number of people on the move within or across national borders is anticipated to increase as both rapid-onset and slow-onset weather and climate events are exacerbated by climate change and entire countries or portions of them become uninhabitable.

States must follow their human rights obligations when adopting and implementing policies and measures regarding human mobility in the context of climate change and disasters.

In particular, states must:

- Reduce the likelihood and extent of climate-related displacement, both internally and across borders, by fully implementing their human rights obligations to mitigate climate change, to support people to adapt to its effects and to protect people from disasters domestically and through international co-operation, as well as implementing their commitments under the SDGs, the Sendai Framework for Disaster Risk Reduction and the Paris Agreement;
- Ensure that if permanent planned relocations are necessary as a measure of last resort to protect people from the unavoidable

impacts of climate change (for example, when areas have become too dangerous for human habitation), the human rights of both the displaced and the host communities are respected, protected and fulfilled throughout the relocation process;

- Fulfil their obligations under international law in relation to the rights of internally displaced persons and ensure these are reflected in domestic laws and policies;
- Enhance safe and regular migration pathways that respect, promote and realize human rights, including labour rights, in line with international law, and provide a wide range of mobility opportunities, such as work visas and visas for educational purposes or family ties;
- Ensure, including by amending domestic legislation, that relevant authorities take into account the risk of human rights violations caused by the impacts of climate change when deciding admission and when reviewing claims for international protection. Governments should not remove people to any place where they would face a real risk of human rights violations as a result of the adverse effects of climate change;
- Ensure the meaningful, effective and informed participation of all persons, and especially migrants, refugees, asylum-seekers, internally displaced persons and all those most impacted by the climate crisis, to participate in national, regional and international decision-making processes related to climate change and human mobility;
- Co-operate to implement the Global Compact on Refugees, the Global Compact for Migration and the recommendations of the UNFCCC Task Force on Displacement;
- Co-operate to adopt adequate mechanisms and mobilize new and additional finances to provide means, support and remedy, including compensation, to people and communities, including Indigenous Peoples, who have been displaced or may be relocated as the result of loss and damage caused by the climate crisis in climate-vulnerable developing countries.

States that are most responsible for climate change must:

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- Accept their collective responsibility to provide a remedy to affected persons in proportion to their contribution to the harm. This includes providing their fair share of climate finance to support an international mechanism on loss and damage and establishing clear protection mechanisms to accept and integrate in their territory displaced people who cannot return to their countries on account of the impacts of climate change.
- Cooperate to support people who need to relocate because their country is becoming uninhabitable due to climate change. States should ensure that following a genuine consultation process, the affected people are able to re-establish themselves and maintain their collective identity and right to self-determination in a safe and adequate location that ensures all their human rights are guaranteed.

RECOGNIZE THE RIGHT TO A SAFE, CLEAN, HEALTHY AND SUSTAINABLE ENVIRONMENT

The right to a safe, clean, healthy and sustainable environment is enjoying growing recognition from around the world. The constitutions of 110 countries include this right. At regional level, it is enshrined in a variety of human rights instruments. The UN Special Rapporteur on human rights and the environment notes that 156 out of 193 UN member states recognize this right either in their constitution or because they are party to a regional instrument that recognizes it. However, the UN has yet to explicitly recognize this right.

A UN resolution on the right to a safe, clean, healthy and sustainable environment would put this right on equal footing with other human rights principles, acknowledging that a healthy environment, including a safe climate, is indispensable for a life of dignity and security and highlighting each generation's responsibilities towards future generations. It will create the basis to strengthen the environmental policies and legislation of states, provide wider support and legitimacy and thus improve their environmental performance. It would also increase recognition and appreciation of the work of environmental defenders.

In particular, states should:

- Adopt and implement national legislation that recognizes and implements the right to a safe, clean, healthy and sustainable environment;
- Support the recognition by the UN of the right to a safe, clean, healthy and sustainable environment.

REGULATE BUSINESSES

Under international law, states have an obligation to protect all persons against human rights harms caused by businesses, including harms resulting from businesses' contributions to climate change, through regulation, oversight, investigation, adjudication and punishment. Where states can control or influence (consistently with international law) the conduct of corporations within their territory or under their jurisdiction, they must ensure that those businesses respect human rights throughout their global operations. States must also ensure effective remedy for the harm caused by businesses.

In particular, states must:

- Adopt regulations and policy measures to ensure that businesses reduce emissions across their operations and value chains by at least 45% by 2030 compared with 2010 levels, and to zero before 2050, in line with IPCC recommendations;
- Adopt and enforce laws obliging all business enterprises, including financial institutions, to respect human rights and conduct human rights and environmental due diligence on their global operations, value chains and business relationships;
- Require business enterprises, including financial institutions, to regularly and publicly report on their due diligence policies and their implementation, their impact assessments, their communications and consultations with potentially and actually affected right-holders, and their measures to mitigate risks and the impact of these. The environmental and human rights risks covered by corporate due diligence must include those linked to climate change;
- Ensure that financial regulators, such as central banks, take regulatory action to accelerate the financial industry's alignment

with the threshold of 1.5°C of warming. This includes, for example, the requirement to incorporate climate scenarios within central bank stress tests, make climate risk disclosure mandatory, and changes to capital requirements that impose higher requirements on fossil-fuel lending;

- Ensure that climate-related policy-making and the enforcement of human rights and environmental due diligence requirements are protected from undue corporate influence, including from fossil fuel, agri-business and other industries responsible for high GHG emissions;
- Take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that people who have suffered human rights abuses as a result of corporations' climate impacts or their actions to respond to climate change have access to effective remedy.

RECOMMENDATIONS TO CORPORATIONS

The UN Guiding Principles on Business and Human Rights establish the independent responsibility of businesses to respect human rights. The human rights responsibilities of corporations extend to identifying, preventing, mitigating and accounting for human rights harms resulting from their contribution to climate change. Such responsibilities apply even in the absence of clear domestic regulation on climate change.

Amnesty International calls on corporations to carry out their responsibility to respect human rights in the context of climate change and align their operations and business models to the objectives of the Paris Agreement, specifically to the imperative of limiting the increase in global average temperatures to 1.5°C above pre-industrial levels.

Corporations should do the following to comply with their responsibilities:

- Ensure that their operations, as well as those of their subsidiaries and suppliers, adhere to international environmental and human rights standards;

- Commit to and put in place specific plans to reduce emissions across their operations and value chains as soon as possible and by at least 45% by 2030 compared with 2010 levels and to zero before 2050, in line with the recommendations of the IPCC. They should do so without excessively relying on offsets and carbon removal mechanisms, and implement detailed action plans to operationalize such commitments. In particular, energy producers and providers must expeditiously phase out the production and use of fossil fuels – including by shifting their portfolio towards renewable energy produced consistently with human rights;
- Financial institutions, such as banks, asset managers and insurance companies, should stop financing and investing in new projects, activities and industries that drive fossil fuel expansion and deforestation. They should phase out existing funding and investments on a timeline aligned with the 1.5°C imperative, ensuring that funding and investments for the most polluting fossil fuels and forms of production, such as coal, peat, fracking and tar sands, are phased out as soon as responsibly possible or by 2030 at the latest in wealthy industrialized countries and by 2040 in all other countries;
- As part of their responsibility to implement human rights and environmental due diligence, companies should identify, prevent, reduce and account for GHG emissions throughout their global operations, and make relevant information about their emissions and mitigation efforts public, including of all their subsidiaries, affiliates and supply chain;
- When planning to engage in climate change mitigation and adaptation activities, including those related to the production of renewable energy and associated technology, companies must conduct, at all stages of the due diligence process, effective, meaningful and informed consultations with both affected and potentially affected right-holders;
- Businesses should be accountable for their climate impacts and human rights harms and ensure affected people have access to remedies;

- Refrain from lobbying governments whether directly or indirectly through trade associations for policies and decisions that perpetuate the carbon-based economy. They should also refrain from supporting public information campaigns based on inaccurate, misleading and unfounded assertions that make it more difficult for the public to access accurate information and make informed decisions.

GLOSSARY

AOSIS	Alliance of Small Island States
BECCS	Bio-energy with carbon capture and storage
CBDR-RC	Common but differentiated responsibilities and respective capabilities
CCA	Climate change adaptation
CCS	Carbon capture and storage
CDM	Clean Development Mechanism
CDR	Carbon dioxide removal
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CLARA	Climate Land Ambition and Rights Alliance
CO₂	Carbon dioxide
COP	Conference of the Parties (to the UNFCCC)
ETO	Extraterritorial obligations
FAO	Food and Agriculture Organization
GCF	Green Climate Fund
GCM	Global Compact for Migration
GCR	Global Compact on Refugees
GHG	Greenhouse gases
HRD	Human rights defender
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDP	Internally displaced person

ILO	International Labour Organization
IMO	International Maritime Organization
IPCC	Intergovernmental Panel on Climate Change
LCIPP	Local Communities and Indigenous Peoples Platform
LDCs	Least Developed Countries
NDCs	Nationally determined contributions
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
REDD+	Reducing emissions from deforestation and forest degradation
SDGs	Sustainable Development Goals
SDM	Sustainable Development Mechanism
UN	United Nations
UNEP	United Nations Environment Programme
UNHCR	United Nations High Commissioner for Refugees
UNFCCC	United Nations Framework Convention on Climate Change
UNICEF	United Nations Children’s Fund
WFP	United Nations World Food Programme
WHO	World Health Organization
WIM	Warsaw International Mechanism for Loss and Damage
WMO	World Meteorological Organization

DEFINITIONS

Adaptation (climate change adaptation): adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.¹

Afforestation: the conversion to forest of land that historically has not contained forests.²

Carbon budget: the amount of carbon emissions that can be emitted over a period of time to keep within a certain temperature threshold. While the Paris Agreement commits countries to keep the increase in the global average temperature “well below” 2°C, the Intergovernmental Panel on Climate Change has demonstrated the importance of keeping global heating below 1.5°C to avoid the worst effects of climate change. The carbon budget should therefore be calculated based on the 1.5°C threshold. The global carbon budget and the effort to remain within it must be divided fairly based on the principle of common but differentiated responsibilities and respective capabilities and its equivalent under international human rights law.

Carbon emissions: emissions of carbon dioxide (CO₂) caused primarily by the burning of fossil fuels (oil, natural gas and coal), solid waste, trees and wood products. Changes in land use can also contribute. Deforestation and soil degradation add CO₂ to the atmosphere, while forest regrowth takes it out of the atmosphere. According to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, CO₂ emissions from fossil fuel combustion and industrial processes contributed about 78% to the total greenhouse gas emission increase between 1970 and 2010.

Carbon markets (or carbon emission trading): mechanisms under which a limit, or cap, on greenhouse gas emissions is set and countries or companies that reduce emissions below their cap are allowed to sell

¹ UNFCCC definition. See UNFCCC, “Fact sheet: The need for adaptation”, unfccc.int/files/press/backgrounders/application/pdf/press_factsh_adaptation.pdf

² IPCC, *Special Report on Climate Change and Land, Glossary*, 2019, ipcc.ch/srcccl/chapter/glossary/

emissions units to another country or company. Countries and companies that do not meet their target can buy these units to make up the shortfall.

Climate change: a change of the climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods.³

Climate finance: the term is applied both to the financial resources devoted to addressing climate change globally and to financial flows to developing countries to assist them in addressing climate change.⁴

Climate justice: a term used by civil society organizations and social movements to highlight the justice implications of the climate crisis and the need to design just policy responses to climate change. The Climate Justice Syllabus, a project endorsed by the Global Campaign to Demand Climate Justice, defines climate justice as “the recognition that climate change is not only a question of emissions reductions and our physical environment, but also a political issue, an ethical issue, and a social issue”.⁵ The Mary Robinson Foundation – Climate Justice states that “climate justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable and sharing the burdens and benefits of climate change and its resolution equitably and fairly”.⁶ Climate justice approaches focus on the root causes of the climate crisis and how climate change builds on and magnifies inequalities among countries and within countries. Climate justice demands are based on the imperative of addressing such imbalances and injustices, starting from centering climate action in the perspectives, knowledge and demands of groups and communities most affected by the climate crisis. Gender, racial, class, ethnic, disability and inter-generational justice are essential to achieve climate justice.

³ Article 1, UNFCCC.

⁴ IPCC, *Climate Change 2014: Synthesis Report*, Annex II: Glossary, ipcc.ch/site/assets/uploads/2018/02/AR5_SYR_FINAL_Annexes.pdf

⁵ See climatejusticesyllabus.org/

⁶ See mrfci.org/principles-of-climate-justice/

Common but differentiated responsibilities and respective capabilities (CBDR-RC): a principle within the UN Framework Convention on Climate Change, and in international law more generally, that acknowledges the different capabilities and differing responsibilities of individual countries in addressing climate change. Parties meeting in Lima at the COP20 in 2014 agreed to formulate the principle as “common but differentiated responsibilities and respective capabilities, in light of different national circumstances”. This formulation was adopted in the Paris Agreement. The principle of CBDR-RC is also implicitly reflected under human rights law (see footnote 262).

Conference of the Parties (COP): the governing body of the UN Framework Convention on Climate Change, representing all states that are parties to the Convention. It advances implementation of the Convention and of any other legal instruments that the COP adopts through the decisions it takes at its periodic meetings. The COP meets every year, unless the parties decide otherwise.

Deforestation: the conversion of forested areas to non-forest land use such as arable land, plantations, urban use, logged area, or wasteland. The major driver of deforestation is industrial agribusiness, in particular that of palm, soy, meat and dairy.⁷ According to FAO, deforestation is the conversion of forest to another land use or the long-term reduction of tree canopy cover below the 10% threshold. Deforestation implies the long-term (>10 years) or permanent loss of forest cover.⁸

Developing countries: this document uses the term “developing countries” to refer to all countries that are not included in Annex 1 of UNFCCC.⁹ However, there are substantial differences between developing countries. Many non-Annex 1 countries are classified as upper-middle income by the World Bank.¹⁰ This publication treats countries classified by the World Bank as “upper middle income” and that are also part of the G20 as “developing countries with greater capacity” (see footnote 302). They have the responsibility to reduce emissions and shift towards renewable energy produced consistently

⁷ Greenpeace, *Agribusiness and Deforestation*, greenpeace.org/usa/forests/issues/agribusiness/
⁸ FAO, *Manual on Deforestation, Degradation and Fragmentation Using Remote Sensing and GIS*, 2007, fao.org/forestry/18222-045c26b711a976bb9d0d17386ee8f0e37.pdf

⁹ See unfccc.int/parties-observers

¹⁰ See data.worldbank.org/income-level/upper-middle-income

with human rights faster than other developing countries. These are Argentina, Brazil, China, Indonesia, Mexico, South Africa and South Korea.

Ecosystem: a functional unit consisting of living organisms, their non-living environment and the interactions within and between them.¹¹

Emissions gap: the shortfall between current commitments by governments on emission reduction against the latest understanding of what will be necessary to limit the mean global temperature rise to below 2°C/1.5°C above pre-industrial levels.¹²

Environmental human rights defenders: human rights defenders who strive to protect and promote human rights relating to the environment in a peaceful manner. As the rights to a healthy environment, including to a safe climate, and to access to land are often interlinked, under this banner we include all those struggling for climate justice, for access to land and for a healthy environment. They may carry out their activities in a personal or professional capacity, individually, or collectively. They may be journalists, lawyers, or ordinary people who expose and oppose environmental destruction or illegal land seizure or fight for climate action. Many live in remote villages, forests or mountain regions. They include Indigenous Peoples and community members who defend their traditional lands against the harmful effects of industries such as commercial cattle farming, plantation farming, mining, dams and fossil fuel industries.

Extraterritorial obligations (ETOs): human rights obligations relating to the conduct of a state within or beyond its territory that affect the enjoyment of human rights outside that state's territory, as well as obligations of a global character to realize human rights universally, including through international co-operation (see section 2.2).

Extreme weather and climate events: the Intergovernmental Panel on Climate Change (IPCC) defines an extreme weather or climate event as “the occurrence of a value of a weather or climate variable above (or

¹¹ IPCC, *Special Report on Climate Change and Land, Glossary* (previously cited).

¹² For the UNEP definition, see UNEP, *Emission Gap Report 2020, Executive Summary*, 2020, unenvironment.org/emissions-gap-report-2020

below) a threshold value near the upper (or lower) ends (“tails”) of the range of observed values of the variable”.¹³ It also explains that some climate extremes (for example, droughts, floods) may be the result of an accumulation of weather or climate events that are, individually, not extreme themselves (though their accumulation is extreme). As well, weather or climate events, even if not extreme in a statistical sense, can still lead to extreme conditions or impacts, either by crossing a critical threshold in a social, ecological or physical system, or by occurring simultaneously with other events. A weather system such as a tropical cyclone can have an extreme impact, depending on where and when it approaches landfall, even if the specific cyclone is not extreme relative to other tropical cyclones. Not all extremes necessarily lead to serious impacts.¹⁴ Extreme weather and climate events are generally divided into rapid-onset events, and slow-onset events (see definitions below). The IPCC has concluded that current rates of climate change are leading to “changes in the frequency, intensity, spatial extent, duration and timing of weather and climate extremes, and can result in unprecedented extremes”.¹⁵

Global warming: the long-term heating of the Earth’s climate system observed since the pre-industrial period (between 1850 and 1900) due to human activities.¹⁶ The term global warming should not be used interchangeably with the term climate change, since the latter is more comprehensive. Climate change encompasses not only rising average temperatures (global warming) but also other impacts such as extreme weather events, sea-level rise, and so on (see “rapid-onset events” and “slow-onset events”). Global warming is most commonly measured as the average increase in the Earth’s global surface temperature.¹⁷ Although the IPCC uses “global warming”, some scientists have stated that “global heating” is a more accurate term and more clearly conveys

¹³ IPCC, *Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation, Summary for Policymakers*, 2012, ipcc.ch/site/assets/uploads/2018/03/SREX_FD_SPM_final-2.pdf, p. 3.

¹⁴ IPCC, *Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation*, Chapter 3, ipcc.ch/site/assets/uploads/2018/03/SREX-Chap3_FINAL-1.pdf, pp. 116-117.

¹⁵ IPCC, *Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation, Summary for Policymakers* (previously cited), p. 5.

¹⁶ NASA, “Overview: Weather, global warming and climate change”, climate.nasa.gov/resources/global-warming-vs-climate-change/

¹⁷ National Geographic, “What is global warming, explained”, 22 January 2019, nationalgeographic.com/environment/article/global-warming-overview

the scale of the problem. This document uses “global warming” and “global heating” interchangeably.

Greenhouse gas (GHG) emissions: a group of compounds that are able to trap heat (longwave radiation) in the atmosphere, keeping the Earth’s surface warmer than it would be if they were not present. The emissions of these gases resulting from human activity are the fundamental cause of the greenhouse effect, leading to the warming of the planet. Increases in the amount of GHG emissions in the atmosphere enhance the greenhouse effect, which is creating global warming and consequently climate change. Carbon dioxide is the most important GHG emitted by human activity. Other major GHGs are methane and nitrous oxide. Less prevalent but very powerful GHGs are hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride.

Intergovernmental Panel on Climate Change (IPCC): the leading international body with 195 member states established to provide an objective scientific basis for analysing climate change’s impacts on natural and human systems. The IPCC reviews and critically assesses the most recent scientific, technical and socio-economic information relevant to the understanding of climate change produced in thousands of studies worldwide. Its Assessment Reports are endorsed by all member states. Therefore, its reports carry special weight and have been relied upon by courts. The IPCC assesses the risks for different levels of greenhouse gases emissions, among other matters, but it does not take a position on what would be a “safe” level of warming.¹⁸

Just transition: the concept of a “just transition” originated from trade unions and was originally conceived as a programme of support for workers who lost their jobs due to environmental protection policies. Over time, the term has been used by unions and their partners more broadly to refer to “a deliberate effort to plan for and invest in a transition to environmentally and socially sustainable jobs, sectors and economies”.¹⁹ The 2015 *ILO Guidelines for a Just Transition Towards Environmentally Sustainable Economies and Societies for All*²⁰ provided a vision and a framework for a just transition that is widely accepted by

¹⁸ See ipcc.ch/about/

¹⁹ ITUC Just Transition Centre, *Just Transition: A Report for the OECD*, 2017, oecd.org/environment/cc/g20-climate/collapsecontents/Just-Transition-Centre-report-just-transition.pdf

²⁰ See ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/documents/publication/wcms_432859.pdf

trade unions, employers and governments, providing a systemic and whole-of-economy approach to sustainability that addresses environmental, social and economic issues together. In the context of climate change, Amnesty International supports the ILO Guidelines and considers just transition as a central aspect of human rights-consistent climate action and as the process and vision to ensure that the transition to decarbonized economies and resilient societies is just and fair for all, in line with states' human rights obligations, and create opportunities to combat existing inequalities both within and between countries, including promoting gender, racial, ethnic, disability and inter-generational equality.

Land degradation: in the Intergovernmental Panel on Climate Change's *Special Report on Climate Change and Land*, land degradation is defined as a negative trend in land condition, caused by direct or indirect human-induced processes including anthropogenic climate change, expressed as long-term reduction or loss of at least one of the following: biological productivity, ecological integrity or value to humans. This definition applies to forest and non-forest land.²¹

Mitigation (climate change mitigation): efforts to reduce or prevent emission of greenhouse gases in order to curb climate change. Examples include phasing out fossil fuels and shifting to renewable energy, improving energy efficiency, changing management practices or consumer behaviour, insulating buildings, investing in low-carbon public transportation, promoting sustainable agricultural practices such as agro-ecology and protecting, restoring and expanding forests and other carbon "sinks".

Nationally determined contribution (NDC): submissions by countries that have ratified the Paris Agreement indicating the nationally determined target for emission reductions and the actions each national government intends to take to meet that target. Under the Paris Agreement, governments are due to submit new NDCs to the UN Framework Convention on Climate Change Secretariat every five years

²¹ IPCC, *Special Report on Climate Change and Land, Glossary* (previously cited).

with each revision representing a progression beyond the target included in the previous NDC.²²

Net-zero emissions: the balance over a specific period between carbon emissions and negative emissions achieved by removing emitted carbon from the atmosphere. Achieving net-zero emissions is also referred to as “carbon neutrality”.

Rapid-onset event: an extreme weather and climate extreme event defined by the UN Framework Convention on Climate Change as “a single, discrete event that occurs in a matter of days or even hours”.²³ Examples of rapid-onset events include extreme heat, wildfires and extreme rainfall from tropical storms.

Reforestation: conversion to forest of land that has previously contained forests but that has been converted to some other use.²⁴

Renewable energy: energy produced from natural sources or processes that are constantly replenished. Renewable energy stands in opposition to non-renewable energy, sourced from fossil fuels such as oil, gas and coal. Non-renewable sources of energy are only available in limited amounts, take a long time to replenish, and are a major contributor to climate change.

Slow-onset event: an extreme weather and climate event that “evolve gradually from incremental changes occurring over many years or from an increased frequency or intensity of recurring events” such as sea-level rise, increasing temperatures, ocean acidification, glacial retreat and related impacts, salinization, land and forest degradation, loss of biodiversity and desertification.²⁵

United Nations Framework Convention on Climate Change (UNFCCC): the Convention, adopted in 1992 and entered into force two years later, which sets an overall framework for intergovernmental efforts to tackle the challenge posed by climate change. It recognizes that the climate

²² Articles 4.2 and 4.9, Paris Agreement.

²³ UNFCCC, *Slow Onset Events: Technical Paper*, 26 November 2012, UN Doc. FCCC/TP/2012/7, para. 20.

²⁴ See IPCC, *Special Report on Climate Change and Land, Glossary* (previously cited).

²⁵ UNFCCC, *Slow Onset Events: Technical Paper*, 26 November 2012, UN Doc. FCCC/TP/2012/7.

system is a shared resource whose stability can be affected by industrial and other emissions of carbon dioxide and other greenhouse gases. It also recognizes the importance of fully considering “the specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, and of those Parties, especially developing country Parties, that would have to bear a disproportionate or abnormal burden under the Convention”.²⁶ The Convention enjoys near universal membership.

Wealthy industrialized countries: this document uses the term “wealthy industrialized countries” to refer to countries included in Annex 1 of the UN Framework Convention on Climate Change.²⁷

Zero emissions: refers to the point that no new greenhouse gases resulting from or produced by human activities will be emitted in the atmosphere. It differs from net-zero emissions (see above).

²⁶ Article 3(2), UNFCCC.

²⁷ See unfccc.int/parties-observers



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STOP BURNING OUR RIGHTS!

WHAT GOVERNMENTS AND CORPORATIONS MUST DO TO PROTECT HUMANITY FROM THE CLIMATE CRISIS

The climate emergency is a human rights crisis of unprecedented proportions. It is already wreaking havoc on the lives of millions of people, deepening inequalities and discrimination, threatening the enjoyment of most of our rights and the future of humanity.

States' efforts to tackle climate change remain far below what is required to avoid the most devastating impacts for people and the planet. Despite their duties under international law, the vast majority of wealthy industrialized countries are failing to phase out emissions fast enough and to provide sufficient financing and support to developing countries for a just transition to zero-carbon economies and resilient societies.

States violate human rights when they fail to take adequate action to reduce carbon emissions, including by rapidly phasing out fossil fuels, to support people to adapt to climate change and to provide remedy for the losses and damages resulting from climate-related impacts. Businesses abuse human rights when they fail to reduce and ultimately eliminate emissions and other practices damaging to the environment.

This publication spells out states' human rights obligations and corporate responsibilities to tackle the climate crisis and shows how human rights are essential for a fast and fair decarbonization of our economies and societies.

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