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Environmental crisis: High Commissioner calls for leadership by Human Rights Council member states

48th session of the Human Rights Council Item 2: global update by the High Commissioner Statement by Michelle Bachelet, UN High Commissioner for Human Rights

13 September 2021

Distinguished President,
Excellencies,
Colleagues and friends,

My statement this morning will update the Council on a series of human rights situations and themes that are of concern to my Office. The following specific situations will also be addressed over the course of this session: **Afghanistan; Belarus; Cambodia; Democratic Republic of the Congo; the Tigray region of Ethiopia; Georgia; Myanmar; Nicaragua; the Occupied Palestinian Territory; the Philippines; South Sudan; Sri Lanka; Sudan, Syria; Ukraine; Venezuela; and Yemen.**

Madam President,

A safe, clean, healthy and sustainable environment is the foundation of human life. But today, because of human action – and inhuman inaction – the triple planetary crises of climate change, pollution, and nature loss is directly and severely impacting a broad range of rights, including the rights to adequate food, water, education, housing, health, development, and even life itself.

Recent months have unleashed extreme and murderous climate events on people in every region: monumental fires in Siberia and California; huge sudden floods in China, Germany and Turkey; Arctic heatwaves leading to unprecedented methane emissions; and the persistence of interminable drought, from Morocco and Senegal to Siberia, potentially forcing millions of people into misery, hunger and displacement.

Meanwhile, pollution – which is fuelled by the same patterns of unsustainable consumption and production as climate change – is generating an estimated 1 in 6 of all premature deaths, while the extinction crisis also creates devastating impacts on human rights and ways of life.

The interlinked crises of pollution, climate change and biodiversity act as threat multipliers – amplifying conflicts, tensions and structural inequalities, and forcing people into increasingly vulnerable situations. As these environmental threats intensify, they will constitute the single greatest challenge to human rights in our era.

All this is now painfully clear. The greatest uncertainty about these challenges is what policy-makers

All this is now primarily about the greatest uncertainty about these challenges is what policy makers will do about them.

In **Madagascar**, hundreds of thousands of people are facing extreme hunger after four years without rainfall, leading the World Food Programme to warn of "the world's first climate change-induced famine". At least 1.14 million people in the Southern region are in need of emergency food, and this crisis for Madagascar's people and its development is expected to further deteriorate.

The humanitarian emergency in **Sahel countries** is also fuelled by climate change, which according to last month's report by the Intergovernmental Panel on Climate Change, has been more severe and rapid across Africa than elsewhere. Increasing desertification; long droughts followed by flash-floods; and unequal access to natural resources amplify existing vulnerabilities, especially food insecurity. Compounded by weak governance of natural resources; long-standing patterns of poverty and inequalities; inadequate access to basic services; and high rates of youth unemployment and discrimination against minorities, women and girls, these trends compel people into displacement, aggravate conflicts and political instability, and fuel recruitment by violent extremist groups. In such a situation it should be clear that there can be no purely military solution to the conflicts in the region.

To date, four million people across the Sahel have been displaced, according to UNHCR [estimates](#), and the humanitarian emergency is becoming "an exceptional crisis", according to [OCHA](#).

Sustaining peace requires human rights-based approaches. To assist such responses, the Office is implementing a project in the Sahel region, with a specific focus on **Mauritania, Niger and Nigeria**, that seeks to identify protection gaps faced by communities affected by climate change and migration, strengthening the capacity of local, national and regional stakeholders to identify measures that will fulfill the rights of these communities. In **Mauritania**, this includes engagement with migrant families who fled floods and landslides in Sierra Leone in 2017, and fishing communities who have moved from Senegal due to diminishing fish stocks. In **Niger**, we are working with a rural community that has seen exceptional numbers of migrants departing; while in **Nigeria**, we are seeking solutions in locations that are simultaneously sites of origin, transit, and destination for migrants moving in response to extreme weather events, degraded lands, and resource-driven conflicts.

It is urgent in this context that the States currently negotiating the [post-2020 Global Biodiversity Framework](#) integrate explicit commitments to human rights-based approaches to biodiversity action.

Countries in **Central Asia** are also particularly vulnerable to climate change and extreme weather events, whose impacts are amplified by shortfalls in human rights protection. Water shortages are currently leading to insufficient irrigation and loss of crops, damaging food security. The impact on people in situations of poverty is magnified by inadequate public participation in decision-making, in particular, at the local level; insufficient State support to farmers, including in strategic planning efforts at central, local and self-government levels; and weak accountability for rural development and risk response. Affected people routinely face challenges in accessing social protection and other public services and communicating their needs.

These factors are all entry points for policy reforms that could make a transformative difference for the lives and hopes of millions of people across the region – helping to resolve grievances and keeping communities and societies on track to fulfill the SDGs.

Displacement due to environmental disaster is a particularly serious phenomenon in Asia, where the Internal Displacement Monitoring Centre has [reported](#) that in 2019, **China, Bangladesh, India and the Philippines** witnessed more disaster displacement than all other countries combined – amounting to 70 per cent of the global total. Last month's IPCC report presents a troubling forecast for South Asia in particular.

In **Bangladesh**, one [report](#) has estimated that by 2050, 17% of the country will be submerged by rising sea levels, depriving 20 million people of their homes. The **Maldives**, with over 80 per cent of its land area less than one meter above sea level, is already experiencing severe harms which will only get worse as sea-levels rise. Moreover, across much of South East Asia, including **Indonesia, Malaysia, Myanmar, Thailand and Vietnam**, [forecasts](#) indicate that by 2050 daily high tides could flood areas where over 48 million people now live, while annual flooding would on average affect the

homes of over 79 million people.

Access to water is particularly threatened in the **Middle East and North Africa**. Immediate action should be taken for more sustainable environmental and resource management policies to address this persistent issue. With rainfall in the region projected to decline by 20 to 40 per cent in a world that is 2°C hotter – and up to 60 per cent if warming reaches 4°C – this is a major, long-term challenge.

Forecasts of this gravity and impact – including on displacement – cannot be ignored by any policy-maker, anywhere. They will have cascading economic, social, cultural and political effects that will impact every society in the world.

Our Regional Office in the **Pacific** has been alerting stakeholders about the need for immediate global, regional and national climate action, including stronger work to protect the most vulnerable. We have also undertaken joint efforts through the Pacific Climate Change Migration Human Security programme, which aims to support a new Pacific regional policy framework for climate change-induced mobility – whether internal displacement or migration across borders, compelled or by choice. I encourage all countries of the region, notably member states of the Pacific Island Forum, to support development of a regional human rights-based framework for climate mobility with UN assistance.

The Central American “Dry Corridor”, or Corredor Seco region – particularly in **Guatemala, El Salvador and Honduras** – is a striking example of the impact of climate change on poverty, displacement and fundamental human rights. Declining rainfalls and increasing hurricanes are creating a fast-moving humanitarian crisis. According to [OCHA](#), almost 8 million people are estimated to be acutely food-insecure in 2021 in northern Central America, and nearly 8.3 million people are in need of humanitarian assistance – a 60% increase since the beginning of 2020. The World Bank has [suggested](#) that if no action is taken to prevent the effects of climate change, 3.9 million people in Central America and Mexico could be forced to leave their homes by 2050.

Restoring the ecosystems of the Dry Corridor and recognizing the rights of its inhabitants will support livelihoods and help prevent displacement. In **Honduras**, my Office has supported efforts by the Reitoca community to enjoy their economic, social and cultural rights in the face of severe impacts from climate change and drought. In **Guatemala** my Office has inter alia supported the ratification and implementation of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, known as the Escazú Agreement, which entered into force in April and commits States to protect environmental human rights defenders and the right to a healthy environment.

When people are forced to move because their environment can no longer support a life with dignity, pushing them to return to such a situation is not only unprincipled – it is completely unsustainable. Along with adopting rights-based approaches to internal displacement, I urge all countries to work together to expand pathways for safe and regular migration for people who are compelled to leave their countries in the context of environmental degradation. Humanitarian visas should be considered when adaptation in countries of origin is not possible; any returns must comply with the principle of non-refoulement, and should be guided by voluntariness, safety and sustainability.

Madam President,

The Council's [Resolution 40/11](#) powerfully recognizes the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development. But in many regions, environmental human rights defenders are threatened, harassed and even killed, often with complete impunity. In several countries, it appears that economic shifts resulting from the pandemic have prompted increased exploitation of mineral resources, forests and land – and concomitant threats. At the greatest risk of abuse and violence are indigenous peoples – whose rights, traditional knowledge and practices are critical to global efforts to address environmental degradation – and young women and girls who seek to defend environmental rights.

In **Brazil**, I am alarmed by recent attacks against members of the Yanomami and Mundurucu peoples by illegal miners in the Amazon. Attempts to legalize the entry of businesses into indigenous territories, and limit the demarcation of indigenous lands – notably via a draft law that is under consideration in the House of Representatives – are also of serious concern. I urge the authorities to

consideration in the House of Representatives – are also of serious concern. I urge the authorities to reverse policies that negatively affect indigenous peoples, and to refrain from withdrawing from ILO Convention 169, the Indigenous and Tribal Peoples *Convention*. My Office is also concerned about new draft anti-terrorism legislation in Brazil that includes excessively vague and broad provisions which pose risks of abuse, particularly against social activists and human rights defenders.

As in many other countries, environmental human rights defenders in several **South-East Asian** States continue to face criminalization, harassment, surveillance and other undue restrictions of their rights. Environmental activists have been detained for protesting land concessions that result in massive deforestation to accommodate corporate agriculture. Many concerns are related to longstanding structural, institutional, and legal challenges in the recognition and protection of the rights of indigenous peoples. Even where Governments have sought to preserve forests, these efforts have frequently fallen short of the sustainable and human rights-based conservation which is needed.

Excellencies,

Addressing the world's triple environmental crisis is a humanitarian imperative, a human rights imperative, a peace-building imperative and a development imperative.

It is also doable.

Combatting and recovering from the COVID-19 pandemic will require billions of dollars to be spent on rebuilding and supporting national economies. Policy choices can direct that spending into new, green directions that tackle inequalities and stimulate innovative environmental solutions that also uphold and promote human rights. Indeed, several States have issued significant new climate commitments in recent months. And, in June, the European Union adopted [a new Climate Law](#) that creates a legal obligation to attain climate neutrality by 2050, and requires a 55% reduction of EU-wide greenhouse gas emissions from their 1990 levels. In itself, this will not be easy: it means EU countries must reduce emissions in the next 8 years by more than was achieved in the [previous three decades](#). And to limit global heating to 1.5° Celsius, even more ambitious action still will be required.

Investing in a just recovery can make a critical contribution to shaping a healthy future. But this is a shift that unfortunately is not being consistently and robustly undertaken. I deeply regret that according to a recent [study](#) by the IMF, UNEP and others, only 18.0% of the pandemic recovery spending announced by the world's 50 largest economies can be considered 'green.'

Through the 2030 Agenda, the Paris Agreement and other instruments, States have united behind a transformative vision for people-centered sustainable development, yet many have consistently failed to fund and implement it.

We must set the bar higher – indeed, our common future depends on it. My Office is developing new guidelines for human rights-based approaches to recovery, conservation and climate finance, and is working with member States to support a just transition to a sustainable, human rights based economy.

Environmental damage usually hurts most those who are least protected – the poorest and most marginalized people, and the poorest nations, which often have the least capacity to respond. According to a [study](#) by the World Meteorological Organisation, more than two thirds of deaths from weather- and water-related disasters since 1970 have been in least developed countries. A report [issued by UNICEF last month](#) found that the 33 countries at 'extremely high-risk' for climate and environmental hazards such as air pollution, heatwaves or drought collectively emit just 9 per cent of global carbon dioxide emissions – but almost half the world's 2.2 billion children live there.

Historical exploitation and decades of unsustainable economic practises by actors in developed countries largely underpin these realities. Therefore, six years ago in Paris, States reaffirmed that developed countries should provide developing economies with greater financial and technical assistance for climate action. This is also key to SDG 17, on revitalising global partnership.

States' human rights obligations require them to cooperate toward the progressive realization of human rights globally, and this clearly should include adequate financing by those who can best afford it of climate change mitigation, adaptation, and loss and damage. At the COP26 climate negotiations

it of climate change mitigation, adaptation, and loss and damage. At the COP26 climate negotiations, my Office and many partners will be strongly advocating more ambitious, rights-based and inclusive climate action – and I particularly urge the Council's Member States to demonstrate leadership in this respect.

Nor can we overlook the heightened risk exposure of women and girls to climate and environmental harms has also been economically, socially and culturally constructed over decades and generations. Coupled with the disproportionate impact of COVID-19 on women and girls, [UNDP](#) assesses that, by the end of this year there will be 118 women aged 25 to 34 living in extreme poverty for every 100 men – and by 2030 that will increase to 121 women living in extreme poverty for every 100 men. This is intolerable by any human rights measures.

Madam President,

Human rights law protects the rights to participation, access to information and access to justice. It guarantees all people the rights to benefit from science and its applications, and to share equitably in the benefits of development, and it requires we protect the basic conditions necessary for life – including a safe and stable climate, clean air and water, healthy biodiversity and ecosystems; and a non-toxic environment. The 2030 Agenda for Sustainable Development, which is grounded in human rights, is a roadmap for solutions that can help to heal our planet and ensure that humanity can thrive.

The Secretary General's **Call to Action for Human Rights** commits all UN bodies to work together to assist States to address these and other crucial issues for our environment. Our Office will continue to work with our partners throughout the UN system and beyond to urgently support this work. The Call to Action has served as a critical impetus for deepening OHCHR's partnership with UNEP, and I am glad to announce that we will be launching a **joint Environmental Rights Programme** in the coming months to enhance protection of environmental human rights defenders and civic space; integrate human rights, including the right to a healthy environment, into all relevant negotiations and UN processes; and help build national capacity to promote and protect human rights.

The **Treaty Bodies** also have an important normative role in this area. Following the powerful [joint statement](#) on human rights and climate change made by five committees in 2019, the Committee on the Rights of the Child will be reaching out to States, experts and hundreds of children to prepare a General Comment on children's rights and the environment. The Committee on Economic, Social and Cultural Rights is also pursuing work on General Comments on sustainable development and on land.

National human rights institutions are also responding to the urgent need for action. At its annual conference in December of last year, the Global Alliance of National Human Rights Institutions focused on climate change and committed to concrete actions to support rights-based climate action and improve monitoring and reporting on these issues. My Office and others, under the umbrella of the Call to Action, are working closely with NHRIs to support realization of these commitments.

We will also continue our work to help States advance a human rights economy that invests in health, social protection and other core economic and social rights, and supports sustainable development to benefit people and their planet. And we will further strengthen our work on business and human rights at the regional and country levels, working with businesses and affected stakeholders to build capacity to address risks to people from harmful business activities, including those related to climate change and environmental degradation.

Madam President,

Alongside this discussion of the urgent environmental crises facing humanity, I also draw the Council's attention to a number of specific and fast-moving situations.

In **Chad**, a formal Roadmap for Transition adopted by the Transitional Government in July includes provisions for a national dialogue; a new Constitution and constitutional referendum; significant legal reforms; and national elections by September 2022. It also refers to a planned mapping of the human rights situation in Chad as a step towards the adoption of a national human rights policy and plan of action. Reference is also made to the establishment of a commission to verify illegal or arbitrary

detentions, and to ratification of international human rights treaties. These are encouraging signals in a country that faces severe and increasing conflict- and climate-related threats, including violent extremist activity and violent clashes between farmers and herders. The Office stands ready to assist the authorities to implement their human rights commitments.

In **Mali**, following the coup d'état in May – the second in 10 months – violent extremist activity and severe human rights violations and abuses continue unabated, spreading also to previously unaffected areas in the southern part of the country. Between January and June, at least 948 civilians have been killed, injured and abducted by armed groups or disappeared by Malian defence and security forces. The impunity afforded the perpetrators of such crimes is a significant contributing factor in this deteriorating situation.

Like the Secretary-General, I am following closely the situation in **Guinea**, where I deplore that yet another non-democratic transition of power has been inflicted on the country's people. Like the people of Mali, Chad and indeed every State, the people of Guinea deserve sound governance by representatives they have selected to address their needs and concerns. I emphasize that the new *de facto* authorities in Guinea, at all levels – and in all sectors of public service, including the military – must respect the country's obligations under international human rights and humanitarian law.

I am concerned by significant deterioration of the human rights situation in the **Central African Republic**. From February to June 2021, our staff documented a 76 per cent rise in incidents, including killings, which were mostly perpetrated by armed groups; the number of documented victims rose by 88 per cent compared to the same period in 2020. Long-standing patterns of impunity are a major concern in the country, due in part to weak national institutions and lack of independent and functioning justice systems. Some courts have resumed, and magistrates have been re-deployed but insecurity continues to force many judicial personnel to flee for safety reasons. The Special Criminal Court is operational, however, and requires stronger financial support.

In **Haiti**, last month's earthquake has added even more suffering to the country's extensive human rights crisis. I encourage all actors involved in reconstruction efforts to focus on the need to build greater resilience for the country, with sustainable progress on economic and social rights, with special attention to women and girls. The assassination of President Moïse illustrates the country's rampant insecurity. We are particularly concerned about continuing attacks against judicial personnel and human rights defenders.

In the **Czech Republic**, I welcome legislation adopted last month that enables women and men to receive compensation for having been sterilized unlawfully and without consent. For more than 45 years, and until 2012, hundreds of people – particularly Roma women – were forced into sterilization. I trust this important acknowledgment will be a harbinger of greater efforts by the Government to combat discrimination against Roma people.

I note with great interest **China's** new National Action Plan on Human Rights 2021-2025 which was released this month, including its focus on climate change, environment, digital privacy and responsible business practice. I look forward to exploring it for possible areas of engagement and cooperation. I regret that I am not able to report progress on my efforts to seek meaningful access to the Xinjiang Uyghur Autonomous Region. In the meantime, my Office is finalising its assessment of the available information on allegations of serious human rights violations in that region, with a view to making it public by the end of the year.

Indian authorities' restrictions on public assembly, and frequent temporary communication blackouts, continue in Jammu and Kashmir, while hundreds of people remain in detention for exercising their right to the freedom of expression, and journalists face ever-growing pressure. Ongoing use of the Unlawful Activities (Prevention) Act throughout India is worrying, with Jammu & Kashmir having among the highest number of cases in the country. While I acknowledge the Government's efforts to counter terrorism and promote development in the region, such restrictive measures can result in human rights violations and foster further tensions and discontent.

In **Nepal**, I hope the new Government will take early steps to restore the independence of the National Human Rights Commission, through a transparent process in line with the Paris Principles.

The authorities' commitment to prioritize amendment of the transitional justice law is an opportunity for fresh approaches to revitalise the process, in consultation with victims and in line with international standards.

In **Iraq**, failure to hold accountable the perpetrators of human rights violations against demonstrators – and others voicing criticism – facilitates the recurrence of such crimes. This impunity, and continued violent attacks against people who have criticised assassinations, abductions, torture and other severe violations, raise serious concerns ahead of next month's elections. Our recent joint [report](#) with UNAMI outlines credible accounts of torture in many places of detention, raising concerns that the safeguards which should prevent torture are routinely not respected. Torture is not only illegal and unprincipled; it also feeds violent extremists' narratives, and I urge urgent action to put an end to this situation. I also recommend swift and full implementation of the Yazidi Survivors Law, passed in March, which provides for reparations, care and rehabilitation for the survivors of the targeted crimes committed by the ISIL group, which may amount to war crimes, crimes against humanity and genocide. Seven years later, many Yazidi remain missing, and survivors still face immense challenges, with many remaining in displacement camps. In the Kurdistan region, UNAMI has noted continued impediments to freedom of expression and media freedoms, including prosecutions of journalists on dubious charges and without due process.

In **Tunisia**, where the Office has worked for a decade to support the people's commitment to democracy, justice and dignity, the President's suspension of Parliament and dismissal of the Prime Minister raise institutional questions for the effective protection of human rights in the future. While efforts to combat corruption are important, independent judicial proceedings, with full respect of fair trial guarantees, are necessary to resolve such allegations against individuals. Additionally, I encourage any reform measures to fully respect the principle of separation of powers. Freedom of expression – including the right to criticise the authorities – and media freedoms are fundamental to any sound society and should not be eroded. The Office will continue to assist transitional justice measures, and will work to uphold the aspirations of the Tunisian people to economic and social rights and fundamental freedoms, including by calling on the international community for continued support.

In **Lebanon**, conjoined social, economic and political crises are having serious and deepening human rights impact. Electricity and fuel shortages are seriously impeding essential services, including the functioning of hospitals, schools and water utilities. Poverty continues to rise: in March, 78 per cent of the Lebanese population was [estimated](#) to be living in poverty, with an estimated 36 per cent in extreme poverty. The price of basic food and beverages increased by 670 per cent between April 2019 and April 2021. In this context, inter- and intra-communal tensions are a growing concern. Moreover, while Lebanon should be commended for its welcome to large numbers of Syrian refugees, they now face a particularly dire humanitarian situation. I am concerned by continued reports of detentions and deportations of Syrians without adequate due process and non-refoulement safeguards, and by the hardship and vulnerability faced by migrant workers, 75 per cent of whom are women, exacerbated by the Kafala sponsorship system.

In the **Occupied Palestinian Territory**, I deplore continued and increasing instances of excessive or entirely unwarranted use of force against Palestinian civilians by Israeli Security Forces. So far this year, 54 Palestinians, including 12 children, have been killed by Israeli forces in the West Bank – more than double the figure for all of 2020. Over 1,000 people have been injured with live ammunition. The regular resort to lethal force is clearly at odds with international standards. I am also deeply concerned by crackdowns on dissent by the Government of the State of Palestine in recent months. During protests that followed the shocking killing of activist Nizar Banat in June, Palestinian Security Forces used unjustifiable force against peaceful protesters. One of my staff who was monitoring the protests was among the many who were beaten. Arrests of dozens of activists in August suggest that repression is deepening. I call on the authorities to ensure the safety of protesters and to respect fundamental freedoms.

In **Eswatini**, I am concerned by reports of excessive and unwarranted force against people who have peacefully demonstrated for democratic reforms in recent months. In addition to deaths and beatings, protests have also been met with mass arbitrary arrests and detentions, including of children. I urge meaningful investigations and accountability for these human rights violations. More broadly, I am

concerned about legislative restrictions of the civic space, and the use of terrorism laws against critics and protesters. The continued detention of protestors without charges is also disturbing. Greater respect for fundamental freedoms would encourage more trust for the authorities, including in the context of Government efforts towards a national dialogue. There should be clear assessment of the root causes of this crisis, including inequalities and shortfalls in economic and social rights. My Office stands ready to provide support.

In **Zambia**, I welcome last month's peaceful transfer of power, as well as the new Government's stated commitment to strengthening democracy, human rights and the rule of law with a diverse and inclusive approach. Policies that are grounded in human rights, including civil, political, economic, social and cultural rights and the right to development, will assist the country to overcome critical issues such as poverty and inequalities that should be addressed.

Excellencies,

Last week the Secretary-General issued a focused plan to address the crises that face our planet and secure greater peace and well-being for our peoples. The **Common Agenda** outlines an effort of solidarity and long-term thinking that fulfills our principles and can rebuild people's trust in the future. Its twelve commitments hold out hope for a world that instead of lurching from crisis to calamity, manages to navigate and resolve threats with the guidance of principle and the exercise of foresight and solidarity.

The choice is ours.

Thank you Madam President.

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