



# Climate Change Impact on Human Rights Under the National Human Rights Strategy



Prepared by/ Ali Amr

# Climate Change Impact on Human Rights Under the National Human Rights Strategy

**The Forum for Development and Human Rights Dialogue.**

**A civil institution - registered with No. 6337 of 2005 - non-partisan.**

**Non-profit organization. Governed by Law No. 84 of 2002 on NGOs and Private Foundations.**

**Website: <https://www.fdhrd.org/>**



**ALL RIGHTS RESERVED- 2021 ©**

**FDHRD**



## Introduction

Climate Change has been one of the issues at the forefront of global concern for several years now as experts warn over rising temperatures, which will lead to rising sea levels. Despite the very obvious threat of climate change on the globe as a whole, there has been relatively little done to truly address the issue even in the face of several warnings that the planet is approaching a “point of no return”. The issue has also been exacerbated by gross disparities between wealthy and poor states as it is the wealthier states who produce the most carbon emissions yet it is the poorer states that face the most risk from the effects of climate change.

As such climate change is not just an environmental or ecological issue, but also a socio-economic and human rights one. This report seeks to shed light on climate change as a human rights issue as it poses a dangerous threat to even the most basic rights. The report will also touch on how Egypt will address the issue of climate change in the framework of its national strategy for human rights and its hosting of COP27 in 2022.

### First: Climate change and its consequences

#### 1- What is Climate Change? What and Who Causes it?

Climate change refers to long-term shifts in temperatures and weather patterns, as defined by the United Nations. These shifts can occur naturally, however since the 1800s with the beginning of the industrial revolution, human activities have been the main driver of climate change, primarily due to the burning of fossil fuels (like coal, oil and gas), which produces greenhouse gases such as CO<sub>2</sub> and methane. 2010-2020 has been recorded as the warmest decade yet as the global average temperature being 1.1°C above pre-industrial levels in 2019. The increase in the emissions of greenhouse gases is the result of ever-increasing use of fossil fuels as the world industrialized and populations increased, countries had to address the increase demand for power, food, goods and transportation all of which rely on the provision of fossil fuels to sustain production. There have been debates as to whether climate change is only a natural occurrence, however it is now beyond a doubt that it is a result of human activities. The Fifth Assessment Report (AR5) by the Intergovernmental Panel on Climate Change (IPCC) unequivocally states that “human influence on the climate system is clear, and recent anthropogenic emissions of green-house gases are the highest in history.”

## 2- Inequality of Cost Sharing

Perhaps the most distressing aspect of climate change is that it represents the gross inequalities that exist in the world. "People who are socially, economically, culturally, politically, institutionally or otherwise marginalized are especially vulnerable to climate change and also to some adaptation and mitigation responses". During a Human Rights Council panel discussion, the United Nations Deputy High Commissioner for Human Rights at the time Flavia Pansieri affirmed that "those who have contributed the least to greenhouse gas emissions will be the ones who bear the greatest burden; the poorest people, in the poorest countries, their children, and all our children". In 2019 for example, out of the top ten countries most affected by climate change only 1 (Japan) was considered to be a developed country ranked 19<sup>th</sup> for HDI in 2020 and the 4<sup>th</sup> most affected country by climate change due to being an island nation. The other countries were: Mozambique, Zimbabwe, The Bahamas, Malawi, Afghanistan, India, South Sudan, Niger and Bolivia respectively. It is worth noting that during that year Mozambique, Zimbabwe and Malawi were hit by the devastating storm cyclone Idai which caused a severe humanitarian crisis in all these countries. In addition to this, the top ten countries that have been the most affected by climate change from the period of (2000-2019) were all considered to be developing countries with the exception of Thailand though it has great inequalities in income; these countries were: Puerto Rico, Myanmar, Haiti, Philippines, Mozambique, The Bahamas, Bangladesh, Pakistan, Thailand, Nepal. On the other hand, the top ten countries that were responsible for the most carbon emissions in 2020 were: China (30.64%), US (13.53%), India (7.02%), Russia (4.53%), Japan (2.96%), Germany (1.85%), Saudi Arabia (1.79%), South Korea (1.71%), Indonesia (1.69%) and Canada (1.53%). Most of the countries mentioned here are some of the most developed and wealthiest countries in the world and while some like Germany, Japan, India and even Canada do face serious risk from climate change they do have the resources to at the very least mitigate any potential damage. Furthermore, Africa faces greater risk from climate change, according to a UN report in 2020 "estimated that by 2030, approximately 118 million extremely poor people on the continent will be exposed to drought, floods and extreme heat, which will hinder progress towards poverty alleviation and growth." Some countries are also at risk of completely disappearing due to the rising sea levels such as the small island nations of the Pacific such as Fiji, and the Marshall Islands whose carbon footprints are negligible.

## 3- Effects & Impacts of Climate Change

Climate Change impacts communities as it affects ecosystems and natural resources that are relied upon for their livelihoods. A UNEP report in 2015 stated the effects of climate change will be as follows:

- A. **Freshwater sources:** as temperature increases sources of surface and ground water will be greatly reduced leading to more droughts in already drier climates. This will also result in

greater competition over water resources something that is currently being seen most notably between Egypt and Ethiopia regarding the Grand Ethiopian Renaissance Dam. The water shortages are caused by reduced rainfall and snowpack, higher temperatures which causes surface water evaporation, and finally rising sea levels which causes salt water inundation of freshwater sources.

- B. **Terrestrial Ecosystems:** climate change has caused the transformations of ecosystems that is potentially permanent and irreversible. This has caused notable changes in the pattern of behavior of plants and animals in response to the changes in their environment as they try to adapt and survive. The IPCC has warned that climate change will reduce the “populations, vigor, and viability of many species, especially those with spatially restricted populations, and will increase the extinction risk for many species.” An increase in tree death has also been registered due to droughts, high temperatures and abundance of insect pests and pathogens.
  
- C. **Coastal systems and Low-Lying Areas:** There are areas that face the risk of being submerged, flooded, and suffering from erosion and saltwater intrusion as a result of rising sea levels and storm surges. This will in turn effect the biodiversity and ecosystems of coastal areas while putting the populations of those regions at risk of death or displacement.
  
- D. **Ocean Systems:** Climate change is affecting oceans’ properties physically, chemically and biologically as ecosystems are transformed and species migrate to cooler and deeper areas as oceans become warmer. The resulting shifts in the composition of these ecosystems will in turn effect ecosystem goods and services such as fishing.
  
- E. **Food Security and Production Systems:** climate change will affect food production while some regions may benefit from increased food production due to warmer weather, there are other tropical and temperate regions that will be harmed as the cultivating of major crops such as wheat, rice and maize will be negatively affected as well as fishing.

Urban areas will greatly be affected by the variety of phenomena that come with climate change such as flooding, heat, water shortages and coastal storms, as daily life and functions will be impeded. this brings with it a range of health and economic problems for inhabitants in urban areas to contend with. Rural areas also face risks from climate change as they mainly depend on income from agriculture, any disruption in agricultural production will in turn adversely affect the livelihoods and food security of those living in these areas.

## **Second: Human Rights Affected by Climate change**

Climate change is a human rights issue just as it is an environmental one, as it effects even the most basic and fundamental rights. Human Rights are universal and inalienable rights that all human beings are entitled to. All of the aforementioned effects of climate change have either direct or indirect effects on human rights and these rights are as follows:

- 1- **The right to life:** the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights both protect the very basic and inherent right to a safe, secure and free life, and all countries have committed to protect and promote this right. The issues that come with climate change all pose a real threat to this right; this is because of the potential damage of storms which have become more frequent and violent or because of disrupted food supplies as crops fail due to the weather and water shortages. That is not to mention the forced displacement that can be caused as coastal regions and islands become submerged with rising sea levels. "Climate change kills through drought, increased heat, expanding disease vectors and a myriad of other ways according to a report by the Climate Vulnerable Forum and DARA International, climate change is already responsible for approximately 400,000 deaths per year and that number is expected to rise to 700,00 by 2030."
- 2- **The right to self-determination:** this right is guaranteed by Article 1 of the UN charter and all peoples have the right to decide on their political status freely, pursue their economic, cultural and social development, and ensure that they have the resources necessary for their survival. The populations of small islands, coastal areas and areas below the sea level are the ones who are most at risk of losing this right as they face the prospect of losing their homes to rising sea levels and as such will not be able to enjoy this right.
- 3- **The right to development:** article 55 of the UN Charter guarantees the right for states to develop economically and socially in order to realize all fundamental freedoms that everyone should enjoy. Former world bank president Jim Yong Kim warned that climate change will reverse decades of progress in terms of development and threatens to keep millions impoverished. Climate change could cause a loss of 18% of

the GDP of the world economy if no action is taken to combat it. Developing countries can also find themselves in the position of diverting resources away from education, health and agricultural sectors in order to face climate change and its effects.

- 4- **The right to food:** this right is protected by the universal declaration of human rights and the international covenant on economic and social rights and as such all countries are bound to uphold and protect this right. As mentioned before, climate change is a threat to food security as it causes crop failure and a decrease in fishing yields due to ecological changes. Africa has been the hardest hit when it comes to food production. "Climate change effects in Africa have increased the frequency and intensity of droughts in some regions, lowered animal growth rates and productivity in pastoral systems and produced negative effects in food security in drylands, among other impacts". Climate change could exacerbate an already serious issue as 957 million people suffer from hunger representing around 16% of the world population.
  
- 5- **The right to water and sanitation:** While not explicitly recognized in the ICESCR the right to water is expressed in General Comment No. 15 of the Committee on Economic, Social and Cultural Rights. Moreover, it is guaranteed in General assembly resolution 64/292: "the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights." Climate change threatens to reduce the amounts of surface water, thus resulting in water shortages and increased competition over water. It was found in a WMO report in 2021 that "more than 20 per cent of the world's river basins experienced either rapid increases or declines in their surface water area in 2020. Since 2000, flood-related disasters have increased by 134 per cent, compared with the two previous decades. The number and duration of droughts also increased by 29 per cent" In addition to this, climate change brings with it an increased risk of water contamination, desertification, inland salinity intrusion, and river erosion, which will impact the most vulnerable of populations.
  
- 6- **The right to health:** this right is guaranteed by both the universal declaration and the ICESCR, climate change is likely to cause increase in health problems such respiratory diseases due to increased air pollution and malnutrition due to food shortages caused



by climate change. Once more it is the most vulnerable and lesser developed nations that will bear the most harm due to limited or the lack of access to healthcare.

7- **The right to housing:** protected by article 11 of the ICESR, the right to housing is impacted by climate change as extreme weather and storms leads to the destruction of homes. Furthermore, extreme meteorological changes may even render some regions completely uninhabitable resulting in the displacement of populations, and potentially massive humanitarian crises and the creation of more refugees.

8- **The right to education:** this right is protected by the universal declaration of human rights. Children living in regions affected by climate change will not be able to afford education because they will be forced into labor to provide for their families. In addition to this, states may be forced to spending resources meant for education on relief efforts to combat the effects of climate change.

The rights mentioned here are not the only rights that will be affected by climate change. The rights of future generations for example (which is not explicitly outlined in human rights instruments, but have been mentioned various other treaties and resolutions) are at risk as they will pay the price for the mistakes and inaction of their forefathers. Future generations will find themselves living in a world with a much harsher natural environment, lesser resources and more crises to contend with. The result is that future generations will not be able to enjoy their human rights as should be, some may even be deprived of them completely. In a panel discussion in 2015 President of Kiribati at the time Anote Tong questioned if the world could “guarantee” the futures of our grandchildren, observing that the population of Tuvalu (a neighboring pacific island nation) “have to accept the reality that their islands will be under water, unless something very significant and substantial is done (it is worth noting that Kiribati also faces the same threat). This means that there is a potential for an entire generation of a country that will be forced to grow up outside of their homeland resulting in the loss of their culture and identity.

This example just exemplifies how populations of indigenous peoples across various countries who are often marginalized yet will be most affected by climate change as they rely on fragile ecosystems to survive. Another disturbing trend with climate change is not

just the economic and cultural inequalities of the burden sharing but the gender inequality as well. Women are more likely to be hurt by climate change compared to men. According to the OHCHR (2021), several smallholder farmers are women meaning that their livelihoods and sources of food are in danger from climate change. As such they are more exposed to food insecurity compared to men and it could affect them differently because of their dietary needs while pregnant. Women also face more health risks during disasters and so are even more effected by the health and sanitation risks that come with climate change.

### **Third: Egypt's National Strategy for Human Rights & Climate Change**

In light of the Egyptian government's effort to improve the human rights situation in the country, the national strategy for human rights was announced with the aim of advancing all human rights by enhancing respect for and protection of all civil, political, economic, social and cultural rights, in accordance with the constitution, national laws and international and regional treaties ratified by Egypt, with the primary goal being the enhancement of equality and equal opportunities without any discrimination. The strategy focuses on four main areas which are: Civil and political rights, economic, social and cultural rights, human rights of women, children, persons with disabilities, youth and the elderly and finally human rights education and capacity building; the strategy is to last until 2026. The strategy has taken into account the issue of climate change as an issue of human rights marking the issue of climate change and environmental protection as issue that need to be addressed under the upholding the right to health under the second area of focus.

The national strategy identified the following as elements that already address the issue of climate change that will be incorporated into the strategy: "Pursuant to the Constitution, the State adopted a number of policies to: reduce pollution; enhance proper management of hazardous materials and wastes including safe disposal of waste; maintain eco-balance and biodiversity; develop national reserves; improve environment in the neediest villages; and develop and use renewable sources of energy", "The State developed the institutional and legislative structure of the management of environmental resources, in a manner that assisted in addressing climate change and global warming", "The Excellence Center for Climate Change and Sustainable Development was established to enhance the State's capacity to take proper measures to address climate change

issues”, “An environment protection fund was set up to provide necessary funding for investment in sustainable environment projects. Environment monitoring networks were created to evaluate environmental impact and tackle environmental disasters” and finally “The launch of National Strategy for Adaptation to Climate Change in 2011, the Climate Change Strategy in 2013 and the National Strategy for Mainstreaming Gender and the Role of Women in Climate Change in Egypt” (Egyptian National Human Rights Strategy 2021). These points show that the government already understands the gravity of the situation when it comes to climate change even before the announcement of the strategy, and is only incorporating the issue under a human rights framework that strategy aims to build on.

The strategy aims to achieve the following goals regarding environmental protection and combating climate change:

- a. The enhancement of sustainable management of natural resources and assets.
- b. Introduction of legislative amendment with stricter penalties to the environment law as well as related laws.
- c. Enhancing the implementation of pollution reduction policies, and developing special measures for dealing with its sources
- d. Conducting more environment preservation awareness campaigns.
- e. Development of a Proper waste management system; including safe disposal of hazardous waste; and more engagement from the private sector into solid waste collection and recycling.
- f. Reducing the potential impact of climate change on biodiversity and ecosystem services and achieving more engagement of the private sector into addressing climate change.
- g. The full and effective protection of biodiversity conservation, together with sustainable management of natural resources and ecosystems in the protected areas network in order to ensure that ecosystems provide their services sustainably to citizens, as a constitutional right.

However, the strategy has also identified several challenges that must be overcome to achieve these goals which are: lack of proper sustainable management of natural resources and assets, penalties for the environment law and related laws being

incommensurate with the intended goal of deterrence, lack of policies to reduce pollution, weak awareness and community participation in environment preservation, the need to develop a system for hazardous waste disposal, and the limited funding sources available to achieve effective management of natural reserves and biodiversity components.

## **Conclusion and Recommendations**

To conclude, the issue of climate change is a human rights issue that affects all of us with the most basic of human rights at stake. Climate change may not affect us all in the same manner, and it is the most vulnerable that stand to be the most harmed and of little fault of their own. Worse still is that those who will be harmed the most are not being heard as much as they should be. This is a violation of the human right to meaningful participation and this should be remedied swiftly as it is their voices that will be the key to combating climate change and preserving human rights. Moreover, there must be a greater sense of urgency from the global community in combating the effects of climate change and reducing carbon emissions. There must also be stricter regulations and increased taxation when it comes to private corporations and carbon emissions and no room left for tolerating emissions and to encourage the use of cleaner and greener sources of energy, and production methods. More resources should also be allocated to the research and development of methods to combating climate change, its affects and to alleviate the suffering of those affected as well as restoring ecosystems to their original state. Efforts should also be made to create green belts and areas to replenish the areas lost to desertification and urbanization. Finally, it is imperative that these efforts are done in a coordinated fashion in order to maximize results and outreach.

The Egyptian National strategy for human rights acknowledgment of climate change as a threat to human rights demonstrates the government's awareness of its threats and the need for it to a priority. However, all the points addressing climate change came under the umbrella of the right to health; while the objectives put in place and the initiatives taken even from before the announcement of the strategy will no doubt work to protect the other rights affected by climate change, it may be necessary to revise and even expand the rights that need to be addressed directly while taking into account the grave issue of climate change. Perhaps this may be seen in the following year in COP27 which will be hosted in Egypt, though the agenda for it has yet be announced. Nevertheless, Egypt's hosting of COP27 does demonstrate that climate change is at the top of the agenda for

the Egyptian government and it remains to be seen how it will overcome the challenges, but for now it seems that Egypt is on the right track.