

# ECO

## THE PEOPLE CENTRED ISSUE

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*Editorial/Production: Andrés Fuentes*

## It's About People And Nature, Not Markets And Offsets

As we get into week 2, we continue to hear about the importance of Article 6. But ECO remains concerned that as Parties get bogged down in the technical details (which are important and ECO is happy to discuss them), they are forgetting about what's really important and ultimately what it's all about: people, a healthy planet and the ambition needed to keep warming below 1.5°C.

Never fear, ECO is here to remind you. People and nature around the world have been negatively impacted by previous market mechanisms and seen their lands destroyed or taken without consent. Do you really want Paris Agreement implementation associated with human rights violations? Now is the time to take steps to prevent harm: By guaranteeing rights-based safeguards in the article 6 text; through meaningful participation and consultation with those impacted (including women, communities, workers, youth, persons with disabilities, Indigenous

Peoples - don't forget about FPIC ... we could go on); and ensure there is an independent mechanism to redress potential harms. Rights-based and inclusive climate action is better climate action. And that includes at this COP. ECO has seen it work.

ECO hears you say that this COP is about enabling us to stay on a path to 1.5°C. But weak rules on Article 6 will make that impossible. And remember, keeping below 1.5°C is about the people who are impacted by the growing climate crisis. A crisis that will only get worse if Parties don't step up ambition and eliminate the loopholes that would allow Article 6 mechanisms to blast holes in the Paris Agreement. Environmental and ecosystem integrity requires ensuring no double counting, not allowing carry-over, and conservatively estimated truly additional emissions reductions/removals. The reason this matters is people. Counting reductions twice, failing to fully capture land-sector emissions, and including past emission reductions

(pre-2020) cannot be allowed to meet post-2020 NDCs. It just doesn't make sense in a world where we need ambitious domestic actions. This isn't measured on a balance sheet, but in the lives and livelihoods of impacted people. We need an overall mitigation of global emissions (OMGE) not shifting of hot air and offsets around the world. We need holistic action that recognises the linkages between people, nature and successful climate action. ECO has seen the devastation caused by the climate crisis ... the wildfires, droughts, floods, hurricanes, typhoons. And ECO's seen the damage it's done to people.

So as you work to try to finalise Article 6 and get lost in the options and brackets, remember that it's about people and nature! Failing to ensure ambition throughout these elements is failing the people around the world, failing the Paris Agreement, and putting 1.5°C further and further out of reach. And that is unacceptable.

# Human Rights On The Chopping Block: What Does It Mean For Disabled People?

During the Covid-19 pandemic, we have seen the disastrous effects of systemic neglect of disabled people. We are overwhelmingly overrepresented in Covid-19 deaths, yet many countries have engaged in discriminatory medical triage protocols that treat disabled lives as acceptable losses. This clearly devalues our lives, as does many countries' premature return to "normal" (*including the hosting of this COP*), well before it was safe for disabled and immunocompromised people.

Climate breakdown, like Covid-19, compounds existing inequities, disproportionately harming the one billion disabled people on the planet. This is especially true for our disabled communities who are multiply marginalised, and live on the frontlines of both climate change and eco-ableism.

Many disabled people are still imprisoned in institutions, including the 12 residents of an assisted living facility, who were among the victims of the flash flooding in the Ahrweiler district of Western Germany as recently as July 2021. This is one of many instances demonstrating that **when disasters hit, disabled people are literally left behind.**

Those of us who are also Indigenous understand first-hand how the colonial and extractive drivers of climate breakdown have stolen and damaged our lands, undermined our cultural practices, and left our communities behind across almost every societal development indicator.

**Disabled people are adaptable, resourceful and resilient out of necessity.**

Our lived experience equips us well to respond to complex problems in our daily lives and in our communities, as we have seen through the disabled leadership during the ongoing pandemic.

We and our representative organisations have spent decades calling for our human rights to be upheld in accordance with the UN Convention on the Rights of Persons with Disabilities, with our movements paving the way to much progress that the rest of society takes for granted (*See: Curb cuts, remote working, universal design*).

**We know how to ensure our communities are not only included, but that our whole society thrives.**

Despite this, disabled communities have been consistently left behind in the inaccessibility and exclusivity of a COP where we can barely get in the front door, let alone into negotiation rooms, and where we are conspicuously absent from the substance of the negotiations.

While persons with disabilities are noted in the Paris Agreement preamble as a marginalised group who bear disproportionate climate impacts, such recognition

does not go far enough to uphold our rights. 181 Parties have committed to upholding disability rights by signing the UNCRPD, yet many seem to use human rights language in Article 6 as a political football amidst ever-moving goal posts. We are disheartened that in this landscape, a reference to the Rights of Persons with Disabilities is not even a consideration.

So how can we ensure justice for disabled people at COP26?

1. Parties must include human rights in Article 6. This should include specific reference to the *Rights of Indigenous Peoples* and *Rights of Persons with Disabilities*
2. Article 6 must establish an *independent* grievance mechanism
3. Persons with Disabilities must be specifically recognised in ACE
4. Persons with Disability must be eligible to receive all forms of climate finance directly to our community and representative organisations so finance reaches disabled people on the ground
5. Parties should reference Rights of Persons with Disabilities in their NDCs, and be required to report on how their contributions uphold our rights under the UNCRPD

To echo the words of UNSG Special Envoy on Disability & Accessibility, María Soledad Cisternas Reyes, our disability rights movements have rallied around the call "*Nothing About Us Without Us*" for decades. We know that climate change is about us, so it must be "*Nothing about climate change, without Persons with Disabilities*."

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# The Disappearing And Reappearing Rights Of Indigenous Peoples In Article 6

*ECO is happy to share this part of our publication with the Indigenous Peoples Caucus(IPO) to help amplify their voice. This article reflects the views of the IPO.*

Over the past week and half, Parties have been negotiating the terms of Article 6 and still struggle to agree on human rights language. In our opening statement, the IIPFCC, represented by Taily Terena, called on Parties to ensure that "Article 6 upholds human rights, and specifically, Indigenous Peoples' Rights, and leads to **real** emissions reductions."

However, as we enter into week two, the hangover from COP25 still plagues Article 6, as our rights pop up and disappear on the whim of Parties in a political game of Whack-a-Mole.

Article 6 has direct implications on communities - from land grabs to our rights to consultation and participation. There are growing concerns that without rights safeguards Article 6 would do little to substantially reduce emissions - something that many of our communities simply cannot afford to wait for. We need to ensure that we not only find ways to agree on mechanisms for reducing emissions, but that this happens swiftly and with the guidance of Indigenous Peoples who are already safeguarding 80% of the world's biodiversity.

As we enter this final leg of COP26 the IIPFCC calls Parties to uphold their existing commitments under the UN Declaration on the Rights of Indigenous Peoples (2007). Parties cannot pay lip service to our rights; they must speak up in supporting, and actively putting

forward human rights and Indigenous Rights language in Article 6.

It's not enough to support our rights in theory, or wait for other Parties to bring stronger language to the table. If Parties are not willing to fulfil their obligations and step up to propose this text then our rights will simply end up on the cutting room floor.

Specifically, Parties must ensure that the paragraph 11 of The Paris Agreement preamble, to "respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples..." is reiterated and operationalised in 6.2, 6.4 and 6.8. Furthermore, 6.4, 31 (e) must name Indigenous Peoples and comply with international standards including Free, Prior and Informed Consent. Finally, a grievance mechanism in Article 6 must be an independent body.

## **Our rights are worth repeating.**

Without these bare minimums in Article 6, the Rights of Indigenous Peoples continue to be at risk with high emitting Nations and multinational corporations seeing our homelands, our sacred places, and our relatives as nothing more than mechanisms to continue their polluting business as usual.

## **We should not be expected to be grateful for rights written in Invisible Ink.**

Parties need to put forward concrete language now, and ensure that Indigenous Rights in Article 6 don't do another disappearing act.

## Fossil of the Day

### **First Fossil of the Day Award goes to the United Kingdom and the Kingdom of Saudi Arabia**

For the first Fossil of the Day in this second week of COP, we have a tie between Saudi Arabia and the UK for their sterling efforts in securing a weak new Work Programme on Action for Climate Empowerment (ACE), which we're now going to be lumbered with for the next decade!

First of all the UK Presidency appears to have been eager to finish work early on Friday. They dispensed with making the shaping of the text inclusive, instead pushing all parties to come to an agreement that evening, dashing the hopes of civil society organisations and youth groups, of having more time to help shape the text.

Not that it may have made any difference anyway - Saudi Arabia gets their first Fossil for manipulating the rushed and restrictive decision making process, to keep the words "human" and "rights" out of the final text. ACE!

As if by magic, or maybe by maintaining a hardline position, "Human rights-based approach" disappeared from the guiding principles. We think we can guess why those oil kings think the next generation doesn't need a robust climate education....

### **In second place is Mexico!**

Mexico has worked hard to earn its Fossil of the Day award. Ranked as the 13th largest emitter of CO2 in the world, it's not exactly spearheading energy transition. Its government is pumping more, not less, money into the fossil fuel industry, building oil refineries and delaying policies aimed at carbon emissions reductions.

And this is coming from a country where, in 2020 alone,

at least 101,000 people were forcibly displaced because of natural disasters, according to the annual report of the Internal Displacement Monitoring Center. Then they turned up in Glasgow with out of date NDCs from 2015, previously rated as 'insufficient' to achieve the 1.5°C goal and with no loss and damage or emissions mitigation data. And surprise, surprise, they also failed to support the recent 'Global Coal to Clean Power Transition' Statement which championed a just and inclusive transition to prevent loss and damage and human rights violations they've been linked to.

They've now fallen even further behind with a rating of "highly insufficient" on their climate policies. How much further can this country slide?

### **Third Fossil of the Day Award goes to the Czech Republic**

When the Czech Prime Minister Andrej Babiš used the COP26 World Leaders' Forum to brand the EU Green Deal "ideology, not a deal", it appeared he had mistaken the Glasgow event for a climate change deniers' conference.

And we can see why - his country has the third highest GHG emissions per capita in the EU and emissions levels are going up rather than down. Alongside avoiding mitigation activities at home, it has sidestepped helping the most vulnerable and impacted countries, and hasn't provided a single koruna to the Green Climate Fund.

Mr. Babiš has also been known to point the finger of climate responsibility outside the EU whilst his minions in the Senate of the Czech Republic have recently attempted to reject seven parts of the EU's Fit for 55 package. For these national and international efforts to avoid climate responsibility you've truly earned your fossil.