

# ECO

## THERE'S NO CLIMATE JUSTICE WITHOUT HUMAN RIGHTS

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*Editorial: Andres Fuentes*

### An Ode to Ali the Brave Iraqi Teen Who Took On BP

Climate disasters have never been a better business for fossil fuel companies. As companies continue to reap record profits, the human toll of their business model, which infringes on the basic rights of people, cannot be forgotten.

Behind their shiny ads, it is easy to lose sight of the individuals paying the price for these profits.

But we must not forget. We must remember the powerful legacies of those who have paid and paid with their lives, people like Ali Hussein Juloud. Ali, a 21-year-old climate activist from southern Iraq, died earlier this year as a result of a form of leukaemia closely linked to his everyday exposure to dangerous pollutants resulting from the fossil fuel gas flares in his neighbourhood.

Ali lived on BP's Rumaila oil field - the second largest oil field in the world - and documented his life growing up in the shadow of the gas flares for the BBC documentary, 'Under Poisoned Skies'.

Ali was first diagnosed with cancer when he was just 15. His childhood was stolen from him as he had to drop out of school and his football team to undergo several painful years of treatment. His family tried to get BP to help pay for his medical costs, but they were ignored. Instead, they sold their furniture and borrowed from neighbours. When Ali recovered he opened a small shop selling mobile phone accessories

but he dreamed of becoming a filmmaker.

In his videos, Ali shows children playing beneath thick black clouds of smoke billowing out from the gas flares. Gas flaring is the wasteful and potentially poisonous practice of burning the excess gas created as a byproduct of drilling for oil. Though regulations in Iraq say gas flares should not be closer than 10 km from where people live, at BP's site they are less than 2km.

David Boyd, the UN Special Rapporteur on human rights and the environment, called Ali's community "a textbook example of a modern sacrifice zone, where profit is put above human life and the environment".

And Ali is not the only one.

Fossil fuel companies do not just violate human rights through their polluting projects, they have also directly attacked environmental and human rights defenders. Projects operated by Total Energies have been linked to at least 42 attacks against human rights defenders — at least 14 in 2022 alone. Evidence of such abuse against any resistance to Total projects can be seen in Uganda and Mozambique.

The core business of fossil fuel companies is centred on violating human rights as a means to make profits. There is no climate justice without human rights.

# Get Ready, Here Comes the Recipe for an Inclusive Political GST

Today is the closing plenary of the first GST's third (and final) technical dialogue. After two years of fruitful meetings, roundtables and discussions, the technical phase is coming to an end.

ECO thanks the co-facilitators of the technical dialogue for their efforts to organize an inclusive and innovative process. But it wasn't perfect. Several elements still have to be improved for the next GST: inviting Indigenous Peoples as expert speakers to ensure sufficient inclusion of Indigenous, traditional, and local knowledge; ensuring gender and age balance among speakers and facilitators; and preventing undue corporate influence by putting in place conflict of interest policies. To be sure, the GST dialogue has been more inclusive than usual in our UNFCCC bubble, where Observers have limited opportunities to engage with Parties on deep topics during the formal processes. And that points to the need for more inclusiveness across the entire global climate process.

The design of the dialogues – including the interactive world café format, roundtable discussions, poster sessions and creative spaces – allowed important exchanges. ECO was especially impressed by a new tactic used during

the SB58 World Café: putting so many tables in one small space that people were blocked from leaving the room and had no choice but to engage in conversations!

And what a difference it made!

It was delightful to hear delegates discussing the importance of gender equality and respecting human rights for effective climate policies. ECO urges the same inclusive focused spirit be kept until the very end of the technical phase with the publication of the technical synthesis report in September. These new discussion formats should become a model for future collaborations between Parties and Observers across all aspects of Paris Agreement implementation.

And the GST process is not over: inclusion and participation are also very important during the political phase. Dear delegates, we need all voices to find common ground that is responsive to the climate emergencies we face. Still looking for inspiration for your closing statement? ECO is here to help: call on the COP28 Presidency to treat our right to participate not merely as “nice to have” but as the right it is and a necessity for climate ambition, and commit to an inclusive next phase and final GST outcome.

## Climate Justice Through the ICJ!

In a groundbreaking proceeding, the International Court of Justice (ICJ) will consider questions around States' climate change obligations.

Lobbying, connecting, educating. Young people have been incredibly busy during the first days of the SBs, spreading knowledge about the ICJ Advisory Opinion (AO) campaign.

Last year in these halls, you may be forgiven for not paying attention because you didn't know what an Advisory Opinion is or didn't think it would ever happen.

Against some odds, a strong alliance of State and non-state actors, led by Pacific youth and the support of the Vanuatu government, saw the UN General Assembly respond to their urgent call for global solidarity in passing a unique resolution that asked the ICJ for its legal expertise.

So, what is the AO about? Simply put, the AO asks the highest international court to answer legal questions on States' obligations at the intersection of climate change and human rights.

But why does it matter? The AO could help enhance both scale and speed of implementation of the Paris Agreement. The latest climate science shows countries aren't

on a path to meeting the Paris Agreement goals, including limiting temperature rise below 1.5°C. More ambitious climate action, including a full and fair phase out of fossil fuels and real finance and support for adaptation and loss and damage is needed. As countries are getting ready to update their NDCs, based on the IPCC's findings and strong guidance that should be coming out of this year's Global Stocktake conclusion, the legal guidance by the ICJ will be extremely valuable.

How can we make sure the AO is progressive and ambitious? That's where you, the readers of ECO come in. Youth, academics and NGOs can't make their own submission (though we are here to help), but States and International Organizations can. So after you leave these halls, take some time to rest, and then carefully prepare a submission to the ICJ. Don't just slap together an argument, submit progressive arguments and include the voices of young people and the most affected communities, women, people with disabilities, Indigenous Peoples, and local communities in your submission. Consider providing an annex of lived realities and experiences from such communities and groups.

The ICJ needs you.

## YMCA...NCQG

The YMCA may be fully booked for the duration of SB58, but ECO has heard it's fun to hang out at the NCQG... this little 'ditty' is guaranteed to keep you humming until the closing plenary.

(Verse 1)

Parties, there's a place you must go,  
We say Parties, where public finance must flow,  
We say Parties, get your thinking head on  
For NCQG at UN SB.

Parties, it must be needs-based and strong,

We say Parties, the time to delay has now gone.  
We say Parties, science-lead is the best,  
For the goal to pass the smell test.

(Chorus 1)

It's the N-C-Q-G,  
with clear sub goals that all-must- agree.  
NAPs and NDCs, plus L and D,

You can limit warming to 1.5 degrees.

(Verse 2)

Parties, with responsibility abound,  
We say Parties, with so much risk goin' around,  
Parties, public finance is the quest,  
This is C-B-D-R at its best.

Parties, not a political outcome we seek

We say Parties, instead ambition must peak  
Through public finance, we'll support the drive,  
Accountability, ensuring progress will thrive.

(Chorus 2)

It's the N-C-Q-G,  
with clear sub goals that all must agree.  
Get loss and damage addressed,  
With balance for adaptation and the rest,  
And mitigation to fit 1.5 degrees.  
NCQG, NCQG...

## Dadaist Cube

ECO is as exhausted as everyone else, trying to put together the puzzle pieces of the Parties' discussions about cooperative approaches under Article 6.2 is no easy task.

Without stronger standards for ambitious baselines and social and environmental safeguards, as mandated for the Article 6.4 mechanism, these cooperative approaches may very well fail to deliver the environmental integrity enshrined in the Paris Agreement and reinforced at COP26.

Discussions on reporting and review started from an already weak position. At the end of this SB, the review could be little more than a consistency check, even though its stated purpose was to ensure that the Guidance has been adhered to and that Internationally Transferred Mitigation Outcomes (ITMOs) are real, additional, permanent, and verified.

Key elements are missing and will be unable to bridge the gaps between Parties' initial report, publication of

the review report, correction of inconsistencies, submitting information using the Agreed Electronic Format (AEF), and finally, first transfer of units. Given the critical risks of acting in the absence of essential information, ECO believes certainty can only come when cooperative approaches diligently follow this sequence and defer first transfer of ITMOs until they have cleared the review.

The Paris Agreement is built around trust — trust that NDCs are being achieved and transparently, comprehensively reported. But ECO is worried as it sees the window getting cloudy, with critical information being unavailable at the time of the initial report, especially the full methodology and comprehensive documentation of additionality. ECO fears that without this information, the environmental integrity of Article 6.2 could well get lost in translation.

## Fossil Fuels, False Solutions Cloud COP28 Ambition

Today, the incoming Presidency in an open consultation session shared its vision and expectations for COP28 and Parties responded. ECO didn't fail to notice that, despite all the lofty talk of "raising ambition" and "reducing emissions," the COP28 Presidency is still talking about phasing down unabated fossil fuels. In response, a number of countries spoke about the importance of the Global Stocktake for enhancing ambition and the need to build on the establishment of the Loss & Damage Fund at COP27 with a pathway toward implementation and operationalizing financial arrangements.

Parties know that communities around the world are suffering from climate impacts and urgently require support. A logical conclusion would be to focus attention on the main source of the problem: burning of fossil fuels.

Lest we forget, a phase-out of "unabated" fossil fuels doesn't mean much. Every country has their own definition of abatement and many abatement techniques result in minimal emission reductions, while extending the life of fossil fuels. Yet, many Parties seem to be ignoring this, instead relying on false "solutions" and dangerous distractions such as CCUS, co-firing with biomass or ammonia, all the while continuing to burn fossil fuels.

The COP28 Presidency claims this will be a "COP for action." But ECO thinks its vision must be cloudy. You can't expect to meaningfully reduce emissions (or stop the climate crisis) without committing to a full and rapid exit from all fossil fuels. Let's be clear: **There is no real vision of COP28 without a just phase-out of all fossil fuels.**

# Ocean-sized Solutions to a Planet-sized Problem

The global ocean has bought humanity valuable time by absorbing over 90% of the excess heat resulting from historical emissions. But this has come at an enormous expense to marine ecosystems, which are increasingly suffering the consequences. And time is running out. We cannot keep waiting for meaningful ocean-climate actions. The Ocean & Climate Dialogue presents one, possibly critical, opportunity to rectify this lack of commitment.

Coastal ecosystems not only provide climate mitigation benefits, they are key to adaptation, by acting as buffers against the impacts of extreme weather events and sea-level rise. They also provide livelihoods and invaluable cultural services to us. ECO notes that SIDS and AOSIS have been preaching this for decades. It is no longer an option to ignore their calls for action.

Perverse subsidies perpetuate destructive fishing practices and promote fossil fuel addiction. Industrial and illegal fishing, deep-sea mining, oil and gas exploitation, over-use and development are all degrading ocean life with noise, offshore development, pollution, and ship strikes of marine mammals. And now, emerging 'solutions' are being promoted, further distracting from fossil fuel phase out, and with little or no idea of the consequences.

The global climate regime and the crucial role of oceans must urgently be aligned with the goals of the Global Biodiversity Framework. Subsidies harming ocean ecosystems must be removed as soon as practically possible. ECO has a set of key tests for the

Oceans Dialogue:

- Biodiversity protection and restoration are placed at the heart of ocean action. There is no use protecting mangroves if, at the same time, deep-sea mining is unlocking, potentially, hundreds of millions of tonnes of stored CO<sub>2</sub>.
- Ocean ecosystems are protected and their role in helping reach a 1.5°C pathway is recognised — this protection is additional to, not instead of, the urgent fossil fuel phase-out.
- Process gaps, such as ocean carbon accounting methodologies, and knowledge gaps, such as ocean acidification, are rapidly addressed.
- Ocean-based climate action is strengthened and integrated into existing UNFCCC agenda items. In addition, the Dialogue requests other relevant UN bodies to incorporate and act on ocean-related issues.
- Parties integrate ocean actions in their NDCs, NAPs and long-term strategies following the Global Stocktake.
- Meaningful finance is brought forward for ocean action: it is not acceptable for SDG14, Life Under Water, to continue to be the least well funded of all SDGs.
- And last but not least – adequate means of implementation are identified.

There's a Pacific-sized leap between acknowledging the ocean's role in climate action, to prioritising and accelerating ocean - climate action. It's time for a little less dialogue, and a lot more action.

## GGA: A Bald Statement

ECO is going bald. Listening to the discussion on the Global Goal on Adaptation (GGA) Framework we are pulling our hair out. After six lengthy workshops and approaching the end of SB58, we are still nowhere near a draft decision text that brings clarity and focus to the table. The Secretariat, rightfully, got an earful from Parties about the lateness of the most recent draft, but this is not a matter of the draft not meeting expectations. And once again, Parties will be fatigued, working way past midnight on Wednesday trying to get a text out.

ECO understands how complicated this process is, but inclusion and engagement in the framework for those bearing the brunt of the impacts, locally and at the community level, is indispensable. Considering that the Green Climate Fund is also strategising on priorities

around locally-led adaptation, imagine the difference that appropriately supported National Adaptation Plans could make in taking adaptation actions to the next level.

It's not rocket science: reduce vulnerability, enhance adaptive capacity, and strengthen resilience.

So, developed countries: no hiding behind procedural discussions! Parties need to make real progress here on a draft decision text, and the options should include high-level targets as a crucial step towards building a robust framework on the road to COP28. Importantly, a decision needs to reflect the funding needed for adaptation action and support based on the principle of Common but Differentiated Responsibilities.

Step up and, please, save our hair.