

Monitoring States' Compliance with their Human Rights Obligations, in the Context of Climate Change

Guidance on the Preparation of a Parallel Report to a UN Human Rights Treaty Body on the topic of climate change and human rights

This document provides guidance for the drafting of a parallel report to a Human Rights Treaty Body (HRTB) addressing linkages between national climate (in)action and the State's human rights obligations. Writing a parallel report to a HRTB is a relatively simple task which involves communicating country-specific information to the HRTB members to support their analysis of the State's compliance with its treaty obligations.

For more information regarding the different stages of the State Reporting Procedure of the HRTBs and opportunities to leverage this process for the benefit of climate campaigning and advocacy, please see our briefing note available at: bit.ly/LeveragingHRTBclimate



Overview

A parallel report to a HRTB regarding the obligations of the State in the context of climate change should describe why climate change is a critical issue in the country under review for the fulfilment of the rights protected by the relevant human rights treaty. It should also explain how the policies and programs of the State are failing to address climate change (through mitigation, adaptation or climate finance) to the extent necessary to prevent the rights violations identified. The report might also describe how the State is failing to safeguard rights in its climate solutions, for instance in the context of clean energy projects which disregarded the rights of local communities).

Members of the Committee have limited time to read submissions, therefore we recommend that you be as concise as possible and clearly highlight the most essential information.

We recommend a maximum of 6-8 pages. Where addressing more technical issues or citing figures or trends, we recommend using graphs or pictures to facilitate understanding. To strengthen the authority and credibility of the information provided, we recommend using footnotes containing links that the Committee members can explore (preferably in English, Spanish or French). The use of subjective, imprecise or inflammatory language should be avoided as much as possible.

To ensure that any reference to climate change included in the LOI(PR) or concluding observations (COBs) is most useful to domestic campaigning and advocacy, we recommend specifying the issue or recommendation that the Committee should include in its COBs based on the facts presented and on the scope of the treaty obligations.

Reports can be submitted for List of Issues Prior to Reporting, List of Issues and for the dialogue. Note however that in the case of the CESCR, issues that were not identified in the LOI(PR) can only be raised during the second stage of the review if they respond to a new and urgent issue.

Suggested content for the Submission

Please note that there is no mandatory template for submissions to a HRTB. This guidance provides a suggested structure, recommendations for the substantive content and tips for maximising the impact of the parallel report. It also mentions a few formatting and procedural rules that must be respected.

Executive Summary

It is advisable to begin your report with an Executive Summary, summarizing the key points and highlighting the exact wording for the questions or recommendations that you would like the Committee to adopt.

0. Submitting Organizations

This section should identify the submitting organization(s) and provide a very short summary of their work and aims, ideally in a manner that confirms the organization(s) expertise and/or legitimacy on the matters addressed by the report.

1. First Section: Relevant Human Rights Obligations in the Context of Climate Change

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It is recommended that the first section provide a short description of how climate change is linked to the human rights protected by the relevant treaty and States' obligations in that respect. Some useful sources for the linkages between climate change and human rights include the [IPCC Special Report on 1.5°C](#), the [Human Rights Council resolutions on climate change](#), the [reports of the Office of the High Commissioner for Human Rights](#), and the work done by the [Special Rapporteur on Human Rights and the Environment](#).

2. Second Section: Adverse Impacts of Climate Change on Human Rights

The second section should describe the situation in the relevant country and how rights are impacted by climate change (or ill-designed climate responses) in that country, stressing in particular those specific rights protected by the relevant treaty (focusing for instance on impacts affecting children rights if the parallel report is submitted to the Committee on the Rights of the Child). Where possible, you should rely on scientific studies (or media reports) of such impacts. The most commonly affected rights are: the right to life, the right to health, the right to water, the right to food, the right to housing, the right to substantive equality, and cultural rights. This section should also describe how the rights of specific groups or communities (eg: children, indigenous peoples, women, people living in poverty, persons with disabilities) are differently or disproportionately threatened by climate change in that State. Where relevant, you might also highlight the issue of participation and describe a failure of the State to consult with local communities or specific groups of stakeholders when designing and implementing climate policies. For this section, the [IPCC Report AR5 chapter on Regional Aspects](#) might provide useful material.

3. Third Section: Shortcomings of the National Climate Response

This section should describe the State's climate policies and highlight how they fail to meet its legal obligations under the human rights treaty. Where relevant, this section could include a reference to the obligations of the State under relevant international environmental agreements such as the Paris Agreement.

This section should begin with an objective description of the climate commitments and policies of the country, for instance highlighting its mitigation ambition as reflected in its Nationally Determined Contribution (NDC) under the Paris Agreement. It should also describe the progress made towards the implementation of this target, for instance by providing information contained in the national report of the country under the Paris Agreement.

- [Nationally Determined Contributions](#) under the Paris Agreement
- National Reports under the UNFCCC for [Developed Countries](#) and [Developing Countries](#)

This section should then specify the extent to which the ambition reflected in the country's commitment and/or current policies, is inadequate in light of the State's obligation to protect human rights, by preventing the most dangerous levels of temperature increase. This section could point in particular to policy areas of particular importance for that country. Examples of such policy areas include: fracking in Argentina and the United Kingdom; investments of financial institutions in Switzerland; extraction and exports of fossil fuels in Australia, Canada and Norway; and deforestation in Brazil and the DRC. For the drafting of this section, the following resources might be useful:

- [Climate Action Tracker](#)
- [the Climate Change Performance Index](#)

4. Fourth Section

The fourth section should focus on the specific State obligations under the relevant human rights treaty and how the described national circumstances are not in line with the State's human rights obligations. This section should ideally build on previous interpretation provided by the relevant Committee as well as possibly by other HRTBs regarding how human rights obligations must be interpreted in the relevant climate context. See for instance our [compilation of the outputs of the](#)

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[HRTBs on human rights and climate change](#) or the following authoritative statements adopted by specific HRTBs:

- [CEDAW: General Recommendation No. 37 on Gender-related dimensions of DRR](#)
- [CRC: Report of the Day of General Discussion on Children's Rights and the Environment](#)
- [CCPR: General Comment No. 36 on the Right to Life \(paras 26, 62\)](#)
- [CEDAW, CERD, CESCR, C MW, CRC: Joint Statement on climate change](#)

5. Conclusion

We recommend concluding the parallel report by suggesting the exact wording that you would ideally like the Committee to include in its LOI(PR) or COBs. Issues and recommendations should be carefully worded so as to increase the chance of them being adopted by the Committee and to ensure they will be useful in subsequent advocacy at the national or international level. Given the breadth of the issues that the HRTBs must address in their COBs, you can expect climate change (and related issues) to be addressed in only 1 or 2 paragraphs of the LOIs or COBs. We recommend that you limit the number of suggestions put forward in your report so as to increase the likelihood that the Committee will adopt precisely the wording suggested.

Submitting the report

Depending on the Committee, you will need to submit the parallel report by email or via an on-line submission system. It is recommended that you always check the relevant Committee website to confirm modalities and deadlines.

Treaty Body	Deadline for Parallel Reports for the Session	Deadline for Parallel Reports for the Pre-Session	Specific Guidance	Email Address of the Secretariat
CCPR	4 weeks prior to the start of the session	10 weeks prior to the start of the <u>Pre-session</u> for the List of Issues and List of Issues Prior to Reporting		ccpr@ohchr.org
CEDAW	3 weeks prior to the start of the session	3 weeks prior to the start of the <u>Pre-session</u>	Word File only Word limit: 3300 words (6600 for coalitions)	cedaw@ohchr.org
CERD	2 weeks prior to the start of the session	2 weeks prior to the start of the <u>Pre-session</u>		cerd@ohchr.org
CESCR	3 weeks prior to the start of the session	3 weeks prior to the start of the session	Word File only, on-line system for submissions	cescr@ohchr.org
CRC	See this link	See this link	On-line system for submissions	crc@ohchr.org
CRPD	3 weeks prior to the start of the session	3 weeks prior to the start of the session	Word File only, Word limit: 5350 words	crpd@ohchr.org



We have addressed the most frequently asked questions regarding the drafting and submission of a parallel report focused on climate change here: bit.ly/FAQHRTBclimate

If you have any remaining questions, please do not hesitate to contact us: lucy@gi-escr.org and sduyck@ciel.org