



# General Assembly

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## Human Rights Council

### Fifty-ninth session

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by International-Lawyers.Org, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2025]

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\* Issued as received, in the language of submission only.



## **Human rights and climate change**

### **I. Climate Change and Human Rights**

Climate change constitutes an unprecedented threat to human rights, disproportionately impacting vulnerable populations, including small island states, Indigenous peoples, and low-income communities. At COP29 in Baku (November 2024), States reaffirmed the urgency of limiting global warming to 1.5°C above pre-industrial levels, as required by the United Nations Framework Convention on Climate Change (UNFCCC) and its Paris Agreement. However, current Nationally Determined Contributions (NDCs) remain inadequate, collectively projecting a catastrophic 2.5–2.9°C rise by 2100. This statement urges the Council to recognize the parallel legal obligations under international climate change law and human rights law, particularly the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), to ensure States fulfill their duties to prevent climate-induced rights violations.

### **II. Legal Framework: Climate Change and Human Rights Obligation**

Both international climate change law and international human rights law contain legal obligation that States must respect to prevent interferences with human rights.

#### **A. International Climate Change Law**

The UNFCCC and its Paris Agreement impose binding obligations on States to pursue domestic mitigation and adaptation measures as well as to provide assistance to other States in a common but differentiated manner.

Article 2 of the UNFCCC mandates stabilizing greenhouse gas concentrations to prevent “dangerous anthropogenic interference with the climate system” while Article 4 requires Parties to submit successive NDCs reflecting “highest possible ambition.” At COP29, States adopted a new collective quantified goal (NCQG) of \$575 billion annually by 2030 for climate finance, emphasizing support for developing countries. While this amount of finance is woefully inadequate, it provides a minimal starting point for the States. In other words, any Annex II State that does not agree and provide at least its proportionate share of this financing goal in their NDC is indicating that they are not willing to meet their international legal obligations.

#### **B. International Human Rights Law**

Climate inaction directly undermines rights protected under the ICCPR and ICESCR, including the rights to life (ICCPR, Art. 6), health (ICESCR, Art. 12), and an adequate standard of living (ICESCR, Art. 11). The UN Human Rights Committee (UNHRC) recognized in *Teitiota v. New Zealand* (2023) that climate-induced displacement may engage the right to life under ICCPR Article 6. Similarly, in the case of *Verein KlimaSeniorinnen v. Switzerland* (2024), the European Court of Human Rights (ECtHR) held that inadequate climate measures violate the right to private life under Article 8 of the European Convention on Human Rights, analogously applicable to ICCPR Article 21.

### **III. COP29 and UN Action Informing State Obligations**

COP29 in Baku, Azerbaijan reinforced its support for the Global Stocktake Implementation Plan, which requires all States to update their NDCs by 2025 to align with the 1.5°C pathway, with binding accountability mechanisms for non-compliance. This COP29 decision also emphasized the inclusion of indigenous knowledge and gender equity in climate policies.

Furthermore, recent rulings underscore the indivisibility of climate and human rights. The UN Committee on Economic, Social and Cultural Rights reiterated in General Comment No. 26 (2023) that States must prioritize climate resilience in housing and water policies to uphold ICESCR obligations.

And the UN General Assembly has recognized the human right to a clean, healthy, and sustainable environment thereby linking environmental protection to the realization of all human rights.

## IV. Recommendations

### A. States Must Align NDCs with Human Rights Standards

1. States must revise their 2025 NDCs to limit warming to 5°C, which requires adopting science-based targets for phasing out fossil fuels.
2. States must integrate human rights impact assessments into their NDCs to ensure NDCs address disproportionate impacts on vulnerable groups.
3. States must enhance transparency by aligning their reporting with the UNFCCC Enhanced Transparency Framework (ETF) and the UNHRC's guidance on corporate accountability.

### B. The Council Must Act to Encourage Enforcement of Climate Finance Commitments

The Human Rights Council should act to encourage Annex II States to the UNFCCC to must fulfill their NCQG of \$575 billion annually by 2030 and to enhance it to an amount adequate to enable equitable climate action. Council should also encourage Annex II States to provide this finance in the form of grants that effect a real transfer of monetary resources, not loans or other false instruments. Failure to meet these targets constitute an internationally wrongful act under both the UNFCCC's principle of common but differentiated responsibilities (Art. 3(1)) and its obligation of Annex II States to provide new and additional finance (Art. 4(2)) as well as the ICESCR's obligation to cooperate internationally (Art. 2(1)).

### C. Strengthen Accountability Mechanisms

1. The Council should reiterate its recognition of the extraterritorial obligations States that require that States regulate corporations under their jurisdiction contributing to transboundary emissions, per the UN Guiding Principles on Business and Human Rights.
2. The special mechanisms of the Council should support climate litigation that facilitates access to remedies for victims of climate harm.
3. The Council should mandate climate risk disclosure by requiring States to require both public and private entities disclose climate-related financial risks, to the extent the Task Force on Climate-related Financial Disclosures (TCFD) recommends to safeguard against environmental harm.

The Council must act decisively to bridge the gap between climate and human rights law because climate change is a threat to all humankind. The Council must stress the obligation of States to comply with both the international climate change law and international human rights law. Only through this integrated approach can the Council uphold its mandate to protect human dignity in the face of the climate crisis.

International-Lawyers.Org remains committed to supporting the Council, Member States, and other stakeholders in addressing this urgent matter.

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1- 1771 U.N.T.S. 107 (1992).

2- 3154 U.N.T.S. 79 (2015).

3- See Intergovernmental Panel on Climate Change, Global Warming of 1.5°C: An IPCC Special Report on the Impacts of Global Warming of 1.5°C Above Pre-Industrial Levels and Related Global Greenhouse Gas Emission Pathways, in the Context of Strengthening the Global Response to the Threat of Climate Change, Sustainable Development, and Efforts to Eradicate Poverty (2018) accessed at <https://www.ipcc.ch/sr15/> (last accessed 22 May 2025).

4- 999 U.N.T.S. 171 (1966).

5- 993 U.N.T.S. 3 (1966).

- 6- Decision 18/CMA.5, COP29 Baku (2024).
- 7- Teitiota v. New Zealand, Comm. No. 2728/2016, U.N. Hum. Rts. Comm. (2023).
- 8- Verein KlimaSeniorinnen v. Switzerland, App. No. 53600/20, E.C.H.R. (2024).
- 9- Decision 17/CMA.5, COP29 Baku (2024).
- 10- U.N. Committee on Econ., Soc. & Cultural Rts., Gen. Comment No. 26, U.N. Doc. E/C.12/GC/26 (2023).
- 11- UNGA Res. 76/300 (2022).