

6. GANHRI Engagement on Human Rights and Climate Change

6.1 GANHRI's work on Climate Change

As a global human rights network, GANHRI is composed of its 120 members, is governed by its General Assembly and Bureau, including its Chairperson and Secretary, and is supported by its Geneva Head Office and OHCHR (in particular the National Institutions and Regional Mechanisms Section), which provides secretariat support to GANHRI.¹ GANHRI has four associated regional NHRI networks – the Network of African National Human Rights Institutions (NANHRI), the Network of National Human Rights Institutions of the Americas (RINDHCA), the Asia-Pacific Forum of National Human Rights Institution (APF), and the European Network of National Human Rights Institutions (ENNHRI). It has a tripartite partnership with UNDP and OHCHR and works closely with UNEP on climate change and other environmental issues. GANHRI has established a Caucus on Human Rights and Climate Change (Climate Caucus) to support its work on climate change.

The GANHRI General Assembly approved the strategic plan for 2020 to 2022 with a priority focus on Climate Change and Human Rights, and adopted the 2020 Annual Conference statement on *Climate Change: The Role of National Human Rights Institutions*. The Conference statement sets out how NHRIs individually and collectively, including through GANHRI as their global voice, will be addressing climate change and human rights. GANHRI has an important role in supporting NHRIs achieve these commitments. This includes through the facilitation of peer to peer exchange and learning, information sharing and advice, supporting NHRIs' engagement at an international level, and coordinating positions of GANHRI as NHRIs' global voice at an international level to influence global policy-making.

For NHRIs to engage effectively with human rights and climate change mechanisms and processes, they need to know about opportunities for engagement offered by the relevant mechanisms and processes. The Head Office and the OHCHR have an important role to play in advising GANHRI members about such opportunities. To the extent possible, the collection and dissemination of that information should involve a qualitative assessment of the value of the opportunities so that individually and collectively NHRIs can invest their resources effectively.

NHRI cooperation among themselves on climate action will be most effective if there is purposeful strategy behind the cooperation. The identification of clear objectives, planning to attain those objectives, and the allocation of responsibilities will be important to support cooperative NHRI work on climate change. The Climate Caucus, supported by GANHRI and partners, will have an important role to play in the adoption of strategies to underpin cooperative activities.

¹ <https://ganhri.org/structure/> and <https://ganhri.org/governance/>.

The coordination function, while related to strategy development, is the more administrative side of secretariat support for the Climate Caucus and the GANHRI membership. It will involve convening and facilitating meetings of the Caucus and the members, as well as the organisation of external events. It will also involve the regular and ongoing internal sharing of information about GANHRI's and members' work of climate change.

The members of the Bureau and the Head Office have important representational roles to play in presenting GANHRI's expertise and positions on climate change in meetings of the relevant UN political bodies and associated diplomatic and expert communities. For bodies like the Human Rights Council, this will be an extension of activities that they already carry. For the UNFCCC bodies and processes, this may require the Head Office to develop of new areas of expertise, particularly if GANHRI obtains UNFCCC observer status. It is conceivable that the members of the Climate Caucus will also take on some representational functions as the Caucus evolves.

6.2 GANHRI Caucus on Human Rights and Climate Change²

GANHRI has facilitated the establishment of a Caucus of NHRIs interested in working together on human rights and climate change. The Caucus is a forum where NHRIs from all four regions have an opportunity to discuss, debate, share knowledge and identify and collect experiences, as well as coordinate actions and activities. Its members include representatives from the NHRIs of Bangladesh,* Cameroon,* Croatia,* Denmark, El Salvador,* France, Germany,* Greece,* Honduras,* India,* Indonesia, Ivory Coast,* Kenya, Malaysia, Maldives,* Mauritius,* Morocco,* Nepal, Northern Ireland,* Norway,* Panama,* Paraguay,* Peru,* Philippines,* Samoa,* Scotland,* Sierra Leone, Slovakia, South Africa,* Slovakia, Spain, Thailand and Ukraine.³ The Caucus co-conveners are Michaela Ujhazyova of the Slovak National Centre for Human Rights and Ahmed Adham Abdulla of the Maldives Human Rights Commission.

The Objectives of the Caucus are:

1. To promote cooperation and information sharing among NHRIs across all regions through the exchange of good practices and lessons learned on human rights and climate change.
2. To contribute to the achievement of the goals of the GANHRI Strategic Plan (2020-2022) in the thematic area of human rights and climate change, including through supporting GANHRI's implementation of activities with UNEP cooperation with other UN partners.
3. To substantially contribute to GANHRI's engagement and advocacy on Climate Change at the global level, in particular coordinate GANHRI's and NHRIs' engagement in the COP [...] meeting and other relevant thematic meetings.

² <https://ganhri.org/ganhri-and-climate-change/>

³ The asterisk denotes core members.

6.3 Regional Networks

6.3.1 Network of African National Human Rights Institutions (NANHRI)

The Network of African National Human Rights Institutions is a network of 46 organisations, including national human rights institutions, ombudsmen and public defenders working in fortyfive regions of Africa.⁴ Its Secretariat has been based in Nairobi, Kenya since 2007 where it is registered under Kenyan law as an independent legal entity. The network is divided into five subregional groupings, namely: Central Africa, Eastern Africa, North Africa, Southern Africa and West Africa.⁵

NANHRI's general objectives are set out in its Constitution are as follows:

- Encourage the establishment of National Human Rights Institutions in conformity with the UN Paris Principles;
- Facilitate the coordination, strengthening and effectiveness of NHRIs in Africa; and
- Encourage cooperation among NHRIs and with intergovernmental and governmental institutions.

The Strategic Objectives to be pursued by NANHRI in the period 2021 – 2025 include:⁶

1. Enhance the capacity of NHRIs in Africa to deliver on their mandate
2. Enhance the promotion, protection and fulfilment of human rights in Africa
3. Enhance the organizational development and institutional sustainability of NANHRI

The Network has identified as thematic areas of focus during the period 2021 – 2025:⁷

1. Economic, Social and Cultural (ECOSOC) rights, including clean environment;
2. Civil and Political rights; and
3. Group Human rights.

Climate change is not specifically identified as a priority for the Network for the period 2021-2025.

6.3.2 Network of National Human Rights Institutions of the Americas (RINDHCA)

The Network of National Institutions for the Promotion and Protection of Human Rights of the American Continent is a regional member organization of the Global Alliance of National Human Rights Institutions that brings together American Ombudsman Offices, established according to the Paris Principles, with the aim of cooperating directly with GANHRI and with the Office of the United Nations High Commissioner for

⁴ <https://www.nanhri.org/members/>

⁵ The organisation and functioning of the Network are described in detail in its Strategic Plan 2021-2025 at: <https://www.nanhri.org/priorities-strategic-objectives/>.

⁶ Strategic Plan 2021-2025, p. 30.

⁷ Idem, p. 30.

Human Rights (OHCHR).⁸ RINDHCA currently has 18 members, which are National Human Rights Institutions (NHRIs) of the American Continent.⁹ In December 2021, RINDHCA inaugurated its permanent office in Panama.

6.3.3 Asia Pacific Forum of National Human Rights Institutions (APF)

Asia Pacific Forum of National Human Rights Institutions (APF)

The Asia Pacific Forum of National Human Rights Institutions was founded in 1996 and is a coalition of 25-member National Human Rights Institutions (NHRIs) from all corners of the Asia Pacific region.¹⁰ A fundamental goal of the APF is to support the establishment of independent NHRIs in the region and strengthen existing NHRIs to promote and protect human rights. The APF also brings its members together, and builds partnerships with others, to tackle some of the most serious and complex human rights challenges facing our region. The APF works closely with governments, civil society organisations, regional human rights bodies, and the international community to build strong partnerships and strengthen the impact of its members as they work to build fair, inclusive, and resilient communities.¹¹

The promotion and protection of the right to a healthy environment is a key priority for the APF.¹² Its work on the issue started as early as 2006 when its Advisory Council of Jurists developed a reference on the human rights dimension to the right to environment.¹³

In May 2017, the APF and GANHRI submitted an amicus brief to the National Inquiry on Climate Change by the Philippines Commission on Human Rights. The Inquiry investigated the responsibility of the ‘Carbon Majors’ (respondents) for human rights violations or threats of violations resulting from the impacts of climate change.¹⁴

In 2021, together with the United Nations Environment Programme (UNEP), the APF developed an online course on NHRIs and environmental rights. The course is designed to support NHRIs in connecting their human rights promotion and protection mandates and related activities to environmental rights and to facilitate their alignment with the growing environmental rights jurisprudence.¹⁵

⁸ <https://www.rindhca.org/>

⁹ <https://www.rindhca.org/miembros/miembro-rindhca>

¹⁰ <https://asiapacificforum.net/members/our-members/>

¹¹ <https://asiapacificforum.net/>

¹² <https://find.asiapacificforum.net/en/the-right-to-a-healthy-environment>

¹³ <https://asiapacificforum.net/support/what-we-do/advice-and-expertise/acj/environment/> and <https://asiapacificforum.net/resources/acj-report-environment/>

¹⁴ <https://asiapacificforum.net/resources/amicus-brief-human-rights-and-climate-change/> See also: Case study: National Inquiry on Human Rights and Climate Change – 2018 Commission on Human Rights of the Philippines at <https://asiapacificforum.net/resources/national-inquiry-case-study-philippines/>.

¹⁵ <https://www.asiapacificforum.net/news/new-online-course-environmental-rights-available-nhris/>. See also: The human right to a healthy environment in Southeast Asia, National Human Rights Institutions, Discussion Brief No. 1, December, 2020 at <https://find.asiapacificforum.net/en/the-right-to-a-healthy-environment/the-human-rights-to-healthy-environment-in-southeast-asia-national-human-rights-institutions>.

The APF is currently implementing a project in South-East Asia and the Pacific to enhance cooperation between NHRIs and their inter-governmental mechanisms on human rights issues relating to the environment and climate change.¹⁶ The project will undertake blended learning programs for NHRIs, host online communities of practice and provide small grants to support targeted national projects. The project will also host roundtable dialogues for the NHRIs with their IGM representatives, identify good practices and promote evidence-based human rights policies.

6.3.4 European Network of National Human Rights Institutions (ENNHRI)

The European Network of National Human Rights Institutions brings together over 40 National Human Rights Institutions across Europe to enhance the promotion and protection of human rights in the region. It provides a platform for collaboration and solidarity in addressing human rights challenges and a common voice for NHRIs at the European level.¹⁷

ENNHRI has established a Core Group for the Climate Crisis and Human Rights to facilitate collaboration and peer exchange among European NHRIs and beyond. The group is chaired by the Croatian NHRI, and its members include representatives from the NHRIs of Denmark, Finland, France, Germany, Georgia, Hungary, Northern Ireland, Norway, Scotland and Slovakia. The Core Group also includes non-European NHRIs from Colombia and Kenya and ENNHRI members from the Romanian Institute for Human Rights and the Combat Poverty Service of Belgium.

In May 2021, ENNHRI published 'Climate Change and Human Rights in the European Context'.¹⁸ The paper provides a global and European-level analysis of the nexus between climate change and human rights. Detailed country-specific information from twelve ENNHRI member institutions further illustrates the national climate policies and practices in selected European countries by reference to human rights standards. The paper also assesses how the harm caused by greenhouse gas emissions may engage a State's responsibility under several articles of the European Convention on Human Rights (ECHR).

In October 2021, ENNHRI submitted a third-party intervention (amicus brief) to the European Court of Human Rights in the climate case of Verein Klima Seniorinnen Schweiz and others v. Switzerland.¹⁹ ENNHRI's submission underlines states' responsibility to combat climate change effectively to protect the right to life. It also argues that states are responsible under the ECHR for the risk of harm to life and health caused by their emissions. The submission invites the Court to confirm decisions from apex courts in Germany and the Netherlands that found that states are obligated to safeguard the right to life and physical integrity by cutting emissions to limit global warming. ENNHRI's intervention highlights that actual and potential victims of climate change should be granted access to effective rights protection, especially

¹⁶ <https://www.asiapacificforum.net/support/what-we-do/international-regional-advocacy/regional-mechanisms/collaboration-nhris-igms/>; <https://asiapacificforum.net/resources/fostering-collaboration-nhris-igms/>

¹⁷ <https://ennhri.org/>

¹⁸ <https://ennhri.org/news-and-blog/ennhri-publishes-paper-on-climate-change-and-human-rights-in-the-european-context/>

¹⁹ <https://hudoc.echr.coe.int/eng#%7B%22fulltext%22:%5B%22253600/20%22%5D,%22documentcollectionid%22:%5B%22GRANDCHAMBER%22,%22CHAMBER%22,%22COMMUNICATEDCASES%22%5D%7D>

in view of the fact that long-term climate harm may still be prevented. ENNHRI asks the Court to recognise the independent right of associations under Article 13 of the ECHR to an effective domestic remedy in environmental matters.²⁰ In April 2022, ENNHRI was granted a leave to intervene in the Greenpeace Nordic and others v. Norway case,²¹ concerning the climate and human rights impacts of oil exploration in the Arctic.

In November 2021, ENNHRI participated in the second meeting of the Council of Europe's Drafting Group on Human Rights and the Environment (CDDH-ENV), where it stressed that a safe, clean, healthy and sustainable environment is essential to the realisation of all human rights.²² ENNHRI expressed support for the adoption of an Additional Protocol to the European Convention on Human Rights recognising the right to a healthy environment.

²⁰ <https://ennhri.org/news-and-blog/ennhri-submits-third-party-intervention-to-the-european-court-of-human-rights-on-climate-change-and-human-rights/>

²¹ [Application no. 34068/21](#), 15 June 2021

²² <https://ennhri.org/news-and-blog/cddh-env-contribution-right-to-healthy-environment/>