

**Climate Justice and Human Rights in Scotland**

**Briefing Note for the**

 **Independent Expert on human rights and the environment, Mr. John Knox**

**June 2014**

**Good Practices’ related to Human Rights and the Environment**

Scottish Human Rights Commission was established by The Scottish Commission for Human Rights Act 2006, and formed in 2008. The Commission is a public body and is entirely independent in the exercise of its functions. The Commission is the national human rights institution (NHRI) for Scotland with a mandate to promote and protect human rights for everyone in Scotland. The Commission is one of three NHRIs in the UK, along with the Northern Ireland Human Rights Commission and the Equality and Human Rights Commission. In June 2010 the Commission was accredited with “A” status by the International Coordinating Committee of NHRIs and in May 2011 the Commission was elected to chair the European Group of NHRIs.

**Introduction**

The Commission has been operational since 2008. In the past six years, we have urged the Government and Parliament to take a series of actions to ensure that a human rights based approach to climate change is implemented in policy, including explaining the relation between environmental degradation and human rights, developing integrated impact assessments, working with the international community to design responses to climate change using a human rights-based approach, organising conferences and delivering lectures to support momentum towards climate justice.

The Commission has focused on climate justice, both domestically and through our international role, to promote this conceptual framework, working with rights holders – those affected by climate change – and duty bearers – states and public bodies with responsibilities and decision-making powers – to ensure that people and the impact of climate change on them, are at the centre of discussions about Scotland’s role and actions on this over the coming years.

The Commission Chairs the Working Group on Climate Change and Human Rights, which is part of the Commonwealth Forum of National Human Rights Institutions, and which is an important mechanism for sharing good practice with our counterparts around the world, and for feeding in experience from other countries to our own work in Scotland.

**Scotland’s work on climate change and human rights: climate justice**

In late 2008 and early 2009, climate change and its impact on people’s rights was identified as a priority for the Commission, through a widespread consultation on our first Strategic Plan.

In November 2009, to progress this agenda and building on the coming into law of the [Climate Change (Scotland) Act 2009](http://www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/climatechangeact) with a target to reduce Scotland's emissions of greenhouse gases by 80 per cent by 2050. The Commission held a major conference in Glasgow, exploring the links between climate change and human rights. This brought civil society organisations and the Scottish Government together to explore the opportunities and benefits to be gained from seeing climate change through a human rights lens. It led to a [joint communiqué between the Commission](http://www.scottishhumanrights.com/ourwork/environment/environmentourwork), the Scottish Government and civil society representatives, that committed us to working together to exploring a human rights based approach to climate change.

During 2010 and 2011, the Commission held briefing meetings with the First Minister and other senior Scottish Government representatives. A climate justice perspective began to be reflected in public comments that Scottish Government made about Scotland’s responsibility as a global citizen and the need to address climate change.

The Commission has urged the Government to use its expertise in finance and technology and abundance of natural resources to make a significant contribution to the innovation needed in both fields to progress the global shift to low carbon.

In 2012, the Scottish Parliament became the first legislative body in the world to explicitly recognize and support the concept of climate justice. In a [motion](http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx?SearchType=Advance&ReferenceNumbers=S4M-02156.2&ResultsPerPage=10) that received cross-party support, the Parliament stated:

*“The Scottish Parliament strongly endorses the opportunity for Scotland to champion climate justice, which places human rights at the heart of global development, ensuring a fair distribution of responsibilities and welcomes the Scottish Government’s commitment to ensuring respect for human rights and action to eradicate poverty and inequality, which are at the heart of Scotland’s action to combat climate change both at home and internationally.”*

In a [briefing to Parliament](http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx?SearchType=Advance&ReferenceNumbers=S4M-02156.2&ResultsPerPage=10) in advance of a debate tied to this motion, the Commission urged the Government and Parliament to take a series of actions to ensure that the principles of climate justice were implemented in policy and practice via policy commitments, practical tools and financial assistance for the most vulnerable as well as calling for an international conference to promote climate justice in the global climate negotiations.

At the UN Framework Convention on Climate Change (UNFCCC) summit in Doha in December 2012, the EU and some other countries agreed to a second commitment period to the Kyoto Protocol to run until 2020. The Scottish Government considers that that EU should lead efforts to secure an ambitious global legally-binding climate agreement by 2015.

Later in 2012, the Scottish Government launched its first £3 million Climate Justice Fund to support the development of water adaptation projects in four African countries - Malawi, Rwanda, Tanzania and Zambia.

In 2013, an international conference was held at Dynamic Earth in Edinburgh, bringing together senior civil servants from around the world to explore lessons learned, emerging good practice and opportunities to address climate change challenges from a climate justice perspective. This was organised by the Scottish Government and supported by the Commission through our membership of a conference Steering Committee. Then, at the end of 2013, a second [Climate Justice Fund](http://www.scotland.gov.uk/Topics/Environment/climatechange/climatejusticefund) was launched with an explicit focus on investing in human rights based approaches to empowering and involving people in communities affected by climate change in developing adaptation and mitigation strategies.

Climate justice has been formally adopted in the Scottish Government second report on proposals and policies for a [Low Carbon Scotland 2013-2027](http://www.scotland.gov.uk/Resource/0042/00426134.pdf).

At the same time, the Scottish Government reaffirmed its commitment to championing climate justice at home and abroad, as part of its partnership with the Commission to implement Scotland’s first National Action Plan for Human Rights – known as SNAP.

**Future priorities**

Scotland’s first [National Action Plan for Human Rights](http://www.scottishhumanrights.com/actionplan) is now being implemented. For the Commission, this is the main vehicle through which we will keep working with Government and civil society, to agree and deliver practical actions on our collective commitment to ensuring climate justice. A Human Rights Action Group on achieving a Better World, co-convened by us, Amnesty International UK and the Scottish Government, is focusing on what needs to happen next on climate justice.

This national action plan, which is the first of its kind in the UK and Ireland, is a strategic agreement between the Scottish Government, the Commission and civil society based on specific commitments and actions in order to ensure to the full realisation human rights in Scotland. One of the key commitments included in the action plan is *“to coordinate action across the public, private and third sector in Scotland to champion climate justice at home and abroad”.*

The first National Action Plan runs up to 2017 and we will report annually to the Scottish Parliament and United Nations on progress each year.

Scottish Human Rights Commission

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