



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

Building a climate of justice

A Good Practice Guide on promoting collaboration
between National Human Rights Institutions and
regional intergovernmental mechanisms



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About the project

The most pressing human rights issues today – such as those resulting from the impacts of climate change – cross national boundaries and affect people and communities in every country.

The Asia Pacific, which includes many island nations, faces unprecedented threats from climate change – among them, rising sea levels, powerful storms, droughts and floods – with vulnerable and marginalised communities facing the greatest risks.

Collective action, at the international and regional level, is essential for building strong, resilient communities and upholding human rights at times of severe challenge.

Through this project, we brought together two powerful agents for change in the Asia Pacific: national human rights institutions (NHRIs) and regional intergovernmental mechanisms (IGMs).

By establishing regular platforms for dialogue, we helped strengthen the foundation for strong and strategic collaboration on human rights, with a focus on human rights and the environment, that will deliver benefits for communities across the region.

A regional vision

IGMs seek to promote peace, prosperity and partnerships among their member States. In pursuing this vision, many of the issues they address involve common human rights challenges facing communities across their sub-region.

State representatives to IGMs rely on rigorous advice and analysis to shape region-wide policies that respond to these challenges and strengthen national and regional institutions.

The [unique mandate of NHRIs](#) means they can add significant value to these discussions, including to support the integration of rights-based approaches into policies and actions. NHRIs can also play a vital role to promote implementation of these policies and actions at the national level.

Our objectives

In February 2021, the APF commenced a multi-year project to assist NHRIs in South-East Asia and the Pacific to engage with the State representatives of their respective IGMs: the ASEAN Intergovernmental Commission on Human Rights (AICHR); and the Pacific Islands Forum Secretariat (PIFS), the Pacific Community (SPC) and the Secretariat for the Pacific Environment Program (SPREP).

The project sought to establish a dialogue for engagement and collaboration on environmental rights and climate change, with the ultimate goal of empowering communities in South-East Asia and the Pacific to respond to the human rights challenges they face.

In bringing together representatives from NHRIs and IGMs for a series of facilitated roundtable discussions, we helped:

- Build recognition of the unique and complementary roles of NHRIs and IGMs to promote and protect human rights
- Develop a shared understanding of the means to promote human-rights based action on environmental rights and climate change
- Identify opportunities for collaboration between NHRIs and IGMs, with a focus on environmental rights and climate change

- Generate positive sentiment about the value of collaboration and a commitment to ongoing dialogue in support of future joint initiatives
- Strengthened partnerships and networking opportunities between NHRIs, IGMs and other stakeholders
- Build knowledge on the link between climate change and human rights, including relevant UN resolutions, and connect with the UN Special Rapporteur on the right to a healthy environment and the UN Special Rapporteur on human rights and climate change.

Our approach

Blended learning courses for NHRIs in South-East Asia and the Pacific on environmental rights and climate change
February-October 2022

Online communities of practice for NHRIs in South-East Asia and the Pacific to discuss effective approaches for engaging with their IGM, share insights on key thematic issues around environmental rights and climate change
February 2022-June 2023

Roundtable dialogues in South-East Asia and the Pacific for NHRIs and IGMs, with a focus on environmental rights and climate change
October 2021-May 2023

Small grants program to assist four NHRIs undertake **national activities** on environmental rights and climate change
November 2022-April 2023

We also published a **policy paper** that sets out proposed guidelines for NHRIs and their engagement with intergovernmental mechanisms.

Building collaboration between NHRIs and intergovernmental mechanisms

While NHRIs in the Asia Pacific have been active at the international level – individually and collectively – to raise human rights issues and collaborate with UN bodies and experts, their engagement with regional mechanisms has been limited.

Our project helped address this gap by providing opportunities for representatives of NHRIs and regional IGMs to meet together, discuss their work in relation to human rights, climate change and the environment, and identify areas for collaboration.

For the majority of NHRIs, especially in the Pacific, this was their first experience learning about and meeting with their regional IGMs. A talanoa approach - sharing stories in a 'cultural context' - was adopted to build rapport and create opportunities to share freely.

In South-East Asia, some NHRIs had previously established ad hoc relationships with their national Representative to AICHR, given their status as a former Chairperson or Commissioner of the NHRI. As in the Pacific, these roundtable dialogues were an important opportunity for IGMs to better understand the mandate and priorities of NHRIs, especially in relation to their work on human rights and climate change and the right to a clean, healthy and sustainable environment.

Pacific	South-East Asia
Talanoas held in October 2021 and April 2023	Roundtable dialogues held in November 2022 and May 2023
NHRIs: Australia, Fiji, New Zealand, Samoa IGMs: Pacific Islands Forum Secretariat (PIFS), Pacific Community (SPC), South Pacific Regional Environment Program (SPREP), Pacific Climate Change Centre (PCCC)	NHRIs: Indonesia, Malaysia, Myanmar, Philippines, Thailand, Timor Leste IGMs: Representatives to the ASEAN Intergovernmental Commission on Human Rights from Indonesia, Malaysia, Philippines and Thailand

Outcomes

1. Deeper understanding among NHRIs of the role and mandate of their respective IGMs
2. Open dialogue to identify opportunities to collaborate with IGMs for shared impact
3. NHRIs demonstrate their 'added value' to the work and priorities of IGMs
4. Partnerships between NHRIs and IGMs established in multiple countries
5. Increased capacity among all NHRIs to identify and initiate collaboration on human rights issues with IGMs

The primary outcome of these dialogues – supplemented by the national activities undertaken in Fiji, the Philippines, Samoa and Thailand – has been the establishment of genuine partnerships and collaboration that were almost non-existent before.

These relationships were established through discussion between NHRIs and their IGMs to identify areas of commonality and opportunities to contribute towards shared priorities, based on their respective mandates. Apart from SPC, this was also the first opportunity for IGMs to learn about the work and mandate of NHRIs in their region.

In the Pacific, PIFS explained how the monitoring and reporting work of NHRIs could contribute to implementation of the 2050 Blue Pacific Strategy, endorsed by Pacific Islands Forum Leaders in July 2022, especially in relation to the thematic strategies around climate change and people-centred development.

NHRIs were also advised about developments in the campaign led by Vanuatu for the International Court of Justice to issue an Advisory Opinion on the legal obligations of States regarding climate change, endorsed by the UN General Assembly in March 2023. SPC shared how NHRIs could contribute to this advocacy by documenting the human rights impacts of climate change on communities across the Pacific. SPREP discussed their environmental work in the region and welcomed opportunities to collaborate and support NHRIs in their activities around climate change, the environment and human rights.

In South-East Asia, NHRIs were informed through an open exchange with national Representatives to AICHR of the procedures that will inform the development of a possible framework on environmental rights for ASEAN. In understanding this context, participating NHRIs were able to identify how they could engage with and support the work of their respective national Representative. These discussions also helped inform the national activities undertaken by the NHRIs of Thailand and the Philippines.

Civil society organisations and environmental human rights defenders were invited to join the dialogues in both sub-regions, ensuring that a wide range of issues and concerns were raised, with a focus on protecting the rights of groups most vulnerable to the impacts of climate change.

The participation of key civil society organisations also assisted NHRIs to consider opportunities to broaden the scope of their partnerships, both nationally and across their sub-region, to increase the breadth and impact of their work on human rights, climate change and the environment.

Impact

Following on from the dialogues, there have been multiple examples of collaboration between NHRIs and their IGMs:

- Representatives to AICHR and NHRIs in South-East Asia will hold an annual dialogue to discuss joint cooperation activities
- NHRIs and civil society organisations were invited to attend the APF-AICHR-EU Regional Consultation on Business and Human Rights, Environment and Climate Change in ASEAN in May 2023, hosted by Malaysia's Representative to AICHR
- APF organised a side event during the APF-AICHR-EU Regional Consultation on Business and Human Rights, Environment and Climate Change in ASEAN in May 2023, involving Representatives to AICHR and representatives from NHRIs, the ASEAN Secretariat and civil society organisations.
- The NHRIs of Malaysia, the Philippines and Thailand invited the participation of their national Representative to AICHR in key events related to human rights, climate change and the environment in 2022 and 2023
- The Office of the Philippines' Representative to AICHR has engaged with the NHRI on other human rights issues of concern, including a request for an opinion on the situation of Filipino human rights defenders living outside of the Philippines.
- In Samoa, the Pacific Climate Centre Manager, who is also the Gender Champion, has continued to weave human rights within the organisation's program of work and now reaches out to the NHRI for advice on human rights-based approaches.
- In Samoa, the NHRI was able to partner with IGMs, including SPC and SPREP and PCCC, to carry out human rights and climate change awareness and capacity building with senior members of the civil service, as well as CSO leaders.
- In Fiji, the NHRI conducted an extensive survey on the impact of climate change on human rights in communities across the country and are proposing to share their findings with government and partners, including IGMs.
- In the Pacific, NHRIs have built and deepened partnerships with regional CSOs working on climate change and human rights.

Climate change and the right to a healthy environment

One of the most urgent human rights issues facing communities in South-East Asia and the Pacific is the impact of climate change and environmental harm.

Across the region, millions of people are at risk from rising sea levels, extreme weather events, increasing salination, drought, disease and other changes caused by a warming planet. In addition, the operations of national and transnational corporations can result in emissions, pollution and other environmental damage that compromises the health and livelihoods of communities.

We also know that the human rights impacts on vulnerable groups – including women, children, people with disabilities and indigenous peoples – is greatly magnified.

Role of NHRIs

NHRIs can play a vital role to respond to and mitigate these human rights impacts, linking the international commitments made by their State with national actions. They can, for example, advise their governments on their obligations to implement the [Paris Agreement](#), as well as supporting effective climate governance and facilitating progress towards zero-carbon economies.

They can also use their unique mandate to promote decision-making on climate change and environmental rights that is participatory, non-discriminatory and accountable.

This important contribution was reflected in a resolution, adopted by the UN Human Rights Council in October 2022, that highlighted the vital role of NHRIs to monitor the human rights impacts of climate change and advise government and others on the design and implementation of mitigation and adaptation policies and practices.

This 'bridging role' extends to engaging with climate change responses at the regional level, where NHRIs can link local and grassroots experiences to regional policy making processes and, in turn, disseminating and promoting regional policies at the national level.

"In safeguarding the rights of current and future generations, let's treat our planet with the kindness and the humility it deserves. And let's make sure that actions to safeguard our environment are grounded in the human rights of all."

Volker Türk
UN High Commissioner for Human Rights

National activities for regional impact

Through this project, the APF sought to leverage the mandate of NHRIs to implement national activities on human rights, climate change and the environment, while establishing a foundation for engagement and collaboration with their respective IGMs.

Four NHRIs – Thailand and the Philippines from South-East Asia, and Fiji and Samoa from the Pacific – were selected through a competitive process to receive small grants to conduct their national activities.

Fiji: To determine the impact of climate change on the human rights of selected communities and collate disaggregated data, as well as raise awareness on the new Climate Change Act and to identify whether the law adequately addresses the human rights concerns of vulnerable communities.

Philippines: To document experiences and best practices from communities, businesses, and the government on the impact of climate change, including gendered impacts, and support the national AICHR representative in contributing to the proposed regional framework on environmental rights in Southeast Asia.

Samoa: To convene a High-Level Dialogue and workshop on human rights relating to a clean and healthy environment and climate change that will engage government leaders and policymakers and inform laws and policies to safeguard the human rights of Samoans in the context of climate change.

Thailand: To strengthen the local community movement in Thailand and create space for more community voices on realising the rights to a healthy environment, with recommendations developed for the national AICHR representative on the proposed regional framework on environmental rights in ASEAN.

Each national activity is explored in detail in this report.

National activity: Fiji

Raising the voice of communities

The Fiji Human Rights and Anti-Discrimination Commission (the Commission) has documented the experiences and adverse impacts of climate change on communities across Fiji. Many of these communities – whether the villages are in coastal, rural or maritime areas – have been identified by the government for relocation. In addition, the Commission worked with communities to raise awareness about the new Climate Change Act and discussed whether the law was able to adequately address their individual and collective concerns.



The Fiji Human Rights and Anti-Discrimination Commission visited 27 villages across eight of the country's 15 provinces to hear the experiences of women, men, youth and elders.

It was a time to listen and learn, to document the changes taking place and to discuss how to protect their villages from the impacts of climate change.

[Watch](#) the video

Snapshot: Climate change and Fiji

- Since 2012, six villages in Fiji have been relocated because of rising sea levels. More are expected to follow.
- Fiji will experience increasingly destructive storms and cyclones, as well as damage to farmlands from saltwater entering coastal villages.
- Higher average temperatures are expected to result in higher rates of disease among the Fijian population.
- The economic damages from climate change will cost Fiji approximately four percent of the country's gross domestic product.

Background

Fiji, like all Pacific Island nations, is vulnerable to the escalating impacts of climate change, including rising sea levels, flooding and powerful storm events. In February 2016, Fiji was struck by Cyclone Winston, one of the most powerful tropical cyclones on record, which took the lives of 44 Fijians.

Climate change adaptation and mitigation have since been an urgent political priority, culminating in the passage of the Climate Change Act in 2021. Under the Act, more than 40 'at risk' villages across Fiji have been identified for relocation. The process for relocation was detailed in Standard Operating Procedures released by the Fijian Government in early 2023. A key aspect of the Climate Change Act is its anti-discrimination provisions.

Responding to the adverse impacts of climate change on the human rights of individuals and communities is also a priority for the Commission. A broad program of work has been developed under the Commission's 2022-2027 Strategic Plan to mainstream human rights in laws, policies and practices, as well as deliver engaging and relevant human rights education.

The scoping study to document the challenges facing coastal, rural and maritime communities is a vital contribution by the Commission on an issue of national importance. Drawing on its findings, the Commission will explore opportunities to coordinate across government, and with Pacific IGMs, so the human rights priorities of communities are reflected in climate change-related laws, policies and actions.

National activity

The Commission objectives for the national activity were to:

- **Produce information for communities** on human rights and climate change, including on the Climate Change Act
- **Consult communities in coastal, rural and maritime zones** and collect their views on how climate change is impacting their human rights
- **Promote coordination between government agencies and IGMs** to ensure the human rights concerns and priorities of communities are integrated in the planning and implementation of climate change laws, policies and actions.

Preliminary engagement

To be effective, this activity required the willing participation of communities in the Commission's consultations. To build trust and engagement, it was essential for the Commission to **contact the relevant provincial administrator** and seek permission to enter the village and conduct the consultations.

Commission staff were also required to **follow the necessary cultural protocols and dress codes** for each village. Personalised letters were sent to provincial administrators and village leaders in December 2022, ahead of the proposed consultation period from January to April 2023.

Building support and buy-in from the provincial administrator and village leader – the Turaga-ni-Koro – at the outset provided communities with time to prepare for the Commission's visit. This included identifying individuals to share their experiences and insights.

People of different ages and backgrounds – children and youth, older persons, women and persons with disabilities – were prepared and available to meet with Commission staff and complete the questionnaire. This ensured a rich diversity of perspectives could be collected in the scoping study.

Plain-language resources

Prior to the consultations, the Commission produced a plain-language brochure on the right to a healthy environment, including human rights protections in the Constitution and the new Climate Change Act. The brochure was available in English and Fijian.

In addition, the Commission produced a poster on the right to a clean and healthy environment. These resources were distributed to Commission partners and stakeholders, as well as shared with people in villages visited by the Commission.

Consultations

Fiji comprises an archipelago of more than 300 islands – of which approximately 100 are permanently inhabited – divided into 15 provinces. To carry out the consultations, Commission staff travelled to villages in eight of Fiji's provinces. All nine Commission staff members, regardless of their role, were involved in the consultations.

The consultations were conducted between January and April 2023. This is Fiji's 'wet season', with heavy rain and storms common. Despite the challenges this created for travel, especially to remote islands, the Commission held consultations in 27 villages.

Province	Villages	Interviews
Province of Rewa Central and Eastern Division 7 villages visited	Muana-i-cake village Laucala Island Dakuni village Dakuibeqa village Rukua village Raviravi village Nawaisomo village	26 participants
Province of Tailevu Central and Eastern Division 4 villages visited	Daku village Matainoco village Naivakacau village Buretu village	18 participants
Province of Nadroga-Navosa Western Division 1 village visited	Korotogo village	14 participants
Province of Ra Western Division 2 villages visited	Vadravadra village Navutulevu village	15 participants

Province of Ba Western Division 1 village visited	Matawalu village	10 participants
Province of Serua Central and Eastern Division 3 villages visited	Galoa village Serua Island Vunaniu village	33 participants
Province of Bua Northern Division 5 villages visited	Saolo village Votua Village Bainikea village Namuavoivoi village Lekutu village	43 participants
Province of Macuata Northern Division 4 villages visited	Raviravi Village Nabavatu village Vunisea village Naividamu village	26 participants

A total of 185 interviews (100 men, 85 women) were conducted. The questionnaire included three guiding questions, which were intentionally broad to encourage full and diverse responses:

- What do you know about climate change?
- What is your experience of the impact of climate change?
- How could the Commission assist you to address the challenges you face?

Commission staff recorded the answers provided by participants and, as part of the conversation, discussed the Climate Change Act. In general, there was limited knowledge of the Act, which allowed the Commission to provide information about its purpose and key provisions. It was also an opportunity to hear how individuals and communities felt about the prospect of relocating their village, should that be recommended by the government.

Communication and engagement

To introduce and promote engagement in the consultations, the Commission prepared **letters for provincial administrators**.

This relationship – and understanding of the Commission’s work on human rights and climate change – was strengthened **through face-to-face meetings** with the Turaga-ni-Koro and other community members in the villages the Commission visited.

The Commission documented the consultations through **regular Facebook posts**, featuring photos and videos of the people and the villages they visited.

Media engagement and social media content will be developed to support publication of the Commission’s report of the consultations, expected in the second half of 2023.

Outcomes

Through this project, the Commission has gathered a substantial body of evidence to document the challenges and aspirations of Fijians living in coastal, rural and maritime areas.

The concerns of these communities vary. For example, those living in coastal areas or alongside rivers said that rising sea levels and king tides were a constant challenge. Seawater enters and pools in the village area, destroying crops, damaging village infrastructure and dwellings, and spoiling freshwater wells.

For communities in inland areas, the priority issues related to protection of traditional burial grounds and the impact of soil erosion, especially during heavy rains, from areas that have been heavily logged. In all communities, people noted that traditional livelihoods were under threat.

Despite these challenges, communities held deep reservations about the prospect of relocating their villages. They expressed grave concerns about the loss of connection to their land, the loss of their cultural heritage and traditions, and the loss of their livelihoods.

Recording these challenges, and the importance of giving voice to the concerns of communities, is the primary outcome of the Commission’s national activity. The Commission will use the information shared to advocate for a human rights-based approach to be integrated into the laws, policies and climate change actions of government.

Another outcome was to build understanding and awareness within communities on human rights and climate change, including in relation to the Climate Change Act. The Commission ensured this information was presented clearly, using accessible language, and relevant to its audience.

Outputs

Through the national activity, the Commission:

- Prepared **accessible information on human rights and climate change**, including on the Climate Change Act, to be shared with local communities
- Completed **questionnaires with 185 individuals** from 27 villages, across eight provinces
- Compiled a **library of photos and video materials** that can be used for the Commission’s climate change education and awareness activities.

The Commission will **present its findings to the Fiji Government** and request that the situation of the 27 villages, and their residents, be included in its Standard Operating Procedure for relocation of villages, released in April 2023.

The **report of the consultations**, along with a **press statement**, will be published on the Commission's website to advise the public and other stakeholders of its findings, the priorities of the residents affected, and the remedies they seek.

Lessons learned

What helped the project to be effective?

- **Leadership:** The Commission Chairperson made the project an organisational priority, inviting the participation of all staff, regardless of their role. This leadership helped facilitate effective planning, implementation and internal collaboration.
- **Teamwork:** Ensuring all Commission staff, regardless of their role, were involved in the community consultations fostered a strong sense of teamwork and a shared commitment to delivering the Commission's mandate.
- **Respect:** Demonstrating respect for tradition, protocols, the Vanua and the land helped build trust with communities and ensured their active participation in the consultations.

What could be done differently?

- **Time:** Additional time to conduct the activity would have allowed the Commission to visit more communities and collect more information.
- **Funding:** With a longer lead time, the Commission may have been able to source and allocate additional funding to extend the activity's reach and impact.

Ongoing engagement

Through the talanoas hosted by the APF in 2022, the Commission has strengthened its relationships with IGMs in the Pacific, including the Pacific Islands Forum Secretariat (PIFS), the Pacific Community (SPC) and the Secretariat for the Pacific Environment Program (SPREP).

The report of the consultations will provide further opportunities for the Commission to engage with the IGMs and share the experiences and aspirations of Fijian communities vulnerable to the impacts of climate change.

This information could be used in different ways; for example, it could be referenced in climate change policy documents by PIFS or used by SPC or SPREP to develop technical support for human rights, social development, governance and other community-based projects.

In turn, recognition by the IGMs of the Commission's findings and recommendations can add weight and credibility to the Commission's domestic advocacy for a human rights-based approach to support communities impacted by climate change and promote people-centred development.

National activity: The Philippines Uniting partners in a vision for change

Promoting collaboration to address the human rights impacts of climate change is a key priority for the Commission on Human Rights of the Philippines (CHRP). This includes contributing to regional responses to safeguard fundamental human rights and supporting the efforts of the Philippines' representative to the ASEAN Intergovernmental Commission on Human Rights (AICHR).

Through this project, the Commission has documented insights and best practices from communities, businesses and the government to prepare a substantive proposal on the proposed framework on environmental rights in Southeast Asia.



Every country faces risks from climate change. But the Philippines is in the world's top five countries most at risk.

The impact of climate change on human rights was the focus of a landmark inquiry by the CHR Philippines, with recommendations for government, industry, investors, courts and civil society.

[Watch](#) the video

Snapshot: Climate change, the environment and the Philippines

- Data over a 20-year period places the Philippines as the fifth most climate change-affected country in the Global Climate Risk Index, despite accounting for 0.3 percent of global emissions.
- The Philippines faces some of the highest disaster risk levels in the world, and these are projected to intensify as the climate changes.
- With 50 percent of its 111 million population living in urban areas, and many cities in coastal areas, the Philippines is especially vulnerable to sea level rise.
- Following recent efforts, the Philippines is now recognised as a high-performing country in the global Climate Change Performance Index.

Background

In 2015, the CHRP accepted the Petition that served as the legal basis of a landmark inquiry into the impact of climate change on the human rights of the Filipino people. During the inquiry, the CHRP held consultations and public hearings across the country, as well as in London and New York.

The National Inquiry on Climate Change (NICC) – the first of its kind in the world to examine the impact of 'carbon majors' corporations on climate change and human rights – received submissions from advocates, academics and legal and scientific experts. It also heard directly

from farmers, fisherfolk, indigenous communities and Filipinos affected by typhoons – including Typhoon Yolanda, which devastated parts of the Philippines in November 2013 – and other natural disasters.

The [report of the NICC](#) documented adverse impacts on a wide range of fundamental human rights. It included the testimonies and experiences of women, children, indigenous peoples, older persons, LGBTQIA+ persons, and persons living in poverty. It also highlighted the human rights impacts for future generations.

The report, released in 2022, includes recommendations for the government and its agencies, for ‘carbon majors’ and carbon intensive industries, for investors and financial institutions, for courts, for civil society organisations, for legal professionals, for other NHRIs, and for the United Nations.

Building on the release of the report and its efforts to promote dialogue and cooperative action at the local and national levels, the CHRP has prepared and implemented an engagement strategy to support efforts to develop a proposed framework on environmental rights in Southeast Asia.

Strategic engagement on the right to a healthy environment

Between September 2022 and February 2023, the CHRP conducted a series of meetings and workshops with key national stakeholders and the Philippines’ Representative to AICHR. Consistent with the CHRP’s ongoing outreach efforts following the release of the NICC report, this engagement sought to promote dialogue on the linkages between the environment, climate change and business and human rights, as well as strengthen partnerships in support of the right to a clean, healthy and sustainable environment.

Goals

The CHR’s engagement strategy sought to:

- Take stock of best practices of, and challenges faced by, national government agencies, local government units, the private sector, civil society organisations, academics and marginalised communities, in the context of the environment, climate change and business and human rights
- Establish and deepen the relationship with the Philippines’ Representative to AICHR, in the context of the environment, climate change and business and human rights
- Provide a platform for policy development with key stakeholders and provide substantive input to support the development of a proposed framework on environmental rights in Southeast Asia.

Project planning and design

Preparation and planning were key to delivering an effective engagement strategy. A series of preparatory meetings were held via Zoom in September and October 2022 involving CHRP staff and the APF to discuss the objectives, scope and methodology for engaging with national stakeholders and the Philippines’ Representative to AICHR.

Additional internal meetings were held in November and December 2022 to review progress and ensure that the scheduled meetings and workshops were proceeding as planned. The project built on the key findings and recommendations of the NICC.

Engaging with the Philippines' Representative to AICHR

The ten-member AICHR holds two regular meetings per year, with additional meetings convened as required. Decisions made by AICHR are based on consultation and consensus. As part of its mandate to develop guidance on human rights issues in the ASEAN region, AICHR is currently considering the development of a regional framework on environmental rights.

To support this process, the CHRP held meetings – in person and via Zoom – with H.E Aileen Mendiola-Rau in November and December 2022, as well as in February 2023. These meetings were an opportunity for information exchange, including for the CHR to better understand the mandate and functions of the Philippines' Representative to AICHR with respect to the development of the proposed regional framework on environmental rights. Another key area of exchange was on potential areas for support and collaboration between the CHRP and the Philippines Representative.

It is important to note, however, that H.E Mendiola-Rau was subsequently appointed as the Acting Assistant Secretary of the Office of Asian and Pacific Affairs in March 2023. From 30 March 2023, the Philippines' Representative to AICHR is H.E. Hans Mohaimin L. Siriban. The CHRP conducted a courtesy meeting with H.E. Siriban in May 2023 to share about this project and discuss other possible entry points for collaboration.

Learning session and workshop for national stakeholders

From 16-18 November 2022, the CHRP hosted a dialogue with key national stakeholders to share the findings and recommendations of the NICC report and discuss the linkages between the environment, climate change and business and human rights. The three-day program included a focus on the gender dimensions of climate change and the right to a healthy environment.

Recognising the urgent need to promote coordinated action on climate change, the program was designed to engage with and gather insights from different sectors:

- Day 1 was for representatives from the private sector, financial institutions, and business and professional schools
- Day 2 was for representatives from civil society organisations, non-governmental organisations, community-based organisations, and vulnerable and marginalised sectors most affected by climate change
- Day 3 was for representatives from relevant national government agencies.

The 'learning session' component of the program explored the many ways that climate change is impacting on the human rights of Filipinos. This was followed by a 'workshop' component to: take stock of best practices and challenges in the context of the environment, climate change and business and human rights; explore opportunities for collaboration; and gather recommendations for priority actions.

A total of 83 participants attended the three-day program, which was held in Manila and via Zoom. Among the attendees, 46 were cisgender women, 30 were cisgender men, four identified as gender queer or non-conforming, and three preferred not to disclose. A sign language interpreter was also present for Deaf participants who joined via Zoom.

Writeshop on a regional framework on the environment

In February 2023, the CHRP brought together 81 participants from national government agencies, the private sector, civil society and academia for two days to gather and synthesise input on the proposed framework on environmental rights in the ASEAN region. Among the attendees, 44 were cisgender women, 36 were cisgender men, and one preferred not to disclose.

Participants worked in groups to complete a matrix of content that may be considered in the development of a regional framework, including: the right to a clean, healthy and sustainable environment; the right to health, the right to food security and nutrition; the right to water and sanitation; the right to livelihood; the right to social security; the right to adequate housing; the right to preservation of culture; the right to self-determination; the right to development; the right to equality and non-discrimination; and the rights of future generations and intergenerational equity.

During the Writeshop, breakout groups were divided in: sectoral concerns (or concerns of disadvantaged, vulnerable, and marginalised sectors and human rights defenders); economic, social, and cultural rights in the context of climate change; and the environment and climate change.

Against each human right, participants recorded: the documented adverse impact; the relevant domestic legal framework and instruments; relevant ASEAN legal instruments or frameworks; relevant international legal Instruments or frameworks; a proposed minimum position the regional framework should adopt; and recommendations for the textual formulation of provisions to be included in the proposed framework.

The completed document – ‘Regional Human Rights Framework on the Environment and Climate Change in Southeast Asia’ – was provided to the Philippines’ Representative to AICHR. It is a comprehensive and substantive contribution to support the development of a proposed framework on environmental rights in the ASEAN region.

Outputs

The following resources were produced as part of the CHRP’s activities:

- Documentation and an audio-visual presentation of the workshop on ‘Understanding the Nexus between Climate Change, the Environment, and Business and Human Rights’, held in November 2022
- IEC resources on the impacts of climate change on women
- IEC resources on the impacts of climate change on children
- IEC resources on the impacts of climate change on indigenous peoples
- Submission to the Philippines’s Representative to AICHR on the possible framework on environmental rights in Southeast Asia.

Outcomes

Through its activities, the CHRP was able to build new relationships and deepen existing ones in support of its efforts to address the human rights impacts of climate change for people in the Philippines and the broader Southeast Asian region.

The CHRP’s primary focus was to initiate a dialogue with the Philippines’ Representative to AICHR. This was achieved by hosting bilateral meetings and seminars, as well as participating in regional workshops organised by the APF attended by AICHR Representatives from Indonesia, Malaysia, the Philippines and Thailand.

This engagement helped the CHRP build a strong understanding of the role of the Philippines’ Representative to AICHR and her priorities with regards to the development of a proposed framework on environmental rights in the Southeast Asian Region. This open exchange allowed the CHRP to identify how it could best support the Philippines’ Representative, including through the development of a substantive proposal on the content for the proposed regional framework.

This engagement, and the collaborative relationship that was established, led the Philippines’ Representative to AICHR to seek input from the CHRP on other human rights issues of concern.

Through the two major activities it convened, the CHRP initiated new relationships, including with representatives from the private sector, and strengthened existing relationships with national government agencies, civil society organisations, non-governmental organisations and academic institutions. The input and insights provided by all stakeholders were key to developing a robust submission on upholding the right to a healthy environment in the ASEAN region.

In addition, human rights-based approaches to climate action are now being discussed within the national government agencies that attended the CHRP's events. Further, these government agencies have been receptive to invitations to collaborate with the CHRP on future activities.

Through its submission on upholding the right to a healthy environment, the CHRP has galvanised the conversation within the Southeast Asia National Human Rights Institutions Forum (SEANF) and strengthened that body's support for the development of a regional instrument on the issue.

As part of its regular programs and function, the CHRP will continue to advocate for the recommendations of the NICC report and monitor the situation of disadvantaged, vulnerable and marginalised groups in the context of climate change, the environment and business and human rights.

Communication and engagement

Given its objectives, the CHRP's communication was focused on encouraging the participation of the Philippines' Representative to AICHR and other stakeholders in its key meetings and workshops. Personalised invitations – in letter format – were emailed to prospective participants, along with a concept note for the activity.

To facilitate the participation of civil society representatives, the CHRP followed up its email communication with phone calls. This additional communication helped provide supplementary information, as required, and to address any concerns. Transportation expenses were also provided to facilitate their participation.

Inclusion is a key priority for all CHRP meetings and workshops. A sign language interpreter was present for those sessions where participants required this accommodation.

The IEC resources produced through the project – on the impacts of climate change on women, children and indigenous peoples – will be distributed during the CHRP's promotional activities and the Economic, Social, and Cultural Rights Center's regular programs on climate change, the environment and human rights.

Lessons learned

What worked well?

- **Complementarity:** The activities developed and implemented through this project were designed to complement the regular programs of the CHRP.
- **Awareness:** The findings and recommendations of the NICC served as a foundation for the project activities, allowing the CHRP to deepen awareness with new and existing stakeholders, including the Philippines' Representative to AICHR.
- **Strategic engagement:** The Office of the Philippines' Representative to AICHR welcomed the inputs and submission of the CHRP in relation to the development of the proposed regional framework on environmental rights and other human rights concerns.

Ongoing engagement

Through its strategic activities, the CHRP was able to establish a constructive and collaborative relationship with the Philippines' Representative to AICHR. In addition to the meetings it organised, the CHRP was invited by the Office of the Philippines' Representative to attend stakeholder meetings on the development of the proposed framework on environment rights in Southeast Asia.

Drawing on the insights and contributions of multiple stakeholders across key sectors, the CHRP provided a substantial contribution to the Philippines' draft position on the proposed regional framework. The CHRP will continue to support the Philippines Representative as the discussions on the possible regional framework progress during 2023.

In addition to the project activities, the Philippines' Representative to AICHR provided a message of support which was shared at a CHR event – 'Roundtable on Climate Change, the Environment and Human Rights' – held during Human Rights Week in December 2022.

Further, the Office of the Philippines' Representative to AICHR has engaged with the CHRP on other human rights issues of concern, including a request for an opinion on the situation of Filipino human rights defenders living outside of the Philippines.

National activity: Samoa Engaging government leaders and policymakers

In April 2023, the Ombudsman/NHRI of Samoa convened a High-Level Dialogue and workshop for executives and senior staff of government agencies undertaking work related to the environment and climate change.

The discussions focused on the links between human rights and climate change, promoted the importance of integrating a human rights-based approach in climate-related policy and actions, and helped build a commitment to collaborative work between the NHRI and participating government agencies, as well as Pacific IGMs and civil society organisations.



Samoa is tackling climate change at home and on the international stage with partners from the Pacific supported by the Office of the Ombudsman, Samoa.

The Office brought together government leaders and policymakers as well as inter-governmental bodies to discuss how human rights can strengthen climate action, ensuring all voices are heard.

[Watch](#) the video

Snapshot: Climate change and Samoa

- Samoa is facing increasing risks from tropical cyclones, storm surges, flooding, heat waves and more severe and longer-lasting droughts.
- Sea levels have been rising in Samoa at a rate of 4mm per year since 1993, well above the global average, contributing to coastal erosion and impacting villages.
- Very hot days and high humidity are increasing the spread of mosquitoes carrying dengue fever.
- Climate change could cost Samoa's economy as much as 3.8% of annual GDP.

Background

The human rights impact of climate change has been addressed by the Ombudsman/NHRI of Samoa in its State of Human Rights Reports: [2015](#), [2017](#) and [2019](#). The annual reports highlight the impacts of climate change on the human rights of all people in Samoa, as well as the additional impacts for women, children, persons with disabilities and future generations. The reports also document the human rights impacts of internal migration caused by climate change.

The NHRI has highlighted the importance of strong international advocacy by the Samoan Government and other Pacific Island nations to ensure that developed nations, responsible for the vast majority of carbon emissions, deliver on their commitments to smaller nations that bear the greatest impacts of climate change.

The NHRI has also stressed the importance of cooperating with the Government and its agencies to defend the human rights of the Samoan people in all climate change adaptation and mitigation actions, including relocation and resettlement efforts.

The High-Level Dialogue and workshop for government executives and policymakers builds on the NHRI's reports and its ongoing advocacy for a human rights-based approach to address the escalating impacts of climate change on the people of Samoa.

High-level dialogue and workshop

The High-Level Dialogue and workshop – “Advancing a human rights-based approach to climate actions” – were held in Apia, Samoa, from 12-14 April 2023. It was the first event of its kind hosted by the NHRI, in collaboration with the Secretariat of the Pacific Regional Environment Programme (SPREP) and the Pacific Climate Change Centre (PCCC).

Goals

The High-Level Dialogue and workshop sought to:

- Raise awareness of the [right to a clean, healthy and sustainable environment](#), recently adopted by the UN General Assembly
- Examine the link between human rights and climate change in Samoa
- Promote the mainstreaming of human rights in all government climate change policies and actions
- Strengthen collaboration between the NHRI, government, civil society and inter-governmental mechanisms in the Pacific to address the impacts of climate change from a human rights-based approach.

The presentations and discussions drew on the NHRI's work in this area over many years, as well as materials and resources from the APF blended learning course for NHRIs in the Pacific and South-East Asia.

Preliminary engagement

Preparation and planning were key to delivering an effective High-Level Dialogue and workshop that would deepen discussion and promote collaboration with government on climate actions.

Prior to the events, the NHRI reached out to key partners to **build awareness and support** for its strategy to engage government executives and policymakers. This included bilateral meetings with the:

- Ministry of Natural Resources and Environment (Chief Executive Officer; Assistant Chief Executive Officer, Climate Change Division; Assistant Chief Executive Officer, Corporate Services)
- Pacific Climate Change Centre (Manager and senior staff).

The meetings were positively received and both organisations agreed to support implementation of the activity. This included a commitment from the Minister for Natural Resources and Environment to provide a keynote address at the High-Level Dialogue. The Pacific Climate Change Centre offered logistical support by hosting the High-Level Dialogue and workshop at its venue and providing refreshments.

The meeting was timely for the Ministry of Natural Resources and Environment, which was in the process of developing a climate change bill, as well as reviewing its gender climate change policy. The meeting also helped strengthen links with the NHRI, which can offer human rights expertise and advice in the development of these policies.

In addition, the NHRI held in-person and Zoom meetings with organisations and individuals to invite them to **provide technical support and human perspectives** on the impact of climate change in Samoa. This included meetings with

- Samoa Red Cross (Executive Secretary)
- Fiji Council of Social Services (Executive Manager)
- Youth representative of the Ombudsman/NHRI of Samoa Advisory Group.
- Ministry of Finance (Assistant Chief Executive Officer, Climate Resilience, Investment and Coordination Division)

Other organisations and individuals could not meet due to pressing work commitments but expressed great interest via email to accept the invitation to provide technical support. They included:

- UN Special Rapporteur on the promotion and protection of human rights in the context of climate change, Dr Ian Fry
- Nuanua o le Alofa (Disability Organization) (General Manager)
- Samoa Faafafine Association (SOGIE community) (Vice President)
- Le Siosiomaga Society (President)
- Samoa Conservation Society (President)
- Ministry of Women, Community and Social Development (Chief Executive Officer)
- Ministry of Works, Transport and Infrastructure (Assistant Executive Officer)
- Ministry of Agriculture and Fisheries (Principal Officer)

These meetings helped build awareness about the purpose of the High-Level Dialogue and workshop, and how the organisations and individuals could enrich the discussions by sharing their knowledge and perspectives. There was strong support from participating organisations to contribute to the event and be a voice for the communities and organisations they represent.

Participants

The High-Level Dialogue, held on 12 April, involved 39 Chief Executive Officers or Acting Chief Executive Officers from different government ministries and agencies (27 female, 11 male, 1 Faafafine; 3 persons with disabilities).

The workshop, held on 13-14 April, was attended by 31 principal and senior staff from government ministries and agencies (21 female, 7 male, 2 Faafafine; 1 person with disabilities).

Representatives of local and regional civil society organisations, youth organisations and IGMs attended different sessions of the three-day program.

Government	Regional/International organisations
Ministry of Natural Resources and Environment Ministry of Works, Transport and Infrastructure Ministry of Agriculture and Fisheries Land Transport Authority Electric Power Corporation Samoa Water Authority Ministry of Finance Ministry of Women, Community and Social Development Ministry of Foreign Affairs and Trade	Secretariat of the Pacific Regional Environment Programme Pacific Climate Change Centre Pacific Community (SPC), Human Rights and Social Development Division Asia Pacific Forum of National Human Rights Institutions Fiji Council of Social Services Pacific Island Forum Secretariat
Civil society	Youth organisations
Samoa Conservation Society Le Siosiomaga Society Inc Nuanua o le Alofa (disability peak body) Samoa Faafafine Association Samoa Red Cross Society	Ombudsman Children and Young People Working Group Samoa National Youth Council

Outcomes

A strong commitment to mainstreaming human rights in national and regional responses to climate change was expressed by government leaders and IGM representatives at the opening of the High-Level Dialogue and workshop.

“Samoa is a party to six international human rights conventions. Under these conventions, States have a human rights obligation to prevent the foreseeable adverse effects of climate change and ensure that those affected by it, particularly those in vulnerable situations, have access to effective remedies and means of adaptation to enjoy lives of human dignity.”

Hon. Toeolesulusulu Cedric Pose Salesa Schuster
Minister of Natural Resources and Environment

“The human rights lens shows that our communities are not just increasingly vulnerable to the impacts of climate change but their very wellbeing and survival are at stake ... SPREP has a responsibility, and government also has a responsibility, to ensure human rights considerations are mainstreamed into the thematic priorities that we address through the 2050 Blue Pacific strategy.”

Sefanaia Nawadra
Director General, SPREP

The High-Level Dialogue and workshop featured **collaborative and constructive** discussions. There was enthusiasm among participants to better understand the issues, identify constructive approaches they could take within their respective spheres, and to collaborate for greater impact.

Participants expressed appreciation for the **opportunity to collaborate with representatives from different sectors** – government, civil society and IGMs – and discuss climate change from a human rights perspective, including presentations from youth representatives on the impacts for children and the gaps they face accessing information about climate change in the school curriculum.

The discussions included **honest reflections** from government representatives, who shared how they had learned from previous experiences of failing to properly include people with disabilities when planning projects. Government representatives also described the challenges they face to implement projects with limited funding and resources.

There was an **appreciation of the link between human rights and climate change** and the importance of ensuring human rights considerations are at the centre of climate change planning and actions. This message was reinforced during a special online presentation by Dr Ian Fry, the **UN Special Rapporteur on human rights and climate change**.

Participants also demonstrated a **commitment to understand the human rights-based approach** and how this could be applied in the context of responding to the impacts of climate change, including:

- Development of a climate change bill, led by the Ministry of Natural Resources and Environment
- Development of sector climate change policies, led by the Ministry of Fisheries and Agriculture
- Review of gender policies and framework by the Secretariat of the Pacific Regional Environment Programme.

A key outcome of the High-Level Dialogue and workshop was the **commitment among participants to collaborate** and share insights and expertise in planning and implementing climate change action. This was reflected in the **Outcome Statement** adopted at the conclusion of proceedings and the **Guide for government** on applying a human rights-based approach to climate change actions.

The workshop was also effective in its goal to **deepen knowledge and understanding** of the key areas of discussion. Using pre- and post-workshop questionnaires, the NHRI recorded a significant increase in knowledge among participants in the following four areas.

Participant knowledge	Before workshop	After workshop
Knowledge of the link between human rights and climate change	99% little understanding	99% increased
Knowledge of human rights-based approach, especially relating to climate change	99% little understanding	99% increased
Knowledge of the right to a clean, healthy and sustainable environment	55% little understanding 45% some understanding 5% reasonable understanding	99% increase
Knowledge of international and national legal framework relating to human rights and climate change	99% little understanding	30% increased 70% reasonable increase

Outputs

The following resources were produced as part of the High-Level Dialogue and workshop:

- **Participant resource booklet**, which described the role of the NHRI, the relevant UN resolutions and mechanisms, and the importance of applying a human rights-based approach in all climate change actions
- **Guide for government** on the key principles to apply in a human rights-based approach to climate change actions
- **Outcome Statement**, which recommended that the government mainstream and implement a human rights-based approach in all climate change actions.

Communication and engagement

Communication about the High Level Dialogue and workshop was undertaken directly with participants through **bilateral meetings and email communication**. This provided for direct communication with stakeholders and the ability to respond directly to questions.

Public information about the High Level Dialogue and workshop was provided through posts of the [NHRI's Facebook page](#). This included posts in the lead up to the event and video-based and photo-based posts on each day of the discussions. These posts received high levels of engagement and were shared by partner organisations and other stakeholders.

The NHRI also issued a [press statement](#) about the High-Level Dialogue and workshop, which received local media coverage. The **Government of Samoa** also issued a separate [press statement](#).

Information and resources from the High-Level Dialogue and workshop, including the Outcome Statement, were published on the **NHRI's website**, once approved by participants.

Lessons learned

What worked well?

- **Design of the NHRI-IGM Project**, which equipped NHRI staff with the knowledge and skills to engage in dialogue with IGMs and government and civil society stakeholders, develop resources on human rights and climate change, and identify opportunities for collaboration
- **Relationships with civil society**, which ensured the experiences of communities vulnerable to climate change could be shared directly with government
- **Relationships with IGMs**, including SPREP and PCCC, who provided technical and logistic support to ensure the delivery of a successful event
- **Opportunities for networking** through connections of the APF, SPREP and SPC, including with the Fiji Council of Social Services, who shared insights on the experience of relocating 'at risk' communities in Fiji.

What could be done differently?

- **Crowded presentation agenda**, which could have been reduced to ensure sessions finished on time
- **Shared facilitation**, to manage the workload and ensure a diversity of voices across the High-Level Dialogue and workshop
- **Competing meetings**, scheduled by other organisations, which meant some Chief Executive Officers were no longer able to attend High-Level Dialogue.

Ongoing engagement

Planning and delivering the High-Level Dialogue and workshop provided the NHRI with an opportunity to deepen its relationships with key Pacific intergovernmental mechanisms working on climate change and the right to a healthy environment, most notably SPREP and PCCC.

This activity – the first of its kind for the NHRI – will lead to other cooperative activities in Samoa, as evidenced by the NHRI being invited to open a [training workshop](#) convened by SPREP on human rights and climate change, with a focus on the rights of women and girls.

The High-Level Dialogue and workshop also allowed the NHRI to deepen its relationships with different Ministries, including the Ministry of Foreign Affairs. Among its many roles, the Ministry of Foreign Affairs provides input into policy development for the Pacific Islands Forum.

As such, strengthening its relationship with the Ministry will allow the NHRI to contribute a human rights perspective on climate change that can be incorporated into Samoa's submissions to regional policy making and to international discussions and negotiations.

National activity: Thailand

Strengthening the local community movement

A commitment to include people who are commonly marginalised and underrepresented in decision-making processes is key to realising the right to a clean, healthy and sustainable environment. A priority for the National Human Rights Commission of Thailand (NHRCT) is to strengthen the community rights movement in the country, with a focus on access to information; participation in decision-making; access to remedies and justice; and protection of environmental human rights defenders.

By developing plain language resources and creating a safe space for community voices in policy dialogues, the NHRCT seeks to contribute to national and regional human rights frameworks on the right to a healthy environment.



Climate change and development pose real threats for communities and human rights defenders in Thailand. Communities can be excluded from decision-making.

The NHRCT wants to change this by sharing resources and information to build knowledge on human rights standards and holding meetings for community representatives to identify priorities and build community networks.

[Watch](#) the video

Snapshot: Climate change, the environment and Thailand

- Extreme heat and rising sea levels threaten large parts of Thailand, including the capital city of Bangkok.
- Thailand is vulnerable to many natural and human-induced hazards: floods, tsunamis, storms, droughts, landslides, forest fires and epidemics.
- Floods are by far the greatest natural hazard facing Thailand, in both economic and human impacts. Thailand is one of the ten most flood-affected countries in the world.
- The aftermath of devastating floods in 2011 provides an example of how climate change can adversely affect poorer people in Thailand.
- The human impacts of climate change in Thailand remain dependent on the approach taken to adaptation, but there is a significant risk that poor and marginalised groups will experience disproportionately greater loss and damage.

Background

Since 2011, the NHRCT has placed a high priority on implementing the 'respect, protect and fulfil framework' with Human Rights based approach, while also putting more efforts to articulate the practices with remedies and human rights due diligence set out in the [UN Guiding Principles on Business and Human Rights](#).

A significant focus of the Commission's work has been to monitor and investigate human rights impacts, particularly those being made by corporations whose business operations impact on communities in different regions of Thailand. In particular, the NHRCT has sought to strengthen respect for 'rights to the environment and natural resources, to access environmental information, to participate in environmental matters and to have access to effective remedies, as set out in the Constitution of the Kingdom of Thailand, B.E. 2560 (2017).

The adoption of the [right to a clean, healthy and sustainable environment](#) by the UN General Assembly in July 2022 has provided fresh impetus to the NHRCT's efforts to engage with communities and corporations to promote respect for human rights and the environment.

It has also deepened deliberations among members of the [ASEAN Intergovernmental Commission on Human Rights](#) (AICHR) on the possibility of establishing an ASEAN Environmental Rights Framework, which could address issues related the right to access environmental information, the right to participate in decision making on environmental matters, the right to seek remedies for environmental damage, and the protection of environmental human rights defenders,

As part of its strategic efforts to strengthen respect for human rights and the environment, with a focus on business and human rights, the Commission has established a cooperative relationship with Thailand's Representative to AICHR. This includes sharing information and insights from the Commission's national activity to support AICHR's deliberations on the establishment and content of a possible regional framework on the environment.

National activities

As part of its promotion mandate, the Commission developed two integrated initiatives to engage communities and promote dialogue on the right to a clean, healthy and sustainable environment: **developing information resources** to strengthen community understanding on human rights and the environment in other global regions; and **convening workshops** for community representatives and government agencies to raise issues and identify priorities for reforming law, policy and practices on human rights and the environment.

Goals

Through its activities, the NHRCT has sought to:

- Strengthen the local community movement by preparing information resources on the Aarhus Convention and the Escazú Agreement
- Create space for community voices on realising the right to a healthy environment, as well as engage key government agencies in discussion on their roles and priorities
- Propose recommendations to Thailand's Representative to AICHR and the South-East Asia National Human Rights Institutions Forum (SEANF) on the development of a proposed ASEAN Environmental Rights Framework.

Increasing community knowledge

A priority for NHRCT is to provide communities and civil society organisations across Thailand with information and resources to support their advocacy for the right to a clean, healthy and sustainable environment. Central to the Commission's current initiative is sharing developments in this area from other global regions.

The [Escazú Agreement](#) (for Latin America and the Caribbean) and the [Aarhus Convention](#) (for Europe) set out principles to ensure that people have access to environmental information, are consulted in environmental decision-making processes, and can take legal action in cases of

environmental damage. They also promote and defend the rights of environmental defenders, indigenous peoples and local communities.

In December 2022, the NHRCT translated both documents into Thai – the first time this had been done. Building on this, the NHRCT published an information brochure on the right to a healthy environment for communities and civil society organisations, together with state authorities, across Thailand. More than 1,000 brochures will be shared in six workshops organised by the NHRCT during May-July 2023 and seven regional workshops organised during August-December 2023.

The brochure will also be shared with Thailand's Representative to AICHR for dissemination during the consultation phase on the development of a proposed ASEAN Environmental Rights Framework, as well as other relevant opportunities. The brochure includes introductory content on human rights and the environment, human rights protection mechanisms in Thailand and South-East Asia, and an overview of the key provisions of the Escazú Agreement and the Aarhus Convention.

Drafted with input from local experts in environmental and human rights laws, it also features a QR code that links to a suite of resources, including the NHRCT's research materials on human rights and the environment and the full translation of the Escazú Agreement and the Aarhus Convention.

Creating space for community voices

In many contexts, and especially in relation to the actions of transnational corporations, the voices and concerns of local communities in Thailand can be marginalised. As part of its ongoing efforts to address this imbalance, NHRCT hosted two **workshops to hear directly from communities and civil society organisations and state agencies** about their concerns and their priorities for realising the right to a healthy environment in Thailand.

The first workshop – held from 23-24 February 2023 in Bangkok – brought together 41 environmental human rights defenders (31 male, 10 female) from seven regions across Thailand. These regions have experienced large-scale corporate or government-led development projects, with impacts on the environment.

The two-day capacity building workshop sought to share experiences from other global regions – Latin America and Europe – and UN Special Rapporteur on Human Rights and the Environment, Dr. David R. Boyd together with practices in ASEAN and Thailand with regards to promoting access to environmental information, ensuring communities are consulted in environmental decision-making, promoting access to remedies in cases of environmental damage, and protecting the rights of environmental human rights defenders.

The workshop also sought to strengthen links between participating community representatives and civil society organisations, as well as discuss the potential development of a work plan to coordinate the actions of a 'Network of Community Rights and Environmental Responsive NGOs'.

The [second workshop](#) – held on 28 April 2023 in Bangkok – involved 38 representatives (20 male, 18 female) from civil society organisations active on environmental issues, as well as government agencies with responsibilities for the environment and natural resources.

The workshop was a forum to share information and insights from the development of international and regional standards on the right to a healthy environment and discuss lessons that could be applied to the ASEAN context, especially with regards to a proposed regional framework on environmental rights.

Participating civil society organisations included: World Wildlife Fund (WWF), ETOs Watch, EnLAW Foundation, Seub Nakhasathien Foundation and the Thailand Environmental Institute. Participating government agencies included: Pollution Control Department of Thailand; Rights

and Liberties Protection Department of Thailand: Department of Local Administration and Biodiversity-Based Economy Development Office (public organisation): Department of Industrial Works; Office of the Administrative Court of Thailand; Office of the Official Information Commission; Office of the National Land Policy Board: and Royal Forest Department.

Outputs

Through the national activity, the Commission:

- Translated the Escazú Agreement and the Aarhus Convention into Thai
- Published a plain language document for communities on the right to a healthy environment, which will also be used in other NHRCT activities throughout 2023
- Providing a forum for NGOs and CSOs working on environmental rights to raise concerns, share their priorities, connect with one another and develop coordinated engagement and advocacy efforts
- Prepared a report and recommendations for Thailand's representative to the AICHR, drawing on the workshop proceedings, to support discussions on a possible regional framework on environmental rights.

Communication and engagement

Information in the lead-up to the workshops was shared directly with participants through **email**. This provided direct communication with stakeholders and the ability for them to respond with questions or to share information in return with the NHRCT.

The NHRCT also used **Line**, the most popular messaging app in Thailand, to communicate with key civil society organisations before, during and after the workshops,

Public information about the workshops was shared on the **NHRCT's [Facebook page](#)**, including a large collection of photos from the events.

The brochure on environmental rights will be shared with communities, civil society organisations and government authorities as part of upcoming **NHRCT activities** relating to community rights and the environment, to be held between May and December 2023.

The brochure and the Thai language versions of the Escazu Agreement and Aarhus Convention are also available on the **NHRCT library website** and the **NHRCT official website**.

Outcomes

Through the initiatives that form its national activity, the Commission helped **raise awareness and build knowledge within communities** about national, regional and international instruments to promote and protect environmental rights, with a focus on access to information, participation in decision-making and access to remedies.

Sharing information and resources with communities and civil society organisations also had a **multiplying effect**, with those partners sharing the resources locally and with NGOs and environmental human rights defenders across Thailand.

The workshops offered community representatives and civil society organisations **a forum to raise pressing issues** for human rights and the environment, as well as to **deepen their understanding of protection mechanisms** in Thailand, South-East Asia and other global regions. There was broad recognition that a focus on law and policy reform is essential to secure meaningful change on access to information, participation in decision making and access to remedies.

The opportunity for community representatives and civil society organisations to **network and plan joint advocacy** and other initiatives was also a key outcome of the workshops, with participants expressing confidence in the strength and vitality of the grassroots environmental movement.

In addition, participants discussed the context and content for the development of a proposed framework on the environment for the region. They acknowledged the structural challenges involved in establishing human rights protection mechanisms in ASEAN, as well as translating international instruments in a local context.

Feedback from the workshops, as well as insights gained by the NHRCT from its monitoring and complaint handling work, were integrated into a **policy paper on strengthening protection of key procedural rights** with respect to human rights and the environment. This paper, which included a series of recommendations, was shared with Thailand's representative to AICHR. It will also be shared with SEANF.

Lessons learned

What worked well?

- **Identifying common issues and common goals** provided the basis for meaningful dialogue and a foundation for ongoing collaboration in support of the right to a healthy environment.
- **SMART goal setting** ensured that the NHRCT's activities were well planned, effective and worked together to achieve the broader project outcomes.
- **Consistent communication**, within the NHRCT and with community and government stakeholders, helped set a clear understanding, a clear vision and clear responsibilities for all activities.

What could be done differently?

- **Additional time** for workshop participants to discuss and reflect on the complex content of the regional and international instruments on the right to a healthy environment.
- **Engagement strategies** will need to be developed to maintain the relationships that have been established with communities and civil society organisations
- **Co-management platforms** may need to be established to bridge the gaps among different stakeholders, in areas such as capacities, expertise and resources.

Ongoing engagement with IGM

Through the dialogues convened by the APF and this national activity, the NHRCT has deepened its engagement with Thailand's Representative to AICHR. This relationship features an open exchange and dialogue between both parties, with Thailand's Representative to AICHR welcoming the report and recommendations developed by the NHRCT on the possible regional framework on the environment.

The NHRCT has a unique role to act as a bridge between Thailand's Representative to AICHR and communities, civil society organisations and other national stakeholders. This includes sharing information and raising the concerns of communities, especially those that can be excluded and marginalised, to better promote and protect the human rights of Thai people. The NHRCT's linking role also extends to its participation in the work of the SEANF.

To strengthen this role, and to promote understanding and respect for key procedural rights in relation to the right to a healthy environment, the NHRCT will establish a regular and ongoing dialogue with Thailand's Representative to AICHR.

The NHRCT will also continue its collaboration with all key stakeholders - including the network of environmental NGOs, relevant government agencies, and the public - to support and strengthen the environmental rights movement. In addition, the NHRCT will propose recommendations to the government to strengthen domestic protection of environmental rights, with a focus on access to environmental information and consultation with communities in environmental decision-making processes.

Continuing collaboration for change

The outcomes of this project demonstrate the significant benefits for NHRIs and intergovernmental mechanisms that can come from dialogue and collaboration on human rights issues of shared concern.

Relationships have been established or deepened, where previously little connections existed. Collaboration has been initiated at a national level in some countries. NHRIs and IGMs in the Pacific and South-East Asia have all expressed a desire to continue the dialogue on human rights, climate change and the environment.

Future engagement may take different forms, some of which are canvassed here. To support this process, the APF has identified **guiding principles** to inform NHRI engagement with their respective intergovernmental mechanisms, which are set out in a [policy paper](#) prepared for this project.

Guiding Principles for NHRI engagement

Given the developments in NHRI participation at the international and regional level, NHRIs should be guided by the following principles when engaging with intergovernmental mechanisms addressing human rights issues:

1. NHRIs which are accredited with 'A status' should formally collaborate with intergovernmental mechanisms.
2. NHRIs should aim towards increasing the likelihood of implementation and compliance by the State with the findings and decisions of intergovernmental mechanisms on human rights issues.
3. NHRIs should provide reliable, accurate and regular information to intergovernmental mechanisms.
4. NHRIs should provide publicity and increase awareness of the human rights related work of intergovernmental mechanisms at the domestic level.
5. NHRIs should act as a bridge between domestic implementation of the human rights recommendations of intergovernmental mechanisms.
6. NHRIs should consider providing technical assistance to the State in the implementation of human rights recommendations of intergovernmental mechanisms.
7. NHRIs should collaborate with relevant national stakeholders in monitoring implementation of the human rights recommendations of intergovernmental mechanisms.

Regular formal dialogues and exchange

NHRIs and their intergovernmental mechanisms may consider the establishment of an annual dialogue to discuss human rights issues of common concern; for example, human rights and climate change, business and human rights, or human rights and the Sustainable Development Goals.

These dialogues would be an opportunity for participants to share updates on activities over the past 12 months, as well as identify and plan coordinated programs of work, in line with their respective mandates and priorities.

In South-East Asia, this may be an annual dialogue between national Representatives to AICHR and representatives of the South-East Asia National Human Rights Institution Forum (SEANF).

In the Pacific, this may be an annual dialogue between representatives of all IGM bodies – PIFS, SPC and SPREP/PCCC – and NHRIs from the sub-region. Representatives from States that are in the process of establishing an NHRI may be invited to attend as observers.

NHRI contribution to regional processes and priorities

NHRIs can identify opportunities where they can, individually or collectively, contribute to human rights priorities being addressed at the regional level through their respective IGMs.

Potential NHRI actions can include using their monitoring, reporting and advisory functions to contribute independent information and analysis to regional processes, or using their education function to raise awareness at the national level of regional priorities and developments.

These actions may be supported by IGMs creating space for NHRIs to host or contribute to side events or dialogues, in parallel with their regular meetings, to give visibility to the work and contribution of NHRIs.

In South-East Asia, this could include NHRIs continuing to monitor and contribute to the development of a proposed Regional Framework on Environmental Rights in ASEAN. For example, like the NHRIs of Thailand and the Philippines, other NHRIs may prepare a submission and recommendations to support the work of their national Representative to AICHR.

In addition, NHRIs can contribute by disseminating information to the community and supporting the work of their AICHR representative in other ways.

The invitation by Malaysia's Representative to AICHR for the APF to convene a side event at the AICHR-EU Regional Consultation on Business and Human Rights, Environment and Climate Change in ASEAN, held in Kuala Lumpur in May 2023, is an example of how intergovernmental mechanisms can give visibility to and support the contribution of NHRIs on priority human rights issues.

In the Pacific, this could include NHRIs supporting implementation of regional initiatives such as the 2050 Blue Pacific Strategy at the national level and promoting accountability for these commitments in their country contexts.

A possible side event at the next Pacific Leaders meeting, co-convened by SPREP, the APF and NHRIs, would give visibility to the work of NHRIs to promote human rights-based action on climate change and people-centred development.

National partnerships and collaboration

NHRIs can identify opportunities to engage with their respective IGMs at the national level. This may include inviting representatives of their IGMs to contribute to NHRI events or consultations, or holding regular bilateral meetings with those representatives.

In addition, sharing their operational expertise with IGMs – for example, an NHRI may convene an advisory panel for youth, women or LGBTI+ persons – can streamline information gathering or consultation processes for IGMs and avoid 'reinventing the wheel'. Importantly, strong relationships at the national level can support additional opportunities for engagement with regional processes.

In South East Asia, NHRIs can continue to strengthen existing bilateral relationships with their respective national Representatives to AICHR, with a focus on contributing to the proposed framework on environmental rights in ASEAN. As demonstrated in the Philippines, this relationship can extend to cooperation on other human rights issues. Building a robust working relationship with the Office of the Representative to AICHR is also important to maintain a degree of continuity when a new national Representative is appointed.

In the Pacific, NHRIs may continue to reach out to IGMs in terms of ongoing capacity support, education, awareness and training around climate change and human rights. For example, joint national activities between SPREP/PCCC and Samoa's NHRI could be replicated with other NHRIs in the Pacific.

Regional NHRI coordination and engagement

The collective voice of NHRIs offers a powerful contribution to discussion of human rights issues at the international and regional level. By combining and synthesising their national experiences, a regional NHRI position can offer unique insights into the development and implementation of regional standards for the promotion and protection of human rights.

In South East Asia, NHRIs can work collectively through SEANF to engage with AICHR. The agenda of SEANF is centred on human rights issues of significance across ASEAN countries that can provide substance to the conduct of AICHR's regular meetings.

In the Pacific, NHRIs can strengthen their dialogue to identify how they can support one another and collaborate on common issues and contribute to the work of intergovernmental mechanisms, as well as IGMs partnering with NHRIs to help implement regional initiatives - such as the 2050 Blue Pacific Strategy or the Pacific Leaders Kainaki Declaration - on the ground.