HUMAN RIGHTS AND CLIMATE CHANGE

By: Victor Idrissa Lansana Esq
Vice Chairperson, Human Rights Commission of Sierra Leone & the Oversight Commissioner for the Directorate of Climate Change & Information Services

Climate change is a global phenomenon that has affected the entire world, both great and small nations. According to the Fifth Report of the Intergovernmental Panel on Climate Change (AR5) it is said that climate change is caused by anthropogenic emissions of greenhouse gases. The impact of climate change on human rights is wide-ranging; it affects the enjoyment of the rights to life, housing, water, food, health, self-determination, among others. Interestingly, these rights are protected by international law and conventions including the United Nation’s Universal Declaration on Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic Social and Cultural Rights (ICESCR) and the African Charter on Human and Peoples’ Rights (ACHPR), the Declaration on the Rights to Development and the UN Guiding Principles on Business and Human Rights, etc. However, much attention has not been paid by States to protect the rights of their people even with the existence of these international instruments and covenants. Worse still is the fact that the normative and legal frameworks at the national levels are quite weak and there is very little cooperation between and among states to curb the negative effects of climate change. What this means is that least developed countries suffer the most from the impact of climate change when in fact the emission levels of greenhouse gases are produced by advanced countries.

Little wonder then when the Deputy High Commissioner for Human Rights, Flavia Pansieri remarked during the AR5 Panel discussion that, “those who have contributed the least to greenhouse gas emissions will be the ones who bear the greatest burden; the poorest people, in the poorest countries, their children, and all our children”. AR5 found out that “people who are socially, economically, culturally, politically, institutionally or otherwise marginalized are especially vulnerable to climate change and also some adaptation and mitigation responses”.

There is now no contention over the fact that human activities on the natural environment have exacerbated the impact of climate change. Urbanization, industrialization, migration, agricultural work and encroachment on rain forest reserves are all examples of human activities that have accelerated climate change. According to a study presented by the Policy Department of the European Parliament on the impact of climate change on developing countries (2007), “global temperatures are likely to rise between 2 and 4 °C within the next century”. But as a matter of fact, the world does not need to wait for the next century to experience the impact of climate change. Already the negative impact is real and
destructive. It has led to frequent flash floods and droughts, mudslides and earthquakes. There have been multiple loss of lives and increased poverty levels and migration in countries where such incidents resulting from climate change have occurred. Mostly the indigenous people especially women and children bear the greatest brunt that climate change brings.

In Sierra Leone for instance, the country has experienced its own fair share of the impacts of this global menace. There is no waiting for future generations anymore to experience the brunt. In 2017 flash floods and mudslide left over one thousand indigenous Sierra Leoneans dead and many displaced in the Mortormeh Community in the far west of the capital, Freetown. The urge to live in the capital city has led to the encroachment on and destruction of the greenbelt, the rainforest and water catchment areas. The mining activities mostly in the provinces have been causing havoc on the environment.

In Kono, the diamond rich area in the Eastern Region for instance, mining activities sometimes cause flooding in the township preventing children from going to school. In some cases, the quality of water is affected as mining activities cause water pollution so that the indigenous people are deprived of pure water to drink. There is little wonder then that our country Sierra Leone is said to be the third most vulnerable country in the world to climate change disaster according to the 5th Report of the Intergovernmental Panel on Climate Change. In fact, in June, 2021, the Metrological Department announced that the country would experience less rainfall but heavy storms during the rainy season. Indeed, there was less rainfall which would have affected agricultural work and insufficient water storage for both domestic and industrial or commercial purposes.

A human rights-based approach is what has been strongly recommended to prevent and/or control the impacts of climate change. But research has shown that public awareness about climate change is still low and needs robust advocacy to get rights-holders and States alike understand that climate change is here and is real. A human rights-based approach means that policies are formulated, obligations of duty-bearers are identified along with the responsibilities and entitlements of the rights-holders for a better synergy, and the principles and minimum standards of international human rights law – particularly the Bill of Rights and other core universal human rights conventions are always at the center of national policies and programs geared towards combating climate change. Any adaptation or mitigation measure that considers the human rights-based approach would guarantee the promotion of alternative energy sources, forest conservation or tree-planting projects, resettlement schemes among others.

Another strong recommendation to combat climate change is the need for strong international cooperation between and among states especially states which are parties to the United Nations Framework Convention on Climate Change (UNFCCC). It is no secret that least developed countries
suffer most in the scheme of things when in fact they contribute less to the problem. States have the obligation to respect, protect, fulfil and promote human rights of all persons; any departure from this obligation would amount to a violation and would endanger future generations who have contributed zilch to the climate change menace as it obtains today.

At the national level, it is a welcome news that the Government of Sierra Leone has established a functional Ministry of Environment in addition to the Environmental Protection Agency, the Meteorological Department amongst others geared towards strategic thinking, policy formulation and supervision of the relevant agencies.

The Human Rights Commission of Sierra Leone being the statutory body charged with the mandate to protect and promote human rights through monitoring, complaints handling, public education among others, has also established a full-blown Directorate of Climate Change and Information Services to ensure that the impacts of climate change are monitored and documented, handle complaints on same (climate justice), and educate the public and public servants on the dangers of climate change.