



CONCEPT NOTE

FOR ALL Coalition: For the Promotion of Gender Equality and Human Rights in the Environment Agreements

BACKGROUND

Under international human rights law, all States are obligated to respect, protect, promote and fulfil human rights and fundamental freedoms for all, without distinction of any kind as to race, color, gender, language, religion, political or other opinion, national or social origin, property, birth, disability or other status. The Convention on the Elimination of all Forms of Discrimination against Women and other human rights instruments reflect specific commitments by States to achieve gender equality, promote women's empowerment and fulfill women's rights. The resulting obligations of States apply across all of their actions including those taken with respect to the environment and include an affirmative obligation to prevent foreseeable human rights harms that can result from environmental degradation.

Legal instruments and norm-setting agreements adopted over the course of the past decades have started to integrate language that recognizes and promotes gender equality and human rights, including across the outcomes of key Multilateral Environmental Agreements (MEAs): the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC), the Convention to Combat Desertification (UNCCD), and the Basel, Rotterdam and Stockholm Conventions (BRS), as well as the major environmental financial mechanisms including the Global Environment Facility (GEF), the Green Climate Fund (GCF) and the Climate Investment Funds (CIF), Adaptation Fund, amongst others.

From preamble and shared vision texts, to actionable language for programming and finance, gender equality, women's empowerment and human rights are vital components of MEAs. More importantly, they are crucial in maximizing the effectiveness, efficiency and equity of initiatives, programs and projects geared towards reducing biodiversity loss, addressing climate change, and desertification and realizing sustainable development that benefits and engages women as equal to men. The 2030 Agenda for Sustainable Development seeks to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls both a goal in itself (SDG 5), as well as a means for achieving all the other goals. The Agenda emphasizes that the systematic mainstreaming of a gender perspective in its implementation is crucial. In its commitment to leave no one behind and to reach those furthest behind first, the 2030 Agenda creates an expectation to engage with marginalized groups such as indigenous peoples. In particular in regards to climate change (Goal 13), this includes a focus on women, youth and local and marginalized communities. (Annex 1 includes major legal frameworks).

The driving motivation of this policy evolution from 1992 to 2015 and to the present are myriad and interlinked. Relevant factors include the influence of the evolving human rights, gender equality and sustainable development frameworks over this same period, and of the efforts of global, national, and regional advocates and other champions across governments, civil society, UN, and research institutions to ensure that environmental policies are able to address development challenges and promote human rights and gender equality. The evolution is also influenced by factors such as the increasingly obvious impacts of a changing climate on communities around the world; the interlinked global political, environmental and economic challenges of recent years; the growing understanding that gender equality and human rights are integral to sustainable development and wellbeing of all people, of all ages, in all communities; and also the rising production of and attention to research that links issues of inequality, gender equality, rights, poverty, economy, and the environment. It has also become increasingly clear that there can be no sustainable development without peace and no peace without sustainable development.



However, more is needed to ensure follow-through and coherence with respect to the implementation of State commitments related to gender equality and human rights in the context of MEAs. The For All Initiative will aim to highlight and replicate good practices in this regard across the MEAs, promoting a consistent and coherent approach to mainstreaming gender perspectives and a human rights-based approach. Two examples of good practices in this respect, are:

1. The coordinated efforts between the Government of Costa Rica, representing the Independent Alliance of Latin America and the Caribbean (AILAC) negotiating group, and UN Women who worked together for more than a year to ensure the development of a Gender Action Plan (GAP) under the UNFCCC. UN Women was instrumental in providing the substantive and technical support in drafting the elements of the GAP, as well as providing strategic advice while Costa Rica played a convening and leadership role in order to negotiate the text of the GAP within AILAC and with other governments and Parties groups such as G77 and China, European Union, and Least Developed Countries (LDCs).
2. The Geneva Pledge for Human Rights in Climate Action emerged from a proposal made by Costa Rica at a human rights and climate change dialogue organized by OHCHR and the Mary Robinson Foundation – Climate Justice. The Pledge now has 33 signatories who have promised to facilitate the exchange of expertise and best practices between human rights and climate experts to build collective capacity to deliver responses to climate change that are good for people and the planet. To do so, signatories have committed to include human rights knowledge in their contributions to the UNFCCC and include climate change, as appropriate, in their contributions to the Human Rights Council. The Pledge continues to actively organize events and meetings in collaboration with OHCHR and other relevant stakeholders in order to promote a rights-based approach to climate action.

In order to ensure a normative and operational approach to all of the MEAs that is consistent with State commitments related to human rights and gender equality, it will be crucial to consider the synergies among these processes and take a holistic and coherent approach. Relevant decisions under the framework of the UNFCCC, CBD and UNCCD already request advancement in this direction. The For All Coalition's efforts would promote coherence and coordinated work and expand opportunities for linked-up efforts in these related areas of work. It would also contribute to avoiding overlaps and contribute to the UN Development System repositioning process, in particular at national level.

OBJECTIVES AND RESULTS OF THE COALITION

Despite the advancements achieved under the UNFCCC, it is clear that the majority of the countries do not have a well-defined strategy to harmonize their positions in relation to gender equality and human rights across the MEAs.

This owes to a number of factors including a lack of technical capacity to address these topics at the Ministries following the distinctive environmental agreements as well as limited capacity in the respective Secretariats of the MEAs. Countries do not always have gender equality and human rights specialists as part of their negotiating delegations and the country delegations following the different MEAs do not necessarily share the negotiating language and their underlying principles with their national human rights and gender equality experts. This has led to very dissimilar achievements and positions of countries, Parties or negotiating groups, in the different MEAs and the environmental financial mechanisms on human rights and gender equality.

Based on recent progress at the UNFCCC in the positive consideration of gender equality and human rights issues as reflected in the Paris agreement, decisions, work programs and the Gender Action Plan, the FOR ALL Coalition's main objective is to support countries and negotiating groups to strengthen the reflection and raise the visibility of gender



equality and human rights messages and garner broader support for gender-specific and human rights commitments and action across the different MEAs.

The Coalition will carry out activities within several complementary fronts:

1. Political. The Group of Parties Friends of the Coalition will be the entity that facilitates the creation of spaces for dialogue and negotiation between the different countries and negotiating groups. Costa Rica will reach out and convene virtual and face to face dialogues with the Parties from key negotiating groups, ensuring geographical balance, to reach consensus prior to the respective Conference of the Parties (COPs), and other relevant meetings including the United Nations General Assembly and the United Nations Environment Assembly, among others.
2. Technical. UN Women and OHCHR will provide substantive and technical support and guidance in the development of strategies and proposals for decision elements for the different conventions according to their agendas. They would also reach out to relevant partners, such as civil society major groups, and would also work in collaboration with the Secretariats of the MEAs, in particular their focal points on gender equality, human rights or social issues within the financial mechanisms, related UN Agencies, and observer organizations to the Conventions.

FOR ALL Coalition Activities	
<ul style="list-style-type: none"> • The Government of Costa Rica presents the FOR ALL Coalition to the Secretary General of the UN in order to obtain his support • The MFA will establish contact with Parties to share the Coalition proposal and invite Parties to become part of it • MFA will facilitate a first round of meetings (i.e. virtual, in person) of interested Parties • Parties members of the FOR ALL Coalition will define their working procedures and approaches • Launch of the FOR ALL Coalition in major events (i.e. COPs, UNGA) • Once a year a feedback session will be conducted to assess, adjust or redefine the work of the Coalition • Develop a fundraising strategy for the Coalition 	
Gender Equality	Human Rights
UN Women to convene an informal working group comprising the gender focal points or focal points for social issues in the MEA secretariats, climate change/environment-related financial mechanisms, related UN Agencies and observer organizations to the Conventions. Other partners, such as civil society major groups would also be included as appropriate.	OHCHR in collaboration with the Geneva Pledge and other stakeholders to establish an informal working group on human rights and the environment
The IWG will spell out the strategy to follow under each one of the Conventions (i.e. UNFCCC, CBD, Ramsar, UNCCD, BRS)	The informal working group will elaborate a “blue print/roadmap” to enhance the mainstreaming of HR within climate action at the UNFCCC
UN Women, in consultation with the relevant IWG members will prepare strategy and proposed decision elements for integrating a gender perspective in relevant decisions, actions, outcome documents	Based on this experience at the UNFCCC and resources permitting, the working group will define a strategy for integrating human rights in the other MEAs



<p>The MFA will share the proposed decision elements to interested Parties to the Conventions, and UNEA members.</p> <p>The IWG will also serve as a space for strengthening follow-up to decisions and outcomes at national level, by strategizing on ways to better support implementation of gender-specific decisions under the three conventions and other MEAs in a harmonized and coordinated manner for greater impact.</p>	
---	--

After the first year of work of the Coalition, the goal is that the two technical tracks will start working in a coordinated way.



ANNEX 1: FRAMEWORK ON GENDER EQUALITY AND HUMAN RIGHTS FOR SUSTAINABLE DEVELOPMENT RESPONSE

Over the last decades, a policy framework has evolved that intricately links commitments to realizing human rights, advancing gender equality while evolving sustainable development.

Human Rights

The International Bill of Rights¹ composed of the 1948 Universal Declaration of Human Rights and the 1966 Covenants on Civil and Political Rights (ICCPR) and on Economic, Social, and Cultural Rights (ICESCR) provides the foundation for promoting and protecting human rights for all people. These covenants are considered binding, and are broadly supported by UN Member States with 167 parties and 74 signatories to ICCPR and 160 parties and 70 signatories to ICESCR. Each element of these covenants reiterates that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” and declares that people are entitled to human rights without distinction of any kind, including being based on “race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”² As a whole, this entails both a moral and a legal obligation to ensure equality and non-discrimination.

The recognition of the scope and importance of human rights, along with the State obligation to respect, protect, promote and fulfil human rights and fundamental freedoms for all is also highlighted by other major instruments,³ including regional treaties that have helped their continuous development and the evolving discussion around the right to a healthy environment. In this regard, important treaties such as the Aarhus Convention for Europe and the Escazú Agreement, based both of them on the Rio Principle 10, have introduced a new dimension to that recognition.

The Escazú Agreement is a landmark for being the first binding regional agreement on the environment and for the application of Principle 10 of the 1992 Rio Declaration on Environment and Development. It is also the first treaty in the world that gives guarantees for the protection of Human Rights defenders in environmental matters through specific provisions for a safe and conducive environment for them. Personalities such as John H. Knox, United Nations Special Rapporteur on Human Rights and the Environment, said “this is one of the most important human rights agreements and one of the most important environmental agreements of the last 20 years”. It is also a second-generation environmental

¹ The 9 major treaties in the human rights treaty system include: International Convention on the Elimination of all forms of Racial Discrimination (CERD) (in force 4 January 1969); International Covenant on Civil and Political Rights (ICCPR) (in force 23, March 1976); International Covenant on Economic, Social and Cultural Rights (ICESCR) (in force 23 March 1976); Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) (in force 3 September 1981); Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (in force 26 June 1987); Convention on the Rights of the Child (CRC) (in force 2 September 1990); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) (in force 1 July 2003); Convention on the Rights of Persons with Disabilities (CRPD) (in force 3 May 2008); International Convention for the Protection of all Persons from Enforced Disappearance (CED) (in force 23 December 2010)

² Preambles of all and UDHR Article 2, ICCPR Article 26, ICESCR Part II Article 2

³ There are 9 core international human rights instruments.

See: <https://www.ohchr.org/en/professionalinterest/pages/coreinstruments.aspx>



treaty because it links the environmental matters with human rights and one particularity is the inclusion of a definition of persons or groups in vulnerable situations in article 2.

In addition, the 1979 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) is fundamental to advancing gender equality and regarded as the international bill of women's rights. Signatory governments are bound to act to promote and protect the rights of women. Parties also agree to include the principle of equality in legislation and ensure it is operationalized.⁴

CEDAW has direct implications for environmental action, obliging parties to take "all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development" and participate in all levels of development planning. It further addresses States' obligations in regards to issues such as education, the right to work, to participate in forming and implementing government policies and to represent the country at international level, resources, credit, health including family planning.

Sustainable Development

In the 1990s, Member States to and stakeholders of the UN system embarked on a series of world conferences that ushered in a new era of global partnership, defining over two decades of development. These included major conferences on women as well as conferences that addressed the environment, human rights, population, and social development.⁵

Their outcomes furthered the international mandates and frameworks defining global cooperation. They reinforced the foundational covenants through subsequent binding international conventions, optional protocols and 'soft' declarations and plans of action, addressing equal human rights with regard to women, race, children, migrant workers, and people with disabilities. The foundations are also translated into practice through human rights mainstreaming mechanisms aimed at strengthening interagency collaboration, technical support, and national capacity building for human rights.⁶

United Nations Conference on Environment and Development (UNCED), Rio (1992)

Also known as the Earth Summit, the UNCED led to several historic outcomes related to sustainable development. Agenda 21, the outcome document of the Summit, is a blueprint for sustainable development and among the first UN conference documents to systematically refer to women's positions and roles, including a stand-alone chapter on women.

In addition to this, the Earth Summit saw the launch of the three Rio Conventions: the UN Convention on Biological Diversity (CBD), the UN Convention to Combat Desertification (UNCCD), and the UN Framework Convention on Climate Change (UNFCCC)

⁴ "Optional Protocol to the Convention on the Elimination of Discrimination against Women" <<http://www2.ohchr.org/english/law/cedaw-one.htm>>

⁵ 1992- United Nations Conference on Environment and Development, Rio (UNCED); 1993- World Conference on Human Rights, Vienna (Vienna Declaration on Human Rights 'women's rights are human rights'); 1994- International Conference on Population and Development, Cairo (ICPD); 1995- World Summit for Social Development, Copenhagen; 1995- Fourth World Conference on Women, Beijing

⁶ These include the 1997 launching of the UN Programme for Reform, the 2003 Interagency Workshop on a Human Rights-based Approach, and the 2009 UN Development Group's Human Rights Mainstreaming mechanism (UNDG-HRM).



The Rio Conventions

UN Convention on Biological Diversity (CBD)

The CBD was adopted in 1992 for the conservation and sustainable use of biodiversity. The CBD has clear sustainable development and climate change implications, but it mentions women only in the preamble. It also recognizes women’s knowledge, practices, and gender roles in food production in the Subsidiary Body on Scientific, Technical and Technological Advice. In 2014, the CBD adopted a Gender Plan of Action for 2015-2020 to promote gender equality and mainstream gender into activities, building on the first Gender Plan of Action that was developed in 2008, facilitated by IUCN. Parties have, over the years, agreed a number of decisions that well integrate gender concerns cohesively; gender mandates over the last decades were compiled in a 2012 publication, aiming to consolidate information on gender and biodiversity and propel more gender-responsive decision-making.

UN Convention to Combat Desertification (UNCCD)

The UNCCD, adopted in 1994, is implemented through participatory National Action Programs (NAPs) to address ecosystem-specific needs. The UNCCD recognizes the role of women in rural livelihoods and the importance of local women’s knowledge in addressing issues such as climate change. The convention instructs the NAP to “provide effective participation of women and men, particularly resource users, including farmers and pastoralists and their organizations.” Several COP decisions have addressed the importance of gender in relation to multiple aspects of the UNCCD, and in Decision 9/COP.10, Parties approved the Advocacy Policy Framework (APF) on gender with a focus on promoting the integration of gender within the implementation of the UNCCD.

UN Framework Convention on Climate Change (UNFCCC)

The UNFCCC was presented for signatures at the Earth Summit, and unlike the ‘sister’ Conventions, it did not include references to issues related to women or gender. Even years later, many of the texts were limited to gender balance concerns in UNFCCC processes and encouraging but not requiring women’s participation. However, in more recent years, with technical decisions integrating recognition of gender considerations, significant progress is noted and establishes a framework by which adaptation, mitigation, and climate finance can, and should be pursued with gender responsiveness.

The Paris Agreement in its Preamble (Paragraph 11), recognizes that “climate change is a problem for all humanity and that, when taking measures to address it, Parties should respect, promote and take into account their respective obligations related to human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, the empowerment of women and intergenerational equity”.

Follow-up conferences on sustainable development took place in 2002 at the World Summit on Sustainable Development (WSSD) in Johannesburg, and in 2012 at the United Nations Conference on Sustainable Development (UNCSD, or “Rio+20”).

World Conference on Human Rights, Vienna (1993)

The Vienna Declaration and Programme of Action reaffirms and strengthens human rights around the globe, including the right to development. Governments and regional and international organizations are urged to facilitate women’s access to decision-making processes. Also, monitoring bodies are urged to use



gender-specific data and include the status and the human rights of women in their deliberations and findings. Both are vital for responsive climate change policies that recognize women as agents of change.

Fourth World Conference on Women, Beijing (1995)

The conference resulted in the Beijing Declaration and Platform for Action (BPfA), a commitment to ensure that a gender perspective is included in policies and programs at all levels—local, national and international—with the UN and governments agreeing to promote mainstreaming a gender perspective in all developments efforts. The Beijing Declaration addresses population issues, land and credit policies, and makes an explicit link to sustainable development. In the BPfA, Strategic Objectives K and C respectively address women and the environment and resources for and access to health care for women, including preventive programs, initiatives to address sexual and reproductive health and HIV/AIDS, information dissemination, and follow-up health care.

World Summit for Social Development, Copenhagen (1995)

At the end of their deliberations, the delegates at the Summit agreed on the adoption of the Copenhagen Declaration on Social Development, and the Program of Action of the World Summit for Social Development. This declaration included the recognition that women carry a disproportionate share of the burden of coping with poverty, social disintegration, unemployment, environmental degradation and the effects of war.

Sustainable Development Goals

the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs), building on the Rio+20 Conference, adopted in September 2015, sets a new set of goals that are comprehensive as well as universal and applicable to all states, and are integrated and interrelated and cover the three dimensions of sustainable development. These SDGs include a specific goal on climate change (SDG 13) and on gender equality and the empowerment of women and girls (SDG 5). The new Agenda is explicitly “grounded in the UN Charter, the Universal Declaration of Human Rights, international human rights treaties” and other instruments, including the Declaration on the Right to Development (para 10). It states that the SDGs aim to “realize the human rights of all” (preamble) and emphasises “the responsibilities of all States... to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status” (para 19). Importantly, the new Agenda is “to be implemented in a manner that is consistent with the... obligations of states under international law.”(para 18) The SDGs reflect an effort to integrate and mainstream gender perspectives and other issues throughout, creating the opportunity for further advancement in gender equality and climate change over the coming decades. For many actors in the process, the 2030 Agenda has been critical and momentous, contributing towards advancing ambition and progress in combating climate change, especially as the new climate agreement will not officially begin until 2020, and the SDGs have a lifespan from 2016 to 2030.

Disaster Risk Reduction

The 2005 Hyogo Framework for Action (HFA) was developed at the World Conference on Disaster Risk Reduction (DRR) and was updated in Sendai, Japan, at the Third World Conference on DRR at the first major conference of 2015. With a goal to substantially reduce disaster losses by 2015, the HFA states that “a gender perspective should be integrated into all disaster risk management policies, plans and decision-



making processes, including those related to risk assessment, early warning, information management, and education and training.” The Sendai Framework for DRR recognizes climate change as exacerbating disasters and also as a driver of disaster risk and it calls for the coherence of DRR, sustainable development, climate change and other policies for improving efficacy and efficiency. The Sendai Framework calls for “managing the risk of disasters... protecting persons and their property, health, livelihoods and productive assets, as well as cultural and environmental assets, while promoting and protecting all human rights, including the right to development.” The Sendai Framework expands somewhat in terms of gender: it includes guiding principles of a gender, age, disability and cultural perspective in all policies and practices and the promotion of women and youth leadership. It refers to women’s role in gender sensitive policies and highlights empowerment of women and persons with disabilities to publicly lead and promote gender equitable and universally accessible response, recovery rehabilitation and reconstruction approaches.

Indigenous Rights

In 2007, after 20 years of negotiations, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted as a non-binding statement that recognizes indigenous rights to self-determination, education, institutions, political and economic development, as well as the right to participate in the life of the State.⁷ By confirming the rights of indigenous peoples, the declaration strengthens a rights-based development agenda and encourages better understanding of traditional land tenure and the need to recognize its validity for women and other vulnerable or marginalized groups in the face of climate change and shifting population dynamics. In the development of new climate change mitigation mechanisms, such as REDD+, (which stands for Reducing Emissions from Deforestation and Forest Degradation in developing countries, including the role of conservation, sustainable management of forests and enhancement of forest carbon stocks), reinforcement and safeguarding of indigenous rights is increasingly important.

⁷ United Nations Permanent Forum on Indigenous Issues. (n.d.). *Declaration on the rights of indigenous peoples: Frequently asked questions*. Retrieved from http://www.un.org/esa/socdev/unpfii/documents/faq_drips_en.pdf