



4TH INTERNATIONAL
CONFERENCE ON
**Small Island
Developing States**
27-30 MAY, 2024
ST. JOHN'S, ANTIGUA AND BARBUDA

SIDS4 Conference Side Event

“Realizing the Rights to Development and to a Clean, Healthy and Sustainable Environment in Global and Local Climate Actions Affecting Small Island Developing States.”

May 27, 2024

Organized by the UN Office of the High Commissioner for Human Rights and the Notre Dame Law School Global Human Rights Clinic

Background:

On May 27, 2024, the Notre Dame Law School Global Human Rights Clinic was selected to present its research on small island developing states, climate change, and human rights at the 4th United Nations Conference on Small Island Developing States. Using mixed methods and interdisciplinary tools from law and social science, the research set forth to assess the economic, environmental, governmental, and climate challenges SIDS face as the most climate vulnerable in today's worsening climate emergency. From the research's findings, the clinic's founding director, Professor Diane Desierto, presents about the gap between SIDS Vulnerabilities Assessments and Climate Actions that are effectively taken through international law, especially as it pertains to international human rights law – and suggests various efforts that can serve to rectify this gap. Following Professor Desierto's presentation, Mr. Jean Marc Brissau, the Clinic's staff attorney, moderates a panel between several international human rights law and sustainable development experts in order to further discuss the human rights dimensions of climate change as it pertains to SIDS and propose additional effective responses.

Key Issues Discussed:

- Evaluate the application of human rights, particularly the right to development and the right to a healthy environment in the context of SIDS.
- Address the gap between SIDS vulnerabilities and climate actions practically taken in international law.

- Evidence of a counterpart deficit when it comes to local climate actions: not all states, especially major emitters, commit their international human rights commitments into their NDCs or into their climate project approvals or equity arrangements to fund climate adaptation projects.
- Consider different mechanisms and measures which can ensure cooperation and assistance for SIDS from international human rights treaties and governing bodies.
- Analyze potential reparatory measures and accountability mechanisms that can effectively promote the sustainable development and human dignity of SIDS.
- Examine concerning issues regarding the limited information on what SIDS' governments are legally obliged to do to respect, protect and fulfill human rights of their populations.
- Provide remedies for redress and what non-SIDS governments owe to SIDS governments.

Key Recommendations for Action:

- Foundationally operationalize the principle of effectiveness giving effect to all environmental and human rights treaties at the same time.
- Implement some form of human rights audit that should be done on a country level, especially for SIDS, for climate adaptation projects.
- Design policies that ensure the full implementation of human rights towards SIDS populations as something that we can legally demand in courts and other spaces for which SIDS and non-SIDS governments can be held accountable.
- Replace current reparatory measures which remain very dispersal, unfocused and largely pecuniary with reparations that specifically address harms to the most climate vulnerable states, communities, peoples, groups, or persons.
- Amplify and include the voices of marginalized groups and civil society members in the decision-making process and programs which focus on addressing the systems and structural drivers of poverty, inequality and injustice in SIDS in order to hold governmental and non-governmental leaders accountable and legitimize the self-determination aspirations of SIDS individuals and communities.