

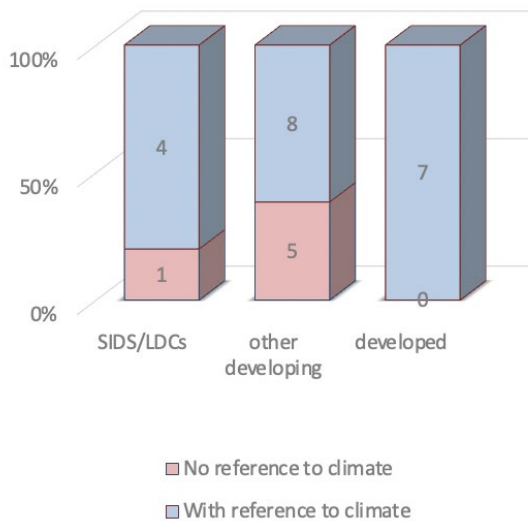
Committee on Economic, Social and Cultural Rights (CESCR)



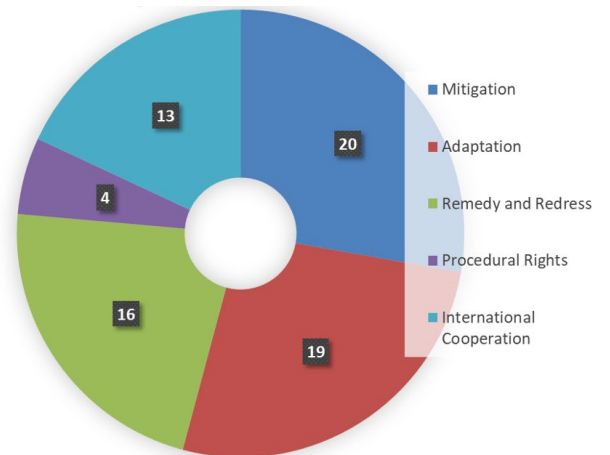
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This note reviews the outputs of the CESCR related to climate change in 2023 and complements our previous notes dedicated to such outputs up to 2022.

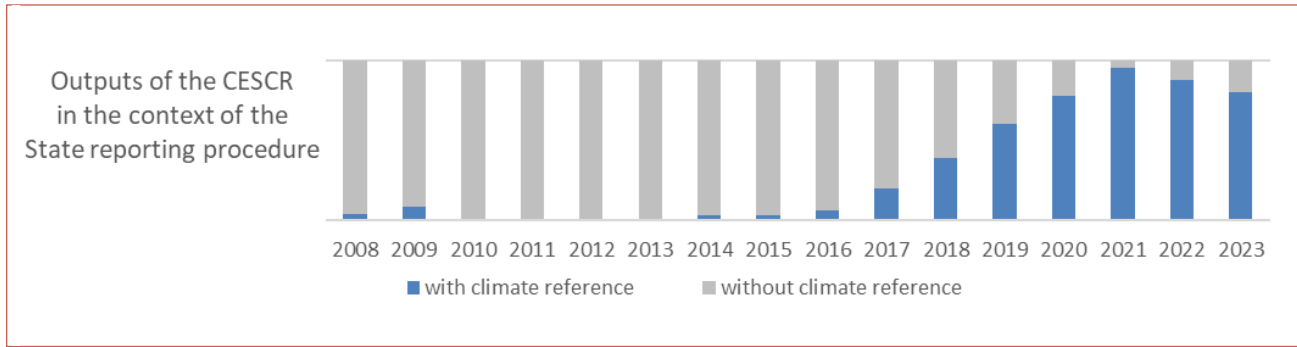
Outputs of the CESCR in 2023, by country category



Themes addressed by the CESCR in the State review procedure in 2023



In 2023, the Committee on Economic, Social and Cultural Rights (CESCR) referenced climate change in twelve Concluding Observations (COBs) and in seven of its eleven Lists of Issues (LOIs). Although in the last year, the Committee released fewer outputs than in years prior (for instance, in 2022, the CESCR released twenty-seven outputs while it released twenty-three in 2023), it still addressed climate change in most of its work, and the recommendations made to States were substantive.



The Committee thoroughly reviewed State parties' mitigation policies in seventeen of its outputs. In line with its previous work, the CESCR continued to stress parties' commitments under the Paris Agreement (e.g., COBs to Armenia, Brazil, China, Palestine, Panama, Portugal, Lithuania, and Qatar and LOIs to Croatia, the UK, Malawi, Rwanda, the Netherlands, the Russian Federation, and Kenya). Particularly, in the COBs to Brazil, Panama, and Portugal, the CESCR noted that the State parties were not on track to meet their nationally determined contribution (NDC) under the Paris Agreement. In the COB to Lithuania, the CESCR called on the State to "enhance its efforts to mitigate the adverse impacts of climate change ... and for the implementation of its transition to a net zero ... by 2050." Additionally, in the COBs to Armenia and Panama, the Committee called on the States to promote alternative and renewable energy sources. In the COB to Brazil, the Committee identified concrete measures that States could take to tackle the climate crisis, recommending that the State party "[c]onsider adopting a national emissions trading system" and "take all the measures necessary to stop deforestation." Similarly, in the COB to China, the Committee recommended to "expand the emissions trading system."

The Committee addressed adaptation in nineteen statements. In many outputs, it referred to national adaptation plans (NAPs) under the Paris Agreement. For instance, the Committee requested Cambodia, Palestine, and Yemen to develop a NAP. In some instances, the Committee praised existing NAPs but asked the State to reinforce those legal frameworks. In the COB to Portugal, the CESCR stressed the need for more measures, such as "fire prevention through the implementation of climate-smart and fire-smart land management such as afforestation and reforestation, farmland recovery and agroforestry, and the use of fuel reduction and fuel-conversion techniques that promote less flammable and more resilient types of land cover." The Committee also recommended to Portugal "adopt[ing] food systems that protect the rights of farmers, including migrant farmworkers, and the environment."

The Committee called on States to consider the adaptation needs of local communities and marginalized and disadvantaged groups (e.g., COBs to Brazil, Cambodia, and China). Additionally, in the COB to Panama, the CESCR highlighted the importance of the participation of Indigenous Peoples in the design of adaptation policies by asking the State to guarantee that “Indigenous Peoples are effectively consulted and fostering their full participation in the design and implementation of relevant policies and programmes.” Furthermore, the CESCR also noted the importance of consultation processes and obtaining free, prior, and informed consent in relation to decisions that are likely to affect the rights of indigenous communities (e.g., COBs to Brazil and Cambodia).

The Committee addressed fossil fuels in 6 outputs (e.g., COBs to Chad, Qatar, China and Palestine, and LOIs to the Netherlands and the Russian Federation). In its COB to Qatar, the Committee noted with concern that the State “remains heavily reliant on natural gas, and to a lesser extent on oil, as its main economic engine and source of revenue, but also because of its plans to boost further its production of and trade in liquified natural gas.” In that case, the Committee called on Qatar to “further promot[e] alternative and renewable energy sources.” In the LOI to the Netherlands, the Committee inquired the State as to the “progress made in overhauling the oil refinery industry in Curaçao with a view to averting pollution.” Moreover, the Committee asked China to make “all efforts to replace fossil fuel in its energy mix, including by increasing renewable energy as an alternative” (e.g., COB to China). In the COB to China, the Committee also addressed extraterritorial obligations. In particular, the CESCR welcomed China’s decision to “cease to build new coal power projects overseas” but noted with concern that the State’s “unsustainable practices have had an adverse impact on climate change beyond the State party’s borders.” Considering that, the Committee required that China “[s]uspend permissions to construct coal-fired power plants and pause ongoing financing for construction, including in the State party and abroad.”

In 2023, the Committee continued its work on the [General Comment on Sustainable Development and the International Covenant on Economic, Social and Cultural Rights](#). In particular, a Day of General Discussion was held in February 2023 to inform the drafting of this General Comment (GC).