



WEBINAR REPORT

Questions from the Climate Crisis, Answers from Human Rights : Maritime states' Human Rights on the brink of a precipice, Are we Bystanders or Guardians?

Date and Time: Saturday, October 22nd, 2022, 07:00-09:00 (GMT)

Location: Online (Zoom)

Topics: Maritime states' Human Rights on the brink of a precipice,
Are we Bystanders or Guardians?

Host: HWPL Western Busan & Gyeongnam Branch

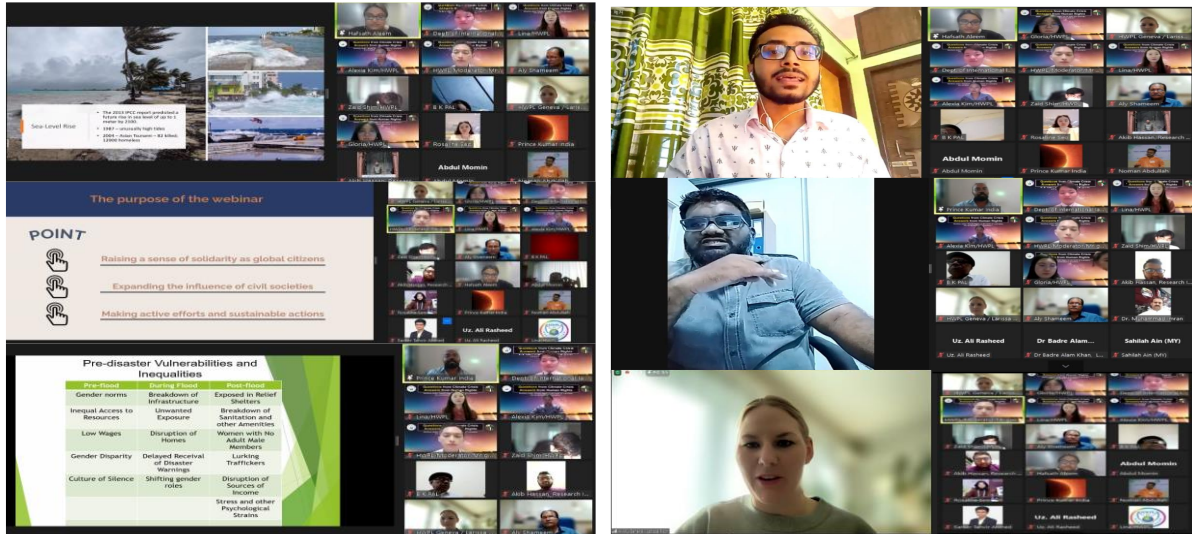
Language: English

Participants: 42 People

Speakers: Mr. Brijendra Kumar Pal, General Secretary, United Lawyers Association, India
Dr. Aly Shameem, Assistant Professor, Maldives National University, Maldives
Mrs. Hafsa Aleem, Founder, CleanMaldives (NGO), Maldives
Mr. Khurshid Alam, Head of Department (Law), University of Malakand, Pakistan
Mr. Prince Kumar, Research Scholar (Law), Panjab University, India



< Profile of Speakers >



< Webinar hosting and audience comment session >

"To arrest the problem urgent global or collective action is required but the world community is divided along lines of their national economic policies and harsh reality to be met which has to bear painful economic risks."

- Dr. Aly Shameem, Assistant Professor, Maldives National University, Maldives

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- Mrs. Hafsath Aleem, Founder, CleanMaldives (NGO), Maldives

"From this reason, the government needs to introduce a new energy source for transport so that no smoke will be produced. and all the industries need to put filters so that dangerous and poisonous gases do not pollute the atmosphere."

- Mr. Khurshid Alarm, Head of Department (Law), University of Malakand, Pakistan

"The statistics on climate change is warning us of floods as a recurring phenomenon in the future. In the backdrop of such findings, it's rather important to assess the multidimensional and intersectional impact of floods and bring reforms in disaster response, mitigation and adaptation mechanisms."

- Mr. Prince Kumar, Research Scholar (Law), Panjab University, India



Through this webinar, participants are going to be told of the damage conditions of maritime states, including Maldives faced with a crisis due to climate disaster, coastal erosion, flooding caused by sea level rise and citizens. Afterwards, they proceed with the practical and gradual discussion in order to awaken the fundamental value of various human rights that have been threatened by the climate crisis and realize it.

< Introduction Webinar >

On 22 October 2022, a Human Rights Webinar was held in the Maldives, Bangladesh, India, and Pakistan under the theme " Questions from the Climate Crisis, Answers from Human Rights: Maritime states' Human Rights on the brink of a precipice, Are we Bystanders or Guardians?" with about 50 participants including Human Rights activists, Law professors, Lawyers, and Students. Mr. Brijendra Kumar Pal, General Secretary, United Lawyers Association, India, delivered the encouragement.

The webinar was designed to hear the damage from citizens of maritime countries, including Maldives, who are facing climate disasters such as flooding and coastal erosion due to rising sea levels, realize the fundamental value of various human rights threatened by the climate crisis, and foster a sense of subjectivity for human rights protection. In addition, along with the presenters' presentations, they appealed for the importance of active participation and continuous communication in civil society for the protection of human rights.

Starting with a video produced by UN (COP26), a full-fledged webinar began. Four speakers used their expertise to present their positions and views on the climate crisis and the importance of protecting human rights. Afterwards, participants have had time to listen to their impressions (thoughts and opinions) and to strengthen their will to protect human rights.



< Background Information >

Since 80 percent of its expansive territory lies less than a meter above sea level, about 500,000 residents, who are almost all citizens, are very vulnerable to climate change. Half of the atolls, which are home to Maldives natives, have already reported coastal erosion. And in inclement weather with strong winds, seawater enters even in the densely populated areas, causing frequent flood damage. Also, more than 90 percent of the indigents live on the outer atolls, who are most completely depend of rain or desalination systems.

According to the Associated Press (AP) from Malé (Maldives' capital), H. E. Ms. Aminath Shauna, the Maldives' Minister of Environment, Climate Change and Technology, said "The difference between 1.5 degrees and 2 degrees, for us, really is a death sentence."

In order to overcome the growing impacts of climate crisis every year, Maldives spends more than 30% of the national budget in response to many climate disasters such as desalination, irrigation, flooding, coastal erosion, and sand loss. But, because of economic recession caused by COVID-19 and high climate risks, Maldives is unable to access affordable loans with low-interest rates, making the nation's financial situation even more difficult. The UN has created funds specifically to help climate-stressed countries, but the fund takes long to be provided. For this reason, countries in the climate crisis, including Maldives, are provided with advanced countries in the form of loans, not donations and will remain debt to be repaid someday.

Recently, the Maldives government came up with a land development project to ease population overcrowding. However, according to Climate Home News, an independent environmental media, when the project is pushed ahead, the Maldives government's Environmental Impact Assessment (EIA) results lead to "significant irreversible damage" to lagoons and coral reefs. This is based on the deterioration of beach erosion caused by breakwaters to build port facilities and hotels on the beach and protect the structures.

Eventually, Maldives should not only consider the right to life, the right of residence, and the environmental rights from the climate crisis, which is sea level rise, but also think over comprehensive questions about (on) protection of human rights including economic bloc. Also, Maldives as well as maritime states and the whole world should recognize the current situation, faced with the climate crisis and get out of Bystander's position.



< Points of discussion >

➤ **Dr. Aly Shameem, Assistant Professor, Maldives National University, Maldives**



► Climate Crisis is the biggest challenge faced by the international community at the present time. Especially, the Maldives was awakened to the fateful consequences of climate change when unusual tidal waves that struck the Maldives.

► According to the National Oceanic and Atmospheric Administration (NOAA) of USA, the high presence of greenhouse gases in the atmosphere, rising sea level and warmth of sea water have been recorded highest in the past year 2021. Compared to the year 2020, in 2021 the sea level has risen by 4.9 millimeters. This is the 10th year the sea level rise has been occurring consecutively. Undoubtedly no country is so concerned and worried about the fateful consequences of Global Warming and its twin dangers of climate change and sea level rise other than world's lowest lying nation above sea level, the Maldives.

► The right to self-determination is recognized in Article 1 of both ICCPR and ICESCR and in Article 1 and 55 of the UN Charter. Climate change may destroy the statehood of Maldives. Undisputedly, impacts of climate change constitute a threat to the enjoyment of the right of people of Maldives as a nation to live peacefully. Most recently, again a resolution spear-headed by the Maldives was adopted by UN general Assembly on 27 July 2022, by 161 votes and none against. It recognized that every human deserve a clean, healthy and sustainable environment as a human right.

► To arrest the problem urgent global or collective action is required but the world community is divided along lines of their national economic policies and harsh reality to be met which has to bear painful economic risks. If the world fails to take timely action to abate greenhouse gases, fatal and irreversible damages will be done to mother earth causing, environmental or climatic devastation, deaths of many people and loss of land and livelihoods of many countries mostly vulnerable island states and coastal states.



➤ **Mrs. Hafsath Aleem, Founder, CleanMaldives (NGO), Maldives**



► Maldives is a country of 1190 small tropical islands living on the front line of climate change. It also is the flattest country on earth because of the average of 1.8 m elevation above sea level, hence morphologically unstable due to this very low elevation. Both rising sea temperatures and increasing acidity attack the colored algae that live in and feed the corals. Although this is a natural process that occurs in 80-90% of islands in the Maldives, it has been made more powerful by rising seas, stronger waves and stormier weather and extreme and erratic weather climate change bring more turbulent and unpredictable weather patterns.

► Furthermore, the dry season in the Maldives is getting longer and more intense, creating problems with drinking water supplies. Along with this, tuna catches in Maldives is dropping. This is thought to be linked to fish moving to cooler water, or lack of food, due to changing weather conditions

► The above climate change also has a social impact. Houses could be damaged or destroyed, and severe flooding could make entire communities homeless. Coastal flooding wears away beaches on the islands at a rapid rate. This destroys habitats and exposes the land behind the beach to the effects of flooding. The soil on most of the islands is shallow (20cm deep or less), and the soil layer could be easily washed away by coastal flooding, so most plants won't be able to grow.

► Maldives identifies 12 priority adaptation actions in its NAPA, one of which is currently receiving funding through the LDCF In addition, the Special Climate Change Fund (SCCF) is currently considering funding for an additional project that may address NAPA priorities. The majority of these proposed adaptation actions focus on risk reduction in coastal zones, as well as the building of infrastructure to reduce the vulnerability of coastal populations.



➤ **Mr. Khurshid Alarm, Head of Department (Law), University of Malakand, Pakistan**



Climate risks and threats to Pakistan

- ▶ The German watch Report has been warning Pakistan since 1999, that Pakistan is one of the most affected countries by climate change. The low income countries are the most affected by the climate change.
- ▶ One of the reasons is that, Pakistan is mainly agriculture country which means that most of the GDP is dependent upon crops and crops depend on three things. Sun light, water and nutrient soil.
- ▶ Climate change affects all three of them.
- ▶ When the rain fall is late and the availability of water is different, then obviously, the crop production will also become different and yield vary as well.
- ▶ The flooding has also affected at least two million acres of crop land.



▶ Pakistan is over populated and middle to lower income country, therefore, people don't have the resources to protect themselves from the impact of climate change. The German watch Report has been warning Pakistan since 1999, that Pakistan is one of the most affected countries by climate change. The low-income countries are the most affected by the climate change. One of the reasons is that, Pakistan is mainly agriculture country which means that most of the GDP is dependent upon crops and crops depend on three things.

▶ The climate change also creates health risk in different parts of Pakistan. Extreme weather, unhealthy air quality and disease outbreaks are becoming more frequent and severe affecting more people and more places.

▶ The United Nation's Office for the Coordination of Humanitarian Affairs (OCHA) has officially identified 116 districts as being affected by the monsoon-driven floods. Of these, 66 have officially been declared as 'calamity hit'. Pakistan would need US\$10 billion for repairs and the reconstruction of destroyed infrastructure and that such reconstruction could take up to five years. The floods of 2022 are not just riverine floods, as was the case in the 2010 super floods, the last great floods to hit the country. This time, what we have witnessed are five meteorological disasters, all happening simultaneously and coinciding in various regions of the country.

▶ From this reason, the government needs to introduce a new energy source for transport so that no smoke will be produced. and all the industries need to put filters so that dangerous and poisonous gases do not pollute the atmosphere. The most important thing which the government needs to focus is on plantation and to stop deforestation Awareness program for people to aware them from change of weather, Dams should be built, protect water' right of way, and Revisit and revise construction standards, specifications and material is important to Pakistan's people.



➤ **Mr. Prince Kumar, Research Scholar (Law), Panjab University, India**

▶ India has a high vulnerability to floods. More than 12% of its total geographical area is flood prone. Central Water Commission of India data in 2018 showed that in a span of 65 years (1952-2018), every year country faced major losses due to floods. In this span total deaths were 109,412 people and financial losses amounted to Rs 4.69 trillion.

▶ Floods have multi-gendered impact though superficially it might seem otherwise. The vulnerabilities as a natural disaster creates, exposes women and marginalized gender to a series of sexual harassment and violence. Floods also catalyze crimes like human trafficking by causing unemployment and loss of livelihood.

▶ As of yet there is no international treaty that prevents gendered violence during floods directly. Since floods are direct result of climate change the reliance has to be placed on the existing framework which deals broadly with the climate change.

▶ General Recommendation No. 37 on Gender- Related Dimensions of Disaster Risk Reduction in the Context of Climate Change, explained well the suitability of international women's rights treaties in disaster management laws but fails to deal with floods specifically. India is also a member to Convention against Trafficking, Convention on the Rights of the Child and Convention on Elimination of Discrimination of All forms of Violence against Women. The obligations under these conventions have an intertwined impact during time of floods.

▶ The statistics on climate change is warning us of floods as a recurring phenomenon in the future. In the backdrop of such findings, it's rather important to assess the multidimensional and intersectional impact of floods and bring reforms in disaster response, mitigation and adaptation mechanisms. In India, in cases of gendered violence—the victim blaming, and condoning men's violence is quite common followed by poor victim rehabilitation and assistance



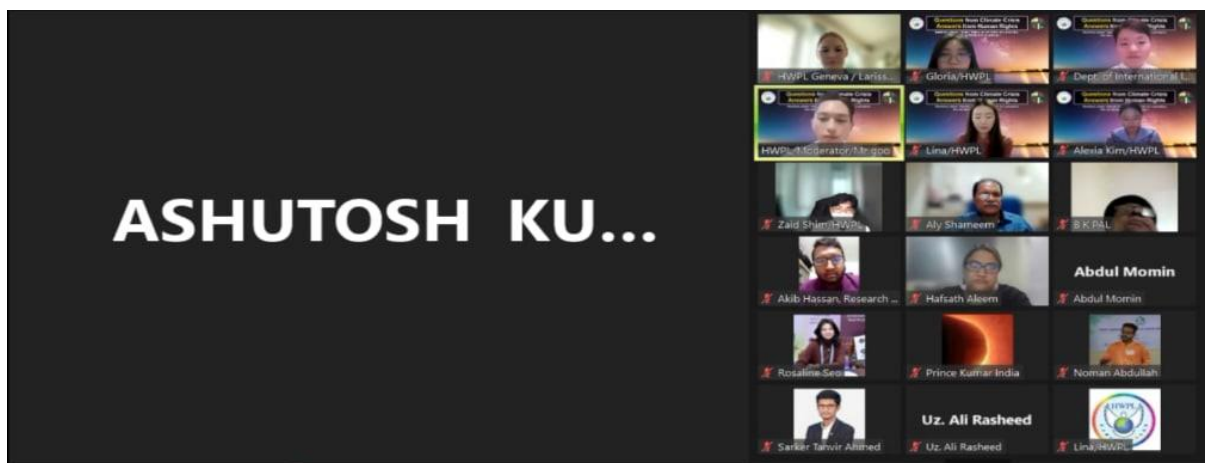
< Audiences impression & Comment >

➤ **Abdullah Noman Raju, Student, Department of Law, Jagannath University, Bangladesh**



► It is very relative to now this century because we know that climate change is very vulnerable problem and challenge that we are going to face in next the case. The 12% about population that are in Bangladesh, that 2050, that they will face that climate change effect. So, this is very vulnerable time that we have to question about this. The main thing is that the human rights, because we all have the same rights, equal rights to face these challenges. We need to coordinate and collaborate.

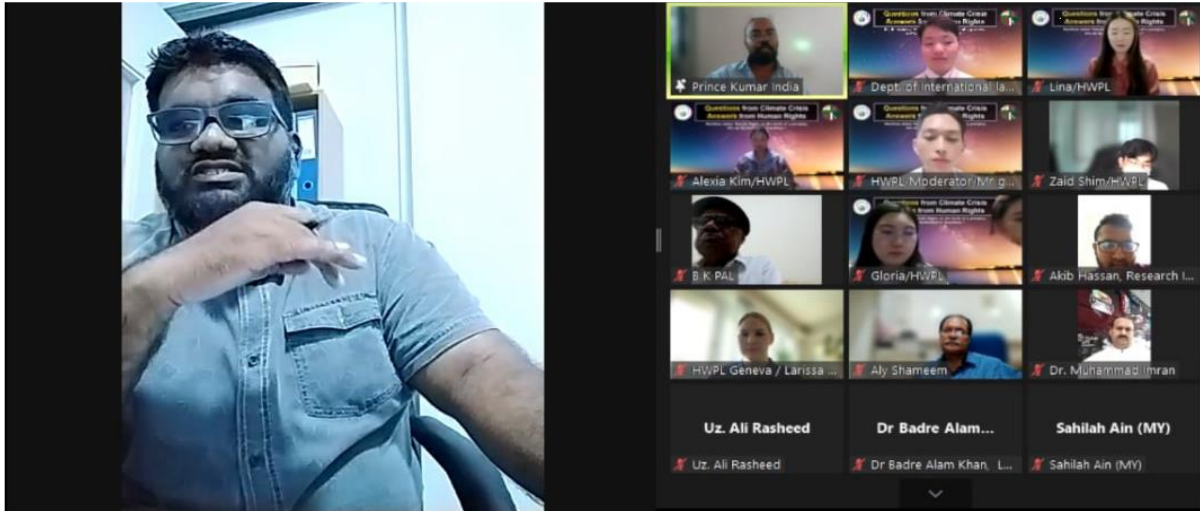
➤ **Mr. Ashutosh Kumar, Assistant Professor, Dep.t of International Human Rights and Environmental Law, Amity University, India**



► I'm very grateful to all the organizations and specifically speakers Ma'am and Sir, because it is very important issue that it is issue of survival for all of us city opinion. With this great forum, which highlight all the common participants share the responsibilities for all the countries. From my side, it's now a never situation.



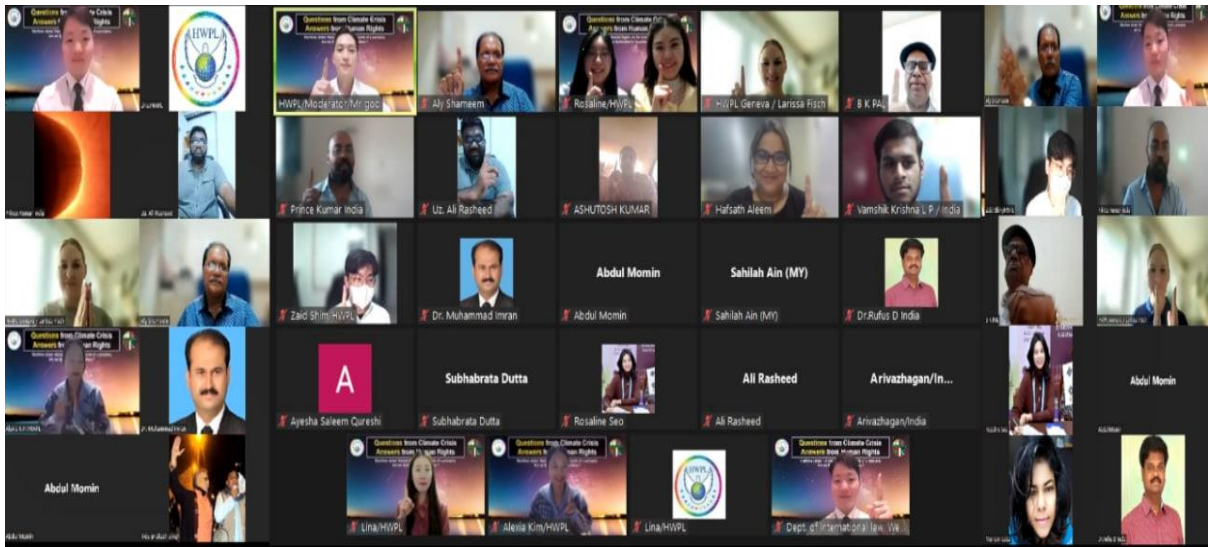
➤ **Uz. Ali Rasheed, Lawyer & Sociak Worker, Maldives**



► There are many human rights in the world, such as ICCPR and ICESCR. Human rights arise in different regions and cultures. All of these human rights are very important, including the right to life. Why I said it above is the reason, there is no human rights without life. The most important human rights are the right to life. The dangers of life are absolutely torture to us. The topic of climate change and its consequences for all speakers speaks volumes about how important human rights and their risks are. So, we must act to minimize the consequences of climate change. If we don't help citizens facing climate change, most of which are within a meter, The rest of the world will also fail to help. Thank you to everyone who raised their voices by participating in the webinar.

< Henceforward plan >

The results of the webinar will be promoted to the Ministry of Home affairs, and Justice and Environment-related Departments, Maldives. (Ministry of Fisheries, Marine Resources and Agriculture & Environment, Climate Change and Technology) (For communication between senior organizations and civil society) Our organization aims to network with civil groups and youth residing in Maldives to deal with climate disaster. Educational programs and campaigns on climate crisis and protection of human rights will also be conducted. With the participation of experts related to the climate crisis and human rights, HWPL will enhance the completeness of the webinar and through MOUs with the regional intergovernmental organizations. Periodic webinars will be further conducted to serve as the place for casting experts. This webinar seeks to raise awareness of the climate situations threatening human rights in maritime states, including Maldives, so that they can be shared around the world.



< Webinar Commemorative photo >

CONTACT INFORMATION

HWPL Western Busan & Gyeongnam Branch

Jaden Lee, Department of International Law

Phone +82-10-8025-4586

Email int.law_bs@hwpl.kr

www.hwpl.kr