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B) Projektübersicht

1 Kurzfassung

Klimapolitische Maßnahmen der EU und ihrer Mitgliedstaaten, wie beispielsweise Mitigationsmaßnahmen im Rahmen des Mechanismus für umweltverträgliche Entwicklung (CDM für Clean Development Mechanismus) des Kyoto Protokolls, können sich negativ auf Menschenrechte in Drittstaaten auswirken. Sie können nicht nur problematische Folgewirkungen auf das Recht auf Nahrung, Wasser oder Wohnen zeigen, sie können auch zu Vertreibung, Abwanderung und Umsiedelung von Menschen führen. Zentraler Ansatzpunkt des Projektes ClimAccount war die internationale Dimension dieser problematischen menschenrechtlichen Konsequenzen. Das Ziel des Projektes war es, die komplexe Beziehung zwischen klimapolitischen Maßnahmen, Menschenrechten und Migration zu erforschen und die menschenrechtliche Verantwortung (extraterritoriale Menschenrechtsverpflichtungen) von negativen Folgen klimapolitischer Maßnahmen der EU und ihrer Mitgliedstaaten¹ zu analysieren.

Diese Fragestellung wurde anhand dreier Fallstudien bearbeitet, die klimapolitische Projekte in drei außereuropäischen Ländern untersuchten. Die für die Fallstudien ausgewählten Projekte waren der Bujagali Staudamm in Uganda, der Barro Blanco Staudamm in Panama und das Geothermalprojekt Olkaria IV in Kenia. Mittels Feldforschung wurden die menschenrechtlichen Auswirkungen der Projekte untersucht. Der Fokus lag dabei auf dadurch ausgelöste Vertreibungen und anderen Migrationsbewegungen. Des Weiteren wurden extraterritoriale Menschenrechtsverpflichtungen der EU und Österreich und die Frage des Zugangs zum Recht für die von diesen Projekten betroffenen Menschen untersucht und politische Empfehlungen für politische Akteure und Akteurinnen entwickelt.

Am Beispiel des CDM wurde gezeigt, dass Menschenrechte in internationalen Klimaabkommen nur unzureichend berücksichtigt werden. Die Verfahrensweisen des CDM beinhalten zwar das Ziel der nachhaltigen Entwicklung und sehen die Einbindung von betroffenen Personen vor, sie überlassen es aber den Ländern, in denen die Projekte

¹ Der ursprüngliche Fokus des Projektes war nicht auf die Mitgliedstaaten generell gerichtet, sondern sollte sich auf die EU und Österreich beziehen. Die Analysen haben aber gleich zu Beginn gezeigt, dass Österreich nur indirekt in diese Maßnahmen involviert ist, zum einen durch die Mitgliedschaft in der EU, zum andern durch die Zurverfügungstellung von Geldmittel an andere Entwicklungsbanken, wie beispielsweise die Central American Bank for Economic Integration. Der Forschungsfokus wurde daher generell auf die Mitgliedstaaten der EU ausgeweitet.

durchgeführt werden, die Kriterien für nachhaltige Entwicklung und Mitentscheidungsprozessen zu definieren. Der CDM sieht auch keine Mechanismen vor, Probleme, die während der Implementation des Projektes auftreten, zu thematisieren und zu lösen. Die meisten dieser Projekte werden nicht dahingehend untersucht, welche Auswirkungen sie auf die Menschenrechte der betroffenen Bevölkerung haben.

Viele der CDM-Projekte werden von Industriestaaten finanziert, u.a. von bilateralen Entwicklungsbanken europäischer Staaten oder der Europäischen Investmentbank. Die Finanzierung solcher Projekte stellt auch einen zentralen Ansatz im internationalen Klimaabkommen dar. Viele dieser finanzierenden Institutionen wenden sogenannte „social safeguards“ (soziale Schutzstandards) an, um problematischen Auswirkungen der von ihnen finanzierten Projekte vorzubeugen. Diese Safeguards sind aber nicht unbedingt menschenrechtskonform. Darüber hinaus haben diese Institutionen auch sehr oft Beschwerdemechanismen eingerichtet, bei denen sich Menschen, die negativ von den Folgen dieser Projekte betroffen sind, beschweren können.

Die Fallstudien haben deutlich gemacht, dass es fallübergreifende Muster hinsichtlich problematischer Menschenrechtsauswirkungen gibt. Diese betreffen folgende Dimensionen:

- Partizipation der von CDM Projekten betroffenen Bevölkerung im Entscheidungsprozess ist ein wichtiger Teil zur Gewährleistung ihrer Menschenrechte. In allen drei Fallstudien wurde die Einbindung und ggfs Zustimmung der Bevölkerung – auch entgegen internationalen Menschenrechtsstandards – nur sehr unzureichend sichergestellt.
- Migration, Zwangsräumungen, Umsiedelungen: Auch Umsiedelungen im Zusammenhang mit der Errichtung von CDM Projekten stellte in den Fallstudien ein Problemfeld dar. Teils wurden Menschen nur unzulänglich entschädigt und die Rechte der Menschen wurde nur unzureichend geschützt.
- Auch im Zusammenhang mit der Sorgfaltspflicht der beteiligten Firmen gab es Probleme; umweltbezogene und soziale Auswirkungen wurden, wenn überhaupt, nur sehr unzulänglich berücksichtigt.

Dies führt zur Frage der menschenrechtlichen Verantwortlichkeit von europäischen Staaten und der EU, wenn Projekte, die von ihren Entwicklungsbanken finanziert werden, zu Menschenrechtsverletzungen führen. Die Analysen haben gezeigt, dass die rechtlichen Grundlagen für extraterritoriale Menschenrechtsverpflichtungen in diesem Zusammenhang kaum gegeben sind. Die von diesen Projekten betroffenen Menschen sind daher auf außergerichtliche Verfahrensmechanismen angewiesen, die, wenn überhaupt, freiwillig von den Banken eingerichtet wurden. Obwohl diese sehr wichtig für den Zugang zum Recht für betroffenen Bevölkerungsgruppen sind, weisen sie sehr oft auch Mängel auf, z.B. hinsichtlich ihrer Zugänglichkeit oder in Bezug auf die Unabhängigkeit dieser Mechanismen.

2 Executive Summary

Measures to address climate change can result in human rights violations when the rights of affected populations are not taken into consideration. Climate change projects in so-called 'developing' countries are often financed and/or also implemented by industrialised countries. The research project *ClimAccount Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and their possible Effects on Migration* focused on the accountability of the EU and its Member States with regard to negative impacts of climate change measures they are involved in on human rights in third countries – especially those associated with 'migration effects'. Based on three case studies - projects registered under the Kyoto Protocol's Clean Development Mechanism – the human rights dimension of climate change action was discussed, areas of human rights concerns that were discernible in all three case study projects were identified, the issue of extraterritorial human rights obligations was analysed and the subject of access to justice was scrutinized. The following key insights can be summarized:

Human rights are inadequately incorporated into the global climate change policy and legal framework which leaves project affected communities vulnerable to violations of their human rights. The case studies indicate that there are three common areas of concern with regard to ensuring the human rights of the project affected population:

Participation: In all three case studies there were shortcomings with regard ensuring the adequate participation and consultation of project affected persons. Especially the inclusion of vulnerable groups such as indigenous peoples was a particular challenge.

Migration/resettlement/relocation: Resettlement and relocation issues are a very sensitive issue. Problematic fields in this regard are the failure of providing an accurate initial data set or census for the planning or carrying out of resettlement processes, the lack of a structured planning of compensation measures, problems concerning the selection of sites for resettlement or the absence of drawing up and agreeing on a resettlement plan.

Due diligence: Issues of concern relate to the problematic quality with regard to the content and the process of conducted environmental and social impact assessment as well as inadequate monitoring activities by the financing institutions.

The case studies revealed that it is crucial to ensure the participation of project affected people in all phases of the project, to carry out resettlement activities in accordance with human rights obligations and to guarantee a thorough and adequate environmental and social impact assessment that takes into account the impact of the project on the human rights of the affected communities.

The question of holding the EU and its member states accountable for human rights violations in this context is a particularly challenging one. Although the case for extraterritorial human rights obligations in this context is very hard to make, they play an important role in determining the expected conduct by states at the international level, i.e. in particular the obligation to refrain from conduct which impairs the enjoyment of human rights outside of their territory. With regard to access to justice, project affected people are very often left to non-judicial grievance mechanisms of multi- and bilateral financing institutions, which are important for ensuring their rights but also show some shortcomings (e.g. accessibility, independence).

3 Initial Situation and Objectives

The research project **ClimAccount Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and their possible Effects on Migration** started from the premise that not only climate change but also climate action can impact negatively on human rights. In 1992, the United Nations Framework Convention on Climate Change (UNFCCC) was adopted, which is the key instrument in setting up an international legal framework and paving the way for a political process to address the challenges of climate change. The objective was not only to mitigate the advancement of climate change, but also to initiate measures to adapt to a changing environment. Human rights principles were not taken into consideration in the UNFCCC and in its follow-up treaties for a long time. Only the 2015 Paris Agreement included a passage on human rights in its preamble, by calling on state parties to respect, promote and consider their obligations on human rights when taking action to address climate change.

Climate protecting activities by states, in particular mitigation and adaptation activities, can result in human rights violations where the rights of affected populations are not taken into account. While this can affect a number of different human rights (e.g. right to food, right to health, etc.), the emphasis of this report is laid on human rights associated with 'migration effects'. 'Migration effects' inter alia comprise **preventive relocation** (government-planned movement of settlements from high risk zone to safer zones; either temporary or permanent, either voluntary or forced), **development-based evictions and resettlement** (involuntary resettlement of persons and communities by large-scale infrastructure and other projects); and **forced displacement** (forced development-based eviction without designation of a new settlement). As a consequence to climate change policies, the category can also be termed '**climate-policy induced migration**'.

Based on the principle of 'common but differentiated responsibilities and respective capabilities', which was introduced by the UNFCCC, the issue of financing climate change projects in so-called 'developing' countries became a key component of the climate regime. As a consequence, adaptation and mitigation actions in developing countries are often financed by industrialized countries and, in addition, sometimes also implemented by actors from these countries. The project, thus, **focused on the issue of human**

rights accountability of the EU and its member states'² climate policies in third countries. On the basis of three case studies, the project analysed the international dimension of adverse human rights impacts, with an emphasis on 'migration effects', and the involvement of European actors (institutions and corporations) in the implementation of climate measures. The **case studies** chosen – the **Bujagali Hydroelectric Power Plant in Uganda**, the **Barro Blanco Hydropower Plant in Panama** and the **Olkaria IV Geothermal Project in Kenya** – are registered under the **Clean Development Mechanism**, a carbon-trading system defined by the Kyoto Protocol.

Objectives of the project:

The research project focused on filling existing gaps concerning the following main issues:

- a) Discerning the relevance of ETOs for the climate policy discussion, in particular also of civil and political rights.
- b) Putting a spotlight on the human rights of persons displaced, resettled or relocated as a result of climate policies and identifying instruments which may be used in this context.
- c) Providing focused research on the legal and institutional human rights framework applicable in the context of adaptation and mitigation measures in general and climate-policy induced migration in particular.
- d) Conceptualizing the HRIA (as an instrument strongly related to the HRBA, SIAs and ESIA) in the context of the implementation of climate policies.
- e) Identification of the role the EU and its member states, in particular Austria, play in the international governance structures in relation to mitigation and adaptation policies in the selected case study countries (Panama, Uganda, Kenya).
- f) Determining the impacts and human rights implications of climate policies in aforementioned selected case study countries.
- g) Drafting of recommendations for the EU and Austrian policy makers.

² Research showed that Austria is only 'indirectly' involved in these measures, first and foremost by its membership in the EU but also by providing funds to other development banks, such as the Central American Bank for Economic Integration. Thus, the research focus was laid on the EU as well as its member states in general.

4 Contents and Results of the Project

4.1 Project structure and activities

ClimAccount consisted of the following five work packages:

Workpackage 1 “Desk Research, Explorative Phase” aimed at laying the **theoretical, conceptual and methodological foundation** for the project. The findings were summarised in an internal baseline report containing:

- An overview of existing extraterritorial human rights obligations under international European law relevant for climate policies
- An outline of the international legal standards applying to displacement, resettlement and migration as a result of climate policies
- An overview of the institutional framework of the EU and Austria in regard to climate policies

In conclusion, gaps of the international legal and institutional framework concerning the human rights dimensions of climate policies and the human rights situation of persons displaced or resettled by those policies were identified and summarized.

Furthermore, the **Human Rights Impact Assessment (HRIA)** as a basis for carrying out the research was developed and included as a final chapter in the baseline report.

Workpackage 2 “Case Studies” constituted the core element of the project. To get a better understanding of the **human rights implications of climate policies** in third countries and **their effect on displacement, resettlement and relocation**, three climate projects were chosen for case studies. The **case studies were selected** according to the literature review that singled out two fields in the context of climate change policies where European actors are extensively involved:

- Regulation of carbon markets such as the Clean Development Mechanism under the Kyoto Protocol
- Financing of climate projects

A further criterion for the selection of case studies was alleged human rights infringements in the context of relocation, resettlement or forced displacement reported by NGOs, media and other stakeholders. The projects chosen were the **Barro Blanco Hydroelectric Power Plant** in Panama, the **Bujagali Hydroelectric Power Plant** in Uganda and the **Olkaria IV Geothermal Project** in Kenya.

In preparation for extended field research sound **methodological guidelines** were developed that conceptualised a Human Rights Impact Assessment to guide the field research. In addition, a **pre-study for each project** was drafted in order to collect information on the background of each case study, including the regional and national context, mitigation and adaptation policies, human rights situation, details on the project and on the persons affected by the project and information on displacement, resettlement and relocation taking place. The results were summarised in three pre-study reports.



Local transport to indigenous territory, Panama.

During the **field studies** the research team conducted interviews and carried out focus groups with representatives of NGOs, human rights activists, project affected communities and individuals, government officials, local authorities, representatives from international governmental organisations, journalists, company representatives, researchers and other experts. In total, 55 interviews and focus groups were carried out during the project (including interviews

in Europe and during validation missions). The research missions were also used to collect, review and analyse additional documents, such as laws, policy papers, news reports, and literature. In addition to field research in third countries, interviews were also carried out with relevant European stakeholders and policy makers in Brussels and in Amsterdam.

The **collected data and findings were assessed and analysed and brought together** with the results of the pre-studies and baseline report, an outline for the **case study reports** was developed and a report was drafted summarising the findings of each case. The case study reports presented the background of the chosen project including the presentation of the **factual background**, the mapping of involved actors, institutions, policies and legislative framework, a mapping of the international, regional and local climate change framework relevant for the case study, the presentation of stakeholder positions and measures put in place to address adverse impacts of the project. Based on this background information, the reports continued with the **analysis**

of the most important human rights concerns, the discussion of the legal responsibility and political accountability of European states and their institutions including extraterritorial human rights obligations and access to justice.

In order to validate the findings and complete gaps in the research through additional interviews and the search for additional information and documents two **validation missions** (Barro Blanco, Olkaria) were carried out.



The Barro Blanco hydroelectric dam, Panama.

The findings of all three case studies were brought together in **Workpackage 3 “Bringing together the results of the case studies, drafting recommendations”**. Further interviews and a workshop were carried out in Luxembourg and in Vienna in order to complete the research. The overall findings of the case studies were summarised in a Synthesis Report **“Human Rights Performance in EU Climate Policy. The Role of European States in Climate Measures, and Access to Justice for Affected Populations”** and published on the project webpage. It contains a short presentation of the case study projects and presents the comparative analysis of case studies which aimed at identifying common patterns and differences concerning human rights infringements/threats caused by climate policies, common features with regard to the

involvement of EU and European actors as well as systematic deficiencies in human rights norms/systems and the climate policy regime. In addition, the issue of accountability and responsibility for negative human rights outcomes of climate action projects, including the topic of extraterritorial human rights obligations and access to justice, were discussed. Recommendations for policy makers were developed and published in form of a **policy brief**.

Workpackage 4 “Publications, Dissemination” was implemented throughout the project. The project team submitted several articles to peer-reviewed journals, published articles in other journals and books, published several working documents and presented its findings in various academic conferences and workshops. Furthermore, the policy recommendations published in the policy brief were discussed with policy makers and experts during a panel discussion at the end of the project.

Workpackage 5 “Overall management of the project”

included the monitoring of the work progress and making sure that the project objectives were met in accordance with the time schedule. It further contained the overall coordination and management of the work packages as well as the management of the budget and other organisational tasks.



Olkaria geothermal plant, Kenya.

4.2 Most important findings of the project

The research project ClimAccount Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and their possible Effects on Migration set out to explore the complex relationship between climate change, migration and human rights by focusing on the effects of climate change measures on human rights in third countries. The key element of the research consisted of three case studies focusing on projects registered under the CDM: the Barro Blanco Hydropower Plant in Panama, the Bujagali Hydropower Plant in Uganda and the Olkaria IV Geothermal Project in Kenya. The main insights can be summarised as follows:

With the example of the CDM it was demonstrated that **human rights are inadequately taken into consideration in the international legal and institutional framework of climate policy which leaves project affected persons vulnerable to human rights violations including forced eviction, displacement or resettlement processes which fail to comply with human rights standards.** The CDM's two objectives of assisting developing states in achieving sustainable development and assisting industrialised states in attaining compliance with their emission reduction commitments are operationalized through the implementation of projects that reduce emissions in developing state which are co-financed by industrialised partner states. Within this system, the 'modalities and procedures' spell out the rules of the mechanism, almost exclusively dealing with questions of how to quantify emission reductions. There is no mention of human rights. The only entry point for human rights concerns is the requirement that projects contribute to sustainable development and an obligation to invite and duly take account of stakeholder comments. **However, there are no internationally agreed criteria or procedures for assessing CDM projects' contributions to sustainable development, nor are there internationally agreed procedures for conducting local stakeholder consultations.**



The Bujagali dam supplies about half of Uganda's electricity.

Under the current system, it is therefore up to host countries to define sustainable development criteria and procedures for local stakeholder consultations. Most host countries have rather general lists of non-binding guidelines instead of clear criteria. This makes it easy to comply with the requirements. The CDM rules contain no mechanisms for addressing problems that may not have been visible in the project design and approval phase. While there is a possibility for host states to reject projects and to

withdraw approvals of non-satisfactory projects, most host countries do not thoroughly investigate projects from a human rights perspective.

Attempts to reform the CDM in order to give its second objective of sustainability more weight have been met with resistance on the grounds that a stronger integration on sustainability concerns would impinge on national sovereignty of host countries. However, **the 2015 Paris Agreement has opened up space for a better integration of human rights principles within a future market based mechanism.** The acknowledgement of human rights as an integral part of decisions on climate action provides a strong opportunity to better integrate measures safeguarding against human rights violations into a future mechanism.

Besides being involved in the carbon trading scheme, industrialised countries are also involved in concrete climate change measures in third countries, such as the Bujagali Hydropower Plant, the Barro Blanco Hydropower Plant or the Olkaria IV Geothermal Project via **financing**. Financing was recognised by the Bali Action Plan of 2007 as a **key aspect in the development of low-carbon energy projects and climate adaptation**. Financing of CDM projects and other climate response measures is carried out through a framework of funding offered by **bilateral and multilateral financial institutions (development banks)** and is often the key **entry point for European institutions** to be involved in concrete climate change measures in third countries. Very often such international financing institutions (IFIs) have adopted policies (so-called social safeguards) in order to prevent negative social impacts on project affected communities. However, these policies are not necessarily compliant with human rights law. In addition, IFIs very often have established **grievance or complaint mechanisms**, which are non-judicial instruments that provides a forum to people negatively affected by projects to obtain justice.

The **case studies** revealed that there are certain **common patterns of human rights implications occurring in the context of the implementation of the projects**. They refer to the issues of participation, migration/displacement/resettlement (MDR) and due diligence:

The **participation of project affected persons (PAPs)** during the whole course of the project is a crucial part in ensuring the adequate protection of human rights of the affected communities. The importance of effective consultation and genuine participation is acknowledged to be indispensable to the protection of project affected people, particularly with respect to vulnerable groups and indigenous peoples. Furthermore, consultation of people potentially affected by the project serves not only to identify and

analyse stakeholders but also to gain information on their perception of risks. It is key to fruitful planning, successful implementation, and, more generally, to trustful operator-stakeholder relations. The manner in which the consultation and participation process is conducted is crucial in determining the course of a genuine participation process. However, one core problem of all three case studies relates to the failure of the project operator, governmental authorities and international partners to obtain the consent of the affected population or ensure their adequate participation/consultation in the course of the project's approval. Especially, the recognition and protection of vulnerable groups such as indigenous peoples (free, prior and informed consent (FPIC)) as well as their traditional representative structures which should be an essential element in the context of project approval and implementation, seems to be a particular challenge. This issue is exacerbated by the fact that the CDM process does not provide a meaningful mechanism to engage with the affected communities and the lack of a mandate of the Executive Board to demand better consultations with PAPs prior to authorizing the registration of a project.

With regard to the **resettlement or relocation of persons** it is important that it is undertaken in accordance with human rights obligations. Resettlement is a very sensitive issue especially for indigenous peoples as the importance of land for them is more than a matter of possession but includes also a spiritual and material element. Also for other vulnerable or marginalised groups resettlement is particularly challenging and it is important that the specific needs of affected communities are addressed and that relevant international standards and institutional policies are respected. The three case studies revealed that a major issue regarding the resettlement process



Maasai women from the (resettled) Cultural Centre, Kenya.

concerned the initial data set/census, which formed the basis for the planning and carrying out of the resettlement process. This included for example the lack of precise data, the lack of clarity about the number of eligible PAPs as well as their entitlements and the absence of structured planning of compensation measures. However, the initial process of evaluating and assessing the risks with the proposed project is crucial for

ensuring the adequate protection of the right to property/tenure and consequently, for the determination of those entitled to receive compensation as well as for beneficial conditions for livelihood restoration and thus the right to an adequate standard of living. In addition, the site selection for resettlement is important in order to reach a culturally appropriate and sustainable outcome of the resettlement process as well as the issue of full and fair compensation for (communal) property and/or land. In one case study – Barro Blanco – no resettlement has been drawn up at all and no agreement has been reached on compensatory measures yet, even though it has been confirmed by numerous sources that the flooding of the reservoir site will result in the displacement of several members of the affected communities.



More than 8000 people were resettled for the Bujagali project.

As a third point of concern the issue of the adequacy of the conducted environmental impact assessment as well as the monitoring activities by the financing institutions was identified. This refers, in other words, to the question whether the involved parties have complied with their **due diligence obligations** to prevent or minimize potential damage/harm from occurring. Problematic points in this regard relate to the way the **environmental and social impact assessment (ESIA)** was carried out, including incomplete ESIA's, the omission of applying a heightened level of due diligence in critical and controversial (historical) circumstances or the acceptance of the ESIA by authorities and project financiers despite flaws, but also the failure of the ESIA to adequately address the suitability of the selected site and solutions to the challenge of carrying capacity. The CDM rules leave the assessment of socio-economic impacts to the host state to regulate

and abstain from defining clear indicators within the CDM project cycle to ensure that the impact of the project will have a positive effect on human rights. This leaves local communities particularly vulnerable.

Against the backdrop of these adverse human rights implications of the investigated case study projects the research focused on the issue of accountability and responsibility particularly of the EU and its member states. It was found that the question of **extraterritorial human rights obligations** (ETOs) is a particularly challenging one as human rights have traditionally been perceived as a matter owed by states to their nationals or to persons residing on their territory. Nevertheless, recent years have seen a growing debate on how far human rights obligations of states extend. While the implementation of climate protecting activities will only in limited circumstances amount to such a control-relationship between the financing state and affected communities/territory that it will fall within the jurisdictional scope of application of the European Convention on Human Rights (ECHR) or the International Covenant on Civil and Political Rights (ICCPR), extraterritorial obligations also play an important role in determining the expected conduct by states at the international level. In this regard, particularly the obligation to refrain from conduct which impairs the enjoyment of human rights outside of their territory and the obligation to ensure appropriate legislative and administrative regulatory frameworks in such circumstances must be mentioned. This is not only expected under the ECHR and ICCPR but specifically under the International Covenant on Economic, Social and Cultural rights (ICESCR). Hence, the scope of the ICESCR is said to be broader and lays a particular focus on the 'international obligations' of state parties, including the obligation to regulate.

As the determination of justiciable extraterritorial rights which can be claimed in a judicial form is hard to make, affected communities are, as the case studies clearly demonstrated, very often left to resort to grievance mechanisms of international financial institutions (IFIs). **Access to justice** is a crucial aspect in ensuring the effective protection of human rights and implies inter alia to have an effective forum for persons affected by



The Bujagali project has been investigated by the World Bank and the EIB-CM.

human rights violations to obtain justice. However, the question of access to justice of PAPs is a particularly challenging one since – as in the case studies – third states are financing climate protecting activities having negative human rights implications in third states, *i.e.* ‘somewhere else’. All three case studies revealed that grievance mechanisms of IFIs were important means for PAPs to access justice – in particular since the scope of ETOs are disputed and difficult to enforce and since operational level-grievance mechanisms are not implemented adequately. Courts of home states played in our case studies only a minor role in accessing justice with regard to the resettlement aspect. Besides, no complaints were submitted to individual complaints mechanisms of the UN human rights system or of regional human rights systems (neither against the home states nor against European states which were financing the projects). Despite the importance of grievance mechanisms of IFIs, there exists room for improvement, in particular with regard to the accessibility of the mechanisms (PAPs were not always aware of the existence of the mechanisms) or independence of the mechanisms. Although in all three case studies operational-level grievance mechanisms should have existed, only in one case a grievance mechanism existed in practice that was relevant for the resettled communities.

5 Conclusions and Recommendations

Based on these findings which are described in detail in the synthesis report³ and in the case study reports the policy brief⁴ formulated recommendations first and foremost directed to policy makers of the EU and its member states and referring to different institutional as well as policy levels. The most important findings and recommendations include:

Although social safeguards under the CDM are poorly developed, the EU and its member states now have the chance to contribute to its improvement, particularly with respect to accessing EU carbon markets. The 2015 Paris Agreement provides the possibility to better integrate human rights considerations within a future market mechanism by calling on state parties to respect, promote and consider their human rights obligations when taking action to address climate change. The acknowledgement of human rights as an important part of decisions on climate action paves the way for a better consideration of human rights in a future mechanism:

- The introduction of safeguards can help to avoid human rights violations by providing standards and guidance for realising human rights-compatible CDM-type projects within a future mechanism. They should prevent the mechanism from providing resources to projects that involve human rights violations, and generally exclude those types of projects have an especially strong risk to lead to human rights violations.
- Following the Maastricht Principles on Extra-Territorial Obligations in the Area of Economic, Social and Cultural Rights (2011), the state parties to the United Nation Framework Convention on Climate Change (UNFCCC) could and should require all projects to undergo a human rights impact assessment (HRIA) as well as stakeholder consultations pursuant to clear procedural requirements for all projects, making projects with negative impacts ineligible for registration. Similarly, the Guiding Principles on Business and Human Rights (GPBHR, Guiding Principles) call on states to require human rights due diligence from companies in cases of a state-business nexus. Consequently, there should also be a procedure

³ Please see

http://bim.lbg.ac.at/sites/files/bim/attachments/report_climaccount_final_11082016.pdf

⁴ Please see <http://bim.lbg.ac.at/de/artikel/aktuelles/climaccount-policy-brief>

to de-register projects in cases where human rights violations become apparent only during implementation.

- European states as parties to human rights treaties should use their political weight in the UNFCCC to ensure that its mechanisms do not impact negatively on human rights, e.g., by giving strong support to an institutionalized safeguards system within international market-based mechanisms.

The EU and EU member states have three possible points of intervention in order to better incorporate human rights in climate protection activities.

- Firstly, the transfer of CDM credits to industrialized countries requires the issuance of a letter of approval to the project by an industrialized country. EU member states could decide to only issue approvals to CDM projects on the basis of a HRIA.
- Secondly, several EU member states are themselves substantial buyers of CDM credits. They could therefore require the same safeguards from the projects they purchase CDM credits from as for the issuance of letters of approval.
- Thirdly, the EU could decide to only allow credits from projects in the EU ETS that have undergone an HRIA. In addition, since each CDM credit has a unique serial number which includes a project identifier, CERs from projects that are involved in human rights violations could also be individually banned from use in the EU ETS. The latter approach has been pioneered by Switzerland, which excludes carbon credits from use for domestic obligations if the associated emission reductions were achieved in conditions violating human rights or causing significant negative social or ecological effects.

The main leverage for EU actors to improve the human rights performance of specific projects is related to their role as financiers. The human rights due diligence of financing institutions should particularly be enhanced with respect to

a) Prior assessment:

- The pre-appraisal phase serves to categorize projects according to their different risks involved and, hence, to determine the safeguards, type of E(S)IA, levels of participation of affected individuals and communities, and intensity of monitoring required. Thus, prior to authorizing activities which potentially could cause harm, project financiers are under the obligation to ensure that their decision is based on an assessment of the risks involved with the project activity. As the standard of due diligence is context-dependent, factual circumstances such as historical conflicts or long-lasting

resistance to the project's approval, in connection with the absence of a mutually acceptable agreement with the affected communities, result in a heightened level of due diligence which is expected by the involved parties.

- During the appraisal phase the E(S)IA and other important project planning documents are prepared for project approval. These documents should (and often do) include a resettlement action plan, a census of affected communities, a proposal for the strategy/system of participation and for the operational-level grievance mechanism (see section below), and special plans for indigenous peoples if needed.
- Due diligence is a continuous obligation and thus also relates to the project implementation process. Monitoring during the implementation phase serves to ensure compliance with the agreed standards and objectives recorded in the finance contract (with reference to planning documents). The monitoring process must be proportionate and adequate to the project's risks and impacts.

b) Participation of project affected persons:

- All documents for project appraisal concerning affected communities have to be developed in a participatory manner, and their continuous involvement during implementation is required to monitor compliance with the objectives of these documents. Project appraisal should also include a HRIA or an E(S)IAs which provides such human rights analysis.
- Monitoring of procedural aspects by IFIs requires adequate documentation and reporting of participatory processes and handling of complaints. Typically, the entity primarily in charge of providing planning documents, ensuring adequate participation, documenting and reporting it to lenders throughout the project lifecycle is the operator/borrower. Some banks such as the European Investment Bank (EIB) tend to base their own monitoring predominantly on the operators reporting.
- In light of the power imbalance between operator and project affected persons in many developing countries, it is recommended to directly consult with affected communities, with and without the operator during IFI field missions and that such direct consultations are obligatory beyond the pre-appraisal and the appraisal phase, i.e. during implementation.
- To effectively accompany and monitor participatory processes all IFIs, including European ones, need to employ own personnel and resources, as does the World Bank, to supervise the participatory processes taking place between operator and affected communities. To avoid situations as in the case of Olkaria (allegations of taking sides, manipulation, intimidation) or

Barro Blanco (failure to reach an agreement with the designated indigenous authorities), such supervision should either be conducted by own bank staff with appropriate expertise or by a hired independent expert in a way that avoids any potential for conflict of interest.

c) Substantive standards relevant for human rights acceptable outcomes of forced eviction and relocation:

- The resettlement process under the guidance of IFIs is a key element in ensuring an outcome in conformity with international human rights standards. The resettlement action plan, including the socio-economic baseline data set/census, plays a central role in this process. Its conformity with institutional policies (i.e. the safeguards of the respective IFIs) - but also international human rights standards - is crucial for ensuring the adequate protection of the right to property/tenure and consequently, for the determination of those entitled to receive compensation as well as for beneficial conditions for livelihood restoration and thus the right to an adequate standard of living.
- Particularly vulnerable groups require additional protection. In particular for indigenous peoples the importance of land is more than a matter of possession, but includes a material and spiritual element. Prior to project approval, and this relates back to the question of ensuring genuine participation, the financing institutions should ensure that good faith negotiations with the affected communities regarding, e.g., site selection for resettlement, shall be conducted in a transparent and consistent manner, and that a culturally appropriate participatory process in order to obtain a prior agreement regarding land and resource rights have taken place. This is necessary in order to ensure that sustainable outcomes are reached and that potential conflicts arising in this regard during the implementation phase are avoided.
- The questions of existing property rights/customary land rights, sufficiency and suitability of selected resettlement sites must be assessed in the course of the ESIA and its conformity with international standards should be evaluated by independent experts.

d) Co-funding and related delegation of responsibilities is a major feature of climate finance and human rights adequacy needs to be addressed.

Extra-judicial complaint mechanisms, on the institutional as well as on the operational level, have a crucial role in improving access to justice for project affected persons in

cases of maladministration of projects. European development banks (bilateral banks as well as IFIs) should establish independent grievance mechanisms which are in compliance with the principles laid down by the Guiding Principles on Business and Human Rights. The safeguards adopted by banks should be in compliance with international and regional human rights standards.

For a more in-depth presentation of the results as well as the recommendations please see also the Synthesis report and the Policy Brief available at the project website.

C) Projektdetails

6 Methodik

ClimAccount applied a combination of different methods.

Workpackage 1 “Desk Research, Explorative Phase”, was dedicated to an explorative phase where conceptual work laid the theoretical, conceptual and methodological foundation for the project. The main method used was the screening, review and analysis of existing international norms/laws (on an international, European and regional level), its authoritative interpretation, and the review of relevant literature.

The main methodological approach was a Human Rights Impact Assessment (HRIA). The HRIA as a basis for carrying out the research was developed and defined by searching and reviewing literature and analysing and identifying relevant principles and methodologies. The HRIA was developed in detail in WP 1 and applied to the research in WP 2-4. HRIAs have their conceptual and methodological roots in the human rights-based approach (HRBA) in development cooperation as well as in the social impact assessments (SIA) and the social dimension of environmental and social impact assessments (ESIA). The latter are major tools for planning and implementing large-scale programmes and projects of public and private actors. Vice versa, recent processes on the international level triggered an increasing interest in human rights in the SIAs and ESIA sector.

In the context of ClimAccount, it was important to assert as a preliminary step that each and any HRIA in this context was about assessing indirect impacts of interventions on human rights, because none of the agreements, policies or projects related to climate change mitigation or adaptation seek to promote human rights as a primary objective. The analysis aimed at discussing conceptual considerations related to the understanding of “content levels” in describing and analysing international climate policies and associated extraterritorial state obligations as well as the related question of appropriate types of indicators to assess duty bearer performance. Moreover, the discussion focussed on the subject levels that potentially can be involved in a HRIA of climate policies.

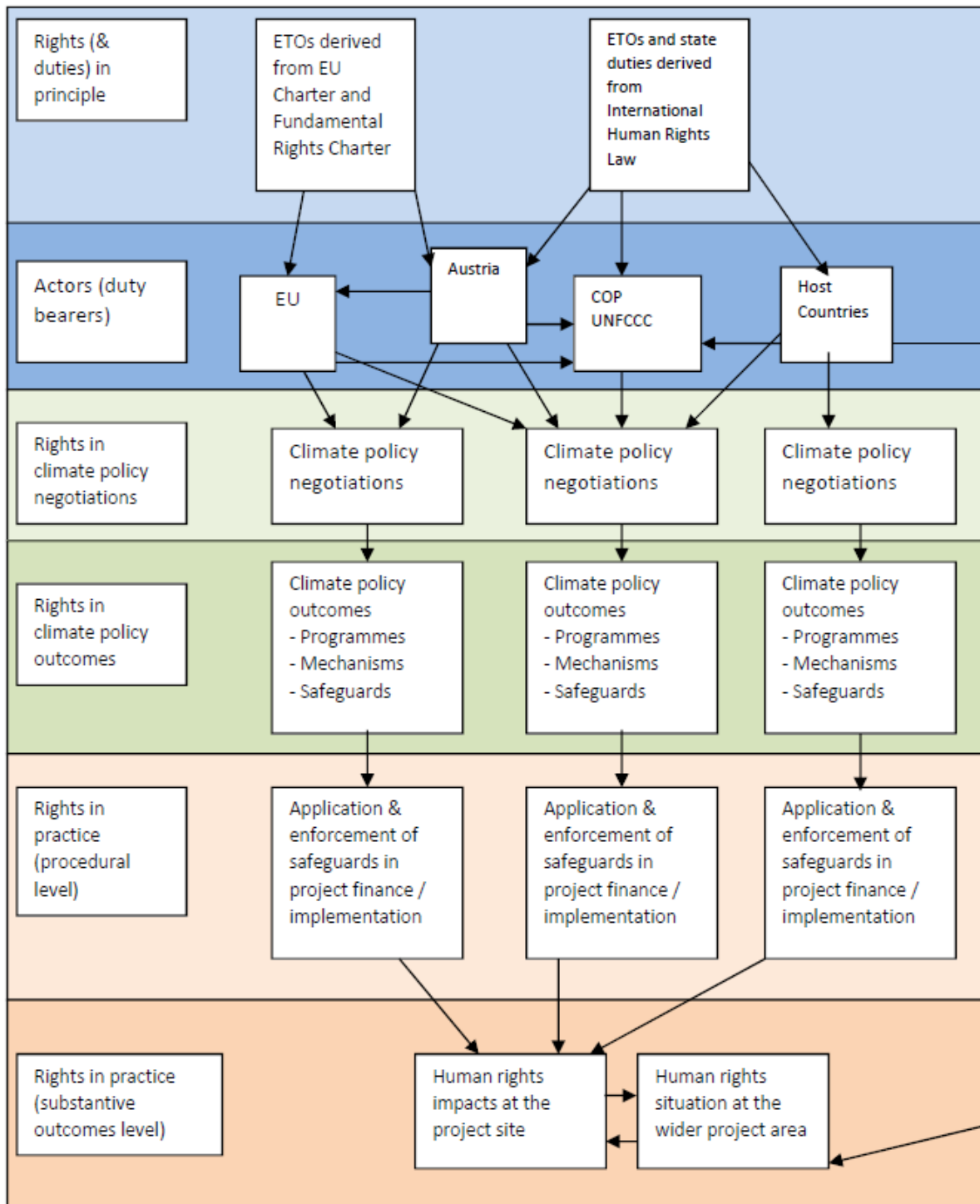
The minimum principles for HRIA might be summarized as follows:

- HRIAs use an explicit human rights framework and human rights language;

- Develop adequate indicators to measure human rights and the differential impact of interventions on different stakeholders;
- Aim at contributing to the realization of (substantive and procedural) human rights, and to prevent retrogression;
- Are conducted in a way that adheres to the cross-cutting human rights principles of equality, non-discrimination, adequate participation, and transparency;
- In response to existing inequalities they put particular focus on vulnerable groups, in the process as well as in the analysis, but take views of duty-bearers equally into account;
- They assess negative as well as positive impacts (particularly important for public policies where trade-offs have to be negotiated);
- They include an analysis of affected rights, right holders, and accountable duty bearers to effectively assign responsibilities;
- HRIAs should be conducted by independent experts;
- Educate affected people about their rights and thus contribute to their empowerment;
- Make recommendations to duty-holders how to improve the human rights situation;
- Make recommendations for establishing appropriate accountability and remedy mechanisms;
- Should be conducted periodically, thus being part of a monitoring system.

The following levels of analysis were suggested (for visualization see figure below):

1. Structural: In addition to assessing the “rights in principle” of the project host states, the relevant “rights in principle” of other state actors involved, these are their ETOs, have to be analysed as well.
2. Process: Instead of limiting “rights in policies” to the analysis of the host states’ policies and their compatibility with human rights, the analysis should be expanded to include the climate policy negotiation processes and outcomes on international and supranational levels. This would comprise the screening of the framework agreements as well as related implementing policies, and the degree to which they consider human rights. Such consideration may take the form of human rights or equivalent safeguards, of human rights clauses, or another form we do not yet think of.



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3. Outcome: Analysing “rights in practice” should not only apply to the human rights situation on the ground, but also to the extent to which existing safeguards etc. within policies are implemented on the ground. This might be called “rights in practice: procedural level”.
4. Finally, also the final human rights impacts have to be taken into account. These might be called “rights in practice: substantive outcomes”. Here the challenge remains to differentiate between the existing human rights situation and the extent to which a certain project and its proponents can be held responsible for this situation; this is determining the impact of a specific project.
5. Such an approach has also implications for the meaning of “obligation of conduct” and “obligation of result”. Usually this distinction is used to differentiate between performance regarding national level efforts (conduct) and national level results (outcome) in terms of the realisation of human rights. We recommend expanding the meaning of this terminology to be applied to the negotiation level as well. This would enable a differentiated assessment whether an actor in focus tried to shape a negotiated policy in a human rights adequate manner (might be called “conduct in negotiations”) and whether such action was successfully resulting in improved policies (might be called “result of negotiations”). Such distinction still allows for an assessment of results on the ground as well.

The following methodological steps were suggested and adjusted to the research process of the project:

1. Screening exercise to determine the focus of the HRIA. It is a “preliminary analysis of which human rights are most likely to be affected, with respect to which population groups”,⁵ as a result of the intervention, policy, etc. in focus.
2. Scoping provides the roadmap for the assessment, the “what exactly” and the “how exactly” of the assessment. Key areas that should be covered are: Understanding the subject / subject level in focus; developing a human rights baseline scenario of the area; identifying the people affected; identifying negative and positive impacts on their human rights; identifying the evidence needed and existing gaps in order to verify allegations about violations and violators (this includes developing appropriate indicators); setting a timescale and determining a

⁵ De Schutter, O. (2011). Addendum - Guiding Principles on Human Rights Impact Assessments of Trade and Investment Agreements (No. (No. A/HRC/19/59/Add.5)), p. 14, retrieved from www.ohchr.org/Documents/.../HRCouncil/.../A-HRC-19-59-Add5_en.pdf

team (required skills; internal or independent). Most of this is typically covered in a pre-study report.

3. Evidence gathering is the process of data collection, and applied methodologies can range from quantitative to qualitative approaches. Statistical and quantitative data on country scale is typically gathered by international organisations and by nation states and based on OHCHR indicators. Use of statistics and quantitative methods is also well for measuring democracy promotion and civil and political rights.⁶ Long-term statistics moreover enable comparisons across different time-scales, which is crucial if “change”, such as advances or retrogressions in the progressive realisation of rights, are to be measured. Qualitative techniques include inter alia participatory research techniques and expert interviews that match different forms of consultation. Those and also small-scale surveys are typically applied in ex ante assessments when specific human rights breaches are assessed. Extensive consultation, moreover, adheres to the HRIA principles meaningful participation, empowerment and transparency. Preferably all stakeholders are consulted, affected people as well as alleged violators of human rights, and experts. It is the most time-consuming part of the HRIA. All forms of data collection require the validity and reliability of the collected information.
4. Analysis includes both an empirical analysis of the facts as well as a legal analysis of the concerned rights and duties. This serves to identify causal chains between human rights infringement, act of violation, and liable actor. Ideally, the publication of the analysis should be made accessible. Being open to public scrutiny enhances the legitimacy of the results.
5. Conclusions and recommendations should be presented on how to avoid or at least mitigate the observed actual and potential negative human rights impacts with the aim to trigger response to the analysis. Recommendations are frequently directed towards the duty-bearers but can also be targeted on right-bearers and their empowerment.
6. Validation missions aim at validate findings and complete gaps in the research through consultation with relevant stakeholders and the search for additional information and documents.

⁶ Landman, T. (2006). Studying human rights. London ; New York, NY: Routledge, pp. 75-125; Landman, T., & Carvalho, E. (2010). Measuring human rights. Milton Park, Abingdon, Oxon; New York: Routledge, pp. 91-126.

7. Monitoring and evaluation is needed to follow-up the extent to which “conclusions and recommendations were in fact taken into account”.⁷

Workpackage 2 “Case Studies” was the core element of the project. To get a better understanding of the human rights implications of climate policies in third countries and their effect on displacement, resettlement and relocation, research missions to three case study countries were organised. Based on the methodological considerations in WP 1 the methodological framework was developed to guide the field research. The following activities were performed and methods employed:

- Development of guidelines to conduct the pre-studies: Based on the guidelines, the research team carried out detailed desk research in order to establish a background on the three case studies chosen for field research. The research team reviewed and analysed academic literature, policy and legal documents, news reports, etc. The main method used was again screening, review and analysis of relevant academic literature, policy and legal documents as well as other sources. Based on the research the pre-studies were drafted according to the guidelines.
- Interviews with EU policy-makers, representatives of NGOs and others on EU climate policies as well as on the projects selected for case studies were carried out in Brussels and Amsterdam. The objective of the interviews was to find out the way the EU and its Member States are involved in the case study projects and whether they apply a human rights-based approach.
- Three field research missions (three weeks) to the case study countries were organised (contacting stakeholders and arranging interviews, organising the trip and other logistical issues). During the field missions interviews, focus groups and workshops were carried out. Based on the preceding research (pre-studies) the research team identified relevant interview partners such as representatives of NGOs, academics, international governmental organisations, government officials, local authorities, company representatives and other stakeholders relevant for the case study projects. In addition, focus groups were conducted with persons or communities affected by the projects

⁷ De Schutter, O. (2011). Addendum - Guiding Principles on Human Rights Impact Assessments of Trade and Investment Agreements (No. (No. A/HRC/19/59/Add.5)), p. 15, retrieved from www.ohchr.org/Documents/.../HRCouncil/.../A-HRC-19-59-Add5_en.pdf

- In carrying out the research during the field missions, the research team chose a qualitative-interpretive design. The interviews and focus groups were conducted on the basis of semi-structured questionnaires, adapted to the respective cases.
- The research missions were also used to collect, review and analyse additional documents (e.g. laws, policy papers, minutes, etc.) and literature.
- The collected data and findings were assessed and analysed and brought together with the outcome of the pre-studies and baseline report, an outline for the case study reports was developed and three case study reports were drafted.
- Two validation missions (Barro Blanco (Panama), Olkaria (Kenya)) were carried out in order to validate findings and complete gaps in the research through additional interviews and the search for additional information and documents.

In **Workpackage 3 “Bringing together the Results of the case studies, Drafting Recommendations”** a comparative analysis of the case studies was carried out in order to identify common patterns and differences concerning human rights infringements/threats caused by climate policies, common features with regard to the involvement of EU and European actors as well as systematic deficiencies in human rights norms/system and the climate policy regime. The findings were summarized in the Synthesis Report.

In addition, interviews and a workshop with EU and Austrian stakeholders were carried out with the objective to verify findings of the results of the case studies on the one hand but also to gain more information on the subject of access to justice, in particular on grievance mechanism of European development banks, on the other hand. In a last step, on the basis of the case studies and the synthesis report recommendations for policy makers were developed and a policy brief was drafted and printed.

Workpackage 4 “Publications, Dissemination” was implemented during the whole project and aimed at disseminating the project results to different target groups.

7 Work and Time Schedule

Project duration: 1 March 2014-30 June 2016

WP	Title and Work	Duration
1	Desk Research, Explorative Phase 1.1 Establishment of the status quo of existing extraterritorial human rights obligations under international and European law relevant for EU and Austria's climate policies 1.2 Establishment of the status quo of international law concerning displacement, resettlement and migration as a result of climate policies 1.3 Establishment of the status quo of the institutional framework of EU's and Austria's climate policies 1.4 Identifying gaps of the international legal & institutional framework 1.5 Conceptualising the HRIA for the project	Months 1-10
2	Case Studies 2.1 Selection of the case studies 2.2 Development of methodology including the HRIA 2.3 Pre-study to establish the background for the field research 2.4 Interviews with EU policy-makers 2.5 Research mission to the case study countries and carrying out of interviews, focus groups and workshops 2.6 Analysis and assessment of the findings and data and drafting of the case study reports 2.7 Validation/Verification Missions	Months 5-25
3	Bringing together the results of the case studies, Drafting recommendations 3.1 Analysis of case studies/synthesis report 3.2 Interviews with EU and Austrian policy-makers 3.3 Development of recommendations for policy makers	Months 15-26
4	Publications, Dissemination 4.1 Project webpage at Project Leader's webpage 4.2 Publication of Synthesis Report 4.3 Publication of Policy Brief 4.4 Panel discussion with policy makers & presentation of policy brief 4.5 Four - five articles to be submitted for publication in peer-reviewed journals	Months 1-28
5	Overall management of the project	Months 1-28

8 Publications and Dissemination Activities

A broad range of publication and dissemination activities were carried out throughout the project. They included publications, presentations, panel discussions and workshops addressed to the academic community, policy makers as well as to a wider public.

In total, six articles were submitted to peer-reviewed journals by the end of the project.

The following three articles were submitted to a special issue 'Climate, Justice and Displacement' of the Journal for Human Rights and the Environment:

- Jane A. Hofbauer, 'Operationalizing extraterritorial obligations in the context of climate project finance – The Barro Blanco case', 7 Journal of Human Rights and the Environment (Edward Elgar 2016) (submitted June 2016).
- Wolfgang Obergassel, Lauri Peterson, Florian Mersmann, Jeanette Schade, Jane A. Hofbauer and Monika Mayrhofer, 'Human Rights and the Clean Development Mechanism: Lessons Learned From Three Case Studies', 7 Journal of Human Rights and the Environment (Edward Elgar 2016) (submitted June 2016).
- Jeanette Schade, 'Accountability of the EU and its member states for human rights failures of the European Investment Bank: Resettlement for geothermal explorations in Kenya', 7 Journal for Human Rights and the Environment, Special Issue: Climate, Justice and Displacement (Edward Elgar 2016) (submitted June 2016)

Three articles were submitted to the following journals:

- Jane A. Hofbauer, 'Foreign Investments Meet Free, Prior and Informed Consent (FPIC) – Whose Sovereignty?', 18 Austrian Review of International and European Law (Brill Nijhoff 2016) (submitted May 2016).
- Jane A. Hofbauer, Beatriz Felipe Pérez, Monika Mayrhofer and Paola Villavicencio Calzadilla, 'Rethinking the role of development banks in climate finance: Panama's Barro Blanco CDM project and human rights', Law, Environment & Development Journal (2016) (submitted April 2016, already reviewed and accepted, currently revised).

The following book and journal articles will be published including results of the project:

- Monika Mayrhofer (2016), 'Climate Change and Migration—Dimensions, Concepts and Policy Responses from a Human Rights Perspective', in: Panorama: Insights into Asian and European Affairs, 1/2016, pp. 141-153.

- Monika Mayrhofer and Florian Mersmann, 'Displaced, Evicted or Resettled by Climate Change Measures – Neglecting the Rights of Affected Communities in the Case of the Bujagali Hydropower Plant', Kurswechsel (2016) (submitted June 2016/approved August 2016).
- Jeanette Schade (2016/forthcoming), 'Land Matters: Challenges to Planned Relocation as a Durable Solution to Environmentally-induced Displacement in Kenya', in: Climate Change, Migration and Human Rights: Law and Policy Perspectives edited by Manou, Baldwin, Cubie, Mihr, Thorp and published by Routledge.

The following working papers are or will be published online:

- Jane A. Hofbauer and Monika Mayrhofer (forthcoming), 'Panama "Barro Blanco" Case Report', COMCAD Working Papers Series on Environmental Degradation and Migration.
- Jane A. Hofbauer (2015), 'Climate-Policy Induced Migration – Bridging Categories', Working Paper Series in the context of ClimAccount – Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and their possible Effects on Migration, available at SSRN.
- Jane A. Hofbauer (2015), 'Extraterritorial Human Rights Obligations in the Context of Climate Policies', WP 1 of ClimAccount – Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and their possible Effects on Migration.
- Jeanette Schade (forthcoming), Kenya Case Study Report, ClimAccount Project; COMCAD Working Paper Series; Bielefeld University.

A policy brief was published online and in print:

- Jane A. Hofbauer, Monika Mayrhofer, Florian Mersmann, Jeanette Schade (2016), 'Improving Human Rights Performance in EU Climate Policy – The Role of European States in Climate Measures and Access to Justice for Affected Populations' (Policy Brief), available at <http://bim.lbg.ac.at/en> (16pp.)

A synthesis report was published online and as a working paper:

- Margit Ammer, Jane A. Hofbauer, Monika Mayrhofer, Florian Mersmann, Wolfgang Obergassel, Jeanette Schade (2016), 'Human Rights Performance in EU Climate Policy. The Role of European States in Climate Measures, and Access to Justice for Affected Populations', Synthesis Report ClimAccount, available at <http://bim.lbg.ac.at/en> (114pp.)

The research results of the project were presented in the following conferences or workshops:

- 20-21 November 2014: Jeanette Schade, COST Action IS1101 Climate Change and Migration, Workshop Working Group II, "Social inequality and social justice in environmentally-induced relocation", Bielefeld University, Germany. Vortragstitel: Human Rights and Climate Policies (21.11.2014)
- 28-30 April 2015: Jane A. Hofbauer, Poster presentation at 16. Österreichischer Klimatag, 'Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and their possible Effects on Migration', Vienna
- 1 July 2015: Jeanette Schade, Durham Conference, (COST Action IS1101 on Climate Change and Migration); Title: The challenges and pitfalls of mechanisms for participation and complaint in climate mitigation projects: Planned relocation in the context of t geothermal explorations in the Olkaria area, Kenya;
- 16-17 September 2015: Monika Mayrhofer, Operationalizing Extraterritorial Obligations in the Context of Climate Project Finance, COST Workshop on climate Justice in Environmental Migration: Human rights and the Ways Forward, Thessaloniki, Greece
- 16-17 September 2015: Wolfgang Obergassel, Promoting Human Rights Compatibility of Climate Policies, The Example of the Clean Development Mechanism, COST Workshop on climate Justice in Environmental Migration: Human rights and the Ways Forward, Thessaloniki, Greece
- 16-17 September 2015: Jeanette Schade, COST Action IS1101 – Workshop on CLIMATE JUSTICE IN ENVIRONMENTAL MIGRATION, 16-17.09.2015, University of Macedonia/Greece; Title: The challenge of appropriate complaint mechanisms: the role of funders
- 4-5 April 2016: Monika Mayrhofer, Addressing environmental causes for migration, Policy Conference: Refugees and Migration in Europe and Asia, Manila, The Philippines, SMC/Konrad Adenauer Stiftung
- 21 June 2016: Monika Mayrhofer, Klimawandel und Migration – Herausforderungen aus einer menschenrechtlichen Perspektive, Keynote-Speech, Oberösterreichischer Umweltkongress 2016.
- 12-15 July 2016: Jeanette Schade, The 16th conference of the International Association for the Study of Forced Migration (IASFM) - Rethinking Forced Migration and Displacement: Theory, Policy, and Praxis; Panel: Planned Relocations as a strategy for protecting populations at risk from disasters and environmental change, including climate change

A dissemination event was organised by the project team in Vienna on 17 March 2016. The panel discussion with the title "Displaced by European climate policy? How can access to justice be ensured for affected populations?" was organised as a Human Rights Talk which is a series of discussion on current human rights challenges. The following participants were part of the panel:

- Maartje van Putten (Global Accountability, Amsterdam)
- Felismino Alcarpe (EIB, Luxembourg)
- Juliane Voigt (Carbon Market Watch, Brüssel)
- Gertraud Wollansky (Wien, Umweltministerium)

The discussion was moderated by Irene Brickner (Journalist of the Newspaper "Der Standard"). Prof. Manfred Nowak (Ludwig Boltzmann Institute of Human Rights, University of Vienna) gave a short introductory note. About 50 persons were attending the discussion.

On 17 March 2016 the project team organised a Workshop with Maartje van Putten (Global Accountability, Amsterdam), Felismino Alcarpe (EIB, Luxembourg), Juliane Voigt (Carbon Market Watch, Brüssel) und Gertraud Wollansky (Wien, Umweltministerium). The aim of the workshop was to discuss the most important research findings with important international and national stakeholders and to get feedback for the conclusion of the project.

The project was introduced to a broader public by the BIM Newsletter on 20 March 2015: Suspendierung des Barro Blanco Projekts in Panama, Internationaler Tag gegen Rassismus, 21. März 2015

There was an online report on the project written by Christine Tragler (12 November 2015) Von Staudämmen und Rassismus, Klima, Ökologie & Menschenrechte, available at <http://isje.at/?p=1260>

A project website was set up at the beginning of the project: <http://bim.lbg.ac.at/en/climaccount-human-rights-accountability-eu-and-austria-climate-policies-third-countries-and-their-possible-effects-migration>

Diese Projektbeschreibung wurde von der Fördernehmerin/dem Fördernehmer erstellt. Für die Richtigkeit, Vollständigkeit und Aktualität der Inhalte übernimmt der Klima- und Energiefonds keine Haftung.