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**REPORT OF THE FIRST MEETING OF THE
AD HOC EXPERT GROUP (AHEG) FOR THE ELABORATION OF A
PRELIMINARY TEXT OF A NON-BINDING DECLARATION ON THE
ETHICAL PRINCIPLES IN RELATION TO CLIMATE CHANGE**

**Report of the First Meeting of the Ad Hoc Expert Group (AHEG)
for the Elaboration of a Preliminary Text for a non-binding Declaration on Ethical
Principles in Relation to Climate Change**

Rabat, Kingdom of Morocco, 20 – 24 September 2016

1. The Ad Hoc Expert Group (AHEG) met in Rabat, Kingdom of Morocco, from 20 to 24 September 2016. The meeting was convened by the Director-General of UNESCO and was held with the support of the Kingdom of Morocco, and hosted by the Moroccan National Commission for UNESCO at the Académie du Royaume in Rabat.
2. The AHEG, appointed by the Director-General, is composed of 24 experts: Mr Ruben APRESSYAN (Russian Federation), Mr Mulugeta Mengist AYALEW (Ethiopia), Mr Abdelaziz BELHOUI (Morocco), Ms Beatriz BUGEDA BERNAL (Mexico), Mr Damdin DAVGADORJ (Mongolia), Mr Johan HATTINGH (South Africa), Mr Magdy Abdelmoniem HEFNY (Egypt), Mr Ove HOEGH-GULDBERG (Australia), Mr Pascal Valentin HOUENOU (Côte d'Ivoire), Mr Rainier IBANA (Philippines), Ms Lučka KAJFEZ BOGATAJ (Slovenia), Ms Farida KHAMMAR (Algeria), Ms Sandrine MALJEAN-DUBOIS (France), Ms Nataliya MALYSHEVA (Ukraine), Mr Gordan McBEAN (Canada), Mr Måns NILSSON (Sweden), Ms Netatua PELESIKOTI (Tonga), Ms Matilde RUSTICUCCI (Argentina), Mr Najib SAAB (Lebanon), Ms Grace SIRJU-CHARRAN (Trinidad and Tobago), Mr Avelino SUAREZ RODRIGUEZ (Cuba), Ms Caroline TAGWIREYI (Zimbabwe), Mr Jean-Pascal VAN YPERSELE DE STRIHOU (Belgium), Mr Ivica VILIBIC (Croatia). Twenty-two of the members were present at the meeting; two experts, namely Mr Gordan McBEAN (Canada) and Ms Netatua PELESIKOTI (Tonga) could not attend and sent their apologies.

I. Opening Session

3. The meeting of the AHEG was opened with a public session attended by the press. Representing the host of the meeting, M Abdeljalil Lahjomri, Secretary-General of the Moroccan National Commission for UNESCO, noted that climate change necessitates solidarity in the international community. He emphasized that the Kingdom of Morocco, by hosting the 22nd Conference of Parties of the United Nations Framework Convention on Climate Change (COP 22) in November 2016 as well as this first meeting of the AHEG, is demonstrating commitment to promoting effective responses to climate change. He recalled that the presence of high-level climate change experts, scientists and ethicists who are members of the AHEG will also make possible awareness raising, for example through press interviews and the public Round Table on the topic of the “Ethical Principles in Relation to Climate Change: Foundations and Perspectives” that would be held on 24 September 2016.
4. A video message from Ms Irina Bokova, Director-General of UNESCO, was screened as part of the opening ceremony. The Director-General expressed gratitude to the Kingdom of Morocco for its support and hospitality, and expressed her hope that the experts will be able to meet the challenge of preparing the first draft of a preliminary text of a Declaration, noting the difficulty of clarifying globally acceptable ethical principles. Following this, Ms Nada Al-Nashif, Assistant Director-General of UNESCO for Social and Human Sciences, spoke of the utility of clarifying these principles, emphasizing that this work should complement what is being done at national and international level to address climate change under the United Nations Framework Convention on Climate Change (UNFCCC) and agreements under it. Ms Lamia Radi, representing the Moroccan Ministry of Foreign Affairs then expressed her expectations that this first meeting would succeed in preparing the first draft, and that if states can

adopt such a declaration this can strengthen public awareness of the ethical reasoning that is already at least implicit in States' responses to climate change.

5. Professor Rainer Ibane, Vice Chair of the World Commission on the Ethics of Scientific Knowledge and Technology (COMEST) closed the opening ceremony by briefly describing some of the ethical principles that have emerged in COMEST's consideration of the ethics of climate change, such as vulnerability, diversity, solidarity and justice. COMEST's work over the last decade, as appearing in three published reports, serves as background for AHEG's deliberations and as a reference.
6. Following the opening ceremony, the AHEG meeting began in closed session. After members' self-introductions, the AHEG elected a bureau including a Chair, Rapporteur and four Vice-Chairs. The composition of the bureau is attached in annex 1 of this report.

II. Discussion on the preliminary text of a Declaration

7. The Chair then proceeded to address the task, and the AHEG continued in closed sessions from 20 September until the morning of 24 September, alternating plenary discussion and drafting work in smaller groups.
8. Preliminary discussions on 20 September centered on the scope of the AHEG's liberty to propose normative language, how to reduce the risk of surpassing or misstating what are the explicit and implicit principles known to pre-exist, and how to best achieve the overarching aim of codifying and clarifying international norms. There was consensus that the text should nonetheless be written to audiences that are not only state actors, and that the language used should be non-technical and appeal to the conscience without making numerous references to existing agreements, so as to be easily communicated but taking into account the new circumstances that arise after the adoption of the Paris Agreement adopted at the 21st Conference of Parties of the United Nations Framework Convention on Climate Change (COP 21) in December 2015. These issues were further discussed in plenary when refining the draft article on the scope (Article 1) of the proposed declaration, and again when discussing whether principles should be worded prescriptively or not (it was decided that their normative sense was much clearer if the principles are worded prescriptively).
9. Having established some common understandings of the task, its scope, its audience, and the style to be used, the AHEG established a first skeleton outline giving emphasis to five overarching principles, or titles, by means of a prioritization exercise guided by its Chair. It was agreed to attempt a first drafting exercise on the basis of these, because they appeared to attract the strongest consensus from members. While discussing in plenary what could be the content of each of these five, several interrelationships and overlaps were discovered, leading to further consolidation into only five overarching principles. Each of the five overarching principles or titles was given a provisional name, as follows: **avoiding harm, justice and equity, sustainability, solidarity, and the duty to act on scientific knowledge**. These titles were adapted only slightly in later revisions.
10. In the prioritization exercise, other recognizable potentially acceptable ethical principles in the field of climate change were considered, such as the principle of **common but differentiated responsibilities** (as used in the agreements under the UNFCCC, particularly as reflected in the Paris Agreement), the **polluter pays principle** (as appearing in numerous laws), as well as related rights, such as **human rights** and the **right to development**.

11. It was agreed that the declaration should be drafted and structured so as to allow for repetitions that echo some relevant ethical principles under more than one title. On this reasoning, the AHEG was able to agree to privileging some principles, using common names for them as titles, while others appear subsumed in the text; it was agreed this arrangement does not necessarily mean that any are less important nor that they are more specific; it was agreed that the text should be read holistically. The initial skeletal outline of only five overarching principles was also adapted over the course of the AHEG's five days of work, revealing the difficulty of placing principles in an order that was generally acceptable. Because some aspects of principles were considered particularly relevant to mechanisms to achieve ends, these aspects were separated into a section titled implementation.
12. A decision was taken just after the prioritization exercise to separate the AHEG into five drafting groups, each entrusted to draft a formulation for the text that would provide content under each heading in the outline that was agreed. Each drafting group was tasked to use original sources, and to review a list of potentially relevant principles found in the working document as a checklist to ensure that various formulations were taken into account. In this manner, each of the drafting groups drew up initial texts. Following another plenary discussion, redrafting was made by the same groups to address the concerns and comments. It was also decided to add a sixth overarching principle for the precautionary principle in subsequent discussion.
13. By this means, alternating between plenary and drafting groups, the AHEG slowly progressed toward agreement on a first draft. It was noted several times and discussed that there exists sometimes more and sometimes less common understanding and acceptance for a given formulation of a principle, making the task of selecting one formulation particularly difficult. It was recalled several times that there would still be a chance for the Member States to correct the selections that were made by the AHEG.
14. Equal efforts were made to ensure quality in preparing a draft preamble. The first draft as approved by the AHEG includes a preamble, articles on aim and scope, principles, and articles related to its implementation and promotion.

III. Outcome of the First Meeting of the Ad Hoc Expert Group

15. The work concluded on 24 September with AHEG approving in plenary by consensus a first draft of a preliminary text of a non-binding Declaration of Ethical Principles in relation to Climate Change (attached as annex 2). This draft identifies and names six overarching principles relevant to actions addressing climate change taken by states and other actors, as follows: **avoiding harm, precautionary principle, justice and fairness, sustainability, solidarity, and scientific knowledge and decision-making**. It also presents norms for actions to promote and fulfill these general principles, including special attention for the most vulnerable and for education.
16. The AHEG expressed thanks and appreciation to the Kingdom of Morocco, the Moroccan National Commission for UNESCO and the Académie du Royaume, and expressed its satisfaction to the Secretariat, interpreters and assistants.
17. The AHEG underlined that the task entrusted to it was a challenging one, given the extent of commonality on ethical principles in relation to climate change, and variety of sources and formulations.

**Composition of the Bureau of the AHEG
Composition du Bureau du GEAH**

Rabat, Morocco, 20 September 2016

Rabat, Maroc, 20 septembre 2016

Chairperson/President: **Mr/M. Johan Hattingh** (South Africa / Afrique du Sud)

Rapporteur: **Mrs/Mme Beatrice Bugada Bernal** (Mexico / Mexique)

Vice-Chairpersons/Vice-President(e)s:

Mr/M. Ruben Apressyan (Russian Federation / Fédération de Russie)

Mr/M. Rainier Ibana (Philippines)

Mrs/Mme Farida Khammar (Algeria / Algérie)

Mrs/Mme Sandrine Maljean-Dubois (France)