

Declaration of Manaus Urges the Inter-American Court to Clarify State Obligations in Climate Emergency

SAN JOSE, Costa Rica, August 20, 2024 - Today, a coalition comprising over 400 communities, Indigenous and Tribal Peoples, and representatives of civil society presented the “[Declaration of Manaus on Human Rights in the Climate Emergency](#)” to the Inter-American Court of Human Rights (IACtHR). The widely endorsed declaration calls on the Court to articulate, in its forthcoming Advisory Opinion on the Climate Emergency and Human Rights, minimum standards for respecting and protecting human rights in the context of the climate crisis. It draws upon the insights of more than 150 participants who contributed during the public hearings on the process of the Advisory Opinion mentioned.

The hearings, conducted in Bridgetown, Barbados (April 22–25), Brasilia (May 24), and Manaus (May 25–29), Brazil, served as a forum for the presentation of compelling testimonies from individuals and entire communities impacted by the climate emergency. In Manaus, in the heart of the Amazon, there was a strong emphasis on the expectation that the Court would issue a robust advisory opinion aimed at ensuring the protection of both people and the planet.

The Declaration urges the Court to clarify the human rights obligations of States and reinforce the accountability of corporations and financial actors for their role in the climate crisis.

“The role played by the IACtHR Advisory Opinion is strategic at a historic moment for climate justice globally. The Court’s decision can reinforce and expand on what has already been established by the International Tribunal for the Law of the Sea (ITLOS) on the obligations to protect the oceans from climate change. It will undoubtedly influence the subsequent interpretation of the International Court of Justice (ICJ) on the duties of States to protect communities and the planet in the face of the climate crisis,” **said Marcella Ribeiro, coordinator of the Human Rights and Environment Program of the Interamerican Association for Environmental Defense.** “The standards set by the Court will set new paradigms for access to justice in the context of the triple planetary crisis, influencing pending and future cases, as well as laws and policies inside and outside the continent. Lastly, this decision has great potential to help overcome the political impasse in the international climate negotiations.”

The Declaration, signed by over 400 parties, requests the Court to:

- **Acknowledge that in the face of the climate emergency, all human rights, including the right to a healthy environment, must be upheld by all States.** This obligation should be interpreted under the principle of Common but Differentiated Responsibilities and in line with the average global temperature increase limit established by the Paris Agreement and informed by the best available science.

- **Specify that States need to transition to fossil-free economies** without harming local communities and causing environmental impacts that exceed planetary limits.
- **Ensure public access to information and participation, as well as the right to climate justice.** This includes providing legal and institutional mechanisms for communities affected by the crisis to seek legal recourse, as well as raising awareness and training the judiciary on climate-related issues.
- **Protect and facilitate the work of environmental defenders** in the context of the climate emergency and energy transition.
- **Guarantee adaptation measures to address the effects of climate change**, ensuring the protection of all human rights, especially for vulnerable or historically discriminated groups.
- **Uphold the right to self-determination of Indigenous and Tribal Peoples** by obtaining their consent for measures directly affecting them in the context of climate change and energy transition.
- **Ensure that victims and survivors of climate-related harm are granted comprehensive and just reparations** and that climate judgments have financial resources for their implementation.

“The Manaus Declaration also addresses corporate responsibility for the crisis. We urge the Court to reinforce States’ obligations to regulate corporate actors and ensure that those responsible for human rights violations related to the climate crisis are held accountable,” adds **Luisa Gómez Betancur, senior attorney at the Center for International Environmental Law (CIEL).**

“Consistent with the polluter pays principle in international law, fossil fuel and agribusiness companies that are the primary drivers of climate change must cover the costs of mitigation and adaptation, as well as provide full reparation to victims for climate harm.”

Those supporting the Declaration are urging the IACtHR, as a guardian of human rights, to take a strong and forward-thinking stance. This approach should hold those who have had the most impact on the climate crisis responsible, guide inter-American policies towards environmentally sustainable economies, and establish a foundation for climate, environmental, and social justice worldwide, starting with Latin America.

“We hope that by listening to the testimonies of those of us who suffer the worst consequences of the climate emergency, the IACtHR will heed our call and order the States to respect our right to self-determination and the way in which we relate to our territories, prioritizing their care and conservation. For this reason, we join our voices in the Manaus declaration to remind the Court of the unique opportunity it has to mark a before and after in the fight for climate justice and the protection of our rights,” said **Everildys Córdoba Borja, legal representative of the Community Council of Black Communities of the Tolo River Basin and Southern Coastal Zone (COCOMASUR), Colombia.**

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