January 24, 2011

Via electronic mail to cidhdenuncias@oas.org
and facsimile transmission to (202) 458-3992

Dr. Santiago Cantón, Executive Secretary
Inter-American Commission on Human Rights
1889 F Street, NW
Washington, D.C., USA 20006

Re: Request for a Hearing on the Relationship between Climate Change, Access to Freshwater, and Human Rights

Dear Executive Secretary Cantón:

As representatives of individuals and indigenous peoples who are being affected by the effects of climate change on access to freshwater in the Americas, and as public interest organizations with expertise in the legal relationship between the environment and human rights, Earthjustice, Agua Sustentable and the eighteen organizations listed below hereby request that the Inter-American Commission on Human Rights convene a hearing during its March 21 to April 1 session on the relationship between climate change, access to freshwater, and human rights.

Over 71 million people in Latin America – nearly 14% of the population – currently have no access to a safe water supply, and over 22 million live in "water-stressed" watersheds.[1] The Fourth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC AR4) estimates that climate change will cause these numbers to increase substantially in the coming decades, with between 12 to 81 million more people in Latin America experiencing water stress by the 2020s, and 79 to 178 million more by the 2050s.[2]

A hearing on these issues would be to assist the Commission in exploring and better understanding how climate change-induced glacier melt and desertification affect human access to freshwater, and the resulting impacts on human rights. The hearing would also be useful to

[1] IPCC 2007 Working Group II/G. Magrin, G., et al., *Latin America.* In *Climate Change 2007: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*, M.L. Parry, et al., Eds., Cambridge University Press (2007); http://www.ipcc.ch/publications_and_data/ar4/wg2/en/ch13s13-4-3.html. The IPCC defines "water-stressed" watersheds as those that provide "less than 1000 m^3/capita per year."

[2] *Id*.

the Commission's ongoing efforts to comply with the General Assembly's request to examine the relationship between human rights and climate change.[3]

Background on Climate Change

Greenhouse gases are natural and manmade constituents of the atmosphere with the ability to trap and retain heat, thereby warming the planet.[4] Greenhouse gases are relatively translucent to short wavelength radiation (visible light) from the sun, allowing it to pass through the atmosphere and reach the Earth. However, because those gases are more opaque to longer-wave radiation (in the form of heat), some of the heat that the Earth would otherwise radiate back to space is trapped in the atmosphere.[5]

This dual nature of greenhouse gases is vital because it keeps the earth within the right temperature range to sustain life.[6] Under "normal" conditions, naturally occurring greenhouse gases, such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), keep the Earth's heat budget in balance.[7] With occasional periodic or episodic fluctuations, the amount of energy retained at the Earth's surface and in its lower stratosphere equals the energy reflected back to space.[8] Thus, the temperature of the Earth's land area and oceans remains generally constant.[9]

Since the industrial revolution at the end of the 18th Century, greenhouse gas emissions have risen inexorably, primarily due to the increasing combustion of fossil fuels for energy and industrial processes.[10] In addition, industry has introduced new, exceedingly powerful greenhouse gases to the atmosphere – including chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs), and sulfur hexafluoride – that have exacerbated the problem of global warming.[11]

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[3] *See* Organization of American States, *Human Rights and Climate Change in the Americas*, AG/Res 2429 (2008).
[4] IPCC 2007 Working Group I/H. R. Le Treut *et al.*, "*Frequently Asked Question,* In *What is the Greenhouse Effect?, Historical Overview of Climate Change,* In *Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change* (Solomon, S., *et al.* (eds.)) (hereinafter IPCC 2007 Working Group I), http://www.ipcc.ch/publications_and_data/ar4/wg1/en/faq-1-3.html.
[5] *Id.*
[6] *Id.*
[7] *Id.*
[8] *Id.*
[9] *Id.*
[10] IPCC 2007 Working Group I, *supra* note 4, *Frequently Asked Questions: How do Human Activities Contribute to Climate Change and How do They Compare with Natural Influences*?, http://www.ipcc.ch/publications_and_data/ar4/wg1/en/faq-2-1.html.
[11] IPCC 2007 Working Group I, *supra* note 4, *Changes in Atmospheric Constituents and in Radiative Forcing ,Executive Summary*", http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch2s2-es.html#footnote3.

At the beginning of the industrial revolution, the atmospheric concentration of CO_2, the principal greenhouse gas, was about 280 parts per million (ppm).[12] By 2010, it was 389.28 ppm.[13] Concentrations of methane, the second most abundant greenhouse gas, have increased more than 150%, exceeding the natural range of the last 650,000 years.[14] Nitrous oxide has increased 18% since the pre-industrial era, with more than one-third of emissions from anthropogenic sources.[15] Rates of greenhouse gas increase are now more than 100 times higher than during the last 20,000 years.[16] Analyses of Antarctic ice cores since the IPCC AR4 reveal that today's levels of carbon dioxide and methane are unmatched for at least 800,000 years.[17]

IPCC's Fourth Assessment Report concludes that it is "extremely likely"[18] that human activities have exerted a substantial warming influence on climate since 1750.[19] A strong scientific consensus has emerged that global warming is caused by the increase in concentrations of greenhouse gases in the atmosphere as a result of human activity.[20]

Climate Change, Freshwater and Human Rights in the Americas

Climate change affects freshwater resources in the Americas in three primary ways: the melting of glaciers and snow that are the source of dry-season freshwater for large parts of the hemisphere, increased drought and desertification, and increased flooding.

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[12] IPCC 2007 Working Group I *supra* note 4, Human and Natural Drivers of Climate Change, http://www.ipcc.ch/publications_and_data/ar4/wg1/en/spmsspm-human-and.html.
[13] National Oceanic Atmospheric Administration, Earth System Research Laboratory, *Trends in Atmospheric Carbon Dioxide*, http://www.esrl.noaa.gov/gmd/ccgg/trends/global.html, last accessed January 20, 2011.
[14] IPCC 2007 Working Group I, *supra* note 4, *Summary for Policymakers, Human and Natural Drivers of Climate Change* (2007), http://www.ipcc.ch/publications_and_data/ar4/wg1/en/spmsspm-human-and.html.
[15] *Id.*
[16] *Id.*
[17] L. Loulerge *et al.*, *Orbital and millennial-scale features of atmospheric CH4 over the past 800,000 years*, 453 Nature (2008).
[18] The IPCC defines "extremely likely" as having a greater than 95% probability. *See* http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch1s1-6.html
[19] IPCC 2007 Working Group I: *The Physical Science Basis, Changes in Atmospheric Constituents and in Radiative Forcing*, http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch2s2-es.html.
[20] IPCC 2007 Working Group I, *supra* note 4, *Summary for Policymakers, TS.4.2 Attribution of Spatial and Temporal Changes in Temperature* (2007), http://www.ipcc.ch/publications_and_data/ar4/wg1/en/tssts-4-2.html; C. Rosenzweig *et al..*, *Attributing physical and biological impacts to anthropogenic climate change*, 453 Nature 353 (2008). In 2009, a survey of over 3,000 earth scientists indicates that they overwhelmingly agree that in the past 200 years, mean global temperatures have been rising (90% agreeing), and that human activity is a significant contributing factor in changing mean global temperatures (82% agreeing; 97% among climatologists. P. Doran and M. Zimmerman, *Examining the Scientific Consensus on Climate Change*, 90 Eos Trans. AGU 3 (2009).

The compounded climate change effects of rising temperatures and decreasing precipitation have already caused a decline in the average size of mountain glaciers in the Western Hemisphere and reductions in water storage in mountain glaciers globally.[21] Across Latin America, tropical glaciers have lost nearly a quarter of their surface area over the last 30 years.[22] Andean glaciers in particular have been widely documented to be in dramatic retreat, an effect clearly tied to global climate change.[23] In approximately four decades ending in 2006, 21 glaciers in the Bolivian Andes lost 43% of their volume and 48% of their surface area;[24] Colombia has lost 82% of its glaciers in just ten years.[25] The IPCC predicts with "high confidence"[26] that many tropical Andean glaciers are "very likely to disappear" within decades.[27]

The problems associated with reduced snowpack and glacier mass are being exacerbated by decreased rainfall throughout much of Latin America. Globally, scientists have observed more intense and longer droughts over wider areas since the 1970s, particularly in the tropics and subtropics.[28] In Latin America, drought severity has increased substantially everywhere except southern South America, which has gotten wetter.[29] For example, in 2004-2006, Bolivia, Paraguay, the Argentinean Chaco, and the Brazilian Amazon and Rio Grande do Sul regions experienced unusually severe droughts.[30] These affects are likely to continue. Scientific models predict that climate change will cause annual precipitation to decrease in most of Central America, particularly during the already dry spring season,[31] and that extremely dry seasons will be over six times as frequent by the end of the century if greenhouse gas emissions continue at

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[21] IPCC 2007 Working Group I, *supra* note 4, http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-spm.pdf; IPCC *Technical Paper VI: Climate Change and Water*, 3 (B.C. Bates, *et al.* eds., 2008) (hereinafter "IPCC Technical Paper VI"), *available at* http://www.ipcc.ch/pdf/technical-papers/climate-change-water-en.pdf.

[22] N.H. Stern, *The Economics of Climate Change: The Stern Review*, 78 (2007) (hereinafter "The Stern Review").

[23] IPCC 2007 Working Group I, *supra* note 4, Section 4.5.3; B. Francou , *et al.*, *Glaciers of the Tropical Andes, Indicators of Global Climate Variability, Global Change and Mountain Regions: A State of Knowledge Overview*, (U. Huber, et al., (eds.) 2005).

[24] Alvaro Soruco *et al.*, "Glacier Decline between 1963 and 2006 in the Cordillera Real, Bolivia," *Geophysical Research Letters*, 36 (2009).

[25] IPCC Technical Paper VI, *supra* note 21, at 97.

[26] The IPCC defines "high confidence" as having an 8 out of 10 degree of confidence of being correct. *See* http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch1s1-6.html.

[27] IPCC 2007 Working Group II, *supra* note 1, at 583. *See also* T.P. Barnett *et al.*, "Potential Impacts of a Warming Climate on Water Availability in Snow-Dominated Regions," 438 *Nature* 303-09 (2005).

[28] IPCC, *Climate Change 2007: Synthesis Report. Contribution of Working Groups I, II and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change,* Section and Figure 1.1; Section TS 3.1.3 (R.K. Pachauri & A. Reisinger eds., 2007) (hereinafter "IPCC AR4, Synthesis Report").

[29] IPCC 2007, Working Group I, *supra* note 4, *FAQ 3.2. How is Precipitation Changing?*, http://www.ipcc.ch/publications_and_data/ar4/wg1/en/faq-3-2.html.

[30] IPCC 2007, Working Group II, *supra* note 2, *Table 13.1, National environmental policy instruments and evaluative criteria*, http://www.ipcc.ch/publications_and_data/ar4/wg3/en/ch13s13-2-2-2.html.

[31] IPCC 2007, Working Group II, *supra* note 2 *Section 11.6., Precipitation*, http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch11s11-6-3-2.html.

their current rate.[32] The same is true in Central North America, where 33% of years between 2080-2099 are projected to be extremely dry, a six-fold increase over the period 1980-1999.[33]

Drought and the disappearance of glaciers and snowpack are also contributing to the decline of important high altitude wetlands or *páramos*,[34] which store freshwater and provide other environmental services for over 100 million people in Latin America.[35] These systems have been shown to be vulnerable to increases in temperature, decreases in precipitation, and snow and glacial melt in the Andes.[36]

Decreases in snowpack, which is the seasonal accumulation of slow-melting packed snow, have been documented in several regions in the Americas.[37] Since 1950, mountain snow water equivalent has declined at 75% of the stations monitored in western North America.[38] In South America, temperature measurements suggest that the altitude where snow occurs has probably risen in mountainous regions.[39]

Glaciers, snowpack and *páramos* all serve a hydrological function that is directly linked to human freshwater access and to human rights: they store water and release it slowly when it is most needed during the dry season. The rapid melting of South American glaciers and snowpack may cause flooding in the near term and, along with increased drought, the complete loss of freshwater in some communities in the long term. As these resources dry up and disappear, up to 50 million people in Bolivia, Colombia, Ecuador, and Peru will be affected by the loss of dry-season water for drinking, sanitation, and irrigation.[40] Two million people in the capital metropolitan area of La Paz and El Alto, Bolivia, rely on glacial melt;[41] 80% of the water used by communities on the arid Pacific side of Peru is derived from glacier and snow melt;[42] and *páramos* provide almost all of the water used by the over 7 million residents of Bogotá, Colombia, and 85% of the household water used in Quito, Ecuador.[43]

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[32] IPPC 2007 Working Group II, *supra* note 2, Table 11.1, and explanation in Section 11.1.2. http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch11s11-1-2.html.
[33] *Id*.
[34] D. Ruiz, *et al*., *Changing climate and endangered high mountain ecosystems in Colombia*, 398 Science of The Total Environment 122 (2008).
[35] W. Buytaert *et al.*, "Human impact on the hydrology of the Andean páramos," 79 *Earth-Science Reviews*, 60 (2006).
[36] *Id*. at 66.
[37] IPCC 2007 Working Group I, *supra* note 4, *Technical Summary: Changes in the Cryosphere: Instrumental Record* (2007), http://www.ipcc.ch/publications_and_data/ar4/wg1/en/tssts-3-2.html.
[38] *Id.*
[39] *Id.*
[40] The Stern Review, *supra* note 24, at 78.
[41] Instituto Nacional de Estadística, Bolivia, *Proyecciones de población, 2000-2010, available at* http://www.ine.gov.bo/indice/visualizador.aspx?ah=PC20402.HTM.
[42] A. Coudrain *et al.*, "Glacier shrinking in the Andes and consequences for water resources," 50 *Hydrological Sciences Journal* 925-32 (2005).
[43] W. Buytaert, *supra* note 37, at 61.

In some places, loss of freshwater resources also reduces water quality, for example through contamination and disruption of sanitation systems during floods, incursion of sea water into underground freshwater aquifers, and increased sedimentation of water supplies due to drought. Both water availability and quality have implications for human health and life. For example, clean water and sanitation can reduce the risk of child mortality by as much as 50%.[44]

Reductions in freshwater also affect food supplies and rural livelihoods of poor and subsistence farmers, many of whom are indigenous. Ninety percent of Latin American agriculture depends on rain.[45] The IPCC predicts significant losses in rice yield in Guyana, Costa Rica, Guatemala, and Bolivia, and a regional 10% reduction of smallholder corn harvests by 2055, with countries such as Honduras facing losses of as much as 21% of smallholder harvests by 2070.[46] In Mexico, 1.4 to 6.7 million adults are predicted to emigrate by 2080 in response to declines in agricultural productivity due to climate change.[47] Such food security impacts will be particularly devastating in countries already struggling with high rates of undernourishment, such as Nicaragua, Bolivia, the Dominican Republic and Haiti.[48]

The loss of freshwater resources also threatens indigenous peoples whose cultures and livelihoods are inextricably tied to their environments. For example, the Aymara Indian inhabitants of Khapi, Bolivia, depend on meltwater from the Illimani glacier for their dry-season drinking water, sanitation, and agriculture.[49] The Bolivian highlands are also the ancestral territory of the Aymara indigenous peoples, and the land therefore provides not only material subsistence, but also the basis of their spiritual identity and beliefs.[50] The disappearance of the Illimani glacier and the resulting loss of local biodiversity and disruption of planting and harvest seasons all jeopardize Khapi residents' rights to maintain their religious and cultural traditions.

A recent study examining predicted river basin water shortages at +2°C and +4°C under UN population forecasts for 2030 and 2060 shows that water stress will be greatest when the higher

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[44] UNDP Human Development Report 2006, *Beyond Scarcity: Power, Poverty and the Global Water Crisis*, 22-23
(2006).
[45] S.P. Wani *et al*., "Rainfed Agriculture – Past Trends and Future Projects," *in Rainfed Agriculture: Unlocking the Potential*, 1-35 (CAB International 2009), *available at* http://www.iwmi.cgiar.org/Publications/CABI_Publications/CA_CABI_Series/Rainfed_Agriculture/Protected/Rainfed_Agriculture_Unlocking_the_Potential.pdf.
[46] IPCC 2007 Working Group II, *supra* note 2, *Figure 13.5*., http://www.ipcc.ch/publications_and_data/ar4/wg2/en/figure-13-5.html.
[47] S. Feng et al., *Linkages among climate change, crop yields and Mexico-US cross-border migration*, PNAS Early Edition (2010), http://www.pnas.org/content/early/2010/07/16/1002632107.full.pdf.
[48] Food and Agriculture Organization, *Food Security Statistics* (2009), *available at* http://www.fao.org/economic/ess/food-security-statistics/en/.
[49] Agua Sustentable, *Manejo Microcuenca Palca*, Consorcio Glaciares Andinos, 8. On file with Earthjustice and Agua Sustentable and available upon request.
[50] *Id*.

populations expected in 2060 coincide with higher degrees of climate change.[51] Moreover, at +4°C, in many river basins, climate change outweighs population growth as the primary driver of water stress.[52] At +4°C, the entire Amazon basin and much of the United States will experience such water stress.[53]

The IPCC AR4 predicts with "high confidence"[54] that increased precipitation intensity and variability in warmer climates will increase the risks of both flooding and drought in many areas.[55] Populations dependent on glacier or snowmelt-fed river basins face flooding risks from seasonal shifts in streamflow, with increases in the ratio of winter to annual flows, and increased potential for glacial lake outburst flooding.[56] More intense precipitation increases risks of flash flooding and urban flooding due to overwhelmed storm drainage systems.[57] With greater warming comes greater risks to both ecosystems and humans, especially in tropical countries, including a range of South American countries.[58] For example, with 3°C of global average warming, climate models predict with 93% probability that 20% of Colombia's population would be adversely affected by flooding this century.[59] Colombia is already suffering such effects: in 2010 the most devastating floods in forty years adversely affected over 2.2 million people, and cost the country over $300 million for emergency relief.[60]

Women, children and poor people, who are already more vulnerable in many places, will also be particularly affected by the impacts of climate change on freshwater.[61] And the greatest impacts

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[51] Mark New et al., *Four degrees and beyond: the potential for a global temperature increase of four degrees and its implications*, 369 Phil. Trans. R. Soc. A 6 (2011), *citing* Fai Fung et al., *Water Availability in +2°C and +4°C worlds*, 369 Phil. Trans. R. Soc. A 99 (2011), *available at* http://rsta.royalsocietypublishing.org/content/369/1934.toc.

[52] Fung et al. 2011, *supra* note 51.

[53] *Id*. at 105.

[54] The IPCC defines "high confidence" as having an 8 out of 10 degree of confidence of being correct. *See* http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch1s1-6.html.

[55] IPCC 2007 Working Group II, *supra* note 2, *Freshwater resources and their management*, http://www.ipcc.ch/pdf/assessment-report/ar4/wg2/ar4-wg2-chapter3.pdf.

[56] *Id*.

[57] *Id*.

[58] W. Knorr and M. Scholze, *A global climate change risk assessment of droughts and floods*, In *Economics and Management of Climate Change*, Springerlink, 49 (2008) http://www.springerlink.com/content/jr3371011078232w/.

[59] *Id.*

[60] T. Heyden, *Colombia Distributes $309 million for flood relief*, Colombia Reports, (2011), http://colombiareports.com/colombia-news/news/13809-colombia-distributes-309-for-flood-relief.html.

[61] The World Bank has noted that children in the developing world will bear the primary burden of climate change (World Bank, *Global Monitoring Report 2008 – MDGs and the Environment: Agenda for Inclusive and Sustainable Development*, p. 211); the Office of the UN High Commissioner on Human Rights has stated that international human rights standards and principles "underline the need to adequately assess and address the gender-differentiated impacts of climate change" (A/HRC/10/61 (15 Jan. 2009), ¶ 47), *available at* http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/103/44/PDF/G0910344.pdf?OpenElement).

are likely to be in countries and communities that lack the economic resources necessary to successfully adapt to the profound changes and water stress resulting from the impact of climate change on freshwater resources.

All of these effects, which will multiply in coming years and decades as a result of increasing climate change, are already having a negative impact on a suite of human rights. These include the rights to life, physical integrity and security; water; food; health and sanitation; property; and the rights of indigenous and other resource-dependent peoples to enjoy the benefits of their culture, to use and enjoy the lands they have traditionally used and occupied, and to their own means of subsistence. The UN General Assembly has recently declared that water and sanitation are basic human rights, and has acknowledged "the importance of equitable, safe and clean drinking water and sanitation as an integral component of the realization of all human rights."[62] The Inter-American Court of Human Rights has recognized that access to a sufficient quantity of adequate quality freshwater is essential to realization of the right to life.[63]

As noted above, global climate change is a direct contributor to the loss of glaciers and snowpack and the increase in droughts in the Americas. The human rights implications of the loss of freshwater resources are similar to the human rights implications of climate change generally, which have been broadly recognized by international human rights bodies. For example, the UN Human Rights Council has noted that "climate change-related impacts have a range of implications, both direct and indirect, for the effective enjoyment of human rights including, inter alia, the right to life, the right to adequate food, the right to the highest attainable standard of health, the right to adequate housing, the right to self-determination and human rights obligations related to access to safe drinking water and sanitation, and recall[ed] that in no case may a people be deprived of its own means of subsistence."[64] The Office of the UN High Commissioner on Human Rights reached similar conclusions in its 2009 report on the relationship between climate change and human rights.[65]

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[62] The Human Right to Water and Sanitation, A/64/L.63/Rev.1 (26 July 2010), *available at* http://www.unesco.org/water/wwap/news/archives/UNDecWaterHR_EN.pdf. *See also* UN Committee on Economic, Social and Cultural Rights, General Comment No. 15: The Right to Water, E/C.12/2002/11 (2003) ("[W]ater clearly falls within the category of guarantees essential for securing an adequate standard of living.").

[63] InterAmerican Court of Human Rights, *Caso Communidad Indígena Xákmok Kásek*, 2001 Inter-Am. Ct. H.R. (ser. C) No. 214, ¶¶ 196, 217 (Paraguay) (Aug. 24, 2010) (where the State has interfered with a community's access to water, providing less than adequate water constitutes a failure to provide the basic benefits to protect the right to life).

[64] UN Human Rights Council Resolution 10/4 (25 Mar. 2009), *available at* http://www2.ohchr.org/english/issues/climatechange/docs/resolution10_4.doc.

[65] A/HRC/10/61 (15 Jan. 2009), *available at* http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/103/44/PDF/G0910344.pdf?OpenElement.

Because of the serious and growing human impacts of climate change-induced loss of freshwater resources, and because of the implications of those impacts for the full and effective enjoyment of human rights, we believe it would be beneficial to the continued realization of human rights in the Americas for the Commission to hold a hearing to further its understanding of the relationship between climate change, access to freshwater, and human rights.

We would like to propose that the Commission schedule 75 minutes for this important hearing, including 15 to 20 minutes for questions from the Commission.

Although we would appreciate the Commission's guidance concerning particular issues it would like to explore in a hearing, the hearing could include three elements:

1. A non-technical review of present scientific knowledge of climate change and its impacts on glaciers, snowpack, and freshwater resources in the Americas;

2. A description of the impacts of climate change-induced glacier-melt and desertification on access to water and human rights, including presentations from representatives of vulnerable indigenous communities that are already experiencing such impacts; and

3. A discussion of the legal relationship between climate change-induced glacier melt and desertification, access to freshwater, and human rights as defined in the American Declaration on the Rights and Duties of Man, the American Convention on Human Rights, and other relevant legal documents. This would include an exploration of issues such as the particular rights implicated, the obligation of states to prevent and mitigate threats and violations of human rights arising from the impacts described, and the relevance of the role of private actors in contributing to those impacts.

Prior to or at the time of the hearing, we would provide the Commission with written materials to assist in the exploration of these issues.

We look forward to your response to this request, and welcome any questions you may have.

Sincerely,

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