



ActionAid contribution to the external dimension of the European Green Deal

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President Von der Leyen announced that the new European Commission to be appointed soon will produce a European Green Deal in its first 100 days in office. Designate-Commissioner for Climate and the European Green Deal, Frans Timmermans, provided more details in his responses in his hearing in the European Parliament early October. While there is no available draft of the Green Deal yet, ActionAid is pleased to contribute to the reflection about how this European Green Deal could integrate an external dimension, i.e. avoiding any harm on developing countries and maximising positive synergies.

The current briefing does not aim at dealing in an exhaustive way with the external dimension of the European Green Deal, but rather focuses on the few areas on which ActionAid has gained expertise over the years by working with people living in poverty in the Global South, particularly women, and through its mobilisation at grassroots level for climate justice.

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Introduction: What do we mean by external dimension?

Climate and just transitionsⁱ are challenges that Europe shares with the rest of the world. Three external dimensions (multilateral engagement, development cooperation and Policy Coherence for Development) should be part of the European Green Deal.

Multilateral engagement: The EU will have to discuss and agree on solutions with other countries at the global level, through multilateral institutions and spaces. Engaging in multilateral spaces will help to create momentum globally, and is also needed for greater effectiveness of measures adopted. EU diplomacy, under the leadership of the High Representative of the Union for Foreign Policy and Security, will have to serve that objective. This has been clearly outlined already in the hearing of Commissioner-designate for the European Green Deal, Mr Frans Timmermans.

Development cooperation: The EU will have a role to play, through its development cooperation policy, in supporting partner countries in their own efforts towards just transitions. This will require close cooperation between the Vice-President in charge of the European Green Deal and the International Partnerships Commissioner.

Policy Coherence for Development: Last but not least, solutions that will be developed in Europe will have positive and/or negative human rights and environmental consequences outside Europe, including in the Global South. Those impacts need to be detected as early as possible, to minimise negative consequences and maximise positive impacts in third countries. This is in line with the principle of Policy Coherence for Development (PCD, art. 208 of the Lisbon Treaty). Particular attention will have to be paid to the impacts on women and the role they can play as agents of change. Women's rights should be at the core of the Green Deal.

Summary of main recommendations

Agriculture and food

- Support the promotion of agroecological practices in relevant multilateral institutions
- Contribute to ensure WTO rules do not hamper the transition towards sustainable food systems based on agroecological practices, and support small scale food producers, many of which are women in the developing world
- Contribute to make the global governance system more inclusive of developing countries and civil society organisations
- Use development assistance to support diversified, ecologically and socially sustainable food systems, in particular those based on agroecology
- Refrain from providing financial support to partner countries to develop and expand industrial agriculture and budget support for synthetic nitrogen fertilisers
- Ensure partner countries enjoy the policy space they need to regulate and shift investments towards the agriculture transition
- Ensure the application of the principle of free, prior and informed consent to all affected communities in all land-based investments under EU private sectors instruments
- Ensure Impact Assessments of trade and investment deals look at impacts of the proposed provisions on raw agricultural commodities demand, deforestation, small-scale food producers and indigenous people, with a gender lens
- Include provisions in EU trade and investment deals to make sure the expansion of international trade will not incentivise land-grabbing and that existing or future provisions protecting local communities' livelihoods in national legislation will be allowed

- Regulate supply chains to minimise the risk of deforestation and human rights violations associated with commodity imports in the EU

Energy

- Support through EU development cooperation countries in the Global South as they are transitioning to combat climate change, especially in the extractives sector
- Recycle metals and minerals in and outside the EU on a larger scale
- Ensure respect for socioeconomic and environmental standards by companies supplying EU countries with renewable energy sources based on new raw materials
- Ensure tax transparency and fighting tax avoidance for all mineral resources extracted in developing countries
- Not include Bioenergy with Carbon Capture and Storage in plans for a just energy transition

Climate finance and Fair and progressive taxation

- Explore the possibility of a progressive Climate Damages Tax on fossil fuels following the Polluter Pays principle at UN level
- Increase EU and member states contribution to the Green Climate Fund, with 50% of the Fund to be allocated for adaptation efforts
- Allocate part of the revenues raised by European environmental taxes towards making up the costs of climate-related losses and damages already experienced by communities in the Global South
- Exclude from the future Border Carbon Adjustment Tax products imported from Less Developed Countries, and allocate the income from the carbon border tax imposed on products imported from developing countries to those importing countries
- Consider impacts on developing countries in impact assessments of new relevant taxation proposals

Women's rights

- Champion efforts under the UNFCCC's Gender Action Plan
- Encourage a focus in development cooperation on women as agents of change in the fight against climate change, as well as their leadership in climate disasters
- Systematically look at possible impacts of proposed measures on women's rights in Impact assessments of policy proposals

Regulating business activities

- Constructively engage in the ongoing process for a binding UN Treaty on Transnational Corporations and other Business Enterprises
- Scale up support for human and women's rights defenders working at local, national and regional levels in the Global South and in Europe
- Step up the EC's role on due diligence to guarantee compliance of final beneficiary companies with international human rights and environmental commitments when using aid to leverage private investments
- Propose a legislation that establishes a mandatory, gender-responsive human rights and environmental due diligence framework for companies

Way forward

- Make space for and empower grassroots initiatives in Europe and in the Global South

- Support citizens' involvement in monitoring the implementation of the European Green Deal, including budget tracking
- Ensure political and financial support for organised civil society, including women's rights organisations and feminist networks

1. Just transition in agriculture and food systems

Responding to climate change means that we must transform our agricultural and food systems. Not only is there an urgent need to bring down greenhouse gas (GHG) emissions from agriculture, but we must also ensure that food systems are resilient to the climate challenges ahead. It is time for policy makers to respond to the consensus that industrial agriculture is not sustainable, and that we must shift to producing food in agroecological ways that work with nature and protect the climate.

1.1. Multilateral engagement

As part of the proposals under the European Green Deal and efforts to encourage a just transition in agriculture beyond Europe, the EU and its member states should support the promotion of agroecological practices in multilateral institutions such as the Food and Agriculture Organisation (FAO), the World Committee on Food Security (CFS), the Conference of Parties to the Convention on Biological Diversity (CBD) and the Conference of Parties to the United Nations Framework Convention on Climate Change. The transition of our food systems to less carbon intensive, biodiverse and fairer models has been slowed down because a number of decision makers, including within the European Commission and some Member states, have been questioning for years the available evidence on the benefits of agroecology.ⁱⁱ There is widespread proof, though, of the negative externalities of industrial agriculture, industrial livestock farming and the expansion of monocultures, as recently shown in the Rural Africa Task Force Reportⁱⁱⁱ, the IPCC Report on Climate Change and Land^{iv} and the CFS High Level Panel of Experts report on agroecological and other innovations.^v Member states have agreed to discuss agroecological and other innovations with a view of agreeing recommendations at the global level a CFS 47 in 2020, a welcome move that should also be supported and encouraged. Discussions on biodiversity restoration within the CBD and the UN Convention to Combat Desertification must integrate a focus on agroecology as an effective approach to preserve agrobiodiversity and ensure healthy soils and nutritious diets.

The EU should also contribute to ensure WTO rules do not hamper the transition towards sustainable food systems based on agroecological practices, both in Europe and elsewhere in the world. WTO rules should therefore protect and preserve small scale food producers, and in particular women farmers and extensive livestock farmers^{vi}, who are and need to remain the backbone of agriculture in the developing world if we want to curb climate change. They should also aim at generating income for small scale food producers and family farmers to reduce hunger and malnutrition, including by allowing governments to use public procurements therefore. Trade rules and investment agreements should not undermine through intellectual property laws, women smallholder farmers and communities' rights to their seeds, nor provide incentives to land grabbing.

More generally, inclusivity of multilateral spaces implies to bear in mind the different roles of private interest and of rights-holders that look after common goods and benefits. This means preventing conflicts of interest consistently and building a stronger, independent, and democratic international governance system with States and public interest actors at the center, and with transparent mechanisms for civil society's effective participation. Making the global governance system more inclusive of developing countries by giving equal vote or voice to all member states should also be an objective of the EU and its member states.

1.2. Development cooperation

The EU should use development assistance to support diversified, ecologically and socially sustainable food systems, in particular those based on agroecology. This should involve allocating sufficient funding to local, national, regional and global efforts to scale up such practices in the context of territorial food systems, as demanded by millions of small-scale farmers over the world.^{vii} Participatory research based on the needs and demands of farmers and with their involvement should also be supported.

The EU should refrain from providing financial support to partner countries to develop and expand industrial agriculture and synthetic nitrogen fertilisers as they are a well-established driver of GHGs and weaken soils and resilience. Many countries in sub-Saharan Africa have spent years allocating between 20% and 90% of their national agriculture budgets on subsidising fertilisers.^{viii} The EU budget support should never contribute to fund such approaches, but rather contribute towards training, extension services (especially for women farmers who are often de facto excluded from such services), and support for agroecological practices. A range of policy options to enable the transition should also be encouraged, including public procurement and ensuring partner countries enjoy the policy space they need to regulate and shift investments towards the transition.

For transitions in agriculture and other sectors to be just and fair to farmers, workers and communities, the development of transition strategies must be participatory and inclusive, and facilitate training, support services and social protection for those whose way of life will need to change. This will have budget implications in all countries and should be considered in development cooperation planning.

Efforts to support the full implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security should continue.^{ix} In addition, all private sectors instruments, including investments in partner countries by the European Investment Bank (EIB), need to ensure the application of the principle of free, prior and informed consent to all affected communities in all land and natural resource-based investments. Special attention needs to be paid to how such investments may impact on the rights of women from the most marginalised communities and groups. That goes beyond the current practice limiting FPIC to indigenous people and REDD+ projects. The work started by the EIB in 2017 to align its safeguards with the Tenure Guidelines needs to be prioritised and finalised, with adequate resources to ensure full implementation in all the Bank's operations.

1.3. Policy Coherence for Development... and for Climate!

The role of land use in the mitigation of climate change has been recently highlighted by the Intergovernmental Panel on Climate Change (IPCC) in its Special Report on Climate Change and Land.^x The special confirms the critical importance of preserving the Earth's natural ecosystems as carbon sinks, and highlights that securing indigenous peoples' and local communities' access, land tenure and participatory decision-making over those ecosystems is key to their role in climate mitigation. The Climate, Land Ambition and Rights Alliance (CLARA) also shows in its 2018 report "Missing Pathways to 1.5°C" the key role local communities and indigenous people play in ecosystem protection, and thereby the need to secure their land rights.^{xi} This requires a different approach to international trade and an ambitious regulation of forest-risk commodities.

The EU must recognise and address the reality that much of its food consumption is based on imported products that are also contributing to climate change. **International trade** drives imports in the EU, including of raw agricultural commodities that are causing deforestation, threatening traditional and indigenous people's territories and land rights and destroying their livelihoods. Using trade and sustainable development chapters in trade agreements to force partner countries to fully implement

their human rights and environmental international commitments is not going to solve this issue, nor is it fair to put all the onus on partner countries.

The EU could avoid those negative impacts on local, traditional and indigenous people's livelihoods by assessing them at an early stage and by adapting accordingly the provisions of trade agreements at the negotiation stage. We therefore urge that ex ante and ex poste Sustainability and Human Rights Impact Assessments are carried out for all major bilateral and plurilateral trade deals to look at impacts of the proposed trade provisions on raw agricultural commodities demand, on deforestation, on family farmers and small scale food producers and on the rights of traditional and indigenous communities. These assessments must include a strong gender perspective and be conducted with the meaningful participation of potentially affected communities, women's rights groups and other civil society organisations.

A gender perspective is crucial, as women can disproportionately face displacement and loss of livelihoods when governments open up areas to large-scale foreign investments, such as agriculture, mining and extractive industries, tourism, and infrastructure projects as a result of trade and investment agreements. This is notably because women often have fewer land rights and may be sidelined or excluded from decision-making and consultations of local communities. As a result, they may also lose out in compensatory schemes. In addition, the loss of access to land and water resources, as well as the environmental harm often caused by such projects, can pose a risk to food security given that many women produce food both for their families' consumption and as an income-generating strategy. The loss of access to water, for example, can also increase women's disproportionate burden of unpaid care and domestic work (longer time needed to fetch water). Food security and sovereignty – the ability of communities to control the way food is produced, traded and consumed – can be further undermined when countries shift to export-orientated production, often entailing intensive monocropping that depletes and contaminates soils, rather than producing for local needs.^{xii}

All EU trade and investment deals, including preferential market access schemes, should include specific provisions to make sure the expansion of international trade will not incentivise land-grabbing and displacement to the detriment of local communities, indigenous people's rights and women's rights, and that existing or future provisions protecting them and their livelihoods in national legislation will be preserved – even when it involves exceptions to the equal treatment/most favoured nation principle. This will help ensuring we do not inadvertently contribute to violating local communities and indigenous peoples' human rights. But it is also crucial in view of the role these people play in the protection of the forests and the climate, through their sustainable use of land.

Addressing Europe's consumption of forest-risk commodities: The Commission Communication on "Stepping up EU Action to Protect and Restore the World's Forests" adopted July 2019 includes a number of interesting proposals, acknowledging that efforts so far have not been effective enough – i.e. we need something different.^{xiii} We welcome in particular the proposal to regulate supply chains to minimise the risk of deforestation and human rights violations associated with commodity imports in the EU. We believe this principled approach - applying to all countries equally independently from the existence of trade agreements - requiring companies to demonstrate that the goods they put on the EU market are not tainted with deforestation or human rights abuses, is an important way to support traditional and indigenous peoples in partner countries.

We encourage the European Green Deal to fully back that proposal: to propose with urgency a mandatory, gender-sensitive due diligence framework^{xiv} with stringent monitoring mechanisms, associated with appropriate funding and cooperation with exporting countries in order to help them produce in a sustainable way. While important, the non-regulatory measures proposed in the Communication, such as labelling, will never alone suffice to reverse the trend in deforestation and rising attacks against indigenous and traditional communities.

2. Just renewable energy transition

As the EU rightly works to shift its energy model from fossil fuels to renewables, the European Green Deal should also bear in mind the potential unintended consequences of increased demand for minerals for renewable energy technologies. ActionAid works with a number of communities in the extractives industry in developing countries. There will be a growing demand of minerals to supply the EU transitioning to more sustainable energy sources, which in turn will have an effect on mineral rich countries and people.

2.1. Development cooperation

Resource rich countries, like Democratic Republic of the Congo, Zambia and South Africa, are also expected to enter an energy transition of their own besides the fact they deliver metals and minerals for the EU. The EU should support through its development cooperation countries in the Global South as they are transitioning to combat climate change, especially in the extractives sector.

2.2. Policy Coherence for Development

The EU must aim for a just energy transition that is beneficial for the Europe as well as for others in the world. To keep the rising world temperature under 2 degrees, the World Bank considers that the demand for some essential minerals needed for the development of renewable energy sources will in some case increase by 1000%.^{xv} This growing demand for minerals and the transition in energy must **avoid causing land grabs, environmental destruction and socio-economic harm** from scaled-up mining. The energy transition should translate in a more inclusive way of extracting minerals and metals, involving those affected by mining activities in decision-making processes impacting them (men and women living near mine sites, job seekers and indigenous people). The principle of Free, Prior and Informed Consent has a key role to play there, for land-related investments.

Even though evidence shows that we cannot provide the needed minerals for the energy transition just through **recycling**, recycling metals and minerals in and outside the EU should be done on a larger scale to increase sustainability. In addition to reducing overall energy needs in Europe, it is important to enable and increase the recycling of metals and minerals in renewable technologies to limit the need for mining.

Ensuring socioeconomic and environmental standards for new raw materials: Businesses have the responsibility to address adverse human rights and environmental impacts of their operations based on the UN Guiding Principles on Business and Human Rights (UNGP's) and the OECD Guidance for Multinational Enterprises. The EU must ensure that companies supplying EU countries with renewable energy sources like solar and wind energy abide by responsible business standards.

The EU should also develop binding and enforceable measures to accompany the guidelines as voluntary measures have shown to be useful, but definitely not sufficient to avoid adverse social and environmental impacts, especially in countries where the legal framework is weak or not adequately enforced. The current EU regulation on conflict minerals (to be implemented from 2021) is a very important step in the right direction, though it only requests due diligence for 4 minerals (Tin, Tungsten, Tantalum and Gold), while other minerals like copper and cobalt are also linked to human rights abuses. Last but not least, the EU and its member states should make efforts to ensure that the extraction of minerals in developing countries comes with economic opportunities and benefits for the countries, by ensuring tax transparency and fighting **tax avoidance** for all resources extracted.

Strategies to apply large-scale technical fixes to the climate may also have far-reaching consequences on poor farmers who depend on access to land for their survival. Many governments hope that scientific advances in a technology called "**Bioenergy with Carbon Capture and Storage**"

(BECCS) will enable them to “remove” carbon dioxide from the air on a large scale, and counter the effect of climate change. But – aside from the possibility that the CCS technology may never be effective at scale - for BECCS to work on the scale envisioned, it would require hundreds of millions of hectares to grow tree plantations, which would then be cut down for biomass to be burned¹. Those hundreds of millions of hectares would likely create huge conflicts over land and water for food production. It is more than likely that lands in the global South would be targeted for these plantations, particularly in areas where farmers, indigenous peoples, local communities and women have insecure land tenure, and are highly vulnerable to being displaced by land grabs. These approaches must be avoided and should not be included in plans for a just energy transition. The IPCC report on climate and land released earlier this year also contains a warning about the potential competition for land from climate strategies that rely on **bioenergy** and BECCS.^{xvi}

3. Climate finance and Fair and progressive taxation

Developing countries will not be able to transition to greener economies and the world will not be able to collectively achieve the 1.5°C goal without significant levels of international financial support.

3.1. Multilateral engagement

The EU should contribute to creating an international tax system at UN level that encourages climate action whilst at the same time being socially just. Such system should take into account economic inequalities within and between countries, avoiding putting an unfair/excessive burden on lower income groups and Low and Low Middle Income Countries. A progressive Climate Damages Tax on oil, gas and coal extraction following the Polluter Pays principle could raise significant funds whilst putting the onus on those responsible for the root causes of climate change impacts.

The EU should use its role to encourage early-industrialised countries from other regions in the world to also increase their contributions to climate finance.

3.2. Development cooperation

The European Green Deal should propose that the EU and its member states increase their contribution to the Green Climate Fund. Under the 2015 Paris Agreement, developed countries reaffirmed their 2009 commitment to jointly mobilize \$100bn per year from 2020 in order to support climate action in developing countries. In 2016, the EU and its member states contributed 20,4 billion EUR, an increase compared to previous years.^{xvii} Recent announcements from many EU member states to increase or double their contribution to the UN Green Climate Fund are welcome. But far greater commitments are needed to match the scale of the climate crisis. The EU must urgently scale up grant-based public climate finance to developing countries so that they can adapt to climate change impacts and transition to greener pathways. In particular, 50% of the Green Climate Fund should be allocated for adaptation efforts. This will allow communities from global south directly access funds which are needed to adapt to changing climate conditions and build resilience.

At least part of the revenues raised by European environmental taxes – existing as well as those being considered and introduced at EU level – should go towards making up the costs of climate-related losses and damages already being experienced by communities in the Global South, as well as to fund actions that enable just transitions. The same should apply with regards to part of revenues raised by the Financial Transaction Tax currently being negotiated in the enhanced cooperation procedure by

¹ <https://www.actionaidusa.org/wp-content/uploads/2019/06/BECCS-Explainer.pdf>

France, Germany, Belgium, Portugal, Austria, Slovenia, Greece, Spain, Italy and Slovakia. We would also like to see an end to the stalemate in the negotiations on the Warsaw International Mechanism (WIM) and the creation of a comprehensive financing facility, including debt relief, for developing countries experiencing such disasters.^{xviii}

3.3. Policy Coherence for Development

Part of the announced European Green Deal is the introduction of an EU carbon border tax, in order to ensure that EU companies can compete on a level playing field and also in order to exert political pressure on climate laggards to adopt carbon taxes. Border carbon adjustments (BCA) or border carbon taxes work by either taxing an import, so that it is taxed at the same level as the domestically produced product, or by crediting taxes on exports, in order not to impose an undue burden on the nationally produced product when it is known that the foreign product is not burdened by a similar tax. The World Trade Organization (WTO) is responsible for determining when a Border Tax Adjustment is admissible and when it is not under the General Agreement on Trade and Tariffs (GATT).

There are two main options for an EU carbon border tax:

- Put in place Border Carbon Adjustments that are the same for all EU member states. That requires the introduction of an EU-wide carbon tax (replacing the diversity of national carbon taxes). An EU-wide carbon tax could cover currently untaxed areas of the economy, such as maritime transport and international aviation (through the taxation of Kerosene), including non-road emissions such as electricity generation, manufacturing and heating which are currently excluded from most carbon tax regimes because they are included in the EU ETS. If there is no agreement among member states to adopt an EU-wide carbon tax, the EU could choose the lowest common denominator of national carbon taxes to calculate the BCA, or member states could be allowed to employ a BCA at differing rates, corresponding to their domestic carbon tax rate. However, this last option would increase complexity in the administration of the tax, might lead to intra-EU competition, and carbon leakage from high carbon taxing countries.
- Levying a tax on imports equivalent to the costs borne by domestic industries as a result of needing to buy carbon permits under the European ETS. However, this is unlikely to translate in lower emissions and so would fall far from the objectives intended with the European Green Deal. Also, the EU ETS scheme only applies to energy intensive industries. If the scope of the BCA is limited to those industries already subject to the ETS, a significant portion of the economy will be left out of the regime.

ActionAid considers that the first option would be the most effective, however social impacts on people living in Europe will have to be taken into account and mitigated with regards to the introduction of an EU-wide carbon tax. In addition, fairness to third countries need to be considered as well. ActionAid therefore recommends the following, if a BCA is to be introduced in Europe:

1. When introducing a BCA, the EU should foresee the possibility of granting either partial or total exemption towards products deriving from third States already employing carbon taxes, depending on the tax rate of their domestic carbon tax. Should third countries implement carbon taxes at a rate that is inferior to the one administered at EU level, the EU may then apply a corresponding adjustment to tax only the residual amount that corresponds to the difference between the price administered in the country of origin and the price administered in the EU. In addition, the EU should as a minimum exclude from the BCA products imported from Less Developed Countries (LDCs). Those may otherwise find it difficult to export to Europe as their products will end up being more expensive than they are now.

2. For developing countries that are not LDCs, if a BCA applies to their imports to the EU, the proceeds of that tax should be refund to those countries. A border carbon adjustment detracts from the developing countries' own right to benefit from the revenues derived from the application of a carbon tax. That is because the EU would be employing a BCA in lieu of the country of origin, and employing the revenues derived from the application of the BCA towards its own budgetary objectives. Therefore, the income from the carbon border tax imposed on products imported from developing countries should be re-allocated to those countries.

3. Introducing an EU BCA may stimulate third countries to introduce their own domestic carbon taxes in an attempt to keep the revenues of the tax domestically (hence achieving a higher level of environmental protection in the developing world). In which case the EU could offer its support to ensure that such domestic revenue mobilization is fair, progressive and gender-just, through its development assistance.

Under the current EU legislative processes, impact assessments of new relevant taxation proposals must consider impacts on developing countries, yet the implementation of this Policy Coherence for Development analysis has been patchy in previous tax-related proposals.^{xix} Given the scale of potential impacts that new environmental taxes (including a carbon border tax) are likely to have on developing countries, a PCD chapter in the impact assessment must be included, and the results of the PCD analysis must invariably be taken into account in the proposals put forward by the European Commission to ensure the new proposal does not undermine development policy objectives, including developing countries' trade policies.

4. Women's rights

ActionAid welcomes the first Vice-President's commitment in his written reply to the European Parliament to take measures designed to address gender inequalities that are exacerbated by climate change and incorporate gender and climate issues into all aspects of the European development policy. Climate change is intrinsically linked to poverty, impacting the lives of the world's poorest people the most. It is also intrinsically linked to gender, as we know from our work that women and girls are particularly vulnerable to the effects of the climate catastrophe. This is why a women's rights approach to the European Green Deal is so important.

4.1. Multilateral engagement

The EU could support and champion efforts under the UNFCCC's Gender Action Plan, including by encouraging countries to use gender-disaggregated data, and to ensure explicit gender-responsive and gender-transformative policies in their NDCs and NAPs.

4.2. Development cooperation and humanitarian action

Climate change affects women and girls most acutely because it exacerbates the existing outcomes of entrenched gender inequality:

- Women constitute the majority of the world's poor, who are overall more affected, and account for about 50 percent of the world's extreme poor.^{xx}
- They are more likely to be dependent for their food and income on land and other natural resources, which are being threatened.
- They are less likely to be in positions of power and/or decision-making roles.
- They are more likely to be responsible within their families for securing water, food and fuel for cooking and heating, which are all being threatened.^{xxi} It is often women and girls, for example, who are forced to walk great distances to find water when local sources dry up.

- They face a heightened risk of gender-based violence during and following disasters, and when forced to leave their homes due to climate change, become more vulnerable to early marriage, adolescent pregnancy, rape and trafficking.^{xxii}
- Women often face barriers to securing land tenure or accessing credit.^{xxiii} Not only does this leave their livelihoods at risk, but it means that they often cannot make the needed investments that could strengthen their resilience to climate impacts.
- When the worst effects of climate change make land-based work impossible, women are often less able than men to turn to alternative forms of work. Nine in 10 countries worldwide have laws impeding women's economic opportunities, such as those which bar women from factory jobs, working at night, or getting a job without permission from their husband.^{xxiv}

We therefore call for the European Green Deal to encourage a focus on women as agents of change in the fight against climate change, as well as to champion women's leadership in climate disasters. Those areas should require particular attention in the future EU Gender Action Plan 3 (GAP3).

In particular:

- Support the participation of women's groups in the design of government responses to climate change, such as National Adaptation Plans (NAPs) and Nationally Determined Contributions (NDCs) in partner countries
- Support actions building upon the traditional cultural role of women within families as stewards of natural and household resources, whilst supporting local women's rights organisations challenging these gender ascribed roles. Every day, billions of women around the world make decisions that influence the environment, whether it's as cooks for their families (choosing food and fuel), as farmers (influencing soil carbon emissions), or as consumers (making purchasing decisions).
- Promote gender-responsive public services^{xxv} as a way to recognize and redistribute women's unpaid care and domestic work that is aggravated in times of climate change
- Promote women-led preparedness and response in humanitarian emergencies to strengthen their power and agency to transform the humanitarian system to be more locally led and accountable to women who are the most affected
- Support women first responders to lead early warning and emergency response to recurrent disasters
- Combat gender-based violence in humanitarian settings, through EU humanitarian policies and funding

We also see it as fundamental for the Directorate General for Development to fully implement the Staff Working Document on Inequalities, which proposes concrete avenues to incorporate the fight against all forms of inequality in the EU and member states development cooperation.

4.3. Policy Coherence for Development... and for women's rights!

The European Green Deal will propose to adopt new policies and laws at EU level. We believe the European Green Deal should commit the European Commission to make sure that impact assessments that will be carried out as part of the policy making process for those proposals be gender sensitive, i.e. systematically look at possible impacts of proposed measures on women's rights, in Europe as well as outside Europe, with particular attention to women from the poorest and most marginalised communities. If possible, they should be gender-transformative, i.e. contribute to shift prevailing power imbalances. This should allow to ensure that all measures proposed will support women's rights and gender equality – from taxation to corporate due diligence, from participation in climate-related decision-making processes to gender-just trade deals.

Last but not least, an intersectional lens must be at the core of the European Green Deal's design: Women are not an homogenous group, and it is crucial to take into account the other forms of oppression that reinforce discrimination, such as race, class, caste, ethnicity, religion, sexuality, age,

physical ability, etc. This will allow to take into account in the Green Deal how women's overlapping identities impact the way they experience climate change and how they can respond to it.

5. Regulating business activities

For a Green Deal that truly achieves a scale-down of environmental destruction and climate change, sustainable business practices – in Europe as well as outside of it - must become the norm rather than the exception currently adopted only by ethical and green companies. Many European companies and investors are implicated in a variety of human rights violations and negative environmental impacts across the world: Europe's supply chains and overseas operations have been linked to labour rights violations, gender-based violence, pollution, land grabbing, and tax evasion, among other adverse impacts on people and planet. The European Green Deal must introduce rules for EU businesses to stop environmental and human rights harm and to encourage sustainable corporate governance across the board.

5.1. Multilateral engagement

The ongoing process for a binding UN Treaty on Transnational Corporations and other Business Enterprises is a historic opportunity to regulate business activities in international human rights law to ensure that they respect human rights and the environment in their activities, global operations and supply chains. Regrettably, the EU has so far engaged reluctantly in this important international process and the European Commission has failed to seek a mandate from the Council which would allow it to negotiate in a constructive manner. The EU must take the necessary steps to ensure it will participate constructively in the sixth session taking place in 2020, to guarantee that a UN Treaty is adopted with urgency to prevent further corporate abuses of human rights and the environment and to provide victims with effective, gender-responsive access to remedy.

5.2. Development cooperation

Human rights defenders, in particular those defending the environment and natural resources, are fighting a daily battle to protect their land and livelihoods from big agribusiness and deforestation. In particular, women food producers, and women environmental defenders are at the forefront of this battle for the right to food and to protect our planet. The EU should increase protection for defenders and scale up support for those working at local, national and regional levels in the Global South and in Europe to help claim and enforce the rights of individuals and communities against companies who pollute their environments or grab their lands.

The EU and many of its member countries are increasingly using aid to leverage private investments, despite growing evidence of questionable and sometimes adverse impacts on people living in poverty.^{xxvi} When using aid to leverage private investments, it would be important to step up the EC's role on due diligence to guarantee compliance of final beneficiary companies with international human rights and environmental commitments, instead of outsourcing its responsibilities to development banks and financial institutions benefiting from its grants and guarantees.

5.3. Policy Coherence for Development... and for Human Rights!

Some European businesses and financial institutions are already taking steps to meet their responsibility to respect human rights and the environment in their global operations, subsidiaries, portfolios and/or supply chains. However, too many others are linked to serious abuses – from toxic pollution and rampant destruction of forests; to the climate crisis, land-grabs and evictions of indigenous peoples and local communities; and violent attacks on human rights, environmental and land defenders.^{xxvii} Attacks on women human rights defenders are often gender-specific.^{xxviii}

New binding EU legislation that increases protection for individuals and communities, workers and their representatives, human rights defenders, and the environment is needed - the EU must introduce effective legislation that establishes a mandatory, gender-responsive human rights and environmental due diligence framework for business, companies and financial institutions operating, or offering a product or service, within the EU. Such legislation should establish a corporate duty to respect human rights and the environment and require companies and financial institutions to identify, prevent, mitigate and account for abuses and harm in their domestic and global operations, activities, products, services, supply chains and exports. The legislation should hold such companies legally accountable and ensure access to justice for victims.

The Way Forward: Empowering citizens and grassroots initiatives

“We can become powerful by making those around us feel empowered, able and respected. Feminist leadership seeks power with others instead of power over others”. ActionAid Feminist Leadership ten principles.

We believe the European Green Deal should empower citizens and be underpinned by the human rights principles of transparency, participation, non-discrimination and accountability. The same holds true for National Adaptation Plans, Nationally Determined Contributions, and the Green Climate Fund policies. Making space for and empowering grassroots initiatives in Europe and in the Global South can increase the climate ambition of the European project as well as the likelihood of successful implementation. The European Green deal should prioritise the leadership of women and young people, especially those living in poverty and exclusion. This means ensuring at least equal representation of women and girls in leadership roles and decision-making fora. Citizens’ involvement in monitoring the implementation of the European Green Deal, including budget tracking, is also key, and political and financial support for organised civil society, including women’s rights organisations and feminist networks – which remain critically under-funded - is a key ingredient for an ambitious European Green Deal to become a reality.

ⁱ Over the last decade, the concept of “just transition” has been developed by unions working in the energy and coal mining sector. A Just Transition secures the future and livelihoods of workers and their communities in the transition to a low-carbon economy. For more, see <https://www.ituc-csi.org/just-transition-centre>

ⁱⁱ For a definition, see High Level Panel of Experts on Food Security and Nutrition, *Agroecological and other innovative approaches*, 2019, <http://www.fao.org/3/ca5602en/ca5602en.pdf>; FAO, *The Ten Elements of Agroecology Guiding the Transition to Sustainable Food and Agricultural Systems*, 2018, <http://www.fao.org/3/i9037en/i9037en.pdf>; ActionAid, *Agroecology: Scaling up, Scaling out*, 2018, https://actionaid.org/sites/default/files/agroecology_def_web.pdf

ⁱⁱⁱ Task Force Rural Africa, *An Africa-Europe Agenda for Rural Transformation*, 2019, https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/report-tfra_mar2019_en.pdf

^{iv} IPCC, *Climate Change and Land*, 2019, <https://www.ipcc.ch/report/srccl/>

^v High Level Panel of Experts on Food Security and Nutrition, *Agroecological and other innovative approaches*, 2019, <http://www.fao.org/3/ca5602en/ca5602en.pdf>

^{vi} Extensive livestock farming means animal farming system characterised by a low productivity per animal and per surface. Extensive livestock production systems usually have a low stocking rate and are essentially based on grazing (permanent grasslands, natural pastures...). Grazing management uses specific rotations. <https://dicoagroecologie.fr/en/encyclopedia/extensive-livestock-production/>

^{vii} <https://viacampesina.org/en/tag/agroecology/>; http://roppa-afrique.org/IMG/pdf/note_de_position_vsf_1_.pdf; see also the work on agroecology by the African Centre for Biodiversity (ACB) <https://afsafrica.org/> and by the Alliance for Food Sovereignty in Africa <https://afsafrica.org/>

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