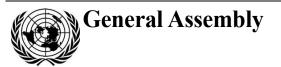
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# Violence against women and girls, its causes and consequences

# Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem, in accordance with Assembly resolution 75/161.

\* A/77/50.





Report of the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem

Violence against women and girls in the context of the climate crisis, including environmental degradation and related disaster risk mitigation and response

#### Summary

In the present report, the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem, explores the nexus between the climate crisis, environmental degradation and related displacement, and violence against women and girls. She assesses the intersecting vulnerabilities experienced by groups of women most at risk of the adverse impacts of climate change and introduces good practices and challenges in integrating a gender-responsive approach for addressing the climate crisis.

## I. Introduction

1. The present report of the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem, is submitted to the General Assembly pursuant to its resolution 75/161 and Human Rights Council resolution 41/17. In the report, the Special Rapporteur assesses violence against women and girls and its varied manifestations in the context of the climate crisis, including environmental degradation and related disaster risk mitigation and response.

## II. Activities of the Special Rapporteur

2. The activities carried out by the Special Rapporteur during the reporting period are included in her thematic report submitted to the Human Rights Council at its fiftieth session (A/HRC/50/26).

3. The Special Rapporteur presented the thematic report, entitled "Violence against indigenous women and girls", in which she highlighted the causes, manifestations and consequences of gender-based violence against indigenous women and girls and introduced good practices and challenges with regard to access to justice, truth and redress, and support services, and participation in initiatives and processes related to prevention of and protection from gender-based violence. At the same session, the Special Rapporteur also presented her country visit report to Mongolia (A/HRC/50/26/Add.1).

4. On the sidelines of the fiftieth session of the Human Rights Council, the Special Rapporteur attended the thirteenth meeting of the Platform of Independent Expert Mechanisms on the Elimination of Discrimination and Violence against Women with representatives of regional expert mechanisms.

5. In preparing the present report, the Special Rapporteur sought contributions from Member States, international and regional organizations, national human rights institutions, non-governmental organizations and other stakeholders. She is grateful to all those who submitted a response and shared testimonies. The Special Rapporteur is also grateful to the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Economic and Social Commission for Asia and the Pacific for their extensive support with regard to online consultations with experts and civil society partners, including in South-East Asia and the Pacific region. The Special Rapporteur appreciates the inputs of the Special Rapporteur on the promotion and protection of human rights in the context of climate change and the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment in the expert consultations.

### III. Overview and objective of the report

6. The impacts of climate change and environmental degradation have been exacerbating existing inequalities and creating new vulnerabilities. Between 2000 and 2019, floods, droughts and storms affected nearly 4 billion people worldwide, costing over 300,000 lives.<sup>1</sup> Pollution has destroyed the ecosystem, leaving scarring effects and resulting in the annual death of 3.8 million persons due to household pollution, most of whom are women and children.<sup>2</sup> Environmental degradation is worsening at

<sup>&</sup>lt;sup>1</sup> Centre for Research on the Epidemiology of Disasters and United Nations Office for Disaster

Risk Reduction, "Human cost of disasters: an overview of the last 20 years, 2000-2019" (2020).

<sup>&</sup>lt;sup>2</sup> E/CN.6/2022/3, para. 9; and E/CN.6/2022/4.

an alarming rate, due to the unsustainable management of industrial agriculture, grazing and forestry. If the current rate of global warming continues, the rise in global average temperature will not remain below 2°C above pre-industrial levels by the end of the century,<sup>3</sup> putting small island developing States in the global South among the most at risk.<sup>4</sup>

7. As has been stressed in the landmark studies of the Intergovernmental Panel on Climate Change, climate change acts as a threat multiplier and its impacts are felt more severely by those already on the margins.<sup>5</sup> Studies found that women are 14 times more likely to die in a climate catastrophe than men.<sup>6</sup> The combined impacts of sudden-onset natural disasters and slow-onset events, environmental degradation and forced displacement seriously affect women's and girls' rights to life, access to food and nutrition, safe drinking water and sanitation, education and training, adequate housing, land, decent work and labour protection. The prolonged exposure to health risks, such as chemicals in pesticides or persistent organic pollutants, disrupt the endocrine system of women and girls differently, including with pregnancies.<sup>7</sup> The lack of safe water results in water-borne diseases, both of which have negative consequences for breastfeeding and pregnant women.<sup>8</sup>

8. The economic and social fallout from the coronavirus disease (COVID-19) pandemic has compounded the climate and environment crises, disproportionately affecting women and girls.<sup>9</sup> During the pandemic, all types of violence against women and girls intensified, with the growing violence dubbed as a "shadow pandemic".<sup>10</sup> The gendered consequences of exogenous shocks and crises<sup>11</sup> illustrate how structural inequities amplify and reproduce broader power imbalances and vulnerabilities, essentially rendering the climate change crisis a climate justice issue.<sup>12</sup>

9. For the purposes of the present report, climate change refers to a change in the state of the climate that can be identified (e.g. using statistical tests) by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer. It refers to any change in climate over time, whether due to natural variability or as a result of human activity.<sup>13</sup>

10. Violence against women and girls is a pervasive form of gender discrimination, affecting an estimated one third of women during their lifetime.<sup>14</sup> It inhibits women's

<sup>&</sup>lt;sup>3</sup> World Meteorological Organization, State of the Global Climate 2021 (Geneva, 2022).

<sup>&</sup>lt;sup>4</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change.

<sup>&</sup>lt;sup>5</sup> Hans-O. Pörtner and others, Climate Change 2022: Impacts, Adaptation and Vulnerability – Working Group II Contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change (Intergovernmental Panel on Climate Change, 2022).

<sup>&</sup>lt;sup>6</sup> Submission by Marianne Sarah Sauliner.

<sup>&</sup>lt;sup>7</sup> Sara Brosché, *Women, Chemicals and the SDGs* (United Nations Environment Programme (UNEP) and International Pollutants Elimination Network, 2021).

<sup>&</sup>lt;sup>8</sup> M. Anwar Hossen and others, "Gendered perspective on climate change adaptation: a question

for social sustainability in Badlagaree Village, Bangladesh", *Water*, vol. 13, No. 14 (July 2021). <sup>9</sup> E/CN.6/2022/3, para. 2.

<sup>&</sup>lt;sup>10</sup> Ramaya Emandi and others, *Measuring the Shadow Pandemic: Violence against Women during* COVID-19 (UN-Women, 2021).

<sup>&</sup>lt;sup>11</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018); and A/HRC/42/26. See also Committee on the Elimination of Discrimination against Women, statement of the Committee on gender and climate change during its forty-fourth session, July 2009.

<sup>&</sup>lt;sup>12</sup> United Nations, "The highest aspiration: a call to action for human rights", 2020.

<sup>&</sup>lt;sup>13</sup> See United Nations Framework Convention on Climate Change, "Fact sheet: climate change science – the status of climate change science today", February 2011.

<sup>&</sup>lt;sup>14</sup> World Health Organization (WHO), "Violence against women", fact sheet, 9 March 2021.

ability to enjoy rights and freedoms on an equal basis with men and is interconnected with and indivisible from other human rights.<sup>15</sup> It includes any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering, including threats, coercion or arbitrary deprivation of liberty.<sup>16</sup>

11. While violence against women is a global phenomenon, it disproportionately affects women with multifaceted vulnerabilities, such as those living in poverty, members of indigenous groups and persons with disabilities. Violence against women also intersects with sociopolitical and economic phenomena, including armed conflict, displacement and resource scarcity, which results in the feminization of vulnerability. This begs the important question of how climate change and environmental degradation – and strategies to avoid, mitigate or adapt to these phenomena – may broaden and/or intensify women's vulnerability to violence, which the Special Rapporteur tries to address in the present report.

12. The increased awareness of the impact of the climate crisis on women and girls has not sufficiently influenced policies at the global, regional and national levels. In the Sendai Framework for Disaster Risk Reduction 2015–2030, States are invited to collect data on disaster impacts for both men and women disaggregated by hazard, income, sex, age and disability.<sup>17</sup> However, among the 38 indicators of the Framework (see A/71/644), only 2 target indicators, namely on mortality and affected people, are gender-specific. Around 128 countries did not start reporting for these indicators in 2021,<sup>18</sup> and data on the nexus between climate change and violence against women and girls remain scarce and abstract.<sup>19</sup> Studies seldom address the subset of climate impacts due to the technical challenges in standardizing, quantifying and monetizing impacts and related measures,<sup>20</sup> which limits a culturally varied and nuanced understanding.

13. Against this backdrop, in the present report the Special Rapporteur intends to further the understanding of the nexus between the climate crisis, environmental degradation and related displacement, and violence against women and girls. Despite largely anecdotal evidence and nascent efforts in data collection, the Special Rapporteur also demonstrates how different groups of women experience the crisis and how certain groups are more at risk as a result of intersecting vulnerabilities. Furthermore, the Special Rapporteur takes stock of the extent to which climate governance and related financing processes have factored in the needs of women and girls who are at risk or survivors of violence. Finally, the Special Rapporteur shares examples of good practices and challenges in integrating a gender-responsive approach for addressing the climate crisis, including through disaster management.

# IV. International law and the nexus between climate change and violence against women and girls

14. While there is no dedicated or established international legal instrument addressing violence against women and girls in the context of climate change,<sup>21</sup> the

<sup>&</sup>lt;sup>15</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19; and A/HRC/35/30.

<sup>&</sup>lt;sup>16</sup> Declaration on the Elimination of Violence against Women, art. 1.

<sup>&</sup>lt;sup>17</sup> See General Assembly resolution 69/283, annex II.

<sup>&</sup>lt;sup>18</sup> See https://sendaimonitor.undrr.org/.

<sup>&</sup>lt;sup>19</sup> Submission by Lebanon.

<sup>&</sup>lt;sup>20</sup> UNEP, The Adaptation Finance Gap Report (Nairobi, 2016).

<sup>&</sup>lt;sup>21</sup> Bharat H. Desai and Moumita Mandal, "Role of climate change in exacerbating sexual and gender-based violence against women", *Environmental Policy and Law*, vol. 51, No. 3 (2021).

wider relationship between climate change and human rights is increasingly recognized in international human rights mechanisms,<sup>22</sup> including in the decision of the Human Rights Committee in the *Teitiota v. New Zealand* case.<sup>23</sup> In the Beijing Declaration and Platform for Action, it was recognized that women are "particularly affected by environmental disasters, serious and infectious diseases and various forms of violence against women" and that displacement resulting from environmental deterioration has had a negative impact on women's well-being.

15. The Convention on the Elimination of All Forms of Discrimination against Women does not have an explicit reference to climate change. However, in its general recommendation No. 37 (2018), the Committee on the Elimination of Discrimination against Women acknowledged that women and girls are at a greater risk of violence after disasters, in the absence of social protection schemes and in situations of food insecurity.<sup>24</sup> The Committee also highlighted the precarity in camps and temporary settlements, and noted the different forms of violence against women and girls during and after disasters.<sup>25</sup>

16. In 2019, several human rights treaty bodies, including the Committee on the Elimination of Discrimination against Women, referenced the position set out in the 2018 report of the Intergovernmental Panel on Climate Change that climate change poses a significant threat to the rights protected under international treaties. Treaty bodies noted how the adverse impacts identified in that report jeopardize a range of human rights, including the rights to life, food, adequate housing, health and water. Treaty bodies also considered the heightened risks for those in vulnerable situations or those who, "due to discrimination and pre-existing inequalities, have limited access to decision-making or resources", including women, children, persons with disabilities, indigenous peoples and persons living in rural areas.<sup>26</sup>

17. Climate change may expose those affected, including women and girls, to human rights violations that may amount to persecution within the meaning of the Convention relating to the Status of Refugees, of 1951, and the Protocol relating to the Status of Refugees, of 1967.<sup>27</sup> A well-founded fear of persecution may arise for vulnerable persons or those defending, conserving and reporting on ecosystems and resources. As resources diminish, access may be denied in a discriminatory fashion amounting to persecution for one or more grounds of the 1951 Convention.<sup>28</sup>

18. Treaty bodies have also increasingly addressed measures adopted by States to assist the population to adapt to climate change, including those with specific needs.<sup>29</sup> In its concluding observation on Norway, the Committee on the Elimination of Discrimination against Women requested information on measures Norway is adopting to ensure that its climate change and energy policies take account of the differentiated and disproportionate impact of climate change on women.<sup>30</sup>

<sup>&</sup>lt;sup>22</sup> See Human Rights Council resolution 47/24.

<sup>&</sup>lt;sup>23</sup> CCPR/C/127/D/2728/2016.

<sup>&</sup>lt;sup>24</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018).

<sup>&</sup>lt;sup>25</sup> Ibid.

<sup>&</sup>lt;sup>26</sup> Committee on the Elimination of Discrimination against Women and others, joint statement of five United Nations treaty bodies on human rights and climate change, 16 September 2019.

<sup>&</sup>lt;sup>27</sup> Office of the United Nations High Commissioner for Refugees, "Legal considerations regarding claims for international protection made in the context of adverse effects of climate change and disasters", 1 October 2020.

<sup>&</sup>lt;sup>28</sup> Ibid.

<sup>&</sup>lt;sup>29</sup> Centre for International Environmental Law and Global Initiative for Economic, Social and Cultural Rights, "States' human rights obligations in the context of climate change: guidance provided by the UN human rights treaty bodies – 2022 update", 2022.

<sup>&</sup>lt;sup>30</sup> CEDAW/C/NOR/CO/9, para. 15.

19. In its resolution 38/4, the Human Rights Council requested the Office of the United Nations High Commissioner for Human Rights to conduct an analytical study on the integration of a gender-responsive approach into climate action. The study confirmed that intersectional forms of discrimination can further increase the vulnerability of some women and girls to climate change, while the exclusion of women from climate action inhibits its effectiveness and further exacerbates climate harms.<sup>31</sup> In its landmark resolution 48/13, the Council recognized the right to a safe, clean, healthy and sustainable environment and encouraged States to abide by and adopt policies related to human rights obligations, including on gender equality. The Council has also recognized the disproportionate effect of climate change on women and girls, inter alia, concerning the realization and enjoyment of their rights.

20. In the global policy framework, the 2030 Agenda for Sustainable Development has a dedicated Sustainable Development Goal on climate action and a cross-cutting Goal on gender equality and women's empowerment. The Sendai Framework repeatedly refers to the diverse ways in which women experience disasters and to their increased vulnerability in disasters. Notably, the Framework adopts a narrow approach to gender, focusing on the binary sex categories of male and female,<sup>32</sup> although it explicitly incorporates a goal on gender integration and emphasizes taking a differentiated approach to risk reduction and mitigation.

21. In the preamble of the Paris Agreement on climate change, States are called upon to consider their human rights obligations when taking action on climate change, including for indigenous peoples, children and people in vulnerable situations, as well as to factor in gender equality and women's empowerment.

22. The women and peace and security agenda has historically focused on the protection of women from gender-based violence in conflict situations, and there has been increasing yet insufficient recognition of the relevance of climate change to peace and human security. Of 80 national action plans on women and peace and security, only 17 referred to climate change, suggesting more space for framing climate-related security risks in the women and peace and security agenda.<sup>33</sup>

# V. Manifestations of violence against women and girls in the context of the climate crisis

23. The differentiated impact of climate change on women and girls necessitates a contextual gender analysis of distinct groups.<sup>34</sup> Evidence suggests that climate change and biodiversity loss aggravate all types of gender-based violence against women and girls, <sup>35</sup> which are exacerbated by discriminatory legal systems and governance structures and unequal power distribution, resulting in limited avenues of participation, public services and infrastructure.<sup>36</sup> As more women and girls are exposed to violence, their access to effective assistance mechanisms, including social protection, psychological and sexual and reproductive health services, is severely impeded.<sup>37</sup> Lower access to information and communications technologies also

<sup>&</sup>lt;sup>31</sup> A/HRC/41/26, para. 60.

<sup>&</sup>lt;sup>32</sup> R. Zehra Zaidi and Maureen Fordham, "The missing half of the Sendai Framework: gender and women in the implementation of global disaster risk reduction policy", *Progress in Disaster Science*, vol. 10 (April 2021).

<sup>&</sup>lt;sup>33</sup> Elizabeth Seymor Smith, "Climate change in women, peace and security national action plans", SIPRI Insights on Peace and Security, No. 2020/7 (June 2020).

<sup>&</sup>lt;sup>34</sup> FCCC/SBI/2019/INF.8.

<sup>&</sup>lt;sup>35</sup> Submission by Mexico.

<sup>&</sup>lt;sup>36</sup> E/CN.6/2022/L.7.

<sup>&</sup>lt;sup>37</sup> A/HRC/47/38. See also submission by the European Union.

negatively affect women's and girls' access to life-saving information in post-disaster situations.

#### A. Physical and sexual violence

24. In the follow-up to natural disasters, risks and experiences of physical violence are particularly pronounced. While the parameters of studies differ, a post-disaster increase in violence, including sexual violence against women, has been identified in contexts as varied as Hurricane Katrina (2005), the earthquake in Haiti (2010), the earthquake in Christchurch, New Zealand (2011), tropical cyclones in Vanuatu (2011), heatwaves in Spain (2008–2016) and bush fires in Australia (2019–2020).<sup>38</sup>

25. The likelihood of violence is multiplied when women and girls are displaced and/or in emergency shelters, whereby a breakdown of law and order curbs their access to reporting and protection mechanisms. Limited access to safe shelters has deterred women and girls from evacuating and resulted in gendered mortality outcomes.<sup>39</sup>

26. The loss of livelihoods and limited resources tied to the aftermath of large-scale natural disasters or slow-onset environmental degradation force women and girls into sexual exploitation in exchange for food and natural resources, including water or fuel from common areas.<sup>40</sup> Water scarcity from droughts pushes women and girls to travel longer distances into unfamiliar areas or without usually-available safeguards, such as travelling in a group or during daylight. Women have been targeted at water collection spots in a number of countries<sup>41</sup> with requests for sexual favours,<sup>42</sup> threats of sexual violence and rape.<sup>43</sup> Anecdotal evidence suggests that sexual violence against girls intensified following droughts, as girls were exposed to unprotected sex with older men while collecting water.<sup>44</sup>

27. There are numerous accounts of women and girls being attacked, raped or psychologically abused while fetching firewood and/or water.<sup>45</sup> Survivors attributed the attacks to the increased distances to services and a lack of electricity for lighting and cooking.<sup>46</sup> Importantly, women in these situations are often forced to choose between risk-imbued options: placing themselves at risk of violence or using unsafe resources, such as dirty or salinized water.<sup>47</sup> Women who migrate to cities, towns and

<sup>&</sup>lt;sup>38</sup> Submission by Advocates for Human Rights. See also Monica Campo and Sarah Tayton, Domestic and Family Violence in Regional, Rural and Remote Communities: An Overview of Key Issues (Melbourne, Australian Institute of Family Studies, 2015).

<sup>&</sup>lt;sup>39</sup> Alvina Erman and others, *Gender Dimensions of Disaster Risk and Resilience* (Washington, D.C., World Bank, 2021).

<sup>&</sup>lt;sup>40</sup> Submission by Humanium.

<sup>&</sup>lt;sup>41</sup> Submissions by WI-HER, Plan International and the United Nations Population Fund (UNFPA) refer to several incidents, including from Jordan, Somalia, the United Republic of Tanzania and South Africa.

<sup>&</sup>lt;sup>42</sup> Submission by Anglican Consultative Council.

<sup>&</sup>lt;sup>43</sup> Hans-O. Pörtner and others, Climate Change 2022: Impacts, Adaptation and Vulnerability – Working Group II Contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change (Intergovernmental Panel on Climate Change, 2022).

<sup>&</sup>lt;sup>44</sup> CARE International, "Hope dries up? Women and girls coping with drought and climate change in Mozambique", November 2016.

<sup>&</sup>lt;sup>45</sup> Itzá Castañeda Camey and others, *Gender-Based Violence and Environment Linkages: The Violence of Inequality* (Gland, Switzerland, International Union for the Conservation of Nature, 2020).

<sup>&</sup>lt;sup>46</sup> UNFPA, 2021 Impact Assessment Report of the UNFPA Multi-Country Response to the Syria Crisis: Iraq, Jordan, Lebanon, Syria, Turkey and Turkey Cross-Border Programmes – Bridges to Hope, vol. I (2021).

<sup>&</sup>lt;sup>47</sup> Submission by Asia-Pacific Forum on Women, Law and Development.

peri-urban environments as a result of forced displacement or planned relocation are also at risk of sexual violence and are vulnerable to new hazards and opportunistic violence, due to weak access to safe housing, employment and community protection mechanisms.<sup>48</sup>

28. Sexual violence is also rife when farmers, vendors, landowners or authorities coerce women to offer transactional sex in exchange for food,<sup>49</sup> essential non-food items or access to land<sup>50</sup> for food production.<sup>51</sup> In communities on Lake Victoria, diminishing fish stocks and stagnating income resulted in the "jaboya" system, under which women fish vendors are forced to offer sex in lieu of paying for the product.<sup>52</sup>

29. The extractive industry, energy and production-related ventures, commercial logging and extractive energy sourcing have had negative, gendered and often violent impacts. These industries are predominantly dominated by a male workforce that comes from outside the region and is not tied to the community. Industries are also accompanied by male-dominated private security companies that operate autonomously from State policing and accountability mechanisms.<sup>53</sup> The situation creates scope for opportunistic sexual violence, for which there is no or limited accountability.<sup>54</sup> The protection gap for indigenous women is wider, due to territorial and jurisdictional conflicts that beget legal loopholes and interjurisdictional neglect.<sup>55</sup>

30. The risk of trafficking for women and girls can increase to as high as about 20 to 30 per cent in displacement sites and during a disaster,<sup>56</sup> due to the breakdown of law enforcement and local protection measures,<sup>57</sup> and as a response to diminished livelihoods. Women and girls can be trafficked for domestic labour, sexual exploitation or other forms of organized crime, and children may be exposed to other forms of violence in addition to sexual abuse.<sup>58</sup> Family separation and orphaning are additional risk factors for girls.<sup>59</sup> In the Philippines, women and girls reportedly fell victim to trafficking after Typhoon Haiyan in 2013,<sup>60</sup> as recruiters targeted displaced and uninformed families in emergency accommodation and makeshift shelters on roadsides and in parks.<sup>61</sup> In resource-dependent communities, such as in Indonesia, women migrate to foreign countries due to diminished resources and enter the domestic labour market at the destination, which may subject them to forced labour or sex work.<sup>62</sup>

31. Physical violence, threats and/or intimidation are common tactics forcing women off the land where they reside and work. The most dangerous situation tends

<sup>&</sup>lt;sup>48</sup> Submission by World Vision.

<sup>&</sup>lt;sup>49</sup> Submission by Global Forest Coalition.

<sup>&</sup>lt;sup>50</sup> Submission by International Development Law Organization.

<sup>&</sup>lt;sup>51</sup> UN-Women, "Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls", 2018. See also Castañeda Camey and others, *Gender-Based Violence* and Environment Linkages.

<sup>&</sup>lt;sup>52</sup> Submissions by Femmes Force Changement and Anglican Consultative Council.

<sup>&</sup>lt;sup>53</sup> Submission by Canadian Women's Foundation.

<sup>&</sup>lt;sup>54</sup> Submission by Tamar Ezer.

<sup>55</sup> Submission by Humanium.

<sup>&</sup>lt;sup>56</sup> Christian Nellemann, Ritu Verma and Lawrence Hislop, eds., Women at the Frontline of Climate Change: Gender Risks and Hopes (UNEP, 2011).

<sup>&</sup>lt;sup>57</sup> International Development Law Organization, "Climate justice for women and girls: a rule of law approach to feminist climate action", 2022.

<sup>&</sup>lt;sup>58</sup> Nellemann, Verma and Hislop, eds., Women at the Frontline of Climate Change.

<sup>&</sup>lt;sup>59</sup> Submission by Save the Children.

<sup>&</sup>lt;sup>60</sup> Women's Legal and Human Rights Bureau, Upholding Women's Strengths and Access to Justice in Disaster: Narratives of Women Survivors of Typhoon Yolanda in Samar and Leyte (2017).

<sup>&</sup>lt;sup>61</sup> Amihan Federation of Peasant Women, "Typhoon Haiyan claims lifetime loss and damages for women in the Philippines", 2015.

<sup>&</sup>lt;sup>62</sup> Submission by Asian-Pacific Resource and Research Centre for Women.

to be where women are formally entitled to their land, whether through direct tenurial rights, legally recognized customary rights, indigenous rights or guarantee-to-land rights through free, prior and informed consent.

#### B. Psychological and cultural violence

32. There have been reports of women and girls experiencing depression, anxiety, suicidal ideation and post-traumatic stress disorder due to climate change.<sup>63</sup> Reduced privacy is understood as a form of psychological violence and is causally related to a variety of cognitive, emotional, psychological and behavioural problems, including the normalization of violence. Women displaced in shelters following Typhoon Haiyan reported distress due to unsafe partitions that allowed men to peek into the rooms of teenage girls, taunting and harassing them.<sup>64</sup> As mentioned in the report of the Special Rapporteur to the Human Rights Council on violence against indigenous women and girls, the climate crisis and environmental degradation also contribute significantly to the loss of traditional and spiritual ways of life of indigenous peoples, including women and girls, and negatively affects their cultural identity.<sup>65</sup>

#### C. Domestic and intimate partner violence

33. Most references to domestic violence are those that take place during and in the immediate aftermath of sudden disasters, as a reaction to economic stress, loss of control and trauma associated with unanticipated and catastrophic events<sup>66</sup> leading to an erosion of community and cultural ties and the scarcity of food and basic provisions.<sup>67</sup>

34. Slow-onset climate events exacerbate violence in homes, where domestic violence manifests as intimate partner violence. Women also carry out violence on other women in extended family or cohabitation settings, where women power-holders in the household target daughters-in-law, girls, elderly women, women with disabilities, domestic workers, tenants or lodgers. Girls can be the targets of domestic violence in all its forms, and are particularly at risk of sexual abuse, incest and early pregnancy. Vulnerability to domestic and communal violence increases due to ineffective and unavailable reporting mechanisms, cultural norms and lack of resources.<sup>68</sup>

35. Emerging evidence points to climate change affecting socialized gender roles. Anecdotal evidence suggests that climate change impacts also complicate or prevent women from performing gender-ascribed domestic roles<sup>69</sup> and exacerbate gendered divisions of labour.<sup>70</sup> Women living in areas affected by drought, salinity or water austerity measures often struggle to secure household water, creating violent

<sup>&</sup>lt;sup>63</sup> Kim Robin von Daalen and others, "Extreme events and gender-based violence: a mixed methods systematic review", *The Lancet: Planetary Health*, vol. 6, No. 6 (June 2022).

<sup>&</sup>lt;sup>64</sup> Women's Legal and Human Rights Bureau, Upholding Women's Strengths and Access to Justice.

<sup>&</sup>lt;sup>65</sup> A/HRC/50/26, para. 28. See also submission by Defensoría del Pueblo de Ecuador.

<sup>&</sup>lt;sup>66</sup> Submission by Plan International.

<sup>&</sup>lt;sup>67</sup> Submission by International Development Law Organization.

<sup>&</sup>lt;sup>68</sup> Michaela Raab and Jasmin Rocha, Campaigns to End Violence against Women and Girls

<sup>(</sup>UN-Women, 2011).

<sup>&</sup>lt;sup>69</sup> Submission by AIX Global Justice.

<sup>&</sup>lt;sup>70</sup> Submission by National Indigenous Disabled Women Association Nepal.

knock-on effects.<sup>71</sup> Women's inability to meet family or household expectations exposes them to violence, recrimination or punishment.<sup>72</sup>

36. Climate change affects gender roles through the loss of livelihoods or food insecurity, whereby men lose their ability to perform socially ascribed roles, such as that of "provider" or "breadwinner". Women are compelled to take on employment to supplement or substitute losses in male earnings or production, further adding to the feeling of emasculation. One way in which men in some communities respond is by asserting harmful notions of masculinity, such as violence,<sup>73</sup> and alcohol abuse also exacerbates domestic violence.<sup>74</sup> In drought-affected agricultural communities in Australia, women's uptake of financial responsibility for family sustenance and surges in domestic violence are understood to be interconnected and mutually reinforcing.<sup>75</sup>

#### **D.** Economic violence

37. The Committee on the Elimination of Discrimination against Women, in its general recommendation No. 35 (2017), recognizes that gender-based violence takes multiple forms that are likely to result in economic harm, among other things. Overall, climate change exacerbates gender and intergenerational poverty, which is a form of grave economic violence.<sup>76</sup> In rural and agriculture-dependent areas, women tend to be vested with disproportionate household responsibilities, including cleaning, collecting fuel and water, shopping for food and cooking. Climate impacts make such tasks more labour-intensive and difficult to complete, which extends women's economic burden and decreases their ability to achieve economic autonomy.<sup>77</sup>

38. Women's livelihoods may be compromised when extractive, energy and production-related ventures deplete the quantity and quality of resources women depend on for food and income, particularly as more women are employed in agriculture, forestry and fisheries. <sup>78</sup> Where agribusiness and shrimp farming monopolized resource areas, polluting water sources and driving up the cost of lease plots, women were forced to procure livelihoods and offset rent hikes by offering sexual favours to lessors.<sup>79</sup>

39. The intersection of climate and structural inequality sharpens the cycle of women's disempowerment by further skewing the gendered nature of land ownership and control. In the global South, agriculture is the most important sector for female employment; however, against the disproportionate dependence of women on land for food and livelihoods, less than 15 per cent of agricultural landholders globally are women.<sup>80</sup> Within families, jointly held property is more likely to be registered or titled

<sup>&</sup>lt;sup>71</sup> Achinthi C. Vithanage, "Addressing correlations between gender-based violence and climate change: an expanded role for international climate change law and education for sustainable development", *Pace Environmental Law Review*, vol. 38, No. 2 (Spring 2021).

<sup>&</sup>lt;sup>72</sup> Submission by AIX Global Justice. See also Anik Gevers, "Why climate change fuels violence against women", Apolitical, 9 December 2019.

<sup>&</sup>lt;sup>73</sup> Submission by International Union for the Conservation of Nature.

<sup>&</sup>lt;sup>74</sup> Global expert group meeting, 12 May 2022. See also Elizabeth M. Allen, Leso Munala and Julie R. Henderson, "Kenyan women bearing the cost of climate change", *International Journal of Environmental Research and Public Health*, vol. 18, No. 23 (December 2021).

<sup>&</sup>lt;sup>75</sup> Ibid.

<sup>&</sup>lt;sup>76</sup> A/HRC/50/57.

<sup>&</sup>lt;sup>77</sup> Allen, Munala and Henderson, "Kenyan women bearing the cost".

<sup>&</sup>lt;sup>78</sup> Deutsche Gesellschaft für Internationale Zusammenarbeit, "Gender and climate change

adaptation in the NDCs", policy paper, February 2022.

<sup>&</sup>lt;sup>79</sup> Submission by Fian International.

<sup>&</sup>lt;sup>80</sup> Food and Agriculture Organization of the United Nations, "The gender gap in land rights", 2018.

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in a way that privileges men. The knock-on effects are threefold. First, women have less power or voice in how climate change-driven food insecurity may be mitigated or managed.<sup>81</sup> Second, as fertile land becomes scarcer and sought after, women are more vulnerable to forced eviction and dispossession. Third, to the extent that they are not informed, women – as land users and not proprietors – tend to be excluded from adaptation tools such as livelihood diversification or climate financing.<sup>82</sup>

40. Women's limited power to mitigate climate-related vulnerabilities is exacerbated by their reduced access to bank accounts and formal sources of finance.<sup>83</sup> As a result, women are caught in a mutually reinforcing cycle of exclusion, economic marginalization, food insecurity and violence and have reduced ability to avoid or leave situations of violence.

41. As non-landowners, women's claims to land may be undermined in law and in practice. Research shows that disinheritance of the surviving spouse occurs in 96 countries, where there are contradictions or unclear uniformity in legal regimes governing inheritance rights.<sup>84</sup> Even with safeguards, women may need to yield land ownership, entitlement or inheritance to a male relative.<sup>85</sup> Land ownership transfers can be used to offset livelihood pressure, or – where resource scarcity has increased the value of and demand for land – allow quick economic gains to be exploited. In some areas, inheritance renouncement was a long-abandoned customary norm that has recently resurfaced.<sup>86</sup> As the climate emergency worsens, the same trend may apply to "wife inheritance", another harmful traditional practice that keeps property and wealth under male control in an extended family. Women living in countries where inheritance rights and their protection is not set out in legislation and those living under customary legal systems that do not protect women's inheritance rights are at risk. Women's low legal awareness and limited access to legal services act as compounding factors.

42. Disrupted livelihoods and unemployment impel women to adopt negative coping mechanisms, including alternate forms of income generation that are informal, precarious or gender-discriminatory.<sup>87</sup> In Kenya, for example, indigenous women who lost their traditional occupation as pastoralists after the construction of a wind farm were reportedly forced to sustain their families through prostitution.<sup>88</sup>

43. Where climate impacts impel outmigration among men, women need to earn income, in addition to their existing responsibilities. Up to 15 per cent of household expenditure was spent on risk reduction for rural families in flood-prone Bangladesh. Female-headed households spent up to 30 per cent, as most flood-affected districts

<sup>&</sup>lt;sup>81</sup> Submission by National Human Rights Institute of Mexico. See also Women Watch, "Fact sheet: women, gender equality and climate change", 2009.

<sup>&</sup>lt;sup>82</sup> Bina Agarwal, "Does women's proportional strength affect their participation? Governing local forests in South Asia", *World Development*, vol. 38, No. 1 (January 2010).

<sup>&</sup>lt;sup>83</sup> Erman and others, Gender Dimensions of Disaster Risk.

<sup>&</sup>lt;sup>84</sup> Secretariat of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, "Study on the differentiated impacts of desertification, land degradation and drought on women and men", 2022.

<sup>&</sup>lt;sup>85</sup> Submission by WI-HER.

<sup>&</sup>lt;sup>86</sup> Norwegian Refugee Council, "Housing, land and property rights for Somalia's displaced women", 2016.

<sup>&</sup>lt;sup>87</sup> CARE International and UN-Women, Latin America and the Caribbean Rapid Gender Analysis for COVID-19 (2020).

<sup>&</sup>lt;sup>88</sup> Submission by International Work Group for Indigenous Affairs.

are in the Greater Rangpur region, where seasonal migration and absent male heads are more common.  $^{89}\,$ 

44. Climate change worsens women's economic burden and "time poverty" and exposes them to unsafe forms of employment. Few economic opportunities exist for women in agriculture, which force them towards sex work or other unregulated sectors. Women may be forced to work in the very economic venture that caused their unemployment, whether it be in large-scale farming, fishing or energy production, which can be poorly regulated and unsafe.<sup>90</sup> When women are forced into new markets, they can be subject to gender pay gaps, exacerbating economic disempowerment. In rural Honduras, women have reportedly been pushed into fishing as a livelihood but continue to get paid less than men.<sup>91</sup>

45. Climate change adaptation programmes that are not inclusive or gendersensitive can reduce women's livelihood opportunities. As women constitute most of the agricultural workforce, initiatives that favour technology, mechanization and automation may exclude them. Adaptive planning for traditional farming methods and technologies increasing climate-resilient cash crop varieties thus need strong participation by women and a gender-transformative lens.

## E. Other harmful practices

46. Economic stress, loss of livelihoods and food insecurity promote negative coping mechanisms, including forced marriage and harmful traditional practices, such as female genital mutilation and cutting.<sup>92</sup> An alarming increase in female genital mutilation linked to the climate crisis was noted across the Horn of Africa, where 14 of the 23 countries affected by drought are hotspots for female genital mutilation. Girls are in danger of being cut at younger ages as their families prepare them for marriage.<sup>93</sup> Forced marriage is used to reduce household expenses and damage-related expenses or to protect single women from an uncertain future, including reputational harm from exposure to sexual violence.<sup>94</sup>

47. Early and child marriage can be used as a response to sudden or unsustainable reductions in family income or food security, with girls being bartered for material resources.<sup>95</sup> It can also be used as a means for girls and young women to escape the risk of sexual violence or trafficking, unsafe employment or forced migration.<sup>96</sup> In all cases, early and child marriage is a form of violence in and of itself, as well as an enabler of other forms of violence against women, such as rape and forced pregnancy. Following Cyclones Idai and Kenneth in Mozambique in 2019, families reportedly resorted to early marriage and forced unions as a coping mechanism.<sup>97</sup> In drought-ridden areas of Ethiopia, families reportedly entered into child marriage agreements

<sup>&</sup>lt;sup>89</sup> Shaikh Eskander and others, *Still Bearing the Burden: How Poor Rural Women in Bangladesh Are Paying Most for Climate Risks*, IIED Working Paper (London, International Institute for Environment and Development, 2022).

<sup>&</sup>lt;sup>90</sup> Submission by Wide Bay Conservation.

<sup>&</sup>lt;sup>91</sup> Submission by FIAN International.

<sup>&</sup>lt;sup>92</sup> Submission by Plan International.

<sup>&</sup>lt;sup>93</sup> United Nations Children's Fund (UNICEF), "Child marriage on the rise in Horn of Africa as drought crisis intensifies", 29 June 2022.

<sup>&</sup>lt;sup>94</sup> A/HRC/41/19. See also von Daalen and others, "Extreme events and gender-based violence".

<sup>&</sup>lt;sup>95</sup> Submissions by International Union for Conservation of Nature and Advocates for Human Rights.

<sup>&</sup>lt;sup>96</sup> Paola Pereznieto and others, "Ending violence against children while addressing the global climate crisis", ODI Working Paper, No. 591 (London, Overseas Development Institute, 2020).

<sup>&</sup>lt;sup>97</sup> Save the Children, "Double disasters: the effect of Cyclones Idai and Kenneth on child marriage in Mozambique", 2019.

in exchange for livestock.<sup>98</sup> Propositions of child marriage can be a front for child trafficking and/or sexual exploitation.

48. Another negative coping strategy that has a disproportionate impact on girls and young women is premature withdrawal from education, which curbs income earning potential, correlates with early marriage and poverty and perpetuates gender discrimination. Nearly one in three adolescent girls in poor households miss school due to the lack of funds and menstrual health and hygiene.<sup>99</sup> The increased shortage of water, coupled with a lack of adequate sanitation facilities, exacerbates this trend.<sup>100</sup> Common programming entry points, such as raising awareness of harmful practices and strengthening of laws, need to be twinned with programmes supporting livelihoods and legal empowerment.

## VI. Groups of women that are particularly at risk

49. In its Sixth Assessment Report, the Intergovernmental Panel on Climate Change recognized indigenous women, elderly women and women belonging to minority groups as being most vulnerable to climate change. The Panel did not, however, point to a link between their increased exposure to climate change and the actual level of violence they experience.

50. Severe violence is perpetrated against women defending their communities, means of livelihoods or scarce environmental resources. In addition to generalized threats faced by human rights activists worldwide, women environmental human rights defenders face gender-specific violence, with 70 per cent of the 122 reported attacks on human rights defenders directed at women environmental human rights defenders,<sup>101</sup> including both indirect violence, such as slander and threats against children of women environmental human rights defenders, and direct violence, such as rape.<sup>102</sup> Of all fatal attacks against environmental human rights defenders, a third targeted indigenous people.<sup>103</sup>

51. Indigenous women and girls, particularly those defending their territories and communities, are at high risk of violence. In some countries, such as Guatemala and the Philippines, indigenous women and women human rights defenders faced threats, violence and criminalization in relation to their activism against land encroachment by hydroelectric plants, mining companies, illegal logging ventures and farmers.<sup>104</sup> Despite the circumstances, only a few nationally determined contributions in Asia paid attention to indigenous women.<sup>105</sup> The violence is often connected to corporate and State entities in extractive, energy and production-related ventures whose projects target fertile lands home to indigenous and forest communities, as these areas tend to hold scarce and valuable natural resources. Rights over such lands are generally State-owned or customarily held or exist in a legal "grey zone" without redress

<sup>&</sup>lt;sup>98</sup> United Nations, Office for the Coordination of Humanitarian Affairs, "Horn of Africa: a call for action", February 2017.

<sup>&</sup>lt;sup>99</sup> World Bank, "Menstrual health and hygiene", brief, 12 May 2022.

<sup>&</sup>lt;sup>100</sup> UNICEF and World Association of Girl Guides and Girl Scouts, "Bring in the girls! Girls' and young women's views on climate change", 2022.

<sup>&</sup>lt;sup>101</sup> Business and Human Rights Centre, "International Women's Day 2022: recognizing the role of women in advancing human rights and defending the planet", 28 February 2022.

 $<sup>^{102}\,</sup>$  Submission by Advocates for Human Rights.

<sup>&</sup>lt;sup>103</sup> Global Witness, Last Line of Defence: The Industries Causing the Climate Crisis and Attacks against Land and Environmental Defenders (2021).

<sup>&</sup>lt;sup>104</sup> Submission by Indian Law Resources Centre and Asia Indigenous Peoples Pact.

<sup>&</sup>lt;sup>105</sup> Asia Indigenous Peoples Pact, "Nationally determined contributions in Asia: are governments recognizing the rights, role and contribution of indigenous peoples?", April 2022.

mechanisms,<sup>106</sup> creating scope for violent land expropriation, exploitation, theft and grabbing.<sup>107</sup>

52. Although studies predominantly focus on cisgender women and girls,<sup>108</sup> few show that women of diverse sexual orientations and gender identities experience heightened discrimination and violence in disasters.<sup>109</sup> Following Cyclone Winston in Fiji, persons with diverse sexual orientations and gender identities experienced violence, harassment, isolation and stigmatization.<sup>110</sup> Similarly, same-sex couples were reportedly prevented from receiving aid from the United States Federal Emergency Management Agency after Hurricane Katrina.<sup>111</sup> In at least one instance in the United Republic of Tanzania, women were scapegoated for the negative natural phenomenon and accused of being witches.<sup>112</sup>

53. Climate change will continue to have a disproportionate impact on older persons, as vulnerabilities are exacerbated by ageism.<sup>113</sup> Older women are particularly vulnerable to climate change, and limited access to emergency services during extreme weather events and a corresponding increase in the death toll of older people from heat has been well documented.<sup>114</sup> Similarly, women with disabilities are up to four times more at risk of experiencing violence than women without disabilities, for which a similar trend has a more acute impact on older women with disabilities and those in refugee settings.<sup>115</sup> Currently, only 35 of the 192 States parties to the Paris Agreement refer to persons with disabilities in nationally determined contributions and 45 refer to them in climate adaptation plans.<sup>116</sup>

54. Women in poverty and those heading households suffer from heightened risks and low or reduced adaptive capacity, and the lower the socioeconomic status of women, the higher the gender gap in mortality rates.<sup>117</sup> Women make up 70 per cent of those living below the poverty line, 60 per cent of the population facing chronic hunger and a majority of those whose livelihoods are connected to rural agriculture. Women's dependency on climate-dependent and volatile natural resources results in severe impacts from externalities, such as drought, biodiversity and habitat loss, land degradation, extreme weather events and rising sea and temperature levels, although these gendered impacts are not always visible. Adverse impacts are manifested as heightened economic burden and time poverty, reduced incomes, acute economic shocks and food insecurity, and diminish a range of women's rights. Furthermore, poorer households are also affected by male outmigration.<sup>118</sup>

55. Women and girls forcibly displaced by climate change and environmental degradation are at particular risk of violence, including sexual violence. Of the 38 million who are estimated to have been displaced in 2021, 23.7 million were

<sup>&</sup>lt;sup>106</sup> Submission by Wide Bay Conservation.

<sup>&</sup>lt;sup>107</sup> Submission by Haitian Women's Solidarity.

<sup>&</sup>lt;sup>108</sup> Von Daalen and others, "Extreme events and gender-based violence".

<sup>&</sup>lt;sup>109</sup> Zehra Zaidi and Fordham, "The missing half of the Sendai Framework".

<sup>&</sup>lt;sup>110</sup> Von Daalen and others, "Extreme events and gender-based violence".

<sup>&</sup>lt;sup>111</sup> Ibid.

<sup>&</sup>lt;sup>112</sup> Ibid. See also Rumbi Chakamba, "Women accused of witchcraft face assault and death in Tanzania", The New Humanitarian, 3 January 2018.

<sup>&</sup>lt;sup>113</sup> A/HRC/48/53.

<sup>&</sup>lt;sup>114</sup> A/HRC/47/46.

<sup>&</sup>lt;sup>115</sup> Submissions by Egypt and Australia. See also Emma Pearce, "Disability considerations in GBV programming during the COVID-19 pandemic", May 2020.

<sup>&</sup>lt;sup>116</sup> McGill University and International Disability Alliance, "Status report on disability inclusion in national climate commitments and policies", June 2022.

<sup>&</sup>lt;sup>117</sup> Submissions by Anna Schroer and Timothy Wang.

<sup>&</sup>lt;sup>118</sup> Anwar Hossen and others, "Gendered perspective on climate change".

displaced due to climate-related disasters, <sup>119</sup> most of them women and children. Children can be unaccompanied, separated or orphaned due to the erosion and breakdown of normal social controls and protections. <sup>120</sup> They can be targeted at border crossings or when driven into high-risk work. While there is less data, submissions indicate that sexual violence tied to migration can be punitive when host communities blame resource exploitation by outsiders. Attacks can come from anyone who has a vested interest aligned to large-scale development ventures, including management who hire vigilantes and employees, State and local authorities, landowners and community members who stand to benefit.

56. In the aftermath of the 2021 earthquake and tropical storm in Haiti, Gabion and Papa Numa displacement camps reportedly had high rates of sexual harassment, rape and resulting pregnancies.<sup>121</sup> In the Bihar region of India, seasonal flooding resulted in large-scale displacement, with poor families moving to unsafe shelters along highways and railway tracks. Displaced women who sought refuge in shelters in India, Indonesia and Pakistan after floods were subjected to verbal and sexual harassment and sexual, physical and emotional violence committed by a number of actors, including relief workers.<sup>122</sup> Where emergency shelters lack safeguards such as lockable tents and rooms, sex-segregated latrines, lighting and security in resource distribution areas, these risks are exacerbated.<sup>123</sup> Confusion in registering complaints regarding incidents of violence, and disrupted reception and referral mechanisms, also increase vulnerabilities.<sup>124</sup>

# VII. Policies and initiatives with implications for the nexus between violence against women and the climate crisis

57. The nexus between violence against women and climate change, environmental degradation and disaster risk reduction opens spaces for cooperation at different levels. The Commission on the Status of Women shed light on the importance of utilizing regional conventions, instruments and initiatives and their follow-up mechanisms in addressing climate change in the context of violence against women in numerous conclusions, most recently at its sixty-sixth session.<sup>125</sup>

58. Intergovernmental mechanisms are an important juncture through which siloed multilateral mechanisms can be brought closer to inform regional and domestic policies. Intergovernmental collaboration has culminated in crucial milestones at times, as evidenced by the adoption of the Ministerial Declaration on Gender Equality and Climate Change at the twenty-fourth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. Governmental efforts, such as the For All Coalition spearheaded by the Government of Costa Rica, help to guide international processes by seeking to integrate human rights and gender equality in multilateral environmental agreements.<sup>126</sup> Furthermore, the Lima work programme on gender, established in 2014, advances gender balance and integrates gender into the implementation of the Framework Convention and the Paris

<sup>&</sup>lt;sup>119</sup> Internal Displacement Monitoring Centre, *Global Report on Internal Displacement 2022: Children and Youth in Internal Displacement* (Geneva, 2022).

<sup>&</sup>lt;sup>120</sup> Submission by International Development Law Organization.

<sup>&</sup>lt;sup>121</sup> Joint submission by Nègès Mawon, Institute for Justice and Democracy in Haiti and Global Justice Clinic.

<sup>&</sup>lt;sup>122</sup> Von Daalen and others, "Extreme events and gender-based violence".

<sup>&</sup>lt;sup>123</sup> Submission by International Union for the Conservation of Nature.

<sup>&</sup>lt;sup>124</sup> See Women's Legal and Human Rights Bureau, Upholding Women's Strengths and Access to Justice.

<sup>&</sup>lt;sup>125</sup> E/CN.6/2022/L.7, para. 5.

<sup>&</sup>lt;sup>126</sup> A/HRC/41/26, para. 50.

Agreement.<sup>127</sup> In 2017, the Conference of the Parties to the Framework Convention adopted a gender action plan in recognition of the importance of gender-responsive climate action.<sup>128</sup>

59. The Sendai Framework emphasized the importance of women's participation in its guiding principles and priority areas. Nevertheless, none of the indicators under its seven main targets are gender-specific, nor do the targets themselves specifically address gender-responsiveness.<sup>129</sup> More recently, the text of the draft post-2020 global biodiversity framework acknowledges the need for gender equality, women's empowerment and gender-responsive approaches.<sup>130</sup>

60. At the regional level, the European Commission committed to integrate a gender perspective in the "European Green Deal" to respond to climate change.<sup>131</sup> A number of regional agreements in the Pacific, including the Framework for Pacific Regionalism, the 2050 Strategy for the Blue Pacific Continent, the Framework for Resilient Development in the Pacific: An Integrated Approach to Address Climate Change and Disaster Risk Management and the Boe Declaration on Regional Security and its Action Plan, recognize gender equality as a key policy objective. In particular, the Action Plan of the Boe Declaration dedicates one of the action areas to eradicating gender-based violence and strengthening the participation of women.<sup>132</sup> The Pacific Resilience Partnership's technical working group on localization also brings localized and women-led initiatives to the fore, with a specific focus on age and disability inclusion.<sup>133</sup>

61. Initiatives led by individual Governments also allow for localized and contextspecific engagement, <sup>134</sup> which is crucial for reflecting differentiated national circumstances and capabilities, as underscored in article 2 of the Paris Agreement. A recognition of the acute vulnerabilities of small island developing States culminated in the SIDS Accelerated Modalities of Action (SAMOA) Pathway, which enumerates multiple clauses on gender equality and the elimination of violence against women.<sup>135</sup>

62. In nationally determined contributions, which are climate action plans to cut emissions and adapt to climate impacts, there are increased references to gender as a cross-cutting issue.<sup>136</sup> Other good practices at the national level abound. The national policy of Mexico on climate change, entitled "Estrategia nacional de cambio climático: visión 10-20-40", stipulates that gender should be considered in all policies relating to climate change.<sup>137</sup> Guatemala has a plan of action on gender and climate change and the Ministry of Food, Livestock and Agriculture is developing a guide for the inclusion of gender in sustainable and environmentally friendly agricultural activities.<sup>138</sup> The development cooperation guidelines of Italy on gender equality for the period 2020–2024 focus on women and climate change.<sup>139</sup> Jordan has recognized

<sup>&</sup>lt;sup>127</sup> FCCC/CP/2014/10/Add.3.

<sup>&</sup>lt;sup>128</sup> FCCC/CP/2017/11/Add.1, decision 3/CP.23, annex.

<sup>&</sup>lt;sup>129</sup> Zehra Zaidi and Fordham, "The missing half of the Sendai Framework".

<sup>130</sup> CBD/WG2020/3/3.

<sup>&</sup>lt;sup>131</sup> Submission by the European Union.

<sup>&</sup>lt;sup>132</sup> Pacific Islands Forum Secretariat, Boe Declaration Action Plan, 2019.

<sup>&</sup>lt;sup>133</sup> See www.resilientpacific.org/en/technical-working-groups.

<sup>134</sup> Ibid.

<sup>&</sup>lt;sup>135</sup> General Assembly resolution 69/15, annex, paras. 76–77.

<sup>&</sup>lt;sup>136</sup> Deutsche Gesellschaft für Internationale Zusammenarbeit, "Gender and climate change adaptation".

<sup>&</sup>lt;sup>137</sup> Submission by Mexico.

<sup>&</sup>lt;sup>138</sup> Submission by Guatemala.

<sup>&</sup>lt;sup>139</sup> Italian Agency for Development Cooperation, "Guidelines on gender equality and the empowerment of women and girls (2020–2024)", 2022.

and integrated a gender equality perspective in its national climate change policy.<sup>140</sup> In the light of increasing climate mobility concerns, countries like Vanuatu have a dedicated national policy on climate change and disaster-induced displacement, in which gender equality is broadly mainstreamed, especially with respect to instituting gender-inclusive and participatory measures and conducting gender-sensitive needs assessments.<sup>141</sup>

63. Despite the increasing focus on women in national initiatives, less than 2 per cent of national climate strategies explicitly mention girls.<sup>142</sup> Moreover, reference to women only as a vulnerable group persists and their participation is often restricted to the planning stage. Reporting on gender-responsive implementation continues to be limited.<sup>143</sup>

# VIII. Lack of participation of women and girls in governance processes on climate change

64. Women and women-led organizations are often the first responders during a crisis, with strong local networks that can help to identify the most vulnerable in need of assistance.<sup>144</sup> Girls and young women are also active in tackling climate change.<sup>145</sup> However, women and girls are largely absent from policymaking and decision-making spaces, which has been a persisting problem since the adoption of the Beijing Declaration and Platform for Action in 1995. Similarly, an extensive consultation with girls and young women across 90 countries found that 6 out of 10 girls and young women were never consulted by the Government on policies related to the environment.<sup>146</sup>

65. The participation of women and girls in climate change governance is recognized in key international agendas, including the 2030 Agenda for Sustainable Development in its Sustainable Development Goal 5 on gender equality and target 13.b, to "promote mechanisms for raising the capacity for effective climate change-related planning and management ... including focusing on women, youth and local and marginalized communities".<sup>147</sup> Similar recognition is given in the draft post-2020 global biodiversity framework, in which States are called upon to ensure equitable and effective participation in decision-making related to biodiversity by women, girls and youth, as well as women's groups.<sup>148</sup>

66. The Conference of the Parties to the United Nations Framework Convention on Climate Change has formulated goals for achieving gender equality <sup>149</sup> and

 <sup>&</sup>lt;sup>140</sup> "The National Climate Change Policy of the Hashemite Kingdom of Jordan 2013–2020" (2013);
"Jordan's Third National Communication on Climate Change" (2014); and "The National Climate Adaptation Plan of Jordan" (2021). See also submission by UNFPA.

<sup>&</sup>lt;sup>141</sup> Vanuatu, National Disaster Management Office, National Policy on Climate Change and Disaster-Induced Displacement (Port Vila, 2018).

<sup>&</sup>lt;sup>142</sup> UNICEF and World Association of Girl Guides and Girl Scouts, "Bring in the Girls!".

<sup>&</sup>lt;sup>143</sup> Deutsche Gesellschaft für Internationale Zusammenarbeit, "Gender and climate change adaptation".

<sup>&</sup>lt;sup>144</sup> Mary Picard, Beyond Vulnerability to Gender Equality and Women's Empowerment and Leadership in Disaster Reduction: Critical Actions for the United Nations System (UN-Women, UNFPA and United Nations Office for Disaster Risk Reduction, 2021).

<sup>&</sup>lt;sup>145</sup> A/HRC/50/25.

<sup>&</sup>lt;sup>146</sup> UNICEF and World Association of Girl Guides and Girl Scouts, "Bring in the Girls!".

<sup>&</sup>lt;sup>147</sup> See General Assembly resolution 70/1.

 $<sup>^{148}</sup>$  CBD/WG2020/3/3.

<sup>&</sup>lt;sup>149</sup> FCCC/PA/CMA/2021/10/Add.1, decision 1/CMA.3 (Glasgow Climate Pact, adopted at the twenty-sixth session of the Conference of the Parties).

empowering women to fill a 25-year vacuum,<sup>150</sup> and has since adopted positive practices, such as using gender balance as a criterion for speaker selection as well as incorporating the participation of women in activities organized by its constituent bodies.<sup>151</sup> Member States of the European Union have supported women in travelling to participate in events related to the Framework Convention.<sup>152</sup> Gender parity was almost achieved in 2021, with women comprising 49 per cent of party delegations, yet men still accounted for 60 per cent of the speakers and 74 per cent of the speaking time in plenaries.<sup>153</sup>

67. In recent years, human rights monitoring bodies, including the Committee on the Elimination of Discrimination against Women, have regularly recommended that States ensure the meaningful participation and recognition of children and women as constituents of climate and disaster risk reduction processes and programmes.<sup>154</sup> For example, in relation to Japan, the Committee requested data on the proportion of women among members of the Central Disaster Management Council, <sup>155</sup> and requested Indonesia to clarify measures it had taken to ensure the participation of indigenous, rural and poor women in decision-making processes related to climate change.<sup>156</sup> The Committee has also asked States whether they have integrated a gender perspective into their framework for climate change and disaster risk reduction.<sup>157</sup> Similarly, in recent years the Committee on the Rights of the Child has focused on the importance of child participation in climate change-related policymaking.<sup>158</sup>

68. At the national level, a recent review of the national adaptation plans in parallel with the midpoint of the gender plans of action of the parties to the Framework Convention demonstrates that more countries are referring to gender equality and gender-responsiveness in their plans.<sup>159</sup> There is also increasing recognition of women as agents of change in adaptation, even though they are still predominantly regarded as a vulnerable group. The national adaptation plans do not generally refer to preventing and responding to violence against women and girls. Anecdotal evidence in Viet Nam suggests that increased governmental efforts to combat violence against women pre-typhoon may have had a pre-emptive effect in reducing post-typhoon violence.<sup>160</sup> Cuba has a high proportion of women managing its disaster risk reduction and early warning centres.<sup>161</sup> Togo is reinforcing women's leadership in the national plan to reduce emissions and is discouraging deforestation by establishing multifunctional platforms in villages, where women are provided with small gardens, livestock and mills to grind seeds.<sup>162</sup>

<sup>&</sup>lt;sup>150</sup> Wing Ka Ho, "Gender and indigenous climate justice at the United Nations", Earth.Org, 11 June 2022.

<sup>&</sup>lt;sup>151</sup> Ibid.

<sup>&</sup>lt;sup>152</sup> Submission by the European Union.

<sup>&</sup>lt;sup>153</sup> NAP Global Network, "Gender-responsive national adaptation plan (NAP) processes: progress and promising examples – NAP Global Network synthesis report 2021–2022", June 2022.

<sup>&</sup>lt;sup>154</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018).

<sup>&</sup>lt;sup>155</sup> CEDAW/C/JPN/QPR/9, para. 20.

<sup>&</sup>lt;sup>156</sup> CEDAW/C/IDN/Q/8, para. 20.

<sup>&</sup>lt;sup>157</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018).

<sup>&</sup>lt;sup>158</sup> Centre for International Environmental Law and Global Initiative for Economic, Social and Cultural Rights, "Children's rights obligations of States in the context of climate change: synthesis of statements on climate change by the Committee on the Rights of the Child (2022 update)", 2022.

<sup>&</sup>lt;sup>159</sup> NAP Global Network, "Gender-responsive national adaptation plan".

 $<sup>^{\</sup>rm 160}$  Von Daalen and others, "Extreme events and gender-based violence".

<sup>&</sup>lt;sup>161</sup> Submission by Cuba.

<sup>&</sup>lt;sup>162</sup> Submission by Togo.

69. As participation goes beyond sitting at the table and allows space for sharing valuable knowledge, in Vanuatu, the effective participation of indigenous women paved the way for the improved uptake of indigenous knowledge and its translation into practice, such as the adoption of traditional preservation and storage techniques.<sup>163</sup> Furthermore, Australia supported women leaders from 12 Pacific Islands in becoming advocates for climate action.<sup>164</sup>

# IX. Climate financing and violence against women

70. According to the Organisation for Economic Co-operation and Development (OECD), "developed countries" remain behind in their pledge to provide \$100 billion per year in climate finance to "developing countries" by 2020, and execution will be delayed to 2025.<sup>165</sup> Most climate financing is provided as loans rather than as grants, which has serious implications for the existing financial inequities and for dealing with the human rights aspects of climate change.<sup>166</sup> Countries such as Mexico have stressed that fulfilling this global commitment is essential to address the human rights dimensions of climate change.<sup>167</sup>

71. Understanding avenues for accessing complex and stringent funding streams is challenging for small grass-roots organizations, including women-led organizations.<sup>168</sup> Climate funds are channelled through large-scale initiatives, are not well connected with local actors and lack a gender lens across the board.<sup>169</sup> Despite the general increase in nationally determined contributions referring to gender-responsive budgeting, the overall number of references remains low.<sup>170</sup>

72. So far, climate change mitigation, adaptation and financing for loss and damages have primarily focused on male livelihoods, neglecting the important and usually unpaid responsibilities fulfilled by women. While low financial literacy and limited access to information and property ownership heighten barriers for women to access climate financing, there are also risks associated with women having control over resources, when it triggers change in the intrahousehold and communal power dynamics. The push for a gender-inclusive lens and locally appropriate measures is also difficult, as disaster risk management agencies, such as those in the Pacific, remain underfunded and available monitoring and evaluation mechanisms face challenges in tracking progress and ensuring accountability.<sup>171</sup>

<sup>&</sup>lt;sup>163</sup> Expert consultations in the Asia-Pacific region, 14 June 2022.

<sup>&</sup>lt;sup>164</sup> Submission by Australia.

<sup>&</sup>lt;sup>165</sup> Mathias Cormann, Secretary-General of OECD, "Developed countries likely to reach USD 100 billion goal in 2023", statement by the OECD Secretary-General on future levels of climate finance, 25 October 2021.

<sup>&</sup>lt;sup>166</sup> Centre for International Environmental Law and Global Initiative for Economic, Social and Cultural Rights, "States' human rights obligations in the context of climate change".

<sup>&</sup>lt;sup>167</sup> Submission by Mexico.

<sup>&</sup>lt;sup>168</sup> "How can a climate-resilient future address inequality", New York Times, online event, 23 June 2022.

<sup>&</sup>lt;sup>169</sup> Submission by the European Union. See also joint publication by Both ENDS, Heinrich Böll Stiftung North America, Aksi! for gender, social and ecological justice and Prakriti Resources Centre, "Local actors ready to act: six proposals to improve their access to the Green Climate Fund", 2018.

<sup>&</sup>lt;sup>170</sup> Deutsche Gesellschaft für Internationale Zusammenarbeit, "Gender and climate change adaptation".

<sup>&</sup>lt;sup>171</sup> Stockholm Environment Institute and others, "Gender-responsiveness and disability inclusion in disaster risk reduction in the Pacific", 2021.

### X. Conclusions

73. Climate change is and will undoubtedly be the most consequential phenomenon that dictates new and existing forms of gendered inequities, profoundly shaping the ways in which violence against women and girls manifests itself across societies and in different contexts, including in non-disaster, mid-disaster and post-disaster settings. Immediate and long-term impacts of environmental degradation, along with sudden-onset and slow-onset climatic events, will wield a cumulative effect over women unless met with contextually appropriate and location-specific responses that are informed by intersecting needs. Violence against women and girls needs to be addressed as part of the climate emergency,<sup>172</sup> for which stakeholders need to fulfil procedural and substantive obligations under international human rights law and development commitments to ensure "equitable, non-retrogressive, non-discriminatory, and sustainable" action against the gendered impacts of climate change.173

74. The exacerbation of violence against women and girls underscores the importance of addressing the underlying root causes and intensifying the engagement of stakeholders at all levels and in all walks of society, including men and boys. The fight against climate change and gender-based violence spares no one, and there are good examples that point to the potential of society-wide and inclusive initiatives. In Kyrgyzstan, as part of a project supporting livelihood activities for rural women through the planting of 500 trees, men and boys were invited to simultaneously participate in an exercise on gender-based violence.<sup>174</sup> Similarly, in Nepal, a cadre of men supported a programme tackling genderbased violence against women environment defenders.<sup>175</sup> Efforts to widen avenues of engagement, coupled with safe and active spaces to channel women's voices, will allow climate action to embed and advance gender equality.

# XI. Recommendations

75. Girls and women should be placed at the centre of climate change mitigation and adaptation policies. States should therefore continue to prioritize the adoption and enactment of gender-responsive legal and institutional frameworks on gender-based violence, including when combating climate change. All stakeholders should support and strengthen a multisectoral response, which is fundamental to disaster preparedness and resilience, integrating measures to provide access to reproductive and sexual health care, legal aid and psychosocial support in affected areas.

76. All stakeholders should ensure that gendered vulnerability to climate change and disaster is addressed in a comprehensive manner, taking into consideration the way in which gender intersects with other aspects of power relations and identities.

77. States and the United Nations system must ensure that the global processes, particularly the "three Rio conventions", and bodies mandated with mitigating climate change and driving solutions are adequately and firmly anchored in a

<sup>&</sup>lt;sup>172</sup> EGM/ENV/EP.8.

<sup>&</sup>lt;sup>173</sup> Office of the United Nations High Commissioner for Human Rights, UNEP and UN-Women, "Human rights, the environment and gender equality: key messages", 2021, p. 2.

<sup>&</sup>lt;sup>174</sup> Secretariat of the Convention on Biological Diversity, *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits* (Montreal, 2022).

<sup>175</sup> Ibid.

human-rights-based approach; incorporate a gender-transformative lens into all their undertakings; and address the implications of climate change and environmental degradation for the acceleration of violence against women. As recommended by the Special Rapporteur on the promotion and protection of human rights in the context of climate change, particular attention should be paid to establishing a comprehensive and robust gender action plan for the three Rio conventions and related mechanisms, including the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. The recommendations of the Commission on the Status of Women and human rights bodies should also be integrated.

78. All stakeholders should continue to adopt all measures to end and respond to gender-based violence, doubling efforts to address multiple underlying causes and consequences of violence that are exacerbated by climate change and environmental degradation. These efforts should adopt a "whole-of-society approach", strengthening the participation of community leaders, as well as men and boys.

79. Risk mitigation in the context of violence against women and genderdifferentiated impacts needs to be integrated into early warning, preparedness and disaster risk reduction strategies.

80. All stakeholders should adopt robust gender approaches to monitoring and evaluating climate mitigation, adaptation and disaster risk reduction policies, while ensuring that these approaches are built on and informed by gender risk analysis.

81. States must enhance multisectoral and cross-ministerial coordination to adopt a gender-responsive approach to their climate change mitigation plans, including through the enhancement of the capacity of national gender and climate change focal points.

82. All stakeholders should invest in obtaining disaggregated, quality data on the impact of the climate crisis on gender-based violence on a larger scale, particularly on the impact on different groups of women, respecting all diversity. A gendered approach must inform risk analyses by including different perspectives on risk and analytics to formulate context and vulnerability-specific risk triggers and related thresholds. Contingency and response plans must be adjusted to take the specific needs of those most at risk into consideration.

83. States should ensure that access to finance and other resources for adaptation are equitable and take into consideration the needs of people of different groups, specifically dedicating resources to preventing and responding to acts of violence against women and girls. Costs for gendered needs must be accounted for up front, such as those for supplying temporary shelters, sanitary products, maternal and neonatal health-care facilities and livelihood support for marginalized groups.

84. All stakeholders should ensure that women and girls participate fully and effectively in all processes that are intended to design, implement, monitor and evaluate mitigation and response to climate change, environmental degradation and disaster risk reduction at the international, regional and national levels. Such participation could receive an impetus through a mandatory 50 per cent representation of women and girls in these processes. Climate change and biodiversity-related treaties and processes need to explicitly call for enabling conditions to be made available for women and girls to participate fully and effectively in creating a knowledge base on climate change and engage in decision-making, including by enjoying equal rights and control over land and resources and the fair sharing of benefits arising from genetic and biological resources. Women and girls need to be seen as resilient change makers rather than only vulnerable victims.

85. All stakeholders should increase investment in enhancing women's sustainable livelihoods and resilience, as well as promoting their adaptive capacity, particularly for those working in agriculture, fishing, waste management and ecotourism. States should also increase investments in social protection systems to increase the capacity of societies and individuals to respond to climate impacts and to build resilience.

86. All stakeholders should ensure the protection of knowledge on the sustainable use of resources, especially that kept by indigenous women, as well as securing indigenous women's access and rights to their lands and resources.

87. To ensure that those affected and displaced by climate change, environmental degradation and related natural hazards are properly protected, States should ensure that those whose claims for protection arise from sudden or slow-onset effects of climate change or natural hazards have access to fair and efficient refugee status determination procedures to assess their needs for international protection, including on multiple grounds. States are also encouraged to adopt temporary protection arrangements or make pragmatic arrangements to provide protection for those forcibly displaced in the context of climate change, environmental degradation or natural hazards.

88. All stakeholders should strengthen understanding of the nexus between violence against women, conflict and climate change by examining the women and peace and security agenda and related national action plans, as well as assessing security-related risks.

89. States should ensure that women and girls, particularly those who are marginalized and discriminated against on intersecting grounds, have access to environmental education and are provided with accessible information on climate change adaptation and mitigation policies, including on how to participate, how to access protection and assistance in the wake of natural hazards and how to access remedies when they suffer from climate change action and inaction. Such an approach requires a deliberate effort to enhance access and contributions to the information base on climate change and to improve the digital literacy of women and girls.