

Women's Rights Obligations of States in the Context of Climate Change

Synthesis of Statements on Climate Change by the Committee on the Elimination of Discrimination Against Women (2019 Update)



Climate change has disproportionate adverse impacts on women and undermines their human rights. Women's rights are protected under the Convention on the Elimination of Discrimination Against Women (CEDAW), which has been ratified by 189 States since its adoption in 1979. In the context of climate change, the Convention's most relevant provisions are the prohibition of all forms of discrimination against women (article 2), the obligation to ensure the full development and advancement of women in all fields, particularly in the political, social, economic, and cultural fields (article 3), public participation (article 7), and the protection of the rights of rural women (article 14).

The Committee on the Elimination of Discrimination Against

Women (CEDAW) monitors the implementation of the Convention through its three functions: the State reporting procedure, its general recommendations and thematic initiatives, and its communications procedure. To date, the CEDAW has not addressed climate change in any of its decisions on communications.

General Recommendations

The Committee has adopted three General Recommendations (GRs) that consider how women's rights are affected by climate change: General Recommendation No. 27 on the rights of older women and General Recommendation No. 34 on the rights of rural women. In early 2018, it adopted General Recommendation 37 on "[Gender-related dimensions of disaster](#)

[risk reduction in the context of climate change](#)" (GR37). This recommendation identifies the wide range of obligations of States under ICEDAW in relation to climate change and disaster risk reduction and management.

State Reporting Procedure

The CEDAW has increasingly referred to climate change in its recommendations to States (Concluding Observations (COBs)) in its State reporting procedure. In 2018, it made climate recommendations to 75% of the States it reviewed. The majority of its recommendations on climate change continue to go to small island developing States (SIDS) and least developed countries (LDCs). However, it increased the number of developed States to whom it addressed a recommen-

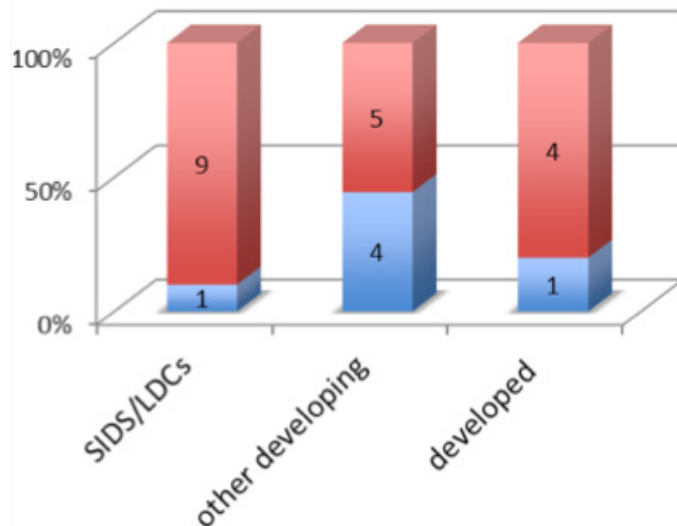
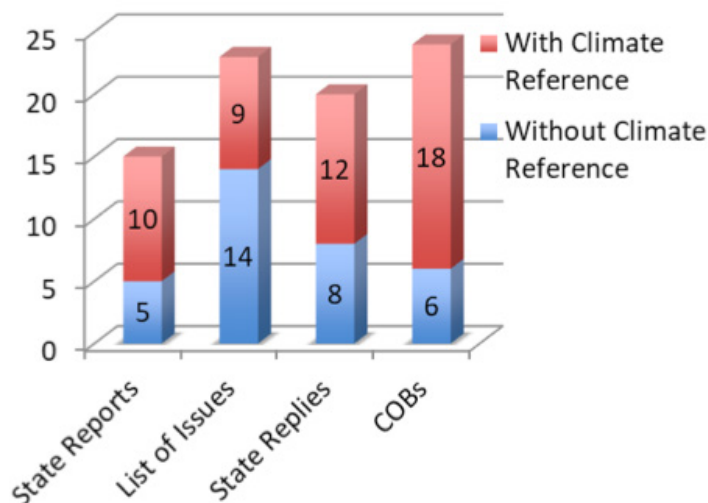


Figure A: Climate change references in the State Reporting Procedure of the CEDAW in 2018, by document type (left), and CEDAW COBs with climate change references in 2018, by country type (right)

dation on climate change, and there was only one developed State reviewed by the CEDAW in 2018 that did not receive a recommendation on climate (Liechtenstein).

The CEDAW continued to emphasize adaptation (44%) and procedural rights (37%) when referring to climate change and it continued to make fewer recommendations on mitigation (7%).

We can also observe the influence of GR37 in the CEDAW's COBs. GR37 has a strong focus on disaster risk reduction and management, and those issues are also given the strongest emphasis in the Committee's recommendations to States. The importance of the participation of women in all levels of climate decision-making and the empowerment of women through climate activities are also highlighted in GR37 and regularly specified in the CEDAW's COBs.



Figure B: References to climate change in COBs of the CEDAW in 2018, by categories

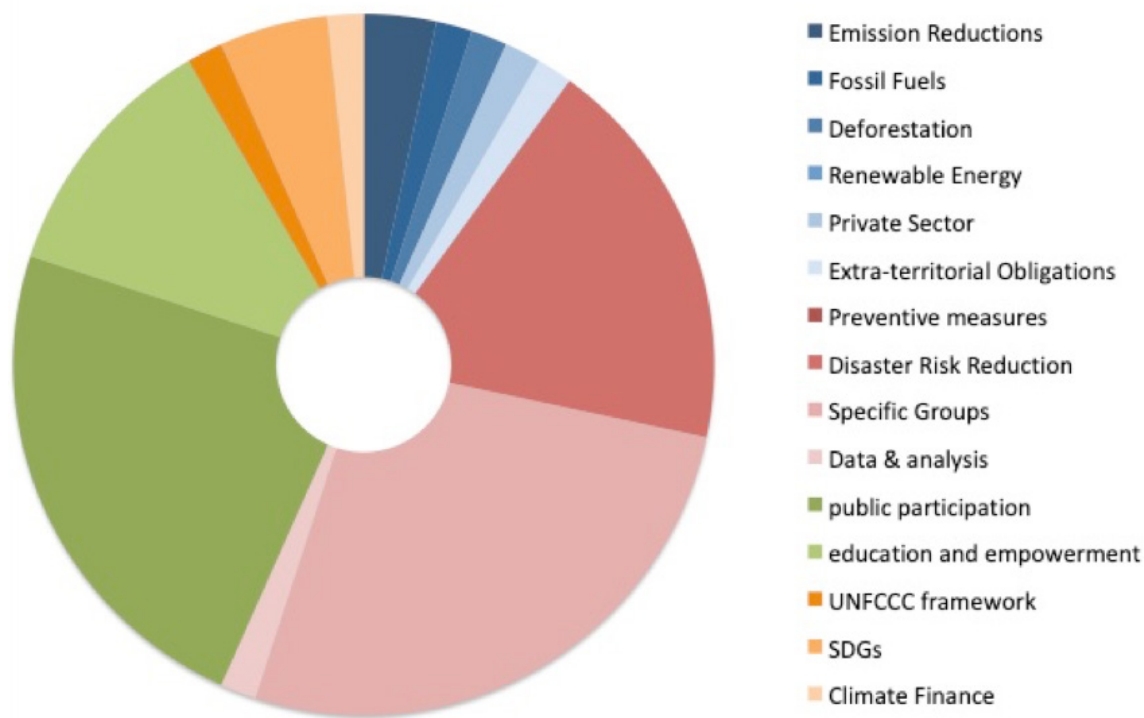


Figure C: References to climate change in COBs of the CEDAW in 2018, by sub-themes

Mitigation continued to receive less attention from the CEDAW (in both its GR37 and COBs), with only three recommendations on mitigation (Australia, Fiji, and South Korea), which focus on emissions reduction and fossil fuel extraction and exports. However, this might be a consequence of the fact that the CEDAW reviewed only 5 developed States (Australia, New Zealand, Liechtenstein, Luxembourg, and South Korea) in 2018 and developing States are far less likely to receive a recommendation on mitigation.

In relation to international cooperation, the CEDAW only recommended to one country that it seek international assistance in relation to climate change activities, and it made no recommendations that developed States contribute towards climate financing or otherwise

provide international cooperation and assistance relating to climate change.

Building on its increasing engagement with these issues, the CEDAW might have the opportunity in 2019 and beyond to address new aspects of climate policies from the perspective of women’s rights. For instance, it might explore how the rights of rural women (article 14) relate to climate impacts and policies on land, food, and deforestation. Further, the CEDAW’s strong expertise on global justice issues could also be applied to climate-related topics, such as financial flows, trade and investments, and international climate finance. There might also be a role for the CEDAW to play in monitoring the implementation of gender-related commitments made by countries in the context of the UN climate agreements and

national implementation of the Gender Action Plan.

Compilation of CEDAW Statements on Climate in 2018

All concluding observations adopted by the CEDAW can be accessed here: bit.ly/CEDAWcobs.

Access the full General Recommendation 37 on “Gender-related dimensions of disaster risk reduction in the context of climate change” here: bit.ly/CEDAWGR37.

On the reduction of emissions and fossil fuels (mitigation), States must:

- reduce greenhouse gas emissions, including those resulting from exports (CEDAW COB to Australia);

- review climate change and energy policies to ensure they do not adversely impact the life and health of women and girls, while working on a fundamental shift towards renewable sources of energy (CEDAW COB to South Korea, CEDAW GR37);
- limit fossil fuels and the harmful environmental effects of extractive industries, such as mining and fracking (CEDAW GR37);
- take effective steps to equitably manage shared natural resources, such as addressing deforestation, near surface permafrost degradation, and soil degradation (CEDAW GR37);
- take the measures necessary to ensure that private sector actors remedy the impact of their operations on affected groups (CEDAW COB to Fiji, CEDAW GR37).

On **the protection of rights from the impacts of climate change (adaptation)**, the ICEDAW requires States to:

- formulate and implement policies on disaster risk reduction (DRR) and response and climate change on the basis of human rights, integrating a gender perspective therein, by, among other measures, carrying out gender impact assessments in the design, implementation, and monitoring phases of these policies (CEDAW COB to Australia, Barbados, Cook Islands, Macedonia, CEDAW GR37);
- take into account the greater vulnerability of women in the

face of natural disasters and climate change by mainstreaming their concerns and rights in the adaptation and mitigation process and adopting measures with clear timelines to enhance access for women affected by natural disasters to their basic needs (CEDAW COB to Fiji, Luxembourg, Nepal, Suriname, CEDAW GR37);

- ensure the promotion and protection of the rights of women and girls with disabilities, indigenous and minority women and girls, lesbian, bisexual, transgender, and intersex girls and women, older women, and those of other marginalized groups by including their rights in disaster health care policies and standards and ensuring access to health information and services within disaster preparedness and response programs (CEDAW GR37);
- ensure that effective monitoring and reporting systems are established by collecting, analyzing, monitoring, and disseminating data across all areas relevant to DRR, climate change, and gender equality (CEDAW GR37, CEDAW COB to Australia, Samoa, Saudi Arabia);
- develop policies and programs to address existing and new risk factors for gender-based violence against women within the context of DRR (CEDAW GR37);
- integrate human mobility considerations into DRR policies (CEDAW GR37).

On **procedural rights**, States are required to:

- ensure that women are meaningfully involved in the development of legislation, policies, and programs on climate change, DRR, and response at the local, national, regional, and international levels (CEDAW COB to Australia, Macedonia, Mauritius, New Zealand);
- ensure access to justice for women by increasing awareness of available legal remedies and dispute resolution mechanisms, establishing appropriate and effective human rights accountability mechanisms, and ensuring the availability of effective remedies in case of human rights violations by private actors, occurring from activities both inside and outside a State's territory (CEDAW GR37);
- strengthen women's rights by providing gender and women's rights organizations with adequate resources, skills, and authority to carry out DRR and response strategies to prevent and mitigate the adverse effects of climate change, including by promoting the use of traditional knowledge, investing in gender-responsive social protection systems and services, reducing economic inequalities between women and men, and providing women with training opportunities in the area of DRR and climate change (CEDAW GR37, CEDAW COB to Australia, Chile, Marshall Islands).

On **international cooperation**, the CEDAW has articulated States must:

- integrate and coordinate with other existing frameworks such

as the UNFCCC, the 2030 Agenda for Sustainable Development, and the Sendai Framework to ensure a consistent and effective approach in climate change initiatives (CEDAW GR37);

- consider their human rights obligations in light of the goals and targets provided by the SDGs, particularly in relation to Goal 5 related to gender

equality and Goal 13 related to climate action (CEDAW COB to Fiji, Luxembourg);

- develop a national action plan on business and human rights on the basis of the 2030 Agenda (CEDAW COB to Australia, CEDAW GR37);
- mainstream gender into international cooperation programs on DRR, sustainable devel-

opment, and climate change and establish appropriate and effective human rights accountability mechanisms (CEDAW COB to Australia, South Korea, CEDAW GR37);

- allocate a budget for a mechanism for implementing the Sustainable Development Goals (CEDAW COB to Luxembourg).

List of Countries Coming Up for Review by CEDAW in 2019

Session	Dates	Countries under review
WG72	18 February - 8 March 2019	Angola, Antigua and Barbuda, Botswana, Colombia, Ethiopia, Myanmar, Serbia, United Kingdom
PSWG74	11-15 March 2019	Andorra, Bosnia and Herzegovina, Cambodia, Ecuador, Iraq, Kazakhstan, Lithuania, Seychelles, Sweden, Uruguay
WG73	1-19 July 2019	Austria, Bahrain, Cabo Verde, Côte d'Ivoire, Democratic Republic of the Congo, Guyana, Mozambique, Qatar
PSWG75	22-26 July 2019	Belgium, Switzerland, Tunisia
WG74	21 October – 8 November 2019	Andorra, Bosnia and Herzegovina, Cambodia, Iraq, Kazakhstan, Lithuania, Pakistan, Seychelles
PSWG76	11-15 November 2019	Germany, Ukraine



Women's Rights Obligations of States in the Context of Climate Change by The Center for International Environmental Law and The Global Initiative for Economic, Social and Cultural Rights is licensed under a Creative Commons Attribution 4.0 International License.



The Global Initiative
for Economic, Social and Cultural Rights

Cover image: Bioversity International/C. Zanzanaini via Flickr