This note reviews the outputs of the Committee on the Elimination of Discrimination Against Women (CEDAW) related to climate change in 2020 and 2021 and complements our previous note dedicated to such outputs up to 2019 (bit.ly/CEDAWclimate2020).

Figure 1 (left): Themes Addressed in the 2020/2021 Outputs of the CEDAW
Figure 2 (right): Outputs of the CEDAW in 2020 and 2021, by Country Category

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The Committee on the Elimination of Discrimination Against Women (CEDAW) was the human rights treaty body (HRTB) that addressed climate change most frequently in its State reporting procedure work in 2020 and 2021. It made climate-related recommendations or asked climate-related questions to more than half of the States that it considered in 2020 and 2021 (20 out of 34 total outputs in 2020, and 23 out of 31 in 2021). One-third of the climate-related recommendations or questions addressed developed countries.

The Committee continued its significant focus on the participation of women in climate and disaster risk reduction processes, programs, and policy making (e.g., Jamaica, Lebanon, and Greece), often recalling the CEDAW’s General Recommendation No. 37 on the gender-related dimensions of disaster risk reduction in the context of climate change. In relation to Japan, it included an interesting question requesting specific “data on the proportion of women among the members of the Central Disaster Management Council” and “on the proportion of women among the members of the disaster management councils of local governments.” The CEDAW also often asked States to provide data and indicate the steps they were taking to ensure the participation of particular groups of women. For example, the CEDAW asked Indonesia to “specify any measures taken to ensure the participation of indigenous, rural and poor women in decision-making processes related to climate change and to land and resource management.” Similarly, the CEDAW was attentive to the differential impacts of climate change on different groups of women. The Committee asked South Africa to explain how it is addressing the impact of disasters and climate change on rural women, poor women, and women belonging to ethnic minorities. Similarly, the Committee requested that Brazil specify what measures it is taking to ensure the effective participation of Indigenous women and women belonging to ethnic minorities, such as Afro-descendant women.

The CEDAW also regularly asked States whether they integrated a gender perspective into their framework for climate change adaptation and disaster risk reduction (e.g., Japan, Azerbaijan, and Nicaragua).

The CEDAW continued to address adaptation much more than mitigation in its issues and recommendations. In fact, in 2020 and 2021, all but one output referred to adaptation, while only nine mentioned mitigation.

While mitigation-related Lists of Issues (LOIs) and Lists of Issues Prior to Reporting (LOIPRs) are limited in number, some of them are particularly significant, as they refer to oil and gas extraction. The Committee’s 2020 LOI to Norway asked the State party to report on oil and gas extraction and export and activities of related State-owned companies. The CEDAW had already expressed concern about Norway’s “continuing and expanding extraction of oil and gas in the Arctic” in its 2017 Concluding Observations (COB). In its 2021 LOI to Namibia, the CEDAW requested...
information on measures taken “to ensure that the authorization of oil and gas exploration and development in the Okavango region does not violate the rights of rural women and girls to access to clean water, food and health considering the risks that oil drilling and fracking presents to water depletion, contamination and other pollution-related health hazards,” as well as “to ensure that climate change and energy policies, and specifically the policy on the extraction and export of oil and gas, including through fracking, take into account the differentiated and disproportionate impact of climate change on women, especially rural and indigenous women.” It also requested information on “steps taken to undertake environmental and human rights assessments regarding the impacts of the oil and gas exploration activities … and to adopt appropriate mitigation and protections measures.” In its 2021 LOI to Uganda, it requested that the State party describe “the mechanisms in place, including legislation, state monitoring and standards, to hold oil companies accountable for their CO2 emissions,” in the context of oil extraction. The CEDAW’s 2021 COB to Denmark recommends that the State party “review its energy and mining policies, especially its policy on the extraction of carbon and mineral resources in Greenland,” in order to ensure that they do not disproportionately adversely affect women.

Other mitigation-related outputs focused on the State parties’ duty to ensure that climate and energy policies protect women’s rights and/or take into account the differentiated and disproportionate impact of climate change on women (e.g., 2020 LOIs to Norway, Brazil, and Japan) and on the duty to meaningfully involve women in the policy making process (e.g., 2021 COBs to Ecuador, South Africa, and South Sudan).

In 2021, the CEDAW published the draft General Recommendation on the rights of indigenous women and girls. It aims to provide guidance to States on the measures they should take to ensure full compliance with their obligations under the Convention to respect and protect the rights of Indigenous women and girls. The Committee held the day of general discussion in June 2021 to collect inputs for the General Recommendation. The current draft refers to climate change throughout the text. It contains a series of recommendations to State parties to ensure “that laws and policies related to the environment, climate change, and disaster risk reduction reflect the specific impacts of climate change and other forms of environmental degradation and harm, including the triple planetary crisis,” and that Indigenous women and girls can meaningfully and effectively participate in relevant decision-making processes and exercise their free, prior, and informed consent. It also recommends “that effective remedies and accountability mechanisms are in place to hold the authors of environmental harm responsible, and ensure access to justice for indigenous women and girls in environmental matters.” Finally, it recommends ensuring the safety and support of Indigenous women human rights defenders engaged in advocacy for environmental protection and climate justice. The Committee will hold consultations on the draft in early 2022 before the CEDAW finalizes this General Recommendation.