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**Committee on the Elimination of Discrimination
against Women**

**General Recommendation No. 37 on Gender-related
dimensions of disaster risk reduction in the context of climate
change**

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I. Introduction

1. Climate change is exacerbating the risks and impact of disasters globally by increasing the frequency and severity of weather and climate hazards, which heightens the vulnerability of communities to these hazards.¹ Scientific evidence shows that human-caused changes in climate are now responsible for a large proportion of extreme weather events around the world.² The human rights consequences of these disasters are apparent in political and economic instability, growing inequality, declining food and water security and in increased threats to health and livelihoods.³ While climate change affects everyone, those countries and populations, including people living in poverty, young people and future generations, who have contributed least to climate change are most vulnerable to its impact.

2. Women, girls, men and boys are affected differently by climate change and disasters, with many women and girls experiencing greater risks, burdens and impacts.⁴ Situations of crisis exacerbate pre-existing gender inequalities and also compound intersecting forms of discrimination against, inter alia, women living in poverty, indigenous women, women belonging to ethnic, racial, religious and sexual minorities, women with disabilities, women refugees and asylum seekers, internally displaced, stateless and migrant women, rural women, single women, adolescents and older women, who are often affected disproportionately compared to men or other women.⁵

3. In many contexts, gender inequalities limit the control that women and girls have over decisions governing their lives as well as their access to resources such as food, water, agricultural inputs, land, credit, energy, technologies, education, health, adequate housing, social protection and employment.⁶ As a result of these inequalities, women and girls are more likely to be exposed to disaster induced risks and losses related to their livelihoods and they are less able to adapt to changes in climatic conditions. While climate change mitigation and adaptation programmes may provide new employment and livelihood opportunities in sectors such as agricultural production, sustainable urban development and clean energies, failure to address the structural barriers faced by women in accessing their rights will increase gender-based inequalities and intersectional forms of discrimination.

4. Women and girls have higher levels of mortality and morbidity in situations of disaster.⁷ Gender-based economic inequalities mean that women, and female-headed households in particular, are at a higher risk of poverty and more likely to live in inadequate housing in urban and rural areas of low land value that are vulnerable to the impact of climate-related events such as floods, storms, avalanches, earthquakes, landslides and other hazards.⁸ Women and girls in conflict situations are particularly exposed to risks associated with disasters and climate change. The higher levels of mortality and morbidity among women during and following disasters are also a result of inequalities they face in access to adequate

¹ IPCC, Fifth Assessment Report of the Intergovernmental Panel on Climate Change, 2013. The IPCC notes that 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.’

² S. Hassol et al., ‘(Un) Natural Disasters: Communicating Linkages Between Extreme Events and Climate Change’, WMO Bulletin 65 (2), 2016.

³ ECIS-UNDP, ‘Climate change and disaster risk reduction’, 2016.

⁴ See, UN Commission on the Status of Women, Resolutions on ‘Gender equality and the empowerment of women in natural disaster’, adopted by consensus at the 56th and 58th Sessions in March 2012 and March 2014.

⁵ See, for example, General Recommendation no. 27 on Older Women and the Protection of their Human Rights, CEDAW/C/GC/27, 2010, para 25.

⁶ For the purposes of the present general recommendation, all references to ‘women’ should be read to include women and girls, unless otherwise noted.

⁷ Neumayer, Eric and Plumper, Thomas, 2007, ‘The Gendered Nature of Natural Disasters: The Impact of Catastrophic Events on the Gender Gap in Life Expectancy, 1981–2002’, *Annals of the Association of American Geographers*, 97(3): 551–566.

⁸ UNISDR, *Global Assessment Report on Disaster Risk Reduction: Risk and Poverty in a Changing Climate*, 2015; UN ESCAP, *Disasters Without Borders: Regional Resilience for Sustainable Development: Asia Pacific Disaster Report*, 2015.

health care, food and nutrition, water and sanitation, education, technology and information.⁹ In addition, the failure to engage in gender-responsive disaster planning and implementation means that protective facilities and infrastructures such as early warning mechanisms, shelters and relief programmes have frequently neglected the specific accessibility needs of diverse groups of women, including women with disabilities, older women and indigenous women.¹⁰

5. Women and girls also face a heightened risk of gender-based violence during and following disasters. In the absence of social protection schemes and in situations where there is food insecurity, coupled with impunity for gender-based violence, women and girls are often exposed to sexual violence and exploitation as they attempt to access food and other basic needs for family members and themselves. In camps and temporary settlements, the lack of physical security, as well as the lack of safe and accessible infrastructures, including drinking water and sanitation, also result in increased levels of gender-based violence against women and girls. Women and girls with disabilities are at particular risk of gender-based violence and sexual exploitation during and following disasters due to discrimination based on physical limitations and barriers to communication, as well as the inaccessibility of basic services and facilities. Domestic violence, early and/or forced marriage, human trafficking and forced prostitution are also more likely to occur during and following disasters.

6. The vulnerability and exposure of women and girls to disaster risk and climate change are economically, socially and culturally constructed and can be reduced. Such vulnerability may vary with different disasters and across geographical and socio-cultural contexts.

7. The categorization of women and girls as passive ‘vulnerable groups’ in need of protection from the impact of disasters is a negative gender stereotype that fails to recognize the important contributions to disaster risk reduction, post-disaster management and climate change mitigation and adaptation strategies that women are already making.¹¹ Well-designed disaster risk reduction and climate change initiatives that provide for women’s full and effective participation can advance substantive gender equality and women’s empowerment, while ensuring that sustainable development, disaster risk reduction and climate change objectives are achieved.¹² It should be underlined that gender equality is a pre-condition for the realization of sustainable development goals.

8. In light of the significant challenges and opportunities for the realization of women’s human rights presented by climate change and disaster risk, the Committee on the Elimination of Discrimination against Women (the Committee), has decided to provide specific guidance to State parties on the implementation of obligations related to disaster risk reduction and climate change under the Convention on the Elimination of All Forms of Discrimination against Women (the Convention). In its Concluding observations on State party reports and in several general recommendations, the Committee has underlined that States parties and other stakeholders have obligations to take concrete steps to address discrimination against women in the fields of disaster risk reduction and climate change through the adoption of targeted laws, policies, mitigation and adaptation strategies, budgets and other measures.¹³ In 2009, the Committee stated that ‘All stakeholders should ensure that

⁹ C. Bern et al., ‘Risk Factors for Mortality in the Bangladesh Cyclone of 1991’, in *Bulletin of the World Health Organization*, 1993, 71(1):73-78.

¹⁰ United Nations, ‘Post Nargis Joint Assessment’, 2008; Aguilar, L. et al, ‘Training Manual on Gender and Climate Change’, IUCN, UNDP and GGCA, 2009.

¹¹ UNISDR, *Global Assessment Report on Disaster Risk Reduction: Risk and Poverty in a Changing Climate*, 2015; UNDP, ‘Clean Development Mechanism: Exploring the Gender Dimensions of Climate Finance Mechanisms’, 2010; UNDP, ‘Ensuring Gender Equity in Climate Change Financing’, 2011.

¹² UNDP, ‘Gender and disaster risk reduction’, 2013; WHO, ‘Gender, Climate Change and Health,’ 2010.

¹³ UN Committee on the Elimination of Discrimination against Women (CEDAW), *Concluding observations, Solomon Islands, CEDAW/C/SLB/CO/1-3*, 2014, para 40-41; *Concluding observations, Peru, CEDAW/C/PER/CO/7-8*, para 37-38; *Concluding observations, Guinea, CEDAW/C/GIN/CO/7-8*, para 53; *Concluding observations, Grenada, CEDAW/C/GRD/CO/1-5*, paras 35-36; *Concluding observations, Jamaica, CEDAW/C/JAM/CO/6-7*, para 31-32; *Concluding*

climate change and disaster risk reduction measures are gender responsive, sensitive to indigenous knowledge systems and respect human rights. Women's right to participate at all levels of decision-making must be guaranteed in climate change policies and programmes.¹⁴

9. The Committee notes that other United Nations human rights mechanisms, including the Human Rights Council and its Special Procedures, the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of Persons with Disabilities and the Committee on the Rights of the Child, are increasingly referring to the negative consequences of climate change, environmental degradation and disasters. These mechanisms have also affirmed the obligations of governments and other stakeholders to take immediate, targeted steps to prevent and mitigate the human rights impacts of climate change and disasters and to provide technical and financial support for disaster risk reduction and climate change adaptation measures.

II. Objective and scope

10. Pursuant to article 21 (1) of the Convention, the present general recommendation provides guidance to States parties on the implementation of their obligations under the Convention in relation to disaster risk reduction and climate change. In their reports submitted to the Committee under article 18, States parties should address general obligations to ensure substantive equality between women and men in all areas of life, as well as specific guarantees in relation to those Convention rights that may be particularly affected by climate change and disasters. This includes extreme weather events such as floods and hurricanes, as well as slow-onset phenomena, for example, the melting of polar ice caps and glaciers, droughts and sea level rise.

11. In addition to States parties, the general recommendation may also be used to inform the work of civil society organizations, international and regional inter-governmental organizations, educators, the scientific community, medical personnel, employers and any other stakeholders engaged in activities connected to disaster risk reduction and climate change.

12. The objective of this general recommendation is to underscore the urgency of mitigating climate change and to highlight the steps that need to be taken to achieve gender equality as a factor that will reinforce the resilience of individuals and communities globally in the context of climate change and disasters. The general recommendation also seeks to contribute to coherence, accountability and the mutual reinforcement of different international agendas on disaster risk reduction and climate change adaptation by focusing on the impact of climate change and disasters on women's human rights.

13. The general recommendation does not exhaustively cover the gender-related dimensions of climate change mitigation and adaptation measures. Similarly, it does not attempt to differentiate between disasters related to climate change and other disasters. However, it should be emphasized that a large proportion of contemporary disasters may be attributed to human-induced climatic changes and that the recommendations provided are also applicable to hazards, risks and disasters that do not appear to be directly linked to climate change. For the purposes of the general recommendation, disasters are defined as

observations, the Seychelles, 2013; Concluding observations, Togo, CEDAW/C/TGO/CO/6-7, para 17; Concluding observations, Algeria, CEDAW/C/DZA/CO/3-4, paras 42-43; Concluding observations, New Zealand, CEDAW/C/NLZ/CO/7, para 9, 36-37; Concluding observations, Chile, 2012, CEDAW/C/CHI/CO/5-6, 38-39; Concluding observations, Belarus, CEDAW/C/BLR/CO/7, para 37-38, Concluding observations, Sri Lanka, CEDAW/C/LKA/CO/7, para 38-39; Concluding observations, Nepal, CEDAW/C/NPL/CO/4-5, para 38; Concluding observations, Tuvalu, CEDAW/C/TUV/CO/2, para 55-56. See also General Recommendation no. 27 on Older Women and the Protection of their Human Rights, CEDAW/C/GC/27, 2010, para 25; General Recommendation no. 28 on the Core Obligations of States Parties under Article 2 of the Convention, CEDAW/C/GC/28, 2010, para 11.

¹⁴ CEDAW, 44th Session, August 2009, 'Statement of the CEDAW Committee on disaster risk reduction, gender and climate change'.

including all those events that are small-scale and large-scale, frequent and infrequent, sudden and slow-onset caused by natural or human-made hazards, as well as related environmental, technological and biological hazards and risks, mentioned in the Sendai Framework, as well as any other chemical, nuclear and biological hazards and risks.¹⁵ These hazards and risks also include testing and use of all types of weapons by State and non-State actors.

14. The obligations of States to effectively mitigate and adapt to climate change in order to reduce the increased risk of disasters have been recognized by international human rights mechanisms. Limiting fossil fuel use and greenhouse gas emissions and the harmful environmental effects of extractive industries such as mining and fracking, as well as the allocation of climate financing, are regarded as crucial steps in mitigating the negative human rights impact of climate change and disasters. At the same time, any measures to mitigate and adapt to climate change should be designed and implemented in accordance with the human rights principles of substantive equality and non-discrimination, participation and empowerment, accountability, access to justice, transparency and rule of law.

15. The general recommendation focuses on the obligations of States parties and non-State actors to take effective measures to prevent, mitigate and respond to disasters and climate change and, in this context, to ensure that the human rights of women and girls are respected, protected and fulfilled in accordance with international law. The General Recommendation identifies three different but mutually reinforcing areas for action by stakeholders centered on: (i) the general principles of the Convention applicable to disaster risk and climate change; (ii) specific measures to address disaster risk reduction and climate change; and (iii) specific areas of concern.

III. The Convention on the Elimination of All Forms of Discrimination against Women and other relevant international frameworks

16. Women's human rights are promoted and protected by the Convention on the Elimination of All Forms of Discrimination against Women at all stages of climate change and disaster prevention, mitigation, response, recovery and adaptation. In addition to the Convention, several specific international frameworks govern disaster risk reduction, climate change, humanitarian assistance and sustainable development, a number of which also address gender equality. These instruments should be read together with the provisions of the Convention.

17. The Rio Conference on the Environment and Development (1992) acknowledged the particularly vulnerable situation of small island developing States and reaffirmed the principle of gender equality and the need to ensure the effective participation of women and indigenous peoples in all initiatives related to climate change. These calls were reiterated in the Rio + 20 outcome document in 2012.

18. The Sendai Framework on Disaster Risk Reduction (2015-2030) emphasizes that 'women and their participation are critical to effectively managing disaster risk and designing, resourcing and implementing gender-sensitive disaster risk reduction policies, plans and programmes; and adequate capacity building measures need to be taken to empower women for preparedness as well as build their capacity for alternate livelihood means in post-disaster situations'. It also indicated that 'empowering women ... to publicly lead and promote gender equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches is key'.¹⁶

19. The United Nations Framework Convention on Climate Change (UNFCCC) calls on States to take action on climate change on the basis of equity and in accordance with their common but differentiated responsibilities and capabilities. The UNFCCC recognizes that

¹⁵ See United Nations, Sendai Framework for Disaster Risk Reduction 2015-2030, http://www.preventionweb.net/files/43291_sendaiframeworkfordrren.pdf.

¹⁶ Ibid.

although climate change affects everyone, countries who have contributed least to greenhouse gas emissions (as well as people living in poverty, children and future generations) are the most affected. Climate equity requires that global efforts to mitigate and adapt to climate change prioritize the needs of countries, groups and individuals, including women and girls, who are most vulnerable to its adverse impacts.

20. In 2014, the Conference of the Parties (COP) to the UNFCCC adopted the Lima Work Programme on Gender, which established a plan for ‘promoting gender balance and achieving gender-responsive climate policy, developed for the purpose of guiding the effective participation of women in the bodies established under the Convention’.¹⁷ In 2017, the Parties agreed on the Bonn Gender Plan of Action (GAP) to advance gender mainstreaming into all elements of climate action.

21. The Paris Agreement, adopted by the COP to the UNFCCC in 2015, notes in its preamble that ‘Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity.’¹⁸ The parties to the Paris Agreement also acknowledged that adaptation, including capacity building for mitigation and adaptation action, should be gender-responsive, participatory and fully transparent, taking into consideration vulnerable groups, communities and ecosystems.

22. The United Nations Sustainable Development Goals for the period 2015-2030, contain important targets on gender equality, including in Goals 3, 4 and 5, 6, 10 and they also deal with climate change and disaster risk reduction in Goal 11 and in Goal 13.

23. The Third International Conference on Financing for Development held in Addis Ababa in 2015 adopted a number of documents that link gender equality and women’s rights with climate change adaptation and disaster risk reduction and call on States to integrate these issues within development financing.

24. The 2016 World Humanitarian Summit called for gender equality, women’s empowerment and women’s rights to become pillars of humanitarian action, including in disaster preparedness and response. Also in 2016, the New Urban Agenda adopted at UN Habitat III recognized the need for gender-responsive measures to ensure that urban development is sustainable, resilient and contributes to mitigation of and adaptation to climate change.

IV. General principles of the Convention applicable to disaster risk reduction and climate change

25. Several cross-cutting principles and provisions of the Convention are of crucial importance for guiding legislation, policies, plans of action, programmes, budgets and other measures in relation to disaster risk reduction and climate change.

26. States parties should ensure that all policies, legislation, plans, programmes, budgets and other activities related to disaster risk reduction and climate change are gender responsive and grounded in human-rights based principles including;

(a) Equality and non-discrimination, with priority being accorded to the most marginalized groups of women and girls, such as those from indigenous, racial, ethnic and sexual minority groups, women and girls with disabilities, adolescents, older women, single women, female-headed households, widows, women and girls living in poverty in both rural and urban settings, women in prostitution, and internally displaced, stateless, refugee, asylum seeking and migrant women;

¹⁷ UNFCCC, Decision 18.CP/20 (2014 – COP20), Lima Work Programme on Gender; UNFCCC, Gender and Climate Change, FCCC/SBI/L.29, COP23.

¹⁸ Conference of the Parties, Adoption of the Paris Agreement, FCCC/CP/2015/L.9/Rev.1.

(b) **Participation and empowerment, through the adoption of effective processes and the allocation of necessary resources to ensure that diverse groups of women have opportunities to participate in every stage of policy development, implementation and monitoring at each level of government from the local to the national, regional and international levels;**

(c) **Accountability and access to justice, which require the provision of appropriate and accurate information and mechanisms to ensure that all women and girls whose rights have been directly and indirectly affected by disasters and climate change are provided with adequate and timely remedies.**

27. These three key general principles, - equality and non-discrimination, participation and empowerment, accountability and access to justice - are fundamental to ensuring that all interventions related to disaster risk reduction in the context of climate change are implemented in accordance with the Convention.

A. Substantive equality and non-discrimination

28. States parties have obligations under article 2 of the Convention to take targeted and concrete measures to guarantee equality between women and men, including the adoption of participatory and gender-responsive policies related to disaster risk reduction and climate change strategies and programmes across every sector. Article 2 of the Convention identifies specific core obligations of States parties to ensure substantive equality between women and men in all areas covered by the Convention and to take legislative, policy-based and other measures to this effect.¹⁹ The obligation to take ‘all appropriate measures’ including legislation, in all fields, to guarantee the full development and advancement of women on a basis of equality with men, is further expanded in articles 3 and 24 of the Convention.

29. Intersecting forms of discrimination may limit the access of particular groups of women to information, political power, resources, and assets to prevent and mitigate disasters and climate change. General Recommendation No. 28 on the core obligations of States parties under article 2 of the Convention, as well as General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, General Recommendation No. 33 on women’s access to justice, General Recommendation No. 34 on the rights of rural women, General Recommendation No. 35 on gender-based violence against women and General Recommendation No. 36 on the right of girls and women to education, reiterate that discrimination against women is inextricably linked to other factors that affect their lives.

30. The present general recommendation does not exhaustively list every group of right holders that must be identified and integrated within laws, policies, programmes and strategies on disaster risk reduction and climate change. The principles of non-discrimination and substantive equality that form the foundation of the Convention require States parties to take all measures necessary to ensure that direct and indirect discrimination as well as intersecting forms of discrimination are redressed. Specific measures, including temporary special measures, legislation that prohibits intersecting forms of discrimination, and resource allocations are necessary to ensure that all women and girls are able to participate in the development, implementation and monitoring of disaster and climate policies and plans.

31. As outlined in general recommendation No. 28, States parties have obligations to respect, protect and fulfill the principle of non-discrimination towards all women, against all forms of discrimination, in all fields, even those not explicitly mentioned in the Convention, and to ensure women’s equal development and advancement in all fields. To ensure substantive equality for women in the context of disaster risk reduction and climate change, States parties should take concrete, targeted and measurable steps to;

¹⁹ See CEDAW General Recommendation No. 28 (2010) on the Core Obligations of States Parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW/C/GC/28.

(a) **Identify and eliminate all forms of discrimination, including intersecting forms of discrimination, against women in disaster risk reduction and climate change policies, legislation, policies, programmes, plans, and other activities. Priority should be accorded to addressing discrimination in relation to the ownership, access, use, disposal, control, governance and inheritance of property, land and natural resources, as well as barriers that impede the exercise by women of full legal capacity and autonomy in areas such as freedom of movement and equal access to economic, social and cultural rights including food, health, work and social protection. Women and girls should also be empowered through specific policies, programmes and strategies so that they are able to exercise their right to seek, receive and impart information related to climate change and disaster risk reduction;**

(b) **Create effective mechanisms to guarantee that the rights of women and girls are a primary consideration in devising measures on disaster risk reduction and climate change at the local, national, regional and international levels. Measures must be taken to ensure that quality infrastructure and critical services are available, accessible and culturally acceptable, for all women and girls on a basis of equality.**

B. Participation and Empowerment

32. The participation and development of leadership capacities among diverse groups of women and girls at different levels of government and within local communities are essential to ensure that prevention and responses to disasters and the adverse effects of climate change are effective and incorporate perspectives from all sectors of society. Promoting the participation of girls and young women in the creation, development, implementation and monitoring of policies and plans on climate change and disaster risk reduction is essential, as these groups are often overlooked despite the fact that they will experience the impacts of these phenomena throughout their lifetimes.

33. Women make significant contributions to household, local, national, regional and international economies and to environmental management, disaster risk reduction and climate change resilience at different levels. The local traditional knowledge held by women in agricultural regions is particularly important in this respect as these women are well positioned to observe changes in the environment and to respond to these through different adaptive practices in crop selection, planting, harvesting, land conservation techniques and careful management of water resources.

34. The Intergovernmental Panel on Climate Change has noted that most local communities develop adaptation practices that could and should be identified and followed in order to tailor effective adaptation and response strategies related to disaster risk reduction and climate change.²⁰ The Paris Agreement also acknowledges that climate change adaptation should be guided by the best available science and, as appropriate, by traditional, indigenous and local knowledge systems. This aligns with the many provisions in the Convention, including articles 7, 8 and 14, that call upon States parties to ensure that all women are provided with meaningful opportunities to participate in political decision-making and development planning.

35. Articles 7 and 8 of the Convention provide that women should have equality in political and public life at the local, national and international levels, and article 14 reiterates that rural women have the right to participate in development planning and agricultural reform activities. This guarantee of political equality encompasses women's leadership, representation, and participation, which are essential in the development and implementation of effective disaster risk reduction and climate change programmes and policies that take into account the different needs of the population, in particular women.

36. **In order to ensure that women and girls are provided with equal opportunities to participate in, lead and engage in decision-making in disaster risk reduction and climate change activities, the Committee recommends that States parties:**

²⁰ IPCC, Fourth Assessment Report of the Intergovernmental Panel on Climate Change, 2007.

(a) **Adopt targeted policies such as temporary special measures, including quotas, as provided for in Article 4 of the Convention and in the Committee's general recommendation No. 25 (2004) on temporary special measures, as one element of a coordinated and continuously monitored strategy to achieve women's equal participation in all decision-making and development planning related to disaster risk reduction and climate change;**²¹

(b) **Develop programmes to ensure women's participation and leadership in political life, including through civil society organizations, in particular women's organizations, at various levels, particularly in the context of local and community planning, climate change, disaster preparedness, response and recovery;**

(c) **Ensure women's equal representation in disaster risk reduction and climate change fora and mechanisms at the community, local, national, regional and international levels to enable them to participate in and influence the development of disaster risk reduction and climate change policies, legislation and plans and their implementation. Take positive measures to ensure that girls, young women and women from indigenous and other marginalized groups are provided with opportunities to be represented in these mechanisms;**

(d) **Strengthen national gender and women's rights institutions, civil society and women's organizations and provide them with adequate resources, skills, and authority to lead, advise, monitor and carry out strategies to prevent and respond to disasters and mitigate the adverse effects of climate change;**

(e) **Allocate adequate resources to build women's leadership capacities and create an enabling environment to strengthen their active role in disaster risk reduction and response and climate change mitigation at all levels and across all relevant sectors.**

C. Accountability and access to justice

37. In line with article 15 (1) of the Convention, women should be accorded equality before the law. This is extremely important in situations of disasters and climate change, as women, who often face barriers to accessing justice, may encounter significant difficulties in claiming compensation and other forms of reparation to mitigate their losses and to adapt to climate change. The recognition of legal capacity identical to that of men and equal between different groups of women, including women with disabilities and indigenous women, as well as equal access to justice are essential elements of disaster and climate change policies and strategies.²²

38. **States parties should ensure that legal frameworks are non-discriminatory and that all women have effective access to justice, in line with general recommendation No. 33 (2015), including by:**

(a) **Conducting a gender impact analysis of current laws, incorporating those that are applied in plural legal systems (customary, traditional and/or religious norms and practices), to assess their effect on women as regards disaster risk and climate change, and adopt, repeal or amend laws, norms and practices accordingly;**

(b) **Increasing women's awareness of available legal remedies and dispute resolution mechanisms as well as their legal literacy by providing them with information on their rights and on policies and programmes related to disaster risk reduction and climate change and empowering them to exercise their right to information in this context;**

(c) **Ensuring affordable or, if necessary, free access to legal services, including legal aid, as well as to official documents such as birth, death and marriage certificates and land registration documents/deeds. Reliable and low cost administrative systems**

²¹ See, for example, Concluding observations, Tuvalu, CEDAW/C/TUV/CO/2, para 55-56.

²² See also, CEDAW General Recommendation no. 33 on Women's Access to Justice, CEDAW/C/GC/33.

should be implemented to make such documentation accessible and available to women in situations of disaster so that they are able to benefit from services such as relief payments and compensation;

(d) **Dismantling barriers to women's access to justice by ensuring that formal and informal justice mechanisms, including alternative dispute resolution mechanisms, are in conformity with the Convention and available and accessible to enable women to claim their rights. Measures to protect women from reprisals when making rights claims should also be developed;**

(e) **Minimizing disruptions to legal and justice systems that may result from disasters and climate change by developing response plans that provide for the deployment of mobile or specialized reporting mechanisms, investigative teams and courts. Flexible and accessible legal and judicial mechanisms are of particular importance for women and girls wishing to report incidents of gender-based violence.**

V. Specific Convention principles relevant to disaster risk reduction and climate change

A. Assessment and data collection

39. The gender dimensions of disaster risk reduction and the impacts of climate change are often not well understood. Limited technical capacity at the national and local level has resulted in a lack of data disaggregated by sex, age, disability, ethnicity and geographical location and this continues to impede the development of appropriate and targeted strategies for disaster risk reduction and climate change response.

40. **States parties should:**

(a) **Establish or identify existing national and local mechanisms to collect, analyze, manage and apply sex, age, disability, ethnicity and regionally disaggregated data. Such data should be made publicly available and used to inform gender responsive national and regional disaster risk and climate resilience legislation, policies, programmes and budgets;**

(b) **Develop disaggregated and gender-responsive indicators and monitoring mechanisms to enable State parties to establish baselines and measure progress in areas such as women's participation in disaster risk and climate change initiatives as well as in political, economic and social institutions. Integration and coordination with other existing frameworks such as the UNFCCC, the 2030 Agenda for Sustainable Development and the Sendai Framework are essential to ensure a consistent and effective approach;**

(c) **Empower, capacitate and provide resources, if necessary through donor support, to the national institutions responsible for collecting, consolidating and analysing disaggregated data across all relevant sectors, such as economic planning, disaster risk management, SDG planning and monitoring, including at the local level;**

(d) **Incorporate climate information into disaster planning and decision making at sub-national and national levels by ensuring that diverse groups of women are consulted as valuable sources of community knowledge on climate change.**

B. Policy coherence

41. It is only recently that concerted efforts have been made to coordinate policies on gender equality, disaster risk reduction, climate change and sustainable development. Some policy documents, such as the United Nations Sustainable Development Goals, integrate these various objectives into their frameworks. However, much remains to be done at the national, regional and international levels to align policies. Programmes of action, budgets and strategies need to be coordinated both across sectors – trade, development, energy,

environment, water, climate science, agriculture, education, health, planning - and at different levels of governance— local and sub-national, national, regional and international – in order to ensure an effective and human rights-based approach to disaster risk reduction and climate change.

42. **States parties should:**

(a) **Engage in a comprehensive gender audit of policies and programmes across different sectors and areas including climate, trade and investment, environment and planning, water, food, agriculture, technology, social protection, education and employment, in order to identify inconsistencies with a view to reinforcing efforts aimed at disaster risk reduction and climate change;**

(b) **Improve coordination between different sectors involved in disaster risk management, climate change, gender equality, health care, education, social protection, agriculture, environmental protection, urban planning etc. This could be done through the adoption of integrated national disaster risk reduction and climate change strategies and plans that explicitly integrate a gender equality approach;**

(c) **Undertake gender impact assessments during the design, implementation and monitoring phases of disaster risk reduction and climate change plans and policies;**

(d) **Develop, compile and share practical tools, information and best practice methodologies for the effective integration of gender equality within legislation, policies and programmes in all sectors relevant to disaster risk reduction and climate change;**

(e) **Promote and strengthen the vital role played by sub-national governments in disaster risk reduction, service provision, emergency response, land use planning and climate change. To this end, adequate budgets should be allocated and mechanisms developed to monitor the implementation of legislation and policies at the sub-national level.**

C. Extraterritorial obligations, international cooperation and resource allocation

43. States have obligations both within and outside their territories to ensure the full implementation of the Convention, including in the areas of disaster risk reduction and climate change mitigation and adaptation. Measures such as limiting fossil fuel use, reducing transboundary pollution and greenhouse gas emissions and promoting the transition to renewable energies are regarded as crucial steps in mitigating the negative human rights impact of climate change and disasters globally. Human Rights Council resolutions 26/27 and 29/15 note that ‘the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response’.²³

44. Inadequate resources are currently dedicated both to addressing the underlying structural causes of gender inequality that increase women’s exposure to disaster risks and climate change, and to developing gender-responsive programmes in these areas. Low-income climate vulnerable countries face particular challenges in developing, implementing and monitoring gender-responsive disaster risk and climate change policies and programmes as well as promoting access to affordable technologies due to the limited availability of national public finance and development assistance.

45. In accordance with the Convention and other international human rights instruments, an adequate and effective allocation of financial and technical resources for gender-responsive disaster and climate change prevention, mitigation and adaptation must be ensured both through national budgets and by means of international cooperation. Any steps

²³ In his 2016 report, the Special Rapporteur on human rights and the environment noted, A/HRC/31/52, para 44, ‘The failure of States to effectively address climate change through international cooperation would prevent individual States from meeting their duties under human rights law to protect and fulfil the human rights of those within their own jurisdiction’.

taken by States to prevent, mitigate and respond to climate change and disasters within their own jurisdictions and extraterritorially must be firmly grounded in human rights principles of substantive equality and non-discrimination, participation and empowerment, accountability and access to justice, transparency and rule of law.

46. States parties separately and in cooperation with others should:

(a) **Take effective steps to equitably manage shared natural resources, particularly water, and limit carbon emissions, fossil fuel usage, deforestation, near-surface permafrost degradation, soil degradation and transboundary pollution, including dumping of toxic waste, and all other environmental, technological and biological hazards and risks that contribute to climate change and disasters which tend to have disproportionate effects on women and girls;**

(b) **Increase dedicated budget allocations at the international, regional, national and local levels to respond to gender specific disaster and climate change prevention, preparedness, mitigation, recovery and adaptation needs in the infrastructure and service sectors;**

(c) **Invest in women's adaptability by identifying and supporting livelihoods that are resilient to disasters and climate change, sustainable and empowering, along with gender-responsive services that enable women to access and benefit from these livelihoods;**

(d) **Increase women's access to appropriate risk reduction schemes, such as social protection, livelihood diversification and insurance;**

(e) **Integrate gender dimensions within relevant international, regional, national, sectoral and local programmes and projects, including those financed with international climate and sustainable development funds;**

(f) **Share resources, knowledge and technology to build disaster risk reduction and climate change adaptation capacities among women and girls, including by providing adequate, effective and transparent finance that is administered through participatory, accountable and non-discriminatory processes;**

(g) **Ensure that States, international organizations and other entities that provide technical and financial resources for disaster risk reduction, sustainable development and climate change incorporate a gender and women's rights perspective into the design, implementation and monitoring of all of their programmes and establish appropriate and effective human rights accountability mechanisms.**

D. Non-State actors and extra-territorial obligations

47. The private sector and civil society organizations can play an important role in disaster risk reduction, climate resilience and the promotion of gender equality both at the national level and also when operating transnationally. The development of public-private partnerships is being promoted through a number of different mechanisms, including within the 2030 Sustainable Development Agenda. These partnerships may provide necessary financial and technical resources to enable the creation of new infrastructure for disaster risk reduction as well as climate resilient livelihoods.

48. The United Nations Guiding Principles on Business and Human Rights stipulate that businesses have a direct responsibility to respect and protect human rights, to act with due diligence to prevent human rights violations, and to provide effective remedies for human rights violations connected to their operations. To ensure that private sector activities in the field of disaster risk reduction and climate change respect and protect women's human rights, they must guarantee accountability and be participatory, gender-responsive and subject to continuous human rights-based monitoring and evaluation.

49. States parties should regulate the activities of non-State actors within their jurisdiction, including when they operate extraterritorially. General Recommendation No. 28 (2010) on the core obligations of States parties under article 2 reaffirms the requirement under

article 2 (e) to eliminate discrimination by any public or private actor, which extends to acts of national corporations operating extraterritorially.

50. Civil society organizations operating locally and internationally, sometimes in partnership with governments and the private sector, also have responsibilities to ensure that their activities in the fields of climate change and disaster risk reduction and management ‘do no harm’ to local populations and these organizations should take steps to ‘minimize the harm they may inadvertently be doing simply by being present and providing assistance.’²⁴

51. **In relation to non-State actors, States parties should:**

(a) **Create conducive environments for gender responsive investment in disaster and climate change prevention, mitigation and adaptation, including through sustainable urban and rural development, the promotion of renewable energies and social insurance schemes;**

(b) **Encourage women’s entrepreneurship and create incentives for women to engage in businesses involved in sustainable development and climate resilient livelihood activities in areas such as the clean energy sector and agro-ecological food systems. Businesses working in these areas should also be encouraged to increase the numbers of women they employ, particularly in leadership positions;**

(c) **Conduct gender impact analyses of any proposed public-private partnerships in the areas of disaster risk reduction and climate change and ensure that diverse groups of women are involved in the design, implementation and monitoring of public-private partnerships. Particular attention should be paid to guaranteeing that all groups of women have physical and economic access to any infrastructure and services provided through public-private partnerships;**

(d) **Adopt regulatory measures to protect women from human rights violations caused by private business actors and ensure that their own activities, including those conducted in partnership with the private sector and civil society, respect and protect human rights and that effective remedies are available in the event of human rights violations related to the activities of non-State actors. These measures should be applied to activities occurring both within and outside of the territory of the State party.**

E. Capacity Development and Access to Technology

52. The lack of women’s active participation in disaster risk reduction and climate change programmes, particularly at the local level, impedes progress towards the implementation of gender equality commitments and the development of coordinated and effective disaster risk reduction and climate resilience policies and strategies. Measures should be taken to build the capacities and capabilities of women, women’s rights organizations and state entities, to participate in gender-responsive disaster risk and climate assessments at the local, national, regional and international levels.

53. As the Committee noted in its 2009 statement on climate change, ‘Policies that support gender equality in access, use and control of science and technology and formal and informal education and training will enhance a nation’s capability in the areas of disaster reduction, mitigation and adaptation to climate change.’²⁵ Too often, however, women have been unable to access technologies, training opportunities and information due to gender-based inequalities.

54. **States parties should:**

²⁴ UN Human Rights Council, A/HRC/28/76, 10 February 2015, para 40 (g), 99 and 104.

²⁵ Statement of the CEDAW Committee on Gender and Climate Change, CEDAW 44th Session, August 2009.

(a) Increase women's participation in the development of disaster risk reduction and climate change plans by supporting their technical capacities and providing adequate resources for this purpose;

(b) Institutionalise women's leadership in disaster prevention, preparedness (including the development and dissemination of early warning systems) response, recovery and climate change mitigation and adaptation at all levels;

(c) Ensure that early warning information is provided using technologies that are timely, culturally appropriate, accessible and inclusive and take into account the needs of diverse groups of women. In particular, the extension of Internet and mobile telephone coverage as well as other reliable and cost-effective communication technologies such as radios, and the accessibility of these for all women, including those from indigenous and minority groups, older women and women with disabilities, should be actively promoted within the context of disaster risk reduction and climate change programmes;

(d) Ensure that women have access to technology for preventing and mitigating the adverse effects of disasters and climate change on crops, livestock, homes and businesses, and that they can use and economically benefit from climate change adaptation and mitigation technologies, including those related to renewable energy and sustainable agricultural production;

(e) Promote understanding, application, and the use of traditional knowledge and skills that women hold in disaster risk reduction and response and climate change mitigation and adaptation;

(f) Promote and facilitate women's contributions to conceptualizing, developing and using disaster risk reduction and climate science technologies.

VI. Specific areas of concern

A. Right to live free from gender-based violence against women and girls

55. In its General Recommendation No. 35 (2017) on gender-based violence against women, updating General Recommendation No. 19 on violence against women, the Committee notes that 'gender-based violence against women is one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles are perpetuated.' It also highlights situations of disaster and the degradation and destruction of natural resources as factors that affect and exacerbate gender-based violence against women and girls.

56. The Committee has also observed on different occasions that 'sexual violence is common in humanitarian crises and may become acute in the wake of a national disaster. In a time of heightened stress, lawlessness and homelessness, women face an increased threat of violence.'²⁶

57. In accordance with the Convention and General Recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 on violence against women, States parties should:

(a) Develop policies and programmes to address existing and new risk factors for gender-based violence against women – including domestic violence, sexual violence, economic violence, human trafficking and forced marriage - within the context of disaster risk reduction and climate change and promote women's participation and leadership in their development;

(b) Ensure that the minimum legal age for marriage is 18 years, for both women and men. States should include training on the prevalence of child and forced

²⁶ Statement by the CEDAW Committee on the situation in Haiti, E/CN.6/2010/CRP.2; See also, CEDAW/C/GC/19/Add.1, para 12 and CEDAW/C/GC/35, para 14.

marriage for all personnel involved in disaster response activities. In partnership with women's associations and other stakeholders, mechanisms should be established within local and regional disaster management plans to prevent, monitor and address the issue of child and forced marriage;

(c) Provide accessible, confidential, supportive and effective mechanisms for all women wishing to report gender-based violence;

(d) Develop, in partnership with a wide range of stakeholders including women's associations, a system of regular monitoring and evaluation of interventions designed to prevent and respond to gender-based violence against women within disaster risk reduction and climate change programmes;

(e) Provide training, sensitization and awareness-raising for authorities, emergency services workers and other groups on the different forms of gender-based violence that are prevalent in situations of disaster and how to prevent and address these. This training should include the rights and needs of women and girls, including those from indigenous and minority groups, women with disabilities and lesbian, bisexual, transgender and intersex women and girls, and information on how they might be affected differently by gender-based violence;

(f) Adopt long-term policies and strategies to address the root causes of gender-based violence against women in disasters, including by engaging with men and boys, the media, traditional and religious leaders and educational institutions to identify and eliminate social and cultural stereotypes concerning the status of women.

B. Rights to education and information

58. Article 10 of the Convention concerns the elimination of discrimination in education.²⁷ Education improves the capacity of women to participate within their households, families, communities and businesses, to identify means to reduce disaster risks, mitigate climate change, develop more effective recovery strategies and, thus, build more resilient communities. Education also increases access to opportunities, resources, technologies and information that aid in disaster risk reduction and the development of effective climate change policies. The prevention and mitigation of disasters and climate change require well-trained women and men in multiple disciplines including economics, agriculture, water resources management, climatology, engineering, law, telecommunications and emergency services.

59. In the aftermath of disasters, girls and women, whose access to education is often already limited as a result of social, cultural and economic barriers, may face even greater obstacles to participation in education due to the destruction of infrastructures, lack of teachers and other resources, economic hardship and security concerns.

60. **In accordance with Article 10 of the Convention and the Committee's General Recommendation No. 36 (2017) on the right of women and girls to education, States parties should:**

(a) **Ensure, through regular inspections, that educational infrastructures are safe and resilient enough to withstand disasters and that adequate resources are dedicated to the protection of students and educators from the impacts of climate change and disasters;**

(b) **Allocate adequate resources and budgets so that schools and other educational facilities are built better from the start to withstand hazards, reconstructed on the basis of sound disaster risk assessment and building codes, and rendered operational as quickly as possible following disasters. The reintegration of girls and other groups for whom education has not traditionally been valued should be**

²⁷ See CEDAW General Recommendation no. 36 (2017) on the right of women and girls to education, CEDAW/C/GC/36.

prioritized through specific outreach programmes with a view to ensuring that girls and women are not excluded from education in the wake of disasters;

(c) Ensure that women and girls have equal access to information, including scientific research, and education regarding disasters and climate change. This information should form part of the core educational curriculum at each level of instruction;

(d) Prioritise innovative and flexible gender-responsive educational programmes, including at the community level, to enable women to develop the skills required to adapt to the changing climate and engage in sustainable development initiatives. Specific programmes and scholarships should be established to support girls and women to undertake education and training in all areas related to disaster risk reduction and management as well as environmental and climate science.

C. Rights to work and social protection

61. Disasters and climate change affect women, particularly those living in poverty, directly, by impacting on their livelihoods. Economic inequalities between women and men are entrenched and reinforced through various forms of discrimination. These include; restrictions on ownership and control of land and property, unequal remuneration, the concentration of women in precarious, informal and unstable employment, sexual harassment and other forms of workplace violence, pregnancy-related discrimination in employment, gendered divisions of household labour and the undervaluing of women's contributions to domestic, community and care work. Other areas of concern with respect to workplace discrimination include labour and sexual exploitation, land grabbing and environmental destruction due to abusive extractive industries and unregulated industrial and/or agro-industrial activities. All of these types of gender-based discrimination limit the capacity of women to prevent and adapt to the harms generated by disasters and climate change.

62. The burden of caretaking and domestic work often increases for women following disasters. The destruction of food stocks, housing and infrastructure such as water and energy supplies and an absence of social protection systems and health care services all have specific consequences for women and girls. The result of these gendered inequalities is that they increase the vulnerability and mortality of women and girls and frequently leave them with less time to engage in economic activities or to access the resources, including information and education, which are necessary for recovery and adaptation.²⁸

63. Social and legal inequalities further restrict the ability of women to move to safer, less disaster-prone areas and may limit women's rights to access financial services, credit, social security benefits, and secure tenure of land and other productive resources.²⁹

64. **State parties should:**

(a) Invest in gender-responsive social protection systems and social services that reduce economic inequalities between women and men and enable women to mitigate disaster risks and adapt to climate change. Eligibility criteria for social protection schemes should be closely monitored to ensure that they are accessible for all groups of women, including female-headed households, single women, internally displaced, migrant and refugee women and women with disabilities;

(b) Ensure the disaster risk resilience of workplaces and critical infrastructures, including nuclear reactors and plants, through regular inspections and the adoption of building safety codes and other systems to guarantee that these infrastructures, particularly those necessary for income generating and domestic activities, are rendered operational as quickly as possible following disasters;

²⁸ See, for example, CEDAW Concluding Observations, Belarus (2000), A/55/38, para 339.

²⁹ See CEDAW General Recommendation No. 29 (2013), Economic Consequences of Marriage, Family Relations and their Dissolution, CEDAW/C/GC/29 and General Recommendation No. 34 (2016) on the rights of rural women, CEDAW/C/GC/34.

(c) **Guarantee women’s equal rights to decent and sustainable employment opportunities as provided for in article 11 of the Convention and apply these in contexts of disaster prevention, management and recovery and in connection with climate change adaptation in both urban and rural areas;**

(d) **Facilitate equal access for women to markets, financial services, credit and insurance schemes, and regulate the informal economy to ensure that women are able to claim pensions and other employment-related social security entitlements;**

(e) **Acknowledge and address the unequal burden of women’s unpaid and care work, including within disaster and climate policies. Policies and programmes should be developed to assess, reduce and redistribute the gendered burden of care tasks (e.g. awareness raising programmes on equal sharing of domestic work and unpaid care work, introduction of time saving measures, and inclusion of appropriate technologies, services and infrastructure);**

(f) **Protect and promote women’s right to access training in non-traditional areas of work, including within the green economy and sustainable livelihoods, which would enable them to design, participate in, manage and monitor disaster and climate change prevention, preparedness, mitigation and adaptation initiatives and better equip them to benefit from such interventions.**

D. Right to health

65. Article 12 of the Convention specifically calls on States parties to guarantee substantive equality between women and men in the provision of health care services, including sexual and reproductive health services and mental and psychological health services.³⁰ The measures that States parties must take under article 12 of the Convention in order to respect, protect and fulfill the right to health for all women are spelled out in the Committee’s General Recommendation No. 24 (1999) on women and health. Health services and systems, including sexual and reproductive health services, should be available, accessible, acceptable and of good quality even in contexts of disaster.³¹ To this end, measures should be taken to ensure that gender responsive climate change and disaster resilience policies, budgets and monitoring activities are fully integrated within health services and systems.³²

66. Climate change and disasters, including pandemics, influence the prevalence, distribution and severity of new and re-emerging diseases. The susceptibility of women and girls to disease is heightened as a result of inequalities in access to food, nutrition and health care as well as social expectations that women will act as primary care-givers for children, the elderly and the sick.

67. States parties should ensure that detailed policies and budget allocations are made to promote, protect and fulfil women’s right to health, including sexual and reproductive health and comprehensive age appropriate sexuality education, mental and psychological health, hygiene and sanitation. Provisions for pre- and post-natal care, such as emergency obstetric care and support for breastfeeding, should form part of climate change and disaster strategies, plans and programmes.

68. **In particular, States parties should:**

(a) **Ensure participation, including in decision-making positions, by diverse groups of women and girls in the planning, implementation and monitoring of health policies and programmes and in the design and management of integrated health services for women in the context of disaster risk management and climate change;**

³⁰ See General Recommendation No. 24 (1999), Article 12 of the Convention (women and health).

³¹ WHO, ‘Gender inequities in environmental health’, 25th Session of the European Environment and Health Committee., EUR/5067874/151, 2008.

³² IPCC (2014) AR5, 733.

(b) Invest in climate and disaster resilient health systems and services and allocate the maximum of their available resources to the underlying determinants of health such as clean water, adequate nutrition and sanitation facilities and menstrual hygiene management. These investments should be geared towards transforming health systems so that they are responsive to changing health care needs arising from climate change and disasters and that they are resilient enough to cope with these new demands;

(c) Ensure the removal of all barriers to women's and girls' access to health services, education and information, including in the areas of mental and psychological health, oncological treatment, sexual and reproductive health, and, in particular, allocate resources for programmes directed at cancer screening, mental health and counseling as well as the prevention and treatment of sexually transmitted infections, including HIV/AIDS before, during and after disasters;

(d) Prioritize the provision of family planning and sexual and reproductive health information and services within disaster preparedness and response programmes, including access to emergency contraception, post-exposure prophylaxis for HIV/AIDS and safe abortion, and reduce maternal mortality rates through safe motherhood services, the provision of qualified midwives and prenatal assistance;

(e) Monitor the provision of health services to women by public, non-governmental and private organizations, to ensure equal access and quality of care that responds to the specific health needs of diverse groups of women within contexts of disasters and climate change;

(f) Require that all health services operating in disasters act to promote the human rights of women, including the rights to autonomy, privacy, confidentiality, informed consent, non-discrimination and choice. Specific measures to 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 should be explicitly included in disaster health care policies and standards;

(g) Ensure that training curricula for health workers, including emergency services, incorporate comprehensive, mandatory, gender-responsive courses on women's health and human rights, in particular gender-based violence. Health care providers should be made aware of the linkages between increased disaster risk, climate change and the growing potential for public health emergencies as a result of shifting disease patterns. This training should also include information on the rights of women with disabilities, indigenous and minority women and other marginalized groups;

(h) Collect and share data on gender-based differences in vulnerability to infectious and non-infectious diseases occurring in situations of disaster and as a result of climate change. This information should be used to develop integrated rights-based disaster and climate change action plans and strategies.

E. Right to an adequate standard of living

Food, land, housing, water and sanitation

69. The impacts of climate change are already being experienced in many areas in connection with decreased food security, land degradation and more limited availability of water and other natural resources. There is evidence that the effects of food, land and water insecurity are not gender neutral and that women are more likely to suffer from undernourishment and malnutrition in times of food scarcity.³³ It has also been shown that women and girls, who have the primary responsibility for growing, gathering and preparing food and collecting fuel and water in many societies, are disproportionately impacted by a lack of available, affordable, safe and accessible drinking water and fuel sources due to the

³³ See, for example, CEDAW Concluding Observations, Nepal, CEDAW/C/NPL/CO/4-5.

additional burden in terms of time, physical hardship, increased exposure to violence and stress that this climate-related resource scarcity may entail.³⁴

70. Women, particularly rural and indigenous women, are directly affected by disasters and climate change as food producers and as agricultural workers due to the fact that they make up the majority of the world's small-holder and subsistence farmers and a significant proportion of farm workers. As a result of discriminatory laws and social norms, women have limited access to secure land tenure and their farmlands tend to be of inferior quality and more prone to flooding, erosion or other adverse climatic events. Increasingly, due to male out-migration, women are being left with responsibility for farming in climate change affected areas. However, they do not possess the legal and socially recognized land ownership to enable them to adapt to changing climatic conditions. Women are also indirectly affected by the impacts weather-related events have on the price of foodstuffs.

71. Articles 12 and 14 of the Convention contain specific guarantees on nutrition and women's equal participation in decision-making about food production and consumption. In addition, the core obligations of States to eliminate discrimination outlined in article 2 of the Convention, in article 5 (a) to modify cultural patterns of behavior based on discriminatory stereotypes, in article 15 to ensure equality before the law and in article 16 to guarantee equality within marriage and family relations are of central importance in addressing women's rights to land and productive resources that are vital for ensuring the right to food and sustainable livelihoods.

72. **States parties should:**

(a) **Promote and protect women's equal rights to food, housing, sanitation, land and natural resources, including adequate drinking water, water for domestic use and for food production and take positive measures to guarantee the availability and accessibility of these rights, even during times of scarcity. Particular attention should be paid to ensuring that women living in poverty, particularly those in informal settlements in both urban and rural areas, have access to adequate housing, drinking water, sanitation and food, especially in the context of disasters and climate change;**

(b) **Increase women's resilience to disaster and climate change impacts by identifying and supporting livelihoods that are sustainable and empowering, and develop gender-responsive services, including extension services to assist women farmers, that enable women to access and benefit from these livelihoods;**

(c) **Develop participatory, gender responsive, development plans and policies that integrate a human rights-based approach in order to guarantee sustainable access to adequate housing, food, water and sanitation. Priority should be given to ensuring the accessibility of services for all women;**

(d) **Adopt legislation, programmes, policies and allocate budgets to eliminate homelessness and to ensure that adequate and disaster resilient housing is available and accessible to all women, including those with disabilities. Measures must be taken to protect women against forced eviction and to ensure that public housing and rental assistance schemes prioritise and respond to the specific needs of different groups of women.**

F. Right to freedom of movement

73. The increasing frequency and intensity of extreme weather events and environmental degradation resulting from climate change are likely to lead to significant population displacement both within countries and across borders.³⁵

³⁴ WHO, 'Gender, Climate Change and Health', 2010.

³⁵ Joint Statement by CMW, CEDAW, UN Women and OHCHR, 'Addressing Gender Dimensions in Large-Scale Movements of Migrants and Refugees', 19 September 2016.

74. The Committee and many other international human rights bodies, including the Committee on the Protection of the Rights of All Migrant Workers and their Families (CMW), have recognized that disasters and climate change are among the push factors for women's migration.³⁶ In several regions, climate change and disasters are contributing to an increase in the feminization of migration – i.e. the migration of women on their own, into feminized sectors of work, for the purposes of supporting family members who no longer have local livelihood opportunities.

75. Women migrants face a heightened risk of gender-based violence, including human trafficking, and other forms of discrimination in transit, in camps, at borders and in destination countries. Women may also face specific human rights violations during migration and at their destination due to a lack of adequate sexual, reproductive and mental health services as well as discrimination in accessing employment, social security, education, housing, legal documents such as birth or marriage certificates and justice. Migrant women and girls are frequently subject to intersectional forms of discrimination. Women who migrate may also be vulnerable to climate change impacts in destination areas, particularly in urban centers in developing countries.

76. In many contexts, however, women are unable to leave regions at high risk of disaster or to migrate in order to re-establish their lives in the wake of extreme climatic events.³⁷ Gender-based stereotypes, household responsibilities, discriminatory laws, lack of economic resources and limited access to social capital frequently restrict the ability of women to migrate.

77. At the same time, women left behind when male family members migrate may also find themselves having to take on non-traditional economic and community leadership tasks for which they have had little preparation or training. This situation is of particular relevance when disasters occur and women are responsible for coordinating mitigation, recovery and adaptation efforts without the assistance of male community members.

78. In accordance with the Convention and General Recommendations No. 26 (2008) on women migrant workers, and No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, States parties should:

(a) Ensure that migration and development policies are gender responsive and that they include sound disaster risk considerations and recognize disasters and climate change as important push factors for internal displacement and migration. This information should be incorporated into national and local plans to monitor and support the rights of women and girls during migration and displacement;

(b) Facilitate the participation of migrant women, including those who have been displaced as a result of disasters and climate change, in the development, implementation and monitoring of policies designed to protect and promote their human rights at all phases of migration. Particular efforts must be made to involve migrant women in designing appropriate services in areas including; mental health and psycho-social support, sexual and reproductive health, education and training, employment, housing, and access to justice;

(c) Ensure a gender balance among border police, military personnel and government officials who receive migrants and train these groups on the gender-specific harms that women migrants may face, including the increased risk of violence;

(d) Integrate human mobility-related considerations into disaster risk reduction and climate change policies, taking into account the specific rights and needs of women and girls, including single women and female-headed households, before, during and after disasters.

³⁶ See CEDAW General Recommendation No. 26 (2009), on women migrant workers, CEDAW/C/GC/26, para 8; Joint Statement by CMW, CEDAW, UN Women and OHCHR, 'Addressing Gender Dimensions in Large-Scale Movements of Migrants and Refugees', 19 September 2016.

³⁷ Asian Development Bank, 'Gender equality and food security—women's empowerment as a tool against hunger,' 2013, 12.

VII. Dissemination and reporting

79. To effectively prevent and mitigate the impact of disasters and climate change, States and other stakeholders should take measurable and targeted steps to collect, analyse and disseminate information and data concerning the development of strategies, policies and programmes designed to address gender inequalities, reduce disaster risk and increase climate resilience.

80. Cooperative networks between civil society organizations working on gender equality and those working on humanitarian assistance, disaster risk reduction and climate change should be established and should include national human rights institutions, government agencies at various levels and international organizations.

81. **To ensure that effective monitoring and reporting systems are established, States parties should:**

(a) **Design and institutionalize reliable mechanisms to collect, analyse, monitor and disseminate data across all areas relevant to disaster risk reduction, climate change and gender equality;**

(b) **Ensure the participation of women at the sub-national, national, regional and international levels in data collection, analysis, monitoring and dissemination of findings;**

(c) **Include information in their periodic reports to the Committee on the legal frameworks, strategies, budgets and programmes that they have implemented to ensure the human rights of women are promoted and protected within climate change and disaster risk reduction policies;**

(d) **Translate this General Recommendation into national and local languages, including indigenous and minority languages, and disseminate it widely to all branches of government, civil society, the media, academic institutions and women's organizations.**
