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**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of  
the High Commissioner and the Secretary-General**

**Promotion and protection of all human rights, civil,  
political, economic, social, and cultural rights,  
including the right to development**

### **Analytical study on the promotion and protection of the rights of persons with disabilities in the context of climate change**

#### **Report of the Office of the United Nations High Commissioner for Human Rights**

##### *Summary*

The present analytical study is submitted pursuant to Human Rights Council resolution 41/21. In the report, the impacts of climate change on persons with disabilities are examined; human rights obligations and the responsibilities of States and other actors in relation to disability-inclusive approaches identified; and good practices shared. The report ends with conclusions and recommendations.



## Contents

	<i>Page</i>
I. Introduction .....	3
II. The impacts of climate change on persons with disabilities.....	3
A. Health.....	4
B. Food security .....	5
C. Adequate housing .....	6
D. Water and sanitation .....	6
E. Livelihoods and decent work .....	7
F. Human mobility .....	7
III. A disability-inclusive, human rights-based approach to climate action .....	8
A. Normative and policy framework .....	8
B. Operational framework for a disability-inclusive human rights-based approach to climate change.....	11
IV. Good practices.....	13
V. Conclusions and recommendations .....	15

## I. Introduction

1. The present study is submitted pursuant to Human Rights Council resolution 41/21, in which the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to conduct a detailed analytical study, in consultation with relevant stakeholders, on the relationship between climate change and the full and effective enjoyment of the rights of persons with disabilities.
2. On 30 August 2019, OHCHR circulated a note verbale and a questionnaire to Member States, requesting their inputs. OHCHR also contacted other stakeholders, including international organizations, national human rights institutions and civil society. The contributions received and consultations with stakeholders informed the present study.<sup>1</sup>
3. In the study, OHCHR examines the impacts of climate change on persons with disabilities<sup>2</sup> and the related human rights obligations and responsibilities of States and other actors, including the elements of a disability-inclusive, human rights-based approach to climate change policies. It provides examples of good practices and concludes with concrete recommendations for fulfilling human rights obligations, particularly those related to the human rights of persons with disabilities, in the context of climate change.

## II. The impacts of climate change on persons with disabilities

4. Disability covers a diverse array of impairments.<sup>3</sup> It results from the interaction between persons with impairments and attitudinal barriers, such as stereotypes, stigma and prejudices, and environmental barriers.<sup>4</sup> That hinders their full and effective participation in society on an equal basis with others.<sup>5</sup> People who are culturally, economically, institutionally, politically, socially or otherwise marginalized, such as persons with disabilities, are particularly at risk of harm from the adverse effects of climate change.<sup>6</sup>
5. Climate change has both a direct and indirect impact on the effective enjoyment of a wide range of human rights for everyone. Persons with disabilities – an estimated 1 billion individuals worldwide<sup>7</sup> – may experience those impacts differently and more severely than others (see A/71/314). For example, persons with disabilities are often among those most adversely affected in an emergency, sustaining disproportionately higher rates of morbidity and mortality, and are among those least able to access emergency support. Sudden-onset natural disasters and slow-onset events can seriously affect the access of persons with disabilities to food and nutrition, safe drinking water and sanitation, health-care services and medicines, education and training, adequate housing and access to decent work.
6. The majority of persons with disabilities live in poverty, as highlighted in the Convention on the Rights of Persons with Disabilities. The Intergovernmental Panel on Climate Change foresees that the poorest people will continue to experience the worst effects of climate change through lost income and livelihood opportunities, displacement,

<sup>1</sup> All contributions are available at [www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/PersonsWithDisabilities.aspx](http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/PersonsWithDisabilities.aspx).

<sup>2</sup> In the present report, references to disability are to be understood according to the definition in the Convention on the Rights of Persons with Disabilities: “Disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others”.

<sup>3</sup> New Earth Disability, “Why climate change and disability?” available at <https://wid.org/2018/09/25/ned-intro/>.

<sup>4</sup> Convention on the Rights of Persons with Disabilities, preamble and see Committee on the Rights of Persons with Disabilities, general comment No. 6 (2018) on equality and non-discrimination.

<sup>5</sup> Convention on the Rights of Persons with Disabilities, preamble.

<sup>6</sup> Intergovernmental Panel on Climate Change, *Climate Change 2014: Impacts, Adaptation and Vulnerability*, synthesis report, summary for policymakers.

<sup>7</sup> World Health Organization (WHO) and the World Bank, *World Report on Disability* (2011), p. 29.

hunger and adverse impacts on their health.<sup>8</sup> Multiple and intersecting factors of discrimination related to gender, age, displacement, indigenous origin or minority status can further heighten the risks of persons with disabilities experiencing negative impacts of climate change.

7. Because they are disproportionately affected by climate change, persons with disabilities must be included in climate action. Their participation would allow for tailored climate action that addresses the specific concerns of persons with disabilities related to the adverse impacts of climate change. A human rights-based approach, as defined in the next section of the present report, empowers persons with disabilities as agents of change to address the harmful impacts of climate change in their day-to-day lives. If persons with disabilities are left out of decision-making, that leaves them unable to contribute by identifying risk reduction and adaptation measures that could be effective for, and carried out by, persons with disabilities.<sup>9</sup> Persons with disabilities are a heterogeneous group with different requirements (see A/71/314) and best practices in terms of disability inclusion may also be relevant for the population at large, helping to avert some of the worst impacts of climate change.<sup>10</sup>

## A. Health

8. Climate change can exacerbate existing health and health care inequalities faced by persons with disabilities and the health impacts of climate change may be experienced more severely by persons with disabilities owing to the harmful impact of climate change on health systems.<sup>11</sup> Persons with disabilities may have reduced access to health care and poorer health outcomes than others owing to a combination of structural factors, including stigma, social exclusion, poverty, discriminatory legislation and policies and the limited availability of tailored services and programmes (see A/73/161).

9. The adverse impacts of climate change exacerbate environmental, attitudinal and institutional barriers to the right to health of persons with disabilities. Climate change events can have a direct effect on injuries and increase public health concerns, such as malnutrition, non-communicable diseases, respiratory conditions and infectious diseases (see A/HRC/32/23).<sup>12</sup> In addition, climate change disrupts social protection systems and essential health-care services, which can have grave consequences for persons with disabilities. Lack of measures to ensure accessibility to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or

<sup>8</sup> See Intergovernmental Panel on Climate Change, *Global Warming of 1.5°C. An IPCC Special Report on the Impacts of Global Warming of 1.5°C above Pre-industrial levels and Related Global Greenhouse Gas Emission Pathways, in the Context of Strengthening the Global Response to the Threat of Climate Change, Sustainable Development, and Efforts to Eradicate Poverty*, ch. 5, p. 479 (2018).

<sup>9</sup> See Marilise Turnbull, Charlotte L. Sterrett and Amy Hilleboe, *Toward Resilience: a Guide to Disaster Risk Reduction and Climate Change Adaptation* (Rugby, Warwickshire, Practical Action Publishing Ltd., 2013).

<sup>10</sup> See John Twigg and others, "Disability and climate resilience: a literature review" (April 2017).

<sup>11</sup> Inter-Agency Standing Committee. *Guidelines: Inclusion of Persons with Disabilities in Humanitarian Action* (2019).

<sup>12</sup> See also Sébastien Jodoin, Nilani Ananthamoorthy and Katherine Lofts, "A disability rights approach to climate governance", *Ecology Law Quarterly*, vol. 47, No. 1; John Twigg and others, "Disability and climate resilience: a literature review"; and Alyssa Gutnik and Marcie Roth, "Disability and climate change: how climate-related hazards increase vulnerabilities among the most at risk populations and the necessary convergence of inclusive disaster risk reduction and climate change adaptation" (2018).

provided to the public,<sup>13</sup> is another issue that places persons with disabilities at a disadvantage vis-à-vis climate change impacts.<sup>14</sup>

10. Extreme weather events can result in disruptions to the availability of and access to health-care services, especially in rural areas.<sup>15</sup> Persons with disabilities are disproportionately affected by the adverse impacts of disasters<sup>16</sup> and are at greater risk of death, injury and additional impairments owing to their general exclusion from disaster risk reduction policies, plans and programmes.<sup>17</sup> Emergency-related information and warnings are often not accessible to persons with disabilities.

11. Many persons with disabilities rely on assistive devices that enhance physical functions, including by enabling them to hear or see better and achieve mobility. During a disaster, assistive devices are often lost or damaged, leaving persons with disabilities without adaptive assistance. Such devices are typically not a part of distributed relief materials and when they are, they may not provide for the same functionality that the lost devices provided.<sup>18</sup>

12. Persons with disabilities, in particular women and girls, are at heightened risk of violence, including sexual violence, exploitation or abuse, during emergencies, especially in emergency shelters.<sup>19</sup> In some countries, conservative belief systems constrain the movement of women with disabilities, including deciding who may assist in their evacuation and where they can stay during emergencies,<sup>20</sup> placing them at increased risk of harm from the adverse effects of climate change.

## B. Food security

13. Climate change is already impairing the ability of some communities to feed themselves and as temperatures rise the number of people affected will grow (see A/HRC/31/52). A decline in food production will adversely affect people who are already living in poverty, including persons with disabilities, who are more likely to live in poverty than others.<sup>21</sup> Climate change is projected to exacerbate food shortages and malnutrition in the poorest regions of the world, while also negatively affecting agricultural and community enterprise livelihoods. That is likely to adversely impact the quality of life for people in the poorest communities, where persons with disabilities are disproportionately represented.

14. With rising temperatures and increasingly frequent extreme weather events, climate change will have a negative impact on crops, livestock, fisheries and aquaculture productivity and therefore on the availability of food (see A/70/287). Climate change is projected to reduce food quality, decrease water availability and make food storage increasingly problematic owing to warmer weather (ibid.). Access to food can be affected by damage to crop yields and infrastructure, as well as by the destruction of livelihoods

<sup>13</sup> See Committee on the Rights of Persons with Disabilities, general comment No. 2 (2014) on accessibility.

<sup>14</sup> See Sébastien Jodoin, Nilani Ananthamoorthy and Katherine Lofts, “A disability rights approach to climate governance”.

<sup>15</sup> Ibid.

<sup>16</sup> Department of Economic and Social Affairs, *Disability and Development Report*, p. 15.

<sup>17</sup> See Economic and Social Commission for Asia and the Pacific, *Building Disability-inclusive Societies in Asia and the Pacific: Assessing Progress of the Incheon Strategy* (United Nations publication, Sales No. E.18.II.F.4).

<sup>18</sup> Ibid.

<sup>19</sup> See Committee on the Rights of Persons with Disabilities, general comment No. 3 (2016) on women and girls with disabilities; and Sightsavers and Disabled Rehabilitation and Research Association, “Disability, disasters and empowerment: evidence from qualitative research in a disability inclusive disaster preparedness programme” (November 2015).

<sup>20</sup> See Sightsavers and Disabled Rehabilitation and Research Association, “Disability, disasters and empowerment”.

<sup>21</sup> See John Twigg and others, “Disability and climate resilience: a literature review”; and Department of Economic and Social Affairs, *Disability and Development Report*, p. 2.

caused by extreme weather.<sup>22</sup> Climate change is projected to further erode food security and to prolong and create poverty traps, in particular in urban areas and in emerging hotspots of hunger.<sup>23</sup> Food shortages and malnutrition tend to affect persons with disabilities and their families to a larger extent than the general population.<sup>24</sup>

### C. Adequate housing

15. Climate change affects the rights of persons with disabilities to adequate housing (see A/HRC/10/61). Sea-level rise and coastal flooding impact people and infrastructure in low-lying coastal zones, small island developing States and other small islands. The consequences include the relocation of peoples and communities, which has already taken place in both the Arctic region and in low-lying island States (see A/HRC/10/61). Settlements in low-lying megadeltas are also at particular risk, as demonstrated by the millions of people and homes that have been affected by flooding during recent years (ibid.). Indigenous persons with disabilities may live in areas that are at particular risk from climate change impacts, such as coastal zones, the Pacific and the Arctic, and are at elevated risk of exposure to emergencies (see E/C.19/2013/6). During emergencies, environmental barriers may prevent persons with disabilities from accessing shelters and safe spaces.<sup>25</sup>

16. Persons with disabilities often encounter barriers in finding accessible homes and climate change may further undermine the availability of adequate housing. People living in poverty often have less adaptive capacity such as the ability to move to less exposed areas or access quality housing.<sup>26</sup> Many people, including persons with disabilities, have no choice but to move to urban slums and informal settlements and build shelters in hazardous areas (see A/HRC/10/61). An estimated 1 billion people already live in urban slums, on fragile hillsides or flood-prone riverbanks where they are highly vulnerable to extreme climate events (ibid.). In slums, infrastructure and services are lacking, the rates of disease are high and there are challenges related to accessing safe water and sanitation. Such environments pose heightened barriers for persons with disabilities.<sup>27</sup>

### D. Water and sanitation

17. Climate change exacerbates existing pressure on water resources and increases water stress for hundreds of millions of people (see A/HRC/10/61).<sup>28</sup> Flooding, landslides, extreme precipitation, tropical storms, rising sea levels and heat stress are climate change effects that will seriously impact infrastructure and sanitation services, exacerbating existing risk factors. These impacts are heightened for persons with disabilities, who already face social and economic barriers in accessing water for consumption and sanitation.<sup>29</sup> The primary drivers of water shortages and droughts – reduced rainfall and snowpack, higher temperatures and rising sea levels – will be increased by climate change.

<sup>22</sup> See Sébastien Jodoin, Nilani Ananthamoorthy and Katherine Lofts “A disability rights approach to climate governance”.

<sup>23</sup> Intergovernmental Panel on Climate Change, *Climate Change 2014: Impacts, Adaptation and Vulnerability*.

<sup>24</sup> See Sébastien Jodoin, Nilani Ananthamoorthy and Katherine Lofts “A disability rights approach to climate governance”.

<sup>25</sup> See CBM, “Saving lives and leaving no one behind. The Gaibandha model for disability-inclusive disaster risk reduction” (2018).

<sup>26</sup> See David Dodman and David Satterthwaite, “Institutional capacity, climate change adaptation and the urban poor”, *IDS Bulletin*, vol. 39, No. 4 (September 2008).

<sup>27</sup> See John Twigg and others, “Disability and climate resilience: a literature review”.

<sup>28</sup> Ibid.

<sup>29</sup> See Sébastien Jodoin, Nilani Ananthamoorthy and Katherine Lofts “A disability rights approach to climate governance”.

Those drivers can harm freshwater ecosystems and lead to the degradation of water supplies including for human consumption and agriculture.<sup>30</sup>

18. People living in poverty are at the greatest risk of lack of access to water, in particular persons with disabilities, who already face barriers in accessing safe water for drinking, hygiene and sanitation, including related facilities. That is because of both a lack of household access, which often results from insufficient financial resources, and a general lack of access in public environments.<sup>31</sup>

## **E. Livelihoods and decent work**

19. Inadequate or lack of access to education, discriminatory attitudes and practices and socioeconomic factors result in high levels of under- and unemployment among persons with disabilities.<sup>32</sup> Globally, the ratio of employment to population for persons with disabilities is 36 per cent on average. That ratio is 60 per cent for persons without disabilities.<sup>33</sup> Climate change impacts exacerbate the barriers faced by persons with disabilities in the world of work, for example when job opportunities are lost because of the economic impacts of climate disasters or when heat stress causes manual labour to be hazardous.<sup>34</sup> Environmental degradation often affects marginalized workers the most, among others persons with disabilities.<sup>35</sup>

20. Slow-onset events will impact agricultural livelihoods. Indigenous persons with disabilities who are small-scale agricultural producers risk losing the possibility of independent living owing to climate change impacts that undermine agricultural production and thereby their livelihoods. Fisheries and the livelihoods of fisherfolk may be impacted by changes in temperature and ocean acidity, leading to the migration or even collapse of fish stocks. Impacts are amplified for persons with disabilities, who are already marginalized in the field of work and who may experience adverse health impacts because of climate change that have implications for their ability to work.<sup>36</sup>

## **F. Human mobility**

21. Climate change contributes to extreme weather events, which was one of the main causes of the movement of 28 million people in 2018.<sup>37</sup> However, the ability to migrate often depends on resources and mobility; the most marginalized may be unable to migrate and forced to remain in locations that are subject to climate change harms (see A/HRC/31/52). Those who move or migrate, be it internally or across borders, may be in need of international human rights or refugee protection. Persons with disabilities are at risk of being left behind in a degraded environment without social and support networks when members of their family or community move because of climate change impacts.<sup>38</sup>

22. Those persons with disabilities who do move can face challenges related to mobility, the need for assistive devices and accessible transportation, accommodation and services.<sup>39</sup>

<sup>30</sup> See United Nations Environment Programme, “Climate change and human rights” (December 2015).

<sup>31</sup> See John Twigg and others, “Disability and climate resilience: a literature review”; and Department of Economic and Social Affairs, *Disability and Development Report*, p. 119.

<sup>32</sup> See International Labour Organization (ILO) policy brief, “Persons with disabilities in a just transition to a low-carbon economy” (October 2019).

<sup>33</sup> See Department of Economic and Social Affairs, *Disability and Development Report*, p. 152.

<sup>34</sup> See ILO, “Persons with disabilities in a just transition to a low-carbon economy”.

<sup>35</sup> See ILO, “The employment impact of climate change adaptation. Input document for the G20 Climate Sustainability Working Group” (August 2018).

<sup>36</sup> See ILO, “Persons with disabilities in a just transition to a low-carbon economy”.

<sup>37</sup> Internal Displacement Monitoring Centre, *Global Report on Internal Displacement* (2019).

<sup>38</sup> See Mary Keogh and Maria Gonzalez, “Climate change: this century’s defining issue. The 4 P’s for inclusion of persons with disabilities within climate change plans: personal, programmes, policy and political” (2020); and John Twigg and others, “Disability and climate resilience: a literature review”.

<sup>39</sup> See John Twigg and others, “Disability and climate resilience: a literature review”.

Migration, which has a significant impact on all people’s psychosocial well-being, has a disproportionate impact on the psychosocial well-being of persons with disabilities.<sup>40</sup> For those forced to leave, moving may bring with it challenges related to mobility and accessibility, as well as a potential loss of crucial personal support networks, which also impacts psychosocial well-being.<sup>41</sup>

23. For persons with disabilities, possibilities of resettlement are often limited. Many require support systems, including personal assistants, medical equipment and service animals, that are challenging to transport. Discriminatory immigration policies constitute another challenge that persons with disabilities face with respect to migrating to other countries.<sup>42</sup>

### **III. A disability-inclusive, human rights-based approach to climate action**

#### **A. Normative and policy framework**

24. Climate change has an impact on the effective enjoyment of the human rights of persons with disabilities, including the rights to life, health, food, water and sanitation, housing, decent work and development. Those rights are enshrined under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities. States also have legal obligations, including under international human rights law, to implement disability-inclusive climate policies that empower persons with disabilities by ensuring their full and effective participation in climate action at all levels. Recently developed tools that complement this body of international human rights law include the Inter-Agency Standing Committee Guidelines on the inclusion of persons with disabilities in humanitarian action and the United Nations Disability Inclusion Strategy. In this section OHCHR describes several key legal and policy instruments that should inform disability-inclusive climate action.

##### **1. Convention on the Rights of Persons with Disabilities**

25. The Convention on the Rights of Persons with Disabilities reaffirms that all persons with disabilities are entitled to enjoy all human rights and fundamental freedoms on an equal basis with others. It offers a guiding framework for actions related to persons with disabilities, including the building of inclusive climate change responses and resilience. The general principles set out in the Convention spell out a human rights-based approach, which in relation to climate resilience is based on non-discrimination, full and effective participation and inclusion in society, equality of opportunity, accessibility and gender equality.<sup>43</sup>

26. Equality and non-discrimination are fundamental principles and rights under international human rights law and at the very heart of the Convention. Under the Convention, they are referred to as general principles in article 3 and as rights in article 5. In its general comment No. 6 (2018) on equality and non-discrimination, the Committee on the Rights of Persons with Disabilities emphasized that equality and non-discrimination were interconnected with human dignity. The obligation of States to provide reasonable accommodation is enshrined in articles 2 and 5 (3) of the Convention and is fundamental to ensuring that persons with disabilities can enjoy their rights on an equal basis with others.

<sup>40</sup> See Mary Keogh and Maria Gonzalez, “Climate change: this century’s defining issue”.

<sup>41</sup> Ibid. and John Twigg and others, “Disability and climate resilience: a literature review”.

<sup>42</sup> See Sébastien Jodoin, Nilani Ananthamoorthy and Katherine Lofts “A disability rights approach to climate governance”.

<sup>43</sup> See, for example, statement by the Special Rapporteur on the rights of persons with disabilities, available from [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16163](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16163).



27. The Convention establishes an obligation on States parties to actively involve and consult with persons with disabilities in decision-making on matters that are affecting their lives, including climate change. Under the Convention, the right to effective participation is recognized as a general principle under article 3 and participation is also recognized as a cross-cutting issue. In its general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, the Committee on the Rights of Persons with Disabilities provided further guidance on the right to participation, including on articles 4.3 and 33.3. Article 21 of the Convention addresses the need to provide information in accessible formats, which is key for enabling participation in climate action and disseminating emergency warnings with information related to natural disasters and emergencies.

28. Accessibility is included as a general principle under article 3 of the Convention and article 9 specifically addresses the right to accessibility. In its general comment No. 2 (2014) on accessibility, the Committee on the Rights of Persons with Disabilities defined accessibility as a precondition for persons with disabilities to be able to live independently and participate fully and equally in society. The right of all persons with disabilities to live independently and be included in the community is enshrined in article 19 of the Convention. In its general comment No. 5 (2017) on living independently and being included in the community, the Committee stated that the general principles of the Convention under article 3 (a) “respect for the individual’s inherent dignity, autonomy and independence” and article 3 (c) “the full and effective participation and inclusion in society” were at the very basis of the right to independent living and community inclusion. The right to personal mobility, which in the context of climate change is especially at risk for persons with disabilities, is enshrined in article 20 of the Convention.

29. Situations of risk and humanitarian emergencies are covered by article 11 of the Convention, which creates an obligation on States parties to protect persons with disabilities in situations of risk and provides a human rights-based entry point to humanitarian responses. That provision is key to ensuring that climate change programmes and policies, as well as prevention, planning and response, are fully inclusive of persons with disabilities.<sup>44</sup>

30. The Committee on the Rights of Persons with Disabilities recognizes that the effects of climate change contribute to exacerbating inequality and vulnerability among persons with disabilities (see CRPD/C/AUS/CO/2-3). The Committee recommends that States incorporate and mainstream disability inclusion in their policies and programmes on climate change (see CRPD/C/GTM/CO/1, CRPD/C/HND/CO/1 and CRPD/C/PAN/CO/1), and include persons with disabilities in their strategies (see CRPD/C/COL/CO/1) and in the implementation of climate change adaptation and disaster risk reduction (see CRPD/C/SYC/CO/1 and CRPD/C/BOL/CO/1). In a joint statement issued with four other human rights treaty bodies before the 2019 Climate Action Summit, the Committee warned that failure to take climate action might constitute a breach of the obligations of States under international human rights law. In the statement, the Committees highlighted the need for persons with disabilities to be recognized as agents of change and essential partners in climate action.<sup>45</sup>

## 2. United Nations Framework Convention on Climate Change

31. According to the preamble of the Paris Agreement, States parties should respect, promote and consider their respective human rights obligations, including the rights of persons with disabilities, when addressing climate change. A series of decisions adopted under the United Nations Framework Convention on Climate Change concern persons with

<sup>44</sup> See statement by the Special Rapporteur on the rights of persons with disabilities.

<sup>45</sup> Available from [www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24998&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24998&LangID=E).

disabilities, including decisions related to climate empowerment, adaptation, capacity-building, loss and damage, participation and a shared vision.<sup>46</sup>

32. In the Doha work programme on article 6 of the Framework Convention, the Conference of the Parties recognized that one goal of education was to promote the changes needed to foster sustainable development and prepare persons with disabilities to adapt to climate change impacts. It reaffirmed the need to engage persons with disabilities in activities related to article 6 and specifically mentioned persons with disabilities among its stakeholders.<sup>47</sup> The Subsidiary Body for Implementation and the terms of reference for the intermediate review of the Doha work programme have subsequently recalled the need to effectively engage persons with disabilities in activities under article 6.<sup>48</sup> In the Lima Ministerial Declaration on Education and Awareness-raising, the Conference of the Parties reaffirmed the importance of public participation, access to information and knowledge for effective climate change policies, and the need to engage stakeholders, including persons with disabilities, in their implementation.<sup>49</sup>

33. In the 2018 report of the Adaptation Committee, the Conference of the Parties encouraged a participatory approach and the use of stakeholder inputs, including from persons with disabilities, to adaptation planning and implementation.<sup>50</sup> In the organization of the intergovernmental process and in a shared vision for long-term cooperative action, the Subsidiary Body for Implementation and the Conference of the Parties also recognized the need to engage broadly with stakeholders, including persons with disabilities.<sup>51</sup> In its decision on the outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention, the Conference of the Parties further reaffirmed the importance of “acknowledging the role and needs of ... persons with disabilities in capacity-building activities”.<sup>52</sup> That is reaffirmed in the 2011 decision on capacity-building under the Convention.<sup>53</sup>

34. In approaches to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change to enhance adaptive capacity, the Conference of the Parties acknowledged the need for further work to advance understanding and expertise on loss and damage. Specifically, reference was made to the adverse effects of climate change, its effects on vulnerable segments of the population, including those with disabilities, and the benefits to those segments of loss and damage approaches.<sup>54</sup>

35. In its 2010 decision entitled “The Cancun Agreements: outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention”, the Conference of the Parties noted Human Rights Council resolution 10/4 and its recognition that the adverse effects of climate change are most acutely felt by the population segments that are already vulnerable owing to various factors, including disability.<sup>55</sup>

### 3. 2030 Agenda for Sustainable Development

36. Human rights principles and standards are strongly reflected in the 2030 Agenda for Sustainable Development. The Sustainable Development Goals are interdependent and the achievement of any of the Goals requires effective climate action under Goal 13 (see A/HRC/41/26). Persons with disabilities are given special attention under several of the

<sup>46</sup> Council of Canadians with Disabilities, Inclusiva and Centre for International Environmental Law, “The rights of persons with disabilities in the context of the UN Framework Convention on Climate Change: relevant international frameworks and compilation of decisions adopted by the parties to the UNFCCC” (2019).

<sup>47</sup> See FCCC/SBI/2012/L.47.

<sup>48</sup> See FCCC/SBI/2013/20 and FCCC/CP/2015/10/Add.3.

<sup>49</sup> See FCCC/CP/2014/L.1/Rev.1.

<sup>50</sup> See FCCC/CP/2018/10/Add.1.

<sup>51</sup> See FCCC/SBI/2011/7 and FCCC/CP/2010/7/Add.1.

<sup>52</sup> See FCCC/CP/2011/9/Add.1.

<sup>53</sup> See FCCC/CP/2011/9/Add.2.

<sup>54</sup> See FCCC/CP/2012/8/Add.1.

<sup>55</sup> See FCCC/CP/2010/7/Add.1.

Goals. For example, under Goal 4 (quality education) Member States are called up on to ensure equal access to all education and vocational training, including for persons with disabilities. Target 8.5 of Goal 8 (decent work and economic growth) determines the need to “achieve full and productive employment and decent work for all ... including for ... persons with disabilities”. Under Goal 10 (reduced inequalities), social, economic and political inclusion, irrespective of numerous factors, including disability, are promoted. Goal 11 (sustainable cities and communities) includes ensuring access to decent housing, services and transport, and providing universal access to green and public spaces, in particular for persons with disabilities. Finally, in Goal 17 (global partnerships for sustainable development) Member States are called upon to provide increased support to developing countries for capacity-building in order to increase the availability of disaggregated data, including by disability.

#### **4. Sendai Framework for Disaster Risk Reduction (2015–2030)**

37. The promotion and protection of human rights are among the guiding principles of the Sendai Framework for Disaster Risk Reduction (2015–2030), which calls for the integration of a disability perspective into all policies and practices, for accessibility and for data disaggregation by disability. In the Framework the importance is recognized of empowering persons with disabilities to lead and promote universally accessible approaches to response, recovery, rehabilitation and reconstruction, highlighting the latter three phases as opportunities to “build back better”. Persons with disabilities and their organizations are identified as critical stakeholders for disaster risk assessment and the design and implementation of tailored plans that take into account requirements such as the principle of universal design. In the Framework Governments are called upon to engage with persons with disabilities in designing and implementing policies, plans and standards.

#### **5. SIDS Accelerated Modalities of Action (SAMOA) Pathway**

38. The SIDS Accelerated Modalities of Action (SAMOA) Pathway highlights the importance of engaging a broad range of stakeholders for effective climate action, including persons with disabilities. It underscores the need to address the high rates of unemployment among persons with disabilities and calls for the development of entrepreneurial and vocational skills, as well as support for the transition from basic to secondary education and from school to work for persons with disabilities. In the SAMOA Pathway strengthened education infrastructures, better health and non-discrimination for persons with disabilities are called for, as are enhanced international cooperation and inclusive and sustainable industrial development, with the participation of persons with disabilities, and enhanced employment opportunities. The Pathway commits institutions to strengthening contingency planning, disaster preparedness and response, and emergency relief for persons with disabilities. The efforts of small island developing States to tackle structural and socioeconomic inequalities are supported, as are efforts against intersecting discrimination affecting women and girls, including those with disabilities. Finally, efforts to improve the collection of data disaggregated by disability at the national level are supported.

### **B. Operational framework for a disability-inclusive human rights-based approach to climate change**

39. A disability-inclusive human rights-based approach to climate change entails climate action that is inclusive of and accountable to persons with disabilities at all stages. Effective climate change action relies on approaches by the whole of society in order to be successful. Taking that approach means fully integrating human rights and disability into climate action.

40. Key principles of a disability-inclusive human rights-based approach to climate change include:

(a) The integration of principles and standards derived from international human rights law, especially the Universal Declaration of Human Rights, the Convention on the

Rights of Persons with Disabilities and other core human rights treaties, and the Declaration on the Right to Development, in all policies and programmes;

(b) Active, free and meaningful participation and inclusion of persons with disabilities and their diverse representative organizations at all levels of decision-making and action;

(c) Increased capacity and empowerment of persons with disabilities and their representative organizations;

(d) Equality and non-discrimination of persons with disabilities in climate action;

(e) Accessible and inclusive environments in addition to accessibility of information and communication;

(f) Enhanced awareness of policymakers and the climate movement of the requirements and capacities of persons with disabilities;

(g) Evidence-based decision-making that takes into account the requirements of persons with disabilities;

(h) International cooperation, including through mobilization of resources to support the advancement of a human rights-based, disability-inclusive approach to climate action.

41. Such integration can be achieved by ensuring that persons with disabilities and their diverse representative organizations are consulted in the development of climate action plans and included in humanitarian responses to the adverse effects of climate change. Persons with disabilities and their representative organizations must be allowed to participate meaningfully in climate action and decision-making, including in leadership positions. An effective twin-track approach that ensures that all practices are inclusive, while providing targeted support to persons with disabilities where that is required is also crucial. Inclusive practices should build the resilience and adaptive capacity of persons with disabilities through effective empowerment.

42. Persons with disabilities must have access to the necessary information, skills and knowledge in order to relate to and deal with climate change impacts. Awareness-raising and capacity-building are critical to increasing understanding of climate change, climate action and disaster management planning among persons with disabilities and their representative organizations. Resilience can be built through rights and capacities, which provide vulnerable people with the agency to adapt. Persons with disabilities should play an active role in all stages of resilience-building programmes and policies while social protection may offer opportunities to enhance climate resilience.

43. Ensuring that emergency information, education, infrastructures and services are inclusive and accessible to all people, including persons with disabilities, is a legal imperative, in line with the principles of equality and non-discrimination. A just transition, with its focus on social inclusion and poverty eradication, offers an opportunity to maximize employment opportunities for persons with disabilities. That can be achieved by, inter alia, offering accessible development of green skills and green job employment services, as well as ensuring that green contracts and green jobs promote disability inclusion.<sup>56</sup>

44. Awareness-raising is also imperative to increase knowledge of disability-related issues among the general population and to fight stigma. Equally crucial is enhancing the knowledge of aid workers regarding the requirements and capacities of persons with disabilities, who are often overlooked in the early response phases of emergencies and face difficulties in accessing services and assistance, such as rehabilitation and assistive products.

45. Climate change financing, adaptation and mitigation must address those most at risk from the adverse effects of climate change, including persons with disabilities. National

<sup>56</sup> See ILO, “Persons with disabilities in a just transition to a low-carbon economy”.

policies and programmes for emergency preparedness, planning and response should include operational standards and indicators in order to ensure the inclusion of persons with disabilities. A human rights-based, disability-inclusive approach requires informed and evidence-based decision-making, which also relies on the availability of data. Disaggregated data on persons with disabilities is so far lacking in most countries. Goals, indicators, targets and reports relating to climate change must explicitly address persons with disabilities, and include disaggregated data by disability. National information systems and data collection need to be strengthened and participatory, and disability-inclusive risk and capacity assessments should be used in order to identify key areas of action.

46. In line with existing international obligations and the principle of common but differentiated responsibility, States should raise resources for and share expertise through international cooperation in order to build the capacities of and strengthen inclusive climate action in the countries and communities that are most affected by climate change. In so doing, States should ensure a systematic integration of the rights of persons with disabilities into climate change-related policies and projects. Realizing the right to development of persons with disabilities requires the adoption of a human rights-based approach to disability that respects and allows for their active, free and meaningful participation in development, the fair distribution of resulting benefits, including technological developments, and their inclusion in society on an equal basis with others.

47. In the case of extreme weather events and natural disasters, the principle of “building back better” should involve rebuilding housing and infrastructure in an inclusive manner, following the principles of universal design. That entails the design of products, environments, programmes and services that should enable them to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

#### IV. Good practices

48. The following analysis highlights some good practices, identified through stakeholder contributions and independent research by OHCHR, for the promotion of disability-inclusive, human rights-based climate action.

49. In their contributions, a number of stakeholders highlighted specific examples of domestic laws and policies related to climate change and disability inclusion.<sup>57</sup> In Jordan, the Law on the Rights of Persons with Disabilities guarantees persons with disabilities a barrier-free legislative environment based on equal opportunity, equality and non-discrimination, including in relation to climate change protection. In India, the National Disaster Management Authority has included in their draft guidelines on disability and disaster the requirement for a national disaster agency dedicated to managing and monitoring the integration into, and coordination with, the disaster risk management and climate change action plan of persons with disabilities.<sup>58</sup> In Spain, the Law on the National System for Civil Protection ensures an inclusive focus on persons with disabilities, including through specific references to universal access and accessible information.

50. In Cuba, the 2017 State plan for confronting climate change comprises five strategic actions that all include persons with disabilities. A directive of the President of the Council of National Defence for Disaster Reduction requires information to be provided on the measures taken to protect persons with disabilities. It further requires persons with disabilities to be prepared and instructed on disaster risk reduction and included in evacuation plans, and that shelter and assistance units be available and accessible to persons with disabilities during disasters and emergencies. The National Plan for Climate Change Adaptation of Colombia highlights the importance of analysing adaptation measures with differential approaches, taking into account the perspectives of persons with disabilities.

<sup>57</sup> See [www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/PersonsWithDisabilities.aspx](http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/PersonsWithDisabilities.aspx) for all contributions.

<sup>58</sup> See contribution from the national human rights institution of India.

51. Among the provisions in the 2017–2019 action plan for implementing the National Strategy for Human Rights Protection in Armenia is a review of the law on the protection of the population in emergency situations, aimed at providing adequate humanitarian assistance to persons with disabilities in emergency situations. The research on risks and vulnerabilities which forms the basis of the Latvian National Plan for Adaptation to Climate Change until 2030 found that climate change was most likely to affect socially vulnerable groups, including persons with disabilities.

52. The Verona Charter on the rescue of persons with disabilities in the event of disasters is central to the Italian national strategy for the rescue of persons with disabilities in disasters and emergencies. It highlights the need for a multidimensional approach that takes due account of the various types of disability and degrees of vulnerability.

53. Other contributions received focused on policies, programmes and activities carried out with respect to disability-inclusive climate action. The Swedish public health authority has compiled a work programme for climate adaptation that identifies relevant action areas for working with health and climate change. Persons with disabilities are included as a group particularly at risk of health problems or death in relation to increasing temperatures. In El Salvador, the Intersectorial Technical Health Commission has made efforts to identify the specific requirements of persons with disabilities as part of its preparations for environmental threats and disasters. In order to establish institutional structures to advance the mainstreaming of climate change adaptation, gender, disability and climate change are identified as cross-cutting issues in the national medium-term Development Plan Framework of Ghana and are to be mainstreamed into medium-term development plans at the district level.<sup>59</sup>

54. Finland is taking measures to ensure the accessibility of web pages with information on climate change. The Finnish Ministry of Transport and Communication has prepared a video in sign language and text on the *Special Report on the Ocean and Cryosphere in a Changing Climate* by the Intergovernmental Panel on Climate Change. The website Vernerinet.net, run by the Finnish non-governmental organization Kehitysvammaliitto, includes a section on climate change in plain language.

55. United Nations agencies, international organizations and civil society organizations also play a critical role in promoting rights-based, disability-inclusive climate action. The United Nations Development Programme is scoping a project to build the resilience of persons with disabilities jointly with the United States Agency for International Development (USAID) in Kiribati, Tonga and Vanuatu in preparation for a larger project under the Adaptation Fund in Bangladesh, Cambodia, Indonesia, Nepal, Pakistan, Philippines and Thailand. In El Salvador, the Technical Sector Commission of Hostels, with support from the United Nations Children’s Fund (UNICEF) and organizations of persons with disabilities, has proposed an action plan that aims to ensure the inclusion and protection of persons with disabilities during disasters.

56. The Gaibandha model in Bangladesh aims to build disability-inclusive resilience in response to flooding, with interventions at the household, community and municipal level by the international development organization CBM, in collaboration with the local non-governmental organization Gaya Unnayan Kendra.<sup>60</sup> The model encompasses both targeted employment support for persons with disabilities and inclusive governance mechanisms, to ensure that persons with disabilities are not bearing the brunt of climate change. CARE India installed raised hand pumps that are accessible to persons with disabilities to ensure that they would continue to be operational during flooding.<sup>61</sup> In Puerto Rico, the Eli

<sup>59</sup> See Salley Alhassan and Wade L. Hadwen, “Challenges and opportunities for mainstreaming climate change adaptation into WaSH development planning in Ghana”, *International Journal of Environmental Research and Public Health*, vol. 14, No. 7 (July 2017).

<sup>60</sup> See contribution from ILO.

<sup>61</sup> See Marilise Turnbull, Charlotte L. Sterrett and Amy Hilleboe, *Toward Resilience: a Guide to Disaster Risk Reduction and Climate Change Adaptation* (Rugby, Warwickshire, Practical Action Publishing Ltd., 2013).

Foundation is building a self-sustainable accessible shelter for persons with disabilities in preparation for future hurricanes and disasters.<sup>62</sup>

57. Through the “survival yard” programme in the Niger, CBM and the non-governmental organization Karkara work together with persons with disabilities, their families and communities to create resilience. A microclimate against harsh winds is created by planting a border of productive bushy trees around gardens that provide vegetables and fruit to eat and sell, fodder for livestock and firewood.<sup>63</sup> In the Niger delta, the Global Greengrants Fund has supported persons with disabilities in their advocacy for being included in dialogues about the impacts of climate change and the toxic effects of oil spills and gas flaring. In Ethiopia, a project aimed at increasing drought resistance by the Gayo Pastoralist Development Initiative has also addressed stigma related to disabilities, leading to a change in attitude within the community.<sup>64</sup>

## V. Conclusions and recommendations

### Conclusions

58. **Persons with disabilities are at greater risk from the adverse impacts of climate change owing to a variety of social and economic factors. Poverty, discrimination and stigma are key components that affect the exposure of persons with disabilities to the impacts of climate change. Intersecting factors related to gender, age, ethnicity, geography, migration, religion and sex can subject some persons with disabilities to higher risks of experiencing the adverse effects of climate change, including impacts on their health, food security, housing, water and sanitation, livelihoods and mobility.**

59. **Taking into account the requirements of persons with disabilities is critical for effective climate action and to prevent climate change from exacerbating inequalities. A disability-inclusive approach will empower persons with disabilities as agents of change, prevent discrimination against them and make climate action more effective.**

60. **All States have an obligation to ensure that their climate actions respect, protect and fulfil the human rights of all, including through integration of the rights of persons with disabilities into climate laws, policies and programmes. The adverse effects of climate change on the effective enjoyment of the rights of persons with disabilities require urgent, rights-based, disability-inclusive climate action.**

### Recommendations to States and other stakeholders

#### Key requirements for disability-inclusive climate action

61. **In all climate action and decision-making processes, States and other relevant stakeholders should:**

(a) **Take more ambitious climate change mitigation and adaptation action to limit the impacts of climate change on all persons, including on persons with disabilities;**

(b) **Secure the meaningful, informed and effective participation of persons with disabilities and their representative organizations in climate change mitigation and adaptation at all levels;**

(c) **Strengthen the capacities of persons with disabilities to respond to climate change by ensuring their access to information about climate change and its**

<sup>62</sup> See contribution from Telerehabilitation International.

<sup>63</sup> See CBM, “Technical brief for the post-2015 consultation process: disability, sustainable development and climate change”.

<sup>64</sup> See CBM and Disability Inclusive DRR Network for Asia and Pacific, “Disability inclusive disaster risk management. Voices from the field and good practices”.

impacts, their participation in related decision-making processes and their enhanced social protection and climate resilience.

#### **Promoting disability-inclusive climate action under the United Nations Framework Convention on Climate Change**

62. Under the United Nations Framework Convention on Climate Change, States and other stakeholders should take measures within relevant bodies and processes to:

- (a) Ensure disability-inclusive, rights-based mitigation and adaptation;
- (b) Ensure the accessibility of the meeting venues of the United Nations Framework Convention on Climate Change and related negotiations;
- (c) Include the rights of persons with disabilities in future decisions of the Conference of the Parties of the United Nations Framework Convention on Climate Change, in line with commitments under the Paris Agreement and international human rights law;
- (d) Consider creating a constituency for persons with disabilities at the climate negotiations;
- (e) Support diversity and the inclusion of persons with disabilities in the composition of national delegations to processes under the United Nations Framework Convention on Climate Change;
- (f) Support capacity-building for persons with disabilities to maximize their voice, confidence and negotiation skills.

#### **Empowering persons with disabilities as economic, social, human rights and climate actors**

63. As a means of empowering persons with disabilities as economic, social, human rights and climate actors, workers and employers, and to enhance their capabilities to cope with climate change, States and other stakeholders should:

- (a) Promote equal rights and opportunities for persons with disabilities in the labour market;
- (b) Strengthen education and vocational training for persons with disabilities, including on issues related to sustainable development, environmental degradation and climate change;
- (c) Ensure accessibility for persons with disabilities in schools and work places;
- (d) Include persons with disabilities as an integral constituency in the development of the new green economy.

#### **Promoting disability-inclusive climate finance**

64. To ensure that climate funds benefit the countries and people that are most affected by climate change and systematically integrate human rights and disability-inclusion into governance structures, project approvals, implementation processes and public participation mechanisms, States and other stakeholders should:

- (a) Conduct ex ante and ex post human rights impact assessments;
- (b) Report on the implementation of disability-inclusive policies throughout the project cycle, based on quantitative and qualitative indicators;
- (c) Develop guidance for disability-inclusive stakeholder consultations and facilitate the participation of organizations representing persons with disabilities.

#### **Increasing the availability of data disaggregated by disability**

65. To improve understanding of the differentiated human rights impacts of climate change on persons with disabilities, States and other stakeholders should:



- 
- (a) **Collect disaggregated data, paying particular attention to disability and its intersections with characteristics such as age, gender and ethnicity;**
  - (b) **Develop disability-specific indicators;**
  - (c) **Map the effects of climate change on poverty and persons with disabilities;**
  - (d) **Identify priority areas to support persons with disabilities and enhance access to benefits.**

**Preventing discrimination against and abuse of persons with disabilities in emergencies**

66. **To address and prevent discrimination and abuse against persons with disabilities in the context of natural disasters, States and other stakeholders should promote the disability-inclusive design and implementation of humanitarian, migration and disaster risk reduction plans and policies.**

**Promoting disability-inclusive climate action at other relevant forums**

67. **When designing climate change policies and actions, States and other relevant stakeholders should engage with ministries for social and/or human rights affairs, or their equivalent, to advance disability-inclusive climate action.**

68. **States and other relevant stakeholders should continue to emphasize the need to respect and fulfil the rights of persons with disabilities as part and parcel of effective climate action at the Human Rights Council, under the United Nations Framework Convention on Climate Change and at other relevant forums, such as the high-level political forum on sustainable development.**