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DICARP



**IDA**  
International  
Disability Alliance



# DISABILITY RIGHTS IN CLIMATE POLICIES

## 2023 Status Report

## Acknowledgements

This status report has been jointly developed by the Disability Inclusive Climate Action Research Program (DICARP) and the International Disability Alliance. Anyone with suggestions of errors, omissions, or updates is encouraged to write to: [dicarp.law@mcgill.ca](mailto:dicarp.law@mcgill.ca)

The cover art for this report was generated with the Microsoft Bing image creator. It is an image of people with different disabilities from all over the world speaking and collaborating with one another around a globe of the earth illuminated by a lightbulb leaf.

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### About the Disability Inclusive Climate Action Research Program

Based at the McGill Centre for Human Rights & Legal Pluralism, the Disability-Inclusive Climate Action Research Program works with disability and climate activists and experts from around the world to generate, co-produce, share, and translate knowledge on how efforts to combat climate change can be designed and implemented in ways that respect, protect, and fulfill the human rights of disabled persons.

<https://www.disabilityinclusiveclimate.org>

### About the International Disability Alliance

The International Disability Alliance (IDA) brings together over 1,100 organizations of persons with disabilities and their families from across eight global and six regional networks. IDA promotes the inclusion of persons with disabilities across global efforts to advance human rights and sustainable development. IDA's mission is to support organisations of persons with disabilities to hold their governments to account and advocate for change locally, nationally and internationally.

<https://www.internationaldisabilityalliance.org>

## Introduction

This report provides an updated analysis of the inclusion of persons with disabilities and their human rights in the domestic climate policies adopted by the 195 parties to the *Paris Agreement*. Section 1 briefly describes the human rights obligations owed by states to persons with disabilities in the context of climate change. Section 2 explains how we collected and analyzed the climate policies reviewed in this report. Section 3 assesses whether and how states have recognized persons with disabilities and their rights in domestic climate policies. Section 4 summarizes our key findings and offers recommendations for enhancing disability inclusion in climate policymaking.

### 1. The Disability Rights Obligations of States in the Context of Climate Change

Under international law, states must respect, protect, and fulfil the rights of persons with disabilities in their responses to the climate crisis (Jodoin et al., 2020; OHCHR, 2020; Stein & Stein, 2022). Indeed, the preamble to the *Paris Agreement*<sup>1</sup> recognizes that “Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights,” including the rights of persons with disabilities (Jodoin et al., 2019).

In addition, several human rights bodies, including the United Nations Human Rights Council, the United Nations Committee on the Rights of Persons with Disabilities, and the Office of the United Nations High Commissioner for Human Rights, have expressly acknowledged the disproportionate impacts of climate change on people with disabilities and called on States to adopt disability-inclusive human rights-based approaches to combatting climate change (Jodoin et al., 2020; OHCHR, 2020; Stein & Stein, 2022). The international disability rights movement has thus called on states to ensure that the human rights of persons with disabilities be fully integrated into climate policies and initiatives at the global and domestic levels (IDA & IDDC, 2023).

The *United Nations Convention on the Rights of Persons with Disabilities* (UNCRPD) is an international treaty that clarifies and articulates the human rights of persons with disabilities. It has been ratified by 188 parties, including all but three of the parties to the *Paris Agreement*.<sup>2</sup> The UNCRPD provides an international framework of principles and obligations that should inform the design and implementation of all

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<sup>1</sup> Adopted under the United Nations Framework Convention on Climate Change (UNFCCC), the *Paris Agreement* has served as the main framework for governing climate change at the multilateral level since 2015.

<sup>2</sup> South Sudan has signed, but not yet ratified the UNCRPD. The Holy See and Niue have not signed the UNCRPD.

domestic climate policies that affect people with disabilities and their human rights (Jodoin et al., 2020; OHCHR, 2020; Eriksen et al., 2021; Stein & Stein, 2022).

To honour their commitments under the UNCRPD in the context of domestic climate policymaking, states are most notably obliged to:

1. Assess and address the differential impacts of climate change and climate action on the rights of persons with disabilities through an intersectional approach;
2. Develop and implement evidence-based climate mitigation and adaptation policies to prevent and minimize the adverse impacts of climate change on persons with disabilities through a twin-track approach that ensures disability perspectives and requirements are incorporated into all climate policies and creates disability-specific climate policies; and
3. Provide accessible information on climate change to persons with disabilities, strengthen the capacity of persons with disabilities and their organizations to participate in climate decision-making that concerns them, and ensure that they have access to judicial or administrative proceedings and effective remedies when they suffer harm from climate action and inaction.

## 2. Research Design

To produce this report, we systematically collected the climate policies adopted by the 195 parties to the *Paris Agreement*. We specifically collected two types of climate policies. First, we collected the active versions of the Nationally Determined Contributions (NDCs) submitted by parties to the UNFCCC Secretariat (and available on its website as of November 1, 2023). NDCs are non-binding communications that parties to the *Paris Agreement* must submit every five years in which they set out the steps that they will take to reduce GHG emissions and adapt to the impacts of climate change.

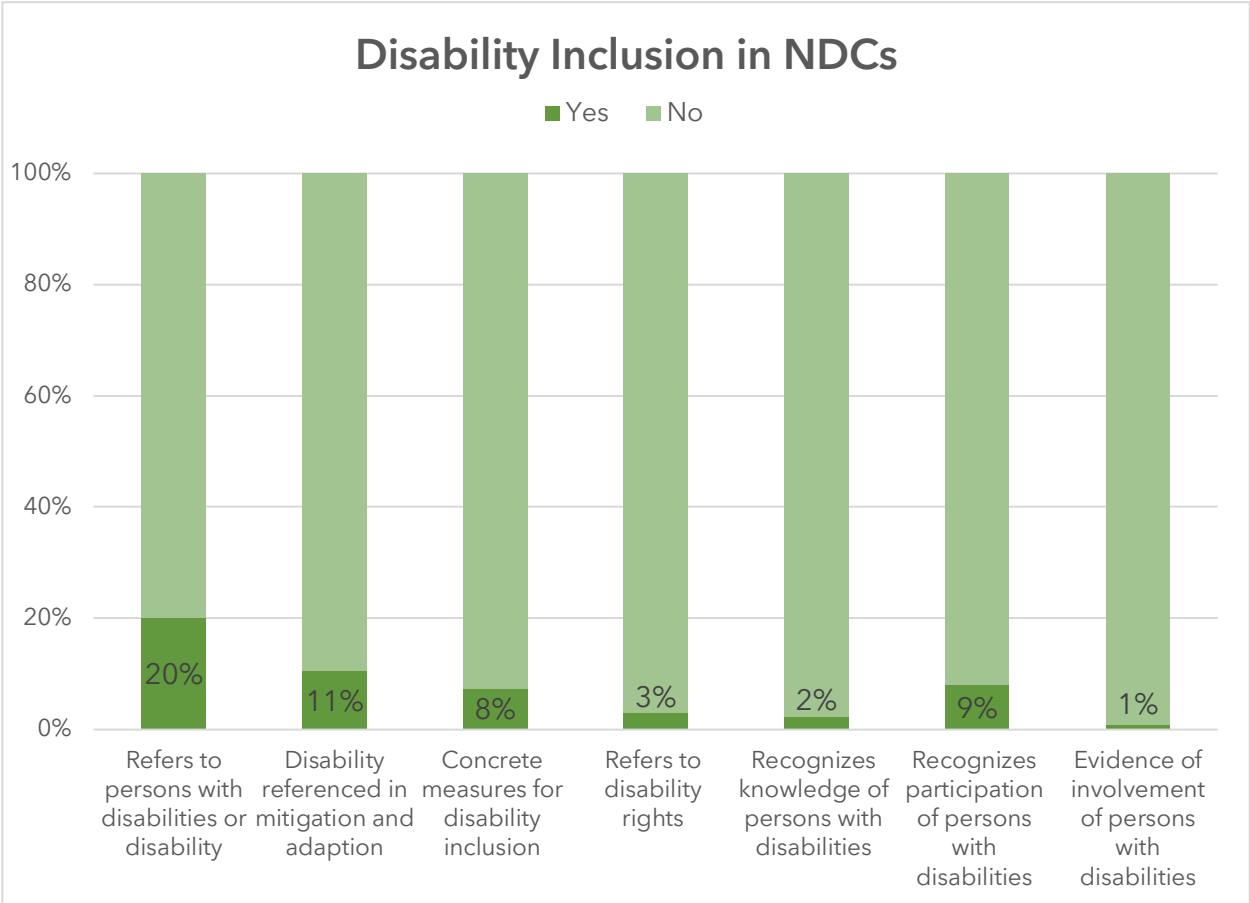
Second, we systematically collected the climate adaptation policies adopted by parties to the *Paris Agreement*. We examined the most recent national communication submitted by state parties (as of June 1, 2023) and extracted the titles of the most recent framework climate adaptation policies from these communications. We then searched online to retrieve these framework policies. We also downloaded and analyzed the National Adaptation Plans submitted by parties to the UNFCCC Secretariat (and available on its website as of November 1, 2023).

Once the documents had been collected, a team of coders reviewed the policies to retrieve any references to persons with disabilities, disability, accessibility, and other equivalent medical or cultural terms that may be used, even if they are not consistent with a human rights model of disability (such as people with chronic illnesses, etc.). Building on the framework set out in section 1, the coders then analysed the documents to assess how they refer to people with disabilities and their human rights. Each NDC was assigned a disability inclusion score based on 7 criteria and each adaptation policy was assigned a score based on 6 criteria (see appendix 1). These scores were then combined to provide a global score of disability-inclusive climate policymaking.

### 3. Analysis of Disability Inclusion in Domestic Climate Policies

#### Disability Inclusion in Nationally Determined Contributions

Our analysis reveals that only 39 of 195 parties to the Paris Agreement currently refer to persons with disabilities or disability in their active NDCs. Since our first report released in 2022, Azerbaijan is the only additional state party that has submitted an updated NDC with a reference to disability. Another updated NDC worth noting is the one submitted by the United Arab Emirates, which includes concrete measures to engage people with disabilities in measures to reduce carbon emissions.



A closer look at how people with disabilities are included in the 39 NDCs mentioned above reveals that many of these references to disability in countries are broad in nature and lack specificity and depth. Most countries simply note the heightened vulnerability of people with disabilities to climate change impacts (see the NDCs submitted by Eswatini, Maldives, Mexico, Togo, and Zimbabwe). Some countries go a little further than others in at least mentioning concrete examples of vulnerability, such as children with disabilities dropping out of school because of the impacts of climate change on their families (Vietnam) or damage to healthcare facilities as a result of natural disasters contributing to vulnerabilities (Maldives). Other NDCs merely identify people with disabilities as a segment of the population requiring specific adaptation measures (see the NDCs submitted by Fiji, Mauritius, Moldova, Papua New Guinea, and Tanzania).

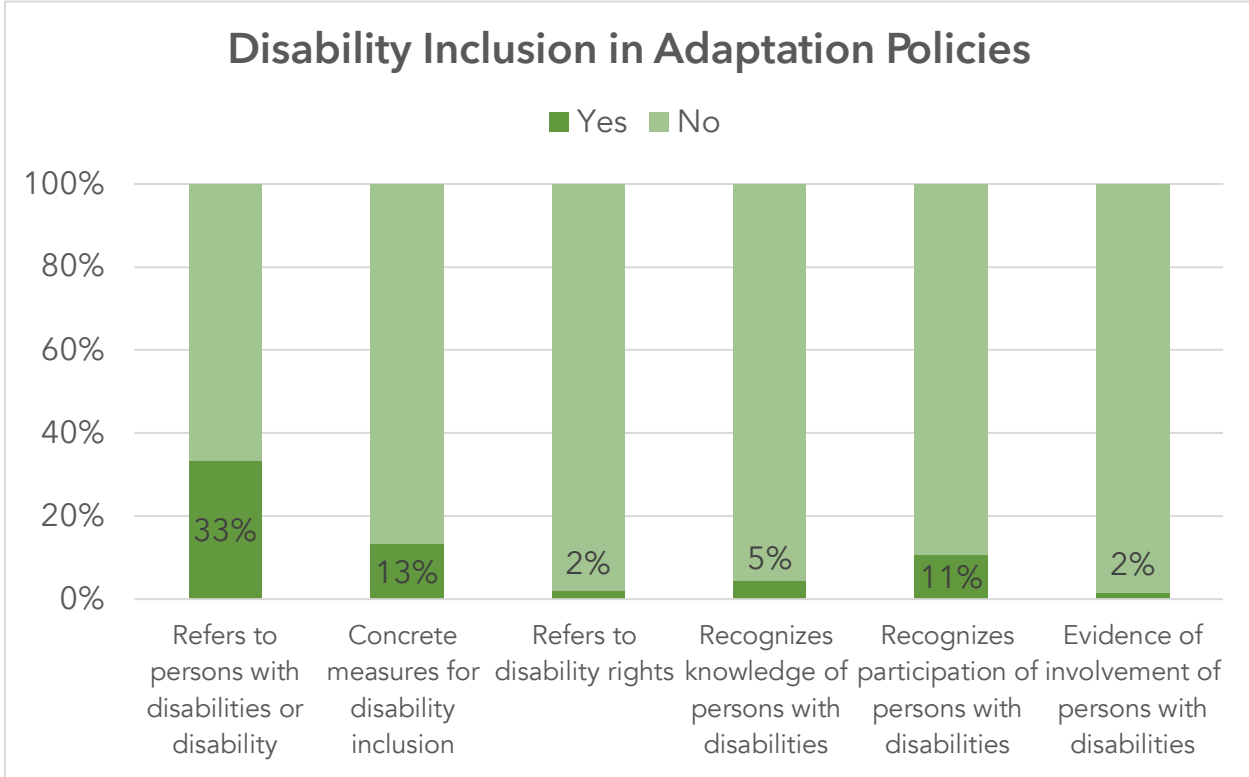
We found that only 15 parties include concrete measures for disability inclusion in their NDCs. For example, several countries note the need for disaggregated data collection concerning the impacts of climate change and disasters on marginalized groups, including persons with disabilities (Cabo Verde, Cambodia, Costa Rica, and Uzbekistan). Myanmar even envisions a specific platform called “MUDRA” for sharing data amongst agencies to make risk-informed decisions, with one of the six indicators being disabilities. Other countries propose the inclusion of people with disabilities in the transition to a green economy through initiatives such as equitable access to employers (Canada) or creating virtual working environments (Jordan). Some states are innovative in their approaches. Tunisia highlights the need for solidarity amongst people with disabilities through networks that reinforce their negotiation power. Georgia and Saint Lucia emphasize the importance of educational programmes for people with disabilities. Finally, Costa Rica includes a very specific commitment to developing a public transportation system accessible to people with disabilities.

We found that Vanuatu continues to have the most robust NDC in terms of disability inclusion. It is the only NDC that includes “people with disabilities” as a heading of their submission, with three separate adoption priority areas for people with disabilities, complete with specific dollar values to achieve those objectives. In particular, Vanuatu’s NDC includes commitments to: provide people with disabilities with information necessary to address the health risks of climate change; promote the participation of people with disabilities in adaptation planning; and provide support and resources to persons with disabilities initiating and running adaptation projects.

Overall, our analysis of NDCs demonstrates that states are neglecting their obligations to respect, protect, and fulfil the rights of persons with disabilities in the context of their NDCs. 80% of the parties to the *Paris Agreement* do not currently refer to people with disabilities in any way in their NDCs. Only 6 NDCs specifically refer to the rights of people with disabilities and only 4 recognize the importance of integrating the knowledge of people with disabilities in climate decision-making. While 17 NDCs recognize the importance of ensuring the participation of people with disabilities, only 2 NDCs provide any evidence that people with disabilities were involved in the development of NDCs.

Disability Inclusion in Climate Adaptation Policies

Our analysis reveals that only 65 of 195 parties to the *Paris Agreement* currently refer to people with disabilities or disability in some way in their climate adaptation policies. This is a significant increase since our first report in 2022 last year when we found that only 46 parties had done so. Although this is an encouraging development, it still means that 67% of parties do not currently refer to people with disabilities in any way in their climate adaptation policies.



Most references to disability in domestic climate adaptation policies remain cursory in nature, however. They typically consist of a general acknowledgment of the disproportionate impacts of climate change on persons with disabilities. to climate change impacts is acknowledged. For example, the U.S. Environmental Protection Agency climate adaptation strategy adopted in 2021 includes people with disabilities in a list of vulnerable groups: “The agency places special emphasis on working with overburdened and vulnerable populations to increase their resilience to climate change. Such populations include communities of color, low-income communities, children, persons with disabilities, the elderly, tribes, and indigenous people.”

Only 26 adaptation policies include concrete measures to ensure that persons with disabilities and their priorities are included in adaptation planning and policies. For example, Bhutan’s 2023 National Adaptation Plan includes commitments to improving and building water, sanitation and hygiene infrastructures that are accessible to persons with disabilities. Another example is Kiribati’s 2019 Joint Implementation Plan for Climate Change and Disaster Risk Management, which includes plans to develop and implement plans to provide information regarding climate risks and their impacts on health targeted to people with disabilities and provided in a manner that is inclusive and addresses “known barriers for communication for key population groups.”

Only 21 States refer to the participation of persons with disabilities in their climate adaptation policies. Pakistan’s 2023 National Adaptation Plan includes a commitment to prioritize “the participation of marginalized groups, in particular women, children, indigenous groups, and persons with disabilities, in decision-making to ensure that their needs, knowledge, and perspectives are taken into account.” Many policies describe concrete measures to ensure the participation of persons with disabilities in climate adaptation efforts through capacity building (see, for example, Uruguay and Turkey) or by directly involving them in the development of climate adaptation policies (see, for example, Mexico and Kiribati). Several states also indicate that they will provide support for disability-led climate adaptation efforts (see, for example, Ghana and Madagascar).

This limited recognition of the importance of the participation of persons with disabilities in adaptation, along with the even smaller number of policies that recognize the value of their knowledge (9) or provide evidence that were involved in any way in policy development (3), shows that the disability community continues to be systematically excluded from domestic adaptation policymaking. This exclusion only exacerbates the risks faced by people with disabilities in the climate crisis and fails to enhance their capacity to cope with its impacts on their lives, safety, and human rights.



Global Assessment of Disability-Inclusive Climate Policymaking

The table below provides a global assessment of disability-inclusive climate policymaking that reflects the combined score achieved by each party across their NDCs and adaptation policies. Although their policies are not fully aligned with their obligations under the UNCRPD, Canada, Costa Rica, Sierra Leone, Cabo Verde, and Kiribati stand out among their peers as countries that have the highest levels of disability inclusion in their domestic climate policies.

At the other end of the ranking, 94 parties to the *Paris Agreement* achieve a global score of 0, which means that neither their NDCs, nor their adaptation policies include even a single reference to persons with disabilities. 76 countries refer to persons with disabilities in either their NDC or adaptation policy but do so without including any concrete measures for disability-inclusive climate decision-making and action. Overall, our global assessment shows that most states have a lot of work to do to ensure that their climate policies are consistent with the obligations they owe persons with disabilities under international human rights law.

Another striking finding from this global assessment is that countries from the global south generally outperform those from the global north. Indeed, Canada is the only industrialized Northern country to feature in the top twenty-five in our global ranking. It is disappointing and concerning that countries with strong records of supporting and implementing disability rights in other spheres of public policy are failing to do so in the context of climate action.

<b>Global Assessment of Disability-Inclusive Climate Policymaking (Score out of 13)</b>	
Canada	9
Costa Rica	8.5
Sierra Leone	8
Cabo Verde and Kiribati	7
Zimbabwe	6.5
Mexico and Vanuatu	6
Bangladesh Pakistan	5
Cambodia	4.5
Antigua and Barbuda, Georgia, Jordan, Niger, Republic of Congo, Saint Lucia, Suriname, Tunisia, and United Arab Emirates	4

Panama	3.5
Bhutan, Ghana, Indonesia, Madagascar, Myanmar, Seychelles, Sri Lanka, Togo, Turkey, Uganda, Uruguay, and Uzbekistan	3
Marshall Islands and Nauru	2.5
Barbados, Belize, Benin, Czech Republic, Guatemala, Kenya, Mauritius, Mozambique, New Zealand, Slovakia, South Korea, South Sudan, Spain, State of Palestine, Tonga, United States, and Zambia	2
Germany and Moldova	1.5
Austria, Azerbaijan, Cook Islands, Democratic Republic of the Congo, Dominica, Ecuador, Eswatini, Latvia, Maldives, Micronesia, Namibia, Papua New Guinea, Peru, Poland, Tanzania, Timor Leste, and Vietnam.	1
Australia, Bosnia and Herzegovina, Central African Republic, Chad, Chile, Egypt, Estonia, Fiji, Finland, Greece, Hungary, Ireland, Liechtenstein, Luxembourg, Malawi, Slovenia, Solomon Islands, South Africa, Sudan, Tajikistan, and Thailand.	0.5
Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Bahamas, Bahrain, Belarus, Belgium, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, China, Colombia, Comoros, Congo, Cote d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, EU, France, Gabon, Gambia, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Iran, Iraq, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Lao, Lebanon, Lesotho, Liberia, Libya, Lithuania, Malaysia, Mali, Malta, Mauritania, Monaco, Mongolia, Montenegro, Morocco, Nepal, Netherlands, Nicaragua, Nigeria, Niue, North Macedonia, Norway, Oman, Palau, Paraguay, Philippines, Portugal, Qatar, Romania, Russia, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Somalia, Swaziland/Eswatini, Sweden, Switzerland, Syria, Trinidad and Tobago, Turkmenistan, Tuvalu, Venezuela, and Yemen.	0

#### 4. Conclusion: Key Findings & Recommendations for Moving Forward

Our report demonstrates that States are falling short of the human rights obligations they owe people with disabilities in the context of the climate crisis. A minority of parties to the *Paris Agreement* include persons with disabilities in their NDCs and climate adaptation policies. Moreover, in cases where disability has been included, it is largely to indicate the vulnerability of persons with disabilities to the impacts of climate change or to signal the need for their inclusion, without providing concrete measures to protect their rights or enhance their resilience and adaptive capacity.

The exclusion of people with disabilities from most domestic climate policies is especially troubling given the evidence that they are disproportionately affected by climate impacts and are often adversely affected by measures adopted to reduce carbon emissions (Jodoin et al., 2020; Eriksen et al., 2021). The ongoing failure of most States to take affirmative measures to prevent the harms caused by climate change and to effectively consider their rights and perspectives in the design of climate policies constitute clear breaches of their obligations under the UNCRPD.

At the same time, our report shows that some states are leading by example and developing climate policies that include persons with disabilities, their knowledge, their priorities, and leadership in efforts to tackle the climate crisis. With the notable exception of Canada, most of this leadership has been provided by the global south countries who bear the least responsibility for the climate crisis, but who are also most affected by it. In accordance with the principle of common, but differentiated responsibilities that underpins the UNFCCC, industrialized countries must do more to model, support, and promote disability-inclusive climate action at the domestic and global levels.

Considering these findings, States should adopt the following measures to ensure that the rights of persons with disabilities are protected, respected, and fulfilled in their domestic climate efforts:

1. Adopt and implement ambitious measures to reduce greenhouse gas emissions in a manner compatible with maintaining the global temperature increase below 1.5 degrees Celsius above pre-industrial levels in order to limit the detrimental impacts of climate change on persons with disabilities;
2. Ensure all information related to climate mitigation and adaptation is available in an accessible format;
3. Ensure the meaningful, informed, and effective participation of persons with disabilities and their representative organizations in climate policy-making and decision-making processes;

4. Ensure that the rights of persons with disabilities are respected, protected, and fulfilled in the design, development, implementation, monitoring, and evaluation of all climate policies;
5. Adopt and implement disability-inclusive climate change adaptation policies that enhance the resilience of persons with disabilities to different climate impacts;
6. Adopt and implement disability-inclusive climate change mitigation policies that enable persons with disabilities to contribute to, and benefit from, efforts to decarbonize societies;
7. Adopt an intersectional perspective towards disability-inclusive climate action that recognizes and addresses the multiple barriers faced by women with disabilities, children, Indigenous peoples, racialized individuals, and older adults; persons with disabilities living in poverty and underrepresented groups of persons with disabilities, such as persons with intellectual disabilities, persons with psychosocial disabilities or persons with deaf-blindness;

The lack of disability-inclusive climate action at the domestic level reflects the lack of attention that persons with disabilities and their rights have received in the context of multilateral and bilateral climate initiatives. Under article 32 of the UNCRPD, States are obliged to provide international cooperation, financial and technical assistance, and capacity-building to support the realization of disability rights at the domestic level (Jodoin et al., 2020; OHCHR, 2020; Stein & Stein, 2022). States should take steps to adopt a disability-inclusive approach to international cooperation in the field of climate change, including by:

1. Ensuring the meaningful inclusion of persons with disabilities and their human rights under the UNFCCC, including in the context of climate-related education, capacity-building, training, and public participation and through a comprehensive action plan on disability-inclusive climate efforts;
2. Mainstream disability and accessibility considerations in the design, implementation, and evaluation of existing multilateral and bilateral funding, assistance, and capacity-building initiatives in the field of climate change.
3. Developing and implementing multilateral and bilateral funding, assistance, and capacity-building initiatives to support countries in their efforts to include persons with disabilities and their human rights in their climate policies; and
4. Developing and implementing multilateral and bilateral funding, assistance, and capacity-building initiatives to support and enhance the capacity of organizations of persons with disabilities to contribute to domestic and global climate decision-making and action.

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Additional references on disability and climate change can be found here:

<https://www.disabilityinclusiveclimate.org/resources>

## Appendix I – Disability Inclusion Criteria and Scoring for Climate Policies

Criterion	Scoring	Policies Scored
Does the policy refer to persons with disabilities or disability in one way or another?	1 = use of the term people/persons with disabilities or disabled people; 0.5 = medical terms/framing and use of term disability; 0 = if no reference.	NDCs and adaptation policies
Is the reference to disability included within the context of climate mitigation, adaptation or both?	1 = adaptation and mitigation; 0 = adaptation or mitigation only.	NDCs only
Does the policy include at least one concrete measure for enhancing disability inclusion in climate action?	1 = yes; 0 = no.	NDCs and adaptation policies
Does the policy refer to the rights of persons with disabilities?	1 = yes; 0 = no.	NDCs and adaptation policies
Does the policy recognize the importance of integrating the knowledge held by persons with disabilities?	1 = yes; 0 = no.	NDCs and adaptation policies
Does the policy recognize the importance of the full and effective participation of people with disabilities in climate governance?	1 = yes; 0 = no.	NDCs and adaptation policies
Does the policy include evidence that people with disabilities were involved in its development?	1 = included; 0.5 = consulted; 0 = no evidence.	NDCs and adaptation policies