

Persons with Disabilities and Climate Action



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What we know:

The intersecting and overlapping of climate and persons with disabilities

- **Persons with disabilities are disproportionately affected by direct and indirect impacts of climate change.** 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 are all impacted. In more severe cases, displacement and increased loss of life can occur. ¹ Women with disabilities are at highest risk of climate change including due to intersection of gender and disability as well as enhanced risk of gender-based violence.
- **All Parties to the Paris Agreement have international human rights obligations towards persons with disabilities** and have reaffirmed in the Paris Agreement to respect, promote, and consider those in the context of climate action.
- Despite a dearth of data and evidence, research by International Disability Alliance (IDA) and McGill University carried out in 2023 highlights that **only 39 out of 195 Parties to Paris Agreement make some reference to persons with disabilities in their Nationally Determined Contributions (NDCs)**. This means that 80 per cent of Parties do not include a single mention of persons with disabilities in their NDCs. Among the 20 per cent who make a reference, only 15 parties include concrete measures for disability inclusion in their NDCs. ²
- It is therefore crucial that climate action strategies recognize the disproportionate impacts, and that current and future policies address the situation, **ensuring that all of society fully benefits from disability and gender inclusive implementation.**

¹ OHCHR (2020) 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. <https://www.ohchr.org/en/documents/thematic-reports/analytical-study-promotion-and-protection-rights-persons-disabilities>

² DICARP and IDA's new status report shows little mention of disability rights in national climate policies. <https://www.disabilityinclusiveclimate.org/news/status-report-disability-rights-in-national-climate-policies-5c4ra>

Key Requests for COP28

This paper is a summary of main requests from persons with disabilities, their representative organizations (OPDs) and INGOs working at the intersection of disability inclusive development and climate action. The key requests relate to the main topics to be negotiated in COP 28.

The First Global Stock Take

The first Global Stock Take (GST) should play a key role in enhancing and strengthening the effective mainstreaming of human rights obligations of States to persons with disabilities.

Key messages:

- **Respect, protect, and fulfill human rights obligations**, including the rights of persons with disabilities, and adopt gender-sensitive intersectional approaches in the planning, design, implementation and monitoring and evaluation of all relevant policies, commitments and processes related to the implementation of the Paris Agreement, including Nationally Determined Contributions (NDCs).
- **Ensure meaningful and effective public participation of all groups of society including persons with disabilities** in the planning, design, implementation, monitoring and evaluation of all relevant policies, commitments, and processes related to the implementation of the Paris Agreement including by ensuring access to relevant information for all. The information must be provided in all accessible formats.

Our Key Requests for GST1 CMA5 decision are as follows:

In the chapter on cross-cutting considerations,

- Noting with concern that only approximately 20 % of updated NDCs (thirty nine States) explicitly mention persons with disabilities, and that **there is an overall lack of clarification on what measures will be taken to ensure inclusion of persons with disabilities and their human rights in States climate action.**
- **Urging all Parties to implement human rights-based and intersectional approaches** in the planning, design, implementation and monitoring and evaluation of all relevant national policies, commitments and processes related to the implementation of the Paris Agreement, including their NDCs, ensuring participatory planning and implementation; aligning ambition and substance with human rights obligations; mainstreaming age, gender and disability considerations; ensuring transparency and access to information about climate action; and aligning with the imperative of a just transition; including by using existing guidance from, and increasing synergies with, human rights institutions and mechanisms.
- **Reaffirming its commitment to upholding the purposes and principles of the United Nations Charter and international human rights law and standards** before, during and after UNFCCC sessions and mandated events, and to ensure that those events and sessions fulfill requirements of accessibility for persons with disabilities.

In the chapter on Guidance and Way Forward

Urging Parties to prioritize and integrate rights and inclusion of persons with disabilities in their 2030 and 2035 NDCs. The reference must:

- Include persons with disabilities in the contexts of both **climate adaptation and climate mitigation**;
- Include **concrete measures** to enhance inclusion of persons with disabilities, within their diversity, in climate action;
- Adopt **human rights approach** to disability as enshrined in the United Nations Convention on Rights of Persons with Disabilities;
- Recognize the importance of integrating the **knowledge held by persons with disabilities**;
- Recognize the necessity of **full and effective participation of persons with disabilities and their organizations** in climate governance;
- Being **developed by active involvement and meaningful consultation** with persons with disabilities and their organizations.

Also recognize that the stock taking is not a one-time process and must take place on regular basis.

Loss and Damage

Loss and damage associated with the adverse effects of climate change, including extreme weather events and slow-onset events resulting from large emissions of greenhouse gases, is already having and is projected to bring to bear even **greater negative impacts on a wide range of human rights of persons with disabilities**, such as those to a clean, healthy and sustainable environment, food, water and sanitation, health, housing, life, liberty, property, culture, development, self-determination, peace and others. The Human Rights Council has expressed concern that loss and damage to livelihoods caused by sudden- and slow-onset events directly and disproportionately affect persons with disabilities, undermining their well-being and their enjoyment of a whole of range of human rights.³ Recent research from the Independent Expert on Albinism highlighted loss of life and serious risk of violence with respect to persons with albinism.⁴ In the Pacific region, research has proved extensive additional loss and damage experienced by persons with disabilities.⁵

For COP28, the announcement of the next steps in operationalising a loss and damage fund is expected. An opportunity therefore exists to **influence the Fund to be established in such a way that it helps to advance equity and rights for people with disabilities** across all aspects of social policy, development, and humanitarian settings.

To support this, we recommend that the Fund:

- **Respect the international commitments to promote human rights of persons with disabilities** e.g., CRPD and use the mechanism of international cooperation and solidarity (article 32) as a vehicle for empowering the communities at risk of violation of rights and dignity.
- **Invests new funds and do not draw from other existing funds.** Ensure there is specific and targeted funding for people with disabilities.
- **Operates on a human rights basis informed** by needs assessed with intersectional approach, and is locally-driven
- **Operate democratically as a participatory fund** including representation from women, youth, indigenous persons and persons with disabilities.
- Requires the **meaningful representation, engagement and participation of marginalized groups including persons with disabilities and their organizations** in all aspects of oversight, design, decision making, delivery, monitoring and evaluation of the Fund. This extends to ensuring representation and participation on the Fund Board.
- **Provides grants as a public fund**, instead of grants with conditionalities to ensure the Fund shares the vision of empowerment and greater freedom of communities.

³ See A/HRC/RES/53/6 <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F53%2F6&Language=E&DeviceType=Desktop&LangRequested=False>

⁴ <https://www.ohchr.org/en/documents/thematic-reports/a78167-report-independent-expert-enjoyment-human-rights-persons-albinism>

⁵ <https://pacificdisability.org/wp-content/uploads/2022/08/PDF-Final-Report-on-Climate-Change-and-Persons-with-Disabilities.pdf>

Just Transition Work Program

Persons with disabilities already face systematic discrimination, are more at risk of living in poverty, being excluded from the labour market and are left behind in emergency relief and response efforts. These effects are multiplied for people who experience intersecting forms of discrimination, including women, children, older persons, and indigenous people with disabilities. **Accessibility and universal design are often ignored in Build Back Better strategies or climate adaptation policies resulting in the building of new inaccessible infrastructure leading to further discrimination and deeper inequalities.**⁶

To support an inclusive Just Transition we recommend:

- **Just transition is achieved in an inclusive, affordable, and sustainable manner and particularly include groups more at risk of exclusion, including persons with disabilities.** This would be in line with Article 27 of the UN Convention on the Rights of Persons with Disabilities (CRPD) and has been described in practical terms in the ILO guidelines on just transition which were endorsed by the International Labour Conference in June 2023.⁷
- Ensure focus on addressing the structural inequalities faced by persons with disabilities. **The Just transition and the Green Economy provide a very important opportunity to address the structural inequalities and barriers** faced by persons with disabilities in accessing the labour market. Available statistics show that persons with disabilities face a 30-40% gap in labour market participation. Youth with disabilities are twice as likely to be neither in employment, education, or training (NEET) than youth without disabilities. Women with disabilities are less likely to be employed (32%) as compared to men with disabilities (43%), and women and men without disabilities (50% and 70%).⁸
- **Integrating accessibility from the start into all aspects of green and resilient infrastructure investments, programs and initiatives** to ensure elimination of obstacles and barriers in the built environment, and information, communications and other services.

⁶ Policy Brief on Localization to solve the accessibility crisis, World Blind Union and United Cities and Local Governments, 2023 available at <https://worldblindunion.org/wp-content/uploads/2023/07/Localization-report.pdf>

⁷ <https://www.ilo.org/ilc/ILCSessions/111/committees/just-transition/lang--en/index.htm>

⁸ United Nations. (2018). Disability and Development Report: realizing the Sustainable Development Goals for and with persons with disabilities. <https://social.un.org/publications/UN-Flagship-Report-Disability-Final.pdf>

- **National and international funds that finance just transition**, including those from development donors and the Green Climate Fund, **need to be disability inclusive of relevance** will be funding for investments projects and funds targeting skills trainings.
- **Financial support to the private sector**, including support to Small and Medium-sized Enterprises (SMEs) and entrepreneurship programmes, **should have persons with disabilities as a target population**. The employment of persons with disabilities in just transition will also contribute to the (physical and digital) accessibility of the new initiatives, directly benefiting many other people.
- The institutional arrangement to be established for the implementation of **the just transition work programme needs to foresee the participation of representative organizations of persons with disabilities**, and the different in-session and intersessional workshops to be organized within the work programme shall foresee full accessibility for all participants with disabilities.