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

Panel discussion on promoting and protecting 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 report is submitted pursuant to Human Rights Council resolution 41/21, in which the Council decided to hold a panel discussion on promoting and protecting the rights of persons with disabilities in the context of climate change during its forty-fourth session. The Council also requested the Office of the United Nations High Commissioner for Human Rights to submit a summary report on the panel discussion to the Council at its forty-sixth session. The present report provides a summary of the panel discussion on human rights and climate change that was held on 8 July 2020.



I. Introduction

1. The Human Rights Council held, pursuant to its resolution 41/21, a panel discussion on promoting and protecting the rights of persons with disabilities in the context of climate change on 8 July 2020 during its forty-fourth session.¹
2. The panel discussion was chaired by the Vice-President of the Human Rights Council. It opened with a statement by the United Nations Deputy High Commissioner for Human Rights.
3. The panel discussion provided an opportunity for States, international organizations and other relevant stakeholders to discuss the adverse impacts of climate change on the effective enjoyment of the rights of persons with disabilities and the promotion and protection of their rights through disability-inclusive climate action. The panel discussion was made accessible to persons with disabilities through the provision of international sign interpretation and real-time captioning, both in the room and online.
4. The panellists were: the Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar; President of the Handicapables Association of Cagayan, Philippines, Amalia A. Decena; Assistant Professor at the Faculty of Law, McGill University, and Canada Research Chair in Human Rights and the Environment, Sébastien Jodoin; and Programme Officer at the National Union of Disabled Persons of Uganda, Deborah Iyute Oyuu.

II. Opening session

5. Opening the discussion, the Deputy High Commissioner stressed that the climate emergency was affecting the rights of all people worldwide. She highlighted that persons with disabilities, who constituted 15 per cent of the world's population – approximately 1 billion individuals – experienced climate change impacts differently and more severely than others.
6. The Deputy High Commissioner noted that the majority of persons with disabilities lived in poverty. The Intergovernmental Panel on Climate Change had found that the poorest people suffered the worst effects of climate change through lost income and livelihood opportunities, displacement, hunger and adverse health impacts. An analytic study carried out by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on climate change and persons with disabilities, requested by Human Rights Council resolution 41/21 (see A/HRC/44/30), had determined that poverty was one of the key components affecting the exposure of persons with disabilities to the impacts of climate change. Other factors included discrimination and stigma. Intersecting factors relating to gender, age, ethnicity, geography, migration, religion and sex could put persons with disabilities at even higher risks.
7. She observed that persons with disabilities were often among those most adversely affected in an emergency and among those the least able to access emergency support. Both sudden onset natural disasters, such as flooding and landslides and increasingly frequent extreme weather events, and slow onset events, such as rising temperatures and sea levels and biodiversity loss, could seriously affect access to food and nutrition, safe water and sanitation, health-care services and medicines, education and training, adequate housing and decent work for persons with disabilities.
8. The Deputy High Commissioner stressed that persons with disabilities had to be included in climate action, both as beneficiaries and decision makers, given the disproportionate effects that climate change had on them. The Committee on the Rights of Persons with Disabilities had highlighted that States should incorporate and mainstream

¹ The video of the panel discussion is available at <http://webtv.un.org/meetings-events/human-rights-council/regular-sessions/watch/panel-discussion-on-climate-change-14th-meeting-44th-regular-session-human-rights-council-/6170144779001>.

disability inclusion in their climate policies, programmes and actions. Data collection and disaggregation by disability would be fundamental to achieving that objective.

9. The Deputy High Commissioner highlighted that inclusive climate action required the meaningful, informed and effective participation of persons with disabilities and their representative organizations. That included enhancing their social protection and climate resilience, in addition to raising awareness among emergency responders and humanitarian and development actors. Those efforts must be accountable to persons with disabilities at all stages, ensuring their access to information and empowering them to address the harmful impacts of climate change in their daily lives. Above all, their participation in related decision-making processes must be guaranteed from policy design to implementation. That human rights-based approach contributed to more ambitious, effective and ultimately more sustainable climate action.

10. She referred to examples such as the Gaibandha model in Bangladesh, which built disability-inclusive resilience in response to flooding, uniting employment support for persons with disabilities and inclusive governance mechanisms. That model, implemented by the international development organization CBM in cooperation with the local non-governmental organization Gaya Unnayan Kendra, included efforts at household, community and city levels to protect persons with disabilities from bearing the brunt of climate change.

11. The Deputy High Commissioner also highlighted a project in Nepal on disaster risk management implemented by the non-governmental organization Humanity and Inclusion. The project had included local organizations of persons with disabilities in decision-making and awareness-raising in communities, as well as vulnerability and capacity assessments. The local disaster management committees had then used those findings to shape action plans for preparedness and mitigation measures. As a result, communities had become more resilient and persons with disabilities had been empowered. In Ethiopia, a project aimed at increasing drought resistance by the Gayo Pastoral Development Initiative had also addressed stigma and had led to a change in attitudes towards persons with disabilities, strengthening their inclusion in the community.

12. She noted that, for climate action to be effective, all of society must be engaged and no one must be left behind. The coronavirus disease (COVID-19) pandemic had made that even more evident by having exposed inequalities within all societies and having highlighted the links between human health and that of the planet. She stressed the need for building back better through both the inclusive design and the delivery of economic stimulus packages, as well as housing and infrastructure, following the principles of universal design. The latter must protect and benefit persons who were rendered vulnerable, including those with disabilities, while advancing efforts to fulfil all human rights, including the right to a safe, clean, healthy and sustainable environment.

13. In closing, the Deputy High Commissioner called upon States to ensure disability-inclusive and rights-based efforts under the United Nations Framework Convention on Climate Change.

III. Summary of the panel discussion

14. The Vice-President of the Human Rights Council opened the panel discussion and invited the panellists to make their statements.

A. Contributions of panellists

15. The Special Rapporteur stated that global warming was one of the primary threats faced by humanity and disproportionately affected persons with disabilities. She stressed that persons with disabilities were at high risk of being left behind in emergencies, natural disasters, internal displacement and migration due to structural barriers such as a lack of accessibility and poverty. Despite that fact, persons with disabilities had been largely absent from discussions on that topic and there was scant literature on the impacts of climate change on their rights. The analytic study carried out by OHCHR on the rights of persons with

disabilities in the context of climate change (A/HRC/44/30) underscored that poverty, discrimination and stigma were the primary elements that affected how persons with disabilities were impacted by climate change. Multifaceted and intersectional discrimination could lead to some persons with disabilities being more exposed to the adverse effects of climate change, thereby restricting their rights. Global warming could restrict access to adequate food, water, sanitation, health, adequate housing and decent work for persons with disabilities. It could also increase displacement and migration, as well as risks from natural disasters.

16. The Special Rapporteur noted that, while progress had been made under the Sendai Framework for Disaster Risk Reduction 2015–2030, responses to climate change and emergencies were neither accessible nor inclusive. In the majority of cases, persons with disabilities did not receive information in accessible formats on how to be involved in climate action and were not included in emergency plans of action. That put their lives in danger, as demonstrated by the current pandemic. In that context, persons with disabilities faced the interruption of basic services, such as health care, support services and rehabilitation, as well as the provision of assistive devices and aids, many of which their lives depended on, including respirators. Furthermore, in emergency contexts, women and girls with disabilities were at greater risk of gender-based violence.

17. The Special Rapporteur affirmed that the Convention on the Rights of Persons with Disabilities was the guiding framework for building inclusive responses to climate change. Its article 11 compelled States parties to ensure the protection and safety of persons with disabilities in situations of risk, including humanitarian emergencies and natural disasters. That provision was key in ensuring that the policy cycle relating to climate change – from prevention and planning to response and assessment – was inclusive. The Convention established the obligation of States to closely consult and actively involve persons with disabilities in decision-making relating to matters that affected their lives, including climate action. That commitment was reinforced by the Sustainable Development Goals, the Paris Agreement on climate change, the Sendai Framework for Disaster Risk Reduction 2015–2030 and decisions adopted under the United Nations Framework Convention on Climate Change.

18. The Special Rapporteur noted that an inclusive, rights-based response to climate change was needed to implement those commitments. All persons, including persons with disabilities, must be recognized as rights holders and barriers to their inclusion, such as discrimination, must be eliminated. An intersectional approach that took into account the specific requirements of persons with disabilities should include accountability and data collection disaggregated by disability and other layers of identity. It required the active participation of and consultation with persons with disabilities in the planning of climate action, review processes and decision-making. Persons with disabilities must be supported and empowered to fully participate as agents of change in climate change-related prevention and response processes. The accessibility of venues, information and communications, as well as the implementation of accessibility standards, in post-emergency planning and reconstruction efforts must also be ensured. She stated that all of those measures contributed to building a more inclusive and resilient society.

19. The Special Rapporteur called for the recognition that climate change and its adverse effects were the result of human decisions. Challenges, including those posed by COVID-19, also afforded an opportunity to build back better, rethink decisions and make them inclusive and sustainable. International cooperation had an important role to play in national efforts to guarantee the rights of all people, including persons with disabilities. A problem that concerned everyone needed inclusive responses – and States had international obligations to ensure that no one would be left behind. She concluded that Governments, international organizations, civil society organizations and organizations of persons with disabilities must collaborate to bring about a truly inclusive and sustainable response to climate change.

20. In her statement by video message, Ms. Decena stressed that the Philippines was extremely vulnerable to the effects of climate change, which made it a concern to most persons with disabilities in the country. She provided an outline of the State's climate change policies, noting that the Climate Change Act of 2009 provided the framework for integrating climate change adaptation in government plans and programmes, taking into consideration

persons with disabilities. The Philippine Disaster Risk Reduction and Management Act of 2010 provided a comprehensive and community-based approach to disaster preparedness, requiring local government units to establish their own disaster risk reduction and management office and to draft local climate change action plans. The 1 billion pesos (approximately \$20 million) People's Survival Fund had been established in 2014 with the aim of financing long-term projects to build climate change resilience in municipalities.

21. Ms. Decena elaborated on her advocacy work to ensure disability-inclusive disaster risk reduction and management, under Goal 7 of the Incheon Strategy to "Make the Right Real" for Persons with Disabilities in Asia and the Pacific.² She noted that persons with disabilities and other vulnerable groups were at higher risk of death, injury and additional impairments as a result of exclusion from disaster risk reduction policies, plans and programmes. She also pointed out that public service announcements were often issued in formats and languages that were not accessible to persons with disabilities. In addition, emergency exits, shelters and facilities were unlikely to be barrier free. Ms. Decena stressed that the regular participation of persons with disabilities in emergency preparedness and other disaster risk reduction measures at local and district levels could prevent or minimize risk and damage when disasters occurred. Both physical and information infrastructure that incorporated universal design principles would improve safety and chances of survival.

22. Ms. Decena noted that in the Philippines the Office for Persons with Disabilities strengthened disability-inclusive disaster risk reduction planning and implemented measures to support persons with disabilities in responding to disasters. Activities to increase the participation of persons with disabilities in environmental protection were regularly conducted. The Office of Civil Defence had conducted advocacy campaigns on inclusive disaster preparedness for persons with disabilities in the region, and environmental protection indicators formed part of the best practices of local government units. A database on persons with disabilities had been created to facilitate identification and response during natural disasters. The National Council on Disability and the Department of Social Welfare and Development were mandated to provide policies on disability-related issues, including by empowering persons with disabilities. In closing, Ms. Decena emphasized her commitment to assist awareness-raising efforts to ensure that policies and programmes on the rights of persons with disabilities in the context of climate change flowed to the grass-roots level in order to enable the informed participation of all the stakeholders concerned.

23. In his statement by video message, Mr. Jodoin stressed that the greater vulnerability of persons with disabilities to the consequences of climate change ultimately stemmed from the multiple economic, social and political barriers that hindered their full participation in society. Persons with disabilities were typically among the most marginalized in a community and faced disparate access to education, health care, employment, transportation, and other basic goods and services. Their rights and perspectives were often neglected in the design of climate adaptation and disaster response efforts. Due to the inaccessibility of emergency communications, relief and recovery efforts, persons with disabilities experienced disproportionately high rates of mortality during severe weather events fuelled by climate change. Those challenges were felt most acutely by populations in developing countries and segments of the population that were affected by intersecting forms of discrimination, such as women, ethnic minorities, indigenous peoples, children and older persons.

24. Mr. Jodoin said that States were obliged to adopt and implement climate mitigation and adaptation measures that prevented and minimized the impacts of climate change on persons with disabilities. States were required to prioritize the rights of persons with disabilities in their multilateral and bilateral climate finance and assistance programmes. Under international law and the majority of the world's domestic legal systems, Governments were required to respect, protect and fulfil the rights of persons with disabilities in the development, implementation, monitoring and evaluation of climate policies and programmes.

² The Incheon Strategy was derived from experiences in the implementation of two consecutive Asian and Pacific Decades of Disabled Persons, 1993–2002 and 2003–2012, as well as the historic adoption by the General Assembly in 2006 of the Convention on the Rights of Persons with Disabilities.

25. States must ensure that climate action fostered the dignity of persons with disabilities and addressed existing social inequities. For example, the development of mass transit systems was key to reducing carbon emissions from automobiles in many parts of the world, but those systems were often inaccessible to persons with physical mobility or visual impairments. Despite the clear obligations of States to engage persons with disabilities and promote their rights internationally, the disability community did not have a constituency under the United Nations Framework Convention on Climate Change, which was a clear obligation stemming from the Convention on the Rights of Persons with Disabilities. Mr. Jodoin urged the Human Rights Council and its members to support the establishment of such a constituency.

26. By empowering persons with disabilities and meaningfully including their rights, ideas and perspectives, a disability rights approach had the potential to generate climate solutions that resonated with a greater share of the population. Ensuring accessible mass transit systems would benefit a wide range of users. Accessible early warning systems would benefit the broader population, as they could effectively warn people – with and without disabilities – of impending danger. Mr. Jodoin concluded that persons with disabilities should be recognized as agents of change who could make valuable contributions to efforts to reach carbon neutrality and adapt to our changing planet. Persons with disabilities were experts in resilience and innovation – they constantly had to find solutions to thrive in a world that was not designed for them. Societies around the world must confront the climate crisis in collaboration with persons with disabilities to jointly realize a safe climate and an inclusive future for all.

27. Delivered by video message and in sign language, Ms. Oyuu made a statement on behalf of the International Disability Alliance, of which the National Union of Disabled Persons of Uganda was a member. She highlighted that persons with disabilities were at extreme risk of suffering the adverse effects of climate change, which further hampered their access to basic services and disproportionately exposed them to water scarcity, food insecurity, economic loss, gender-based violence, inadequate housing, the disruption of support services and involuntary displacement. She provided an example from a recent river flooding in Kasese District in Uganda that had displaced persons with disabilities and rendered them homeless.

28. Ms. Oyuu affirmed that the effects of climate change were socially distributed and followed the pattern of pre-existing inequalities in societies that discriminated against persons with disabilities in multiple and intersectional ways. Persons with disabilities were not represented on most climate change or disaster risk reduction committees. She pointed to social exclusion, the denial of rights and a lack of legal protection as the main causes of the hardships endured by such persons. Solutions to climate change must address the root causes of social injustice, discrimination and inequality affecting persons with disabilities. The Convention on the Rights of Persons with Disabilities, including its article 11 on situations of risk and humanitarian emergencies, offered guidance in that regard.

29. Ms. Oyuu stated that the Convention provided guidance for the formulation of disability-inclusive climate action policies and the empowerment of persons with disabilities as agents of change. Its article 32 on international cooperation provided suggested measures for taking a human rights-based and person-centred approach to make climate action efficient, namely by tackling the root causes of marginalization and exclusion, by fostering social justice and meaningful participation and consultation, and by addressing discrimination.

30. Ms. Oyuu concluded her remarks by sharing a number of recommendations on behalf of the International Disability Alliance and its members. She emphasized that States parties to the Convention, United Nations agencies and relevant stakeholders should ensure that legislation incorporated the clear prohibition of all forms of disability-based discrimination and the denial of reasonable accommodation, in order to reach substantive equality. She called for active consultation with and the meaningful engagement of persons with disabilities, including children, through their representative organizations, in all decision-making relating to climate change prevention and mitigation, for instance by considering the representation of persons with disabilities in disaster risk reduction structures both at the national and at lower levels. The implementation of the full range of accessibility obligations

under the Convention, including regarding information and communications technologies and systems on climate change, and effective sanctions measures for non-compliance was critical.

31. The International Disability Alliance and its members also called upon States parties, United Nations agencies and relevant stakeholders to ensure that the rights and opinions of women and girls with disabilities and other underrepresented groups, such as persons who were deafblind, persons with intellectual disabilities, persons with psychosocial disabilities, persons with autism and indigenous persons with disabilities, were considered in climate change policies. The rights of persons with disabilities needed to be mainstreamed in all development actions, including those on climate change. Furthermore, capacity-building for persons with disabilities and their representative organizations was critical. Increased efforts were needed to include persons with disabilities in climate change education, to monitor the impact of climate change on the rights of persons with disabilities and to provide clear guidance to ensure that no one was left behind by the adverse effects of climate change.

B. Interactive discussion

32. During the interactive discussion, interventions were made by the representatives of the European Union, Armenia, Azerbaijan (on behalf of the Movement of Non-Aligned Countries), Bangladesh (on behalf of the core group on human rights and climate change, including the Philippines and Viet Nam), Burkina Faso (on behalf of the Group of African States), Chile, China, Cuba, Ecuador, Fiji, Finland (on behalf of Denmark, Estonia, Iceland, Latvia, Lithuania, Norway and Sweden), Indonesia, Iran (Islamic Republic of), Iraq, Mexico (on behalf of Chile, Ecuador, Guatemala, Panama, Peru and Uruguay), Nauru (on behalf of a group of countries), Nepal, Pakistan, Senegal, Sierra Leone, Venezuela (Bolivarian Republic of) and Viet Nam (on behalf of the Association of Southeast Asian Nations).

33. Representatives of the following national, international and non-governmental organizations also spoke: Associazione Comunità Papa Giovanni XXIII, Center for International Environmental Law (also on behalf of SustainedAbility), Earthjustice, Human Rights Commission of New Zealand, Institut international de l'écologie industrielle et de l'économie verte, Institut international pour les droits et le développement, United Nations Children's Fund and United Nations Entity for Gender Equality and the Empowerment of Women.

34. Statements by the following member States were not delivered owing to a lack of time: Bolivia (Plurinational State of), Botswana, Costa Rica, Egypt, France, Georgia, Guyana, Marshall Islands, Morocco, Namibia, Netherlands, Qatar, Saudi Arabia, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, Vanuatu and Viet Nam.³

35. For the same reason, statements by the Global Institute for Water, Environment and Health and the South Youth Organization were not delivered.³

36. Speakers emphasized the negative impacts of climate change on the enjoyment of human rights by persons with disabilities, including through sea-level rise, human mobility, flooding, natural disasters, water scarcity, the loss of agricultural land and impacts on health and livelihoods. Climate change impacts further undermined efforts to eradicate poverty and achieve sustainable development, with the majority of the estimated 1 billion persons with disabilities living in poverty.

37. The discussion highlighted that, while climate change posed an existential threat to all persons, persons with disabilities were disproportionately affected. Climate change exacerbated the multiple and intersecting forms of discrimination that persons with disabilities faced. All States had a responsibility to ensure that their climate action and policies upheld the human rights of all people. Human rights, including the rights to water, education and access to information, must be realized for all persons, including persons with disabilities, in order to leave no one behind. The need to protect environmental human rights defenders was also emphasized.

³ Statements received by the Secretariat are available on the Human Rights Council extranet.

38. Speakers called upon States to ensure that climate mitigation and adaptation policies at all levels were fully inclusive of all persons with disabilities, including children, older persons, women, minorities, indigenous peoples and those living in developing countries. The need to empower persons with disabilities as agents of change and the role that persons with disabilities played in providing innovative solutions for climate mitigation and adaptation were underscored.

39. Speakers mentioned that, while the COVID-19 pandemic had aggravated the already vulnerable situation of persons with disabilities, it should also be seen as an opportunity to adopt new approaches and initiatives to combat climate change while protecting persons with disabilities. The realization of the rights to a healthy environment and to health were instrumental in that regard.

40. Speakers referred to the importance of implementing relevant international frameworks, including the Sendai Framework for Disaster Risk Reduction 2015–2030, the Sustainable Development Goals, the United Nations Framework Convention on Climate Change and the United Nations Disability Inclusion Strategy. A rights-based, disability-inclusive approach to climate action would also contribute to the attainment of the Sustainable Development Goals.

41. Speakers outlined the measures needed to address climate change impacts on persons with disabilities, including climate risk assessments, cross-cutting and inclusive approaches to risk management, and support for education, awareness-raising and capacity-building. They also highlighted the importance of exchanging good practices and lessons learned in the promotion and protection of the human rights of persons with disabilities in the context of climate change. Speakers underscored the vital role of international cooperation and partnerships, and the need for assistance to strengthen capacity for adaptation and resilience.

42. Speakers underscored the importance of engaging persons with disabilities in planning, preparedness and response strategies to respond to climate change and of inclusive and sustainable development. The meaningful, informed and effective participation and inclusion of persons with disabilities and their representative organizations in climate action should be ensured, including in decision-making and awareness-raising in relation to their rights.

43. Women and girls with disabilities experienced multiple and intersecting forms of discrimination. Speakers highlighted the need for equitable access to information through comprehensive early warning systems. A key factor contributing to increased risk for children with disabilities was the lack of information and resources in accessible and child friendly formats. In that regard, speakers referred to Human Rights Council resolution 41/21, in which the Council called for a comprehensive, integrated, gender-responsive and disability-inclusive approach to climate change adaptation and mitigation policies.

44. Speakers highlighted the United Nations human rights mechanisms as avenues for promoting strengthened human rights and climate change ambitions, including in relation to the rights of persons with disabilities. For instance, the recommendations made to the States under review in the universal periodic review could strengthen their approach to comprehensive, gender-responsive and disability-inclusive climate change adaptation, mitigation and disaster risk reduction. Mechanisms with inclusive consultation processes served as a way to implement that commitment. Speakers underscored the role that special procedure mandate holders played by analysing the human rights impacts of climate change within their respective areas. Some speakers called for the establishment of a dedicated special procedure mandate on human rights and climate change.

45. Several speakers emphasized the need to gather data on the effects of climate change on human rights and to disaggregate data by disability and other relevant variables such as gender, which was important for the effective design of policies and programmes. It was also noted that reliable data could further public debate and meaningful civil society engagement in the protection and promotion of human rights.

46. A number of speakers underlined the importance of integrating the rights of persons with disabilities into national climate laws, policies and programmes, including the nationally determined contributions under the United Nations Framework Convention on Climate

Change. It was suggested that a formally recognized constituency representing persons with disabilities and their representative organizations at the United Nations Framework Convention on Climate Change could contribute to upholding human rights and improve capacity-building to further the rights of persons with disabilities in the context of climate change. Climate funds and finance relating to climate mitigation, adaptation and resilience should incorporate a disability-inclusive approach. In the context of the United Nations Framework Convention on Climate Change, speakers also highlighted the principle of common but differentiated responsibilities, as well as the need for technology transfer to and capacity-building in developing countries, especially those that were particularly vulnerable to the adverse effects of climate change.

47. Speakers highlighted good practices relating to the participation and inclusion of persons with disabilities and rights-based climate action. Examples of the practices shared included the European Green Deal, which was aimed at shifting economies and societies towards climate neutral and resource efficient development pathways where no one was left behind. The SIDS Accelerated Modalities of Action (SAMOA) Pathway included several references to the rights of persons with disabilities. Botswana had adopted climate change mitigation strategies such as the distribution of drought resistant seeds, which particularly benefited women, including women with disabilities. The nationally determined contribution of Ecuador for 2019 included a cross-cutting risk management approach, and its national strategy for climate change for the period 2012 to 2025 included persons with disabilities as one of the priority groups. In Indonesia, Law No. 8/2016 on persons with disabilities and Government Regulation No. 70/2019 on the national action plan on persons with disabilities guaranteed accessible and tailor-made protection to persons with disabilities in times of disaster. In Sierra Leone, the Persons with Disability Act of 2011 had established a national commission for persons with disabilities. In 2018, the Association of Southeast Asian Nations (ASEAN) had adopted the ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities, which was aimed at complementing and concretizing the ASEAN Community Vision 2025 in mainstreaming the rights of persons with disabilities across all three pillars of the ASEAN Community.

48. Speakers raised a number of specific questions for the panellists. These included: (a) Where are the main gaps for the full and effective participation of persons with disabilities in global climate change processes? How could the newly adopted United Nations Disability Inclusion Strategy help narrow these gaps?; (b) What are good practices with respect to disability-inclusive climate action?; (c) How may the Human Rights Council support a disability-inclusive, human rights-based approach to climate change policies, including in climate negotiations?; (d) What next steps could be taken by the United Nations and its Member States to solidify a human rights-based approach to addressing climate change?; (e) How can the realization of the right to development contribute to the promotion and protection of the rights of persons with disabilities in the context of climate change?; and (f) What local, regional or global disability-inclusive practices effectively address climate change, especially following natural disasters, in a collaborative manner?

C. Responses and concluding remarks

49. After the interactive discussion, the Vice-President of the Human Rights Council gave the panellists the opportunity to make concluding remarks.

50. In her concluding remarks, the Special Rapporteur noted that the key conclusion of the meeting was that climate action must be human-rights based. In the case of persons with disabilities, it must be in line with the Convention on the Rights of Persons with Disabilities, the highest standard for the protection and inclusion of persons with disabilities. To achieve the inclusion of persons with disabilities and establish the necessary mechanisms in that regard, the Special Rapporteur underlined the importance of implementing relevant international frameworks and strategies, including the Sendai Framework for Disaster Risk Reduction 2015–2030, the Sustainable Development Goals, the United Nations Framework Convention on Climate Change and the United Nations Disability Inclusion Strategy. She emphasized the need to address the root causes of the disproportionate impact of climate change on persons with disabilities, as well as the impact of ableism and intersectional

inequalities, including those relating to age, gender and other grounds, to better take into account lived experiences, for example those of indigenous peoples and persons living in small island developing States.

51. Inclusive climate action required active participation and the Special Rapporteur noted that States had an obligation to consult and effectively involve organizations of persons with disabilities in all of their actions, in accordance with the Convention on the Rights of Persons with Disabilities. To ensure that public policy and actions relating to climate change adaptation and mitigation included persons with disabilities, dedicated efforts should be developed to support persons with disabilities in the context of climate action. In order to reduce the accessibility gap, the Special Rapporteur called for improved monitoring, disaggregated data and international cooperation efforts to reflect the realities of persons with disabilities. A review of the actions already taken was required to ensure that financial, technical or human resources did not create new barriers for persons with disabilities.

52. Mr. Jodoin emphasized that the most important thing States could do to protect the rights of persons with disabilities in the context of climate change was to reduce their carbon emissions. He highlighted the need for States to implement their obligations under the Convention on the Rights of Persons with Disabilities. States were also obliged to identify and address barriers to equality in relation to their climate change adaptation and mitigation policies and empower persons with disabilities in the development and implementation of those policies.

53. Regarding good practices, Mr. Jodoin noted that States should be building on the extensive expertise available in the disability community relating to accessibility, universal design, transportation and education to further empower persons with disabilities. He also underlined the importance of developing a dedicated constituency for persons with disabilities at the United Nations Framework Convention on Climate Change. He highlighted that States could develop a disability inclusion action plan under that Convention. A disability inclusion plan should be aimed at ensuring that climate negotiations were accessible. It should also require that data were collected on how persons with disabilities were affected by climate change and whether and how they were involved in its responses. The plan should include elements concerning the participatory and substantive rights of persons with disabilities, and the delivery of capacity-building.

54. In closing, Mr. Jodoin stressed that establishing a special rapporteur with a mandate to focus on human rights and climate change could help to address the complex interlinkages between human rights and climate change more effectively, particularly owing to the cross-cutting nature of climate change. He suggested that the rights of persons with disabilities be included within the mandate of that rapporteur.

55. In her concluding remarks, Ms. Oyuu reiterated the importance of including persons with disabilities in climate change decision-making and action. She stressed the need for Governments to collaborate with stakeholders, including organizations of persons with disabilities, to reduce the effects of climate change on persons with disabilities. To achieve that, sufficient budgetary allocations, monitoring mechanisms and the effective inclusion of persons with disabilities in all structures were required.

56. Ms. Oyuu referred to a good practice of promoting the rights of persons with disabilities in the context of climate change from Uganda, where monthly disaster risk reduction meetings included government representatives, civil society organizations and persons with disabilities. That practice enabled the effective participation of persons with disabilities in discussions relating to mitigating the negative impacts of climate change, as well as the development of plans and policies. She highlighted that the practice could be adopted by other States and stakeholders to address inclusion gaps in international and national processes and to further the meaningful participation and inclusion of persons with disabilities. Ms. Oyuu concluded by stating that inclusive programmes and projects would benefit all persons with disabilities and that persons with disabilities should be involved in processes at all levels.

57. Following the concluding remarks, the Vice-President of the Human Rights Council closed the discussion.

IV. Recommendations

58. During the discussion, speakers made a number of recommendations. They called for a disability-inclusive, rights-based approach to climate action and emphasized the need to recognize persons with disabilities as agents of change who contributed to informing and guiding climate mitigation and adaptation. They recommended that the meaningful, informed and effective participation of persons with disabilities and their representative organizations in decision-making on climate change at all levels be made a priority. It was also recognized that accessibility efforts, such as those relating to accessible early warning systems, benefited the broader population. Speakers highlighted that persons with disabilities were experts in resilience and innovation, as they constantly had to find solutions to thrive in a world that was not designed for them. Including persons with disabilities in the discussions to develop the strategies necessary for resilience and innovation would ensure that those solutions were targeted and effective.

59. Efforts should be made to fully implement the commitments of States to rights-based, disability-inclusive climate action, including under existing international conventions, frameworks and agendas. Specific references were made to relevant commitments made in the Paris Agreement on climate change, the Sustainable Development Goals, the Sendai Framework for Disaster Risk Reduction 2015–2030, the Incheon Strategy, the Samoa Pathway, the United Nations Disability Inclusion Strategy and the Convention on the Rights of Persons with Disabilities. Speakers highlighted that the guidance provided by those instruments would also contribute to addressing the root causes of the disproportionate impacts of climate change on persons with disabilities.

60. In order to fulfil their human rights obligations, States should apply a disability-inclusive approach in the planning, implementation and review of climate policies, programmes and actions. The impacts of climate change on the rights of persons with disabilities should be monitored and data should be collected and disaggregated by disability in order to inform and guide climate policymaking.

61. In their climate efforts, duty bearers should be accountable to all persons with disabilities at all stages and ensure their access to communications, information and venues, in order to empower them to address the adverse impacts of climate change. Practical steps for strengthening capacity-building for persons with disabilities and their representative organizations in relation to climate change included providing inclusive and accessible education and awareness-raising on climate change. States were called upon to strengthen the social protection and resilience of persons with disabilities, including through economic stimulus packages that protected and benefited persons in vulnerable situations while advancing human rights.

62. Speakers stressed the need to build back better after the COVID-19 pandemic, to provide more robust systems capable of responding to complex situations and to reach the furthest behind first by implementing the principle of universal design, including with respect to social protection, housing and infrastructure. It was suggested that, in doing so, States should draw on the expertise available in the disability community and further empower persons with disabilities.

63. International climate financing mechanisms were encouraged to incorporate a disability-inclusive approach. Speakers called for international cooperation and partnerships to better reflect the realities of persons with disabilities and they highlighted the need for technology transfers to and capacity-building in developing countries – especially those countries that were particularly vulnerable to the adverse effects of climate change.

64. Efforts under the United Nations Framework Convention on Climate Change should be disability-inclusive and rights-based and its negotiations should be made accessible. A call was made for the creation of a dedicated constituency for persons with disabilities and their representative organizations under the Convention, and States were encouraged to develop a disability inclusion action plan under the Convention.

National climate laws, policies and programmes, including the nationally determined contributions under the Convention, should also integrate the rights of persons with disabilities.

65. United Nations human rights mechanisms played an important role as avenues for promoting strengthened human rights-based climate ambitions, including in relation to the rights of persons with disabilities. Multiple speakers called for the establishment of a dedicated special rapporteur on human rights and climate change.
