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**Human Rights Council****Fifty-second session**

27 February–31 March 2023

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development****Women, girls and the right to a clean, healthy and  
sustainable environment****Report of the Special Rapporteur on the issue of human rights  
obligations relating to the enjoyment of a safe, clean, healthy and  
sustainable environment, David R. Boyd***Summary*

The triple planetary crisis, combined with systemic gender-based discrimination, patriarchal norms and inequality, is imposing distinct and disproportionate harms on women and girls, threatening and violating their human rights, including the right to a clean, healthy and sustainable environment. To achieve gender equality and ecological sustainability, States must tackle gender-based discrimination and environmental injustices with urgent, gender-transformative, rights-based climate and environmental action. In the present report, the Special Rapporteur describes State obligations, business responsibilities and the potential benefits of achieving gender equality and ecological sustainability. He makes recommendations related to dismantling systemic discrimination, empowering women and girls as climate and environmental leaders and ensuring that women and girls are able to fully enjoy their right to a clean, healthy and sustainable environment.



## I. Introduction<sup>1</sup>

1. It has been 75 years since the Universal Declaration of Human Rights boldly stated that “all human beings are born free and equal in dignity and rights”.<sup>2</sup> The Convention on the Elimination of All Forms of Discrimination against Women, which currently has 189 States parties, entered into force in 1981. Despite remarkable progress towards gender equality in some States, systemic discrimination persists. Laws that discriminate against women, girls and gender-diverse persons, sociocultural norms that reduce their agency, and stereotypes about femininity, masculinity and gender-assigned roles continue to restrict the political and economic power of women and girls in every State and every sphere of society.

2. The planetary environmental crisis affects everyone, everywhere, but not equally. Harmful gender norms, stereotypes, biases and discrimination exclude women and girls from participating in environmental decision-making and enjoying a fair share of nature’s benefits, while imposing disproportionate impacts related to the climate emergency, biodiversity collapse and pervasive pollution. According to the former United Nations High Commissioner for Human Rights, “the exclusion of half of society from effectively helping to shape environmental policies means those policies will be less responsive to the specific damage being caused, less effective in protecting communities and may even intensify the harm being done”.<sup>3</sup>

3. Sustainable development depends on the gender-transformative realization of the right to a clean, healthy and sustainable environment, as recognized in historic United Nations resolutions. In its pioneering resolution 48/13, adopted in 2021, the Human Rights Council emphasized that States must fully respect human rights obligations, including those related to gender equality. The General Assembly has recently recognized the importance of gender equality, gender-responsive action to address climate change and environmental degradation, the empowerment, leadership, decision-making and full, equal and meaningful participation of women and girls, and the role that women play as managers, leaders and defenders of natural resources and agents of change in safeguarding the environment.<sup>4</sup>

4. As demonstrated by their impressive but underappreciated contributions to protecting the environment, women and girls are powerful, transformative agents of change who should be primarily viewed not as victims, but as equal, indispensable partners and leaders in the transition to a just and sustainable future. In order for women and girls to realize their rights and potential, nature must be conserved, protected and restored, pollution must be prevented and urgent action must be taken to achieve a safe climate. The voices of women and girls must be heard, their ideas implemented and their stewardship work rewarded. To facilitate these advances, society must dismantle the beliefs, norms, institutions and systems that perpetuate gender discrimination.

## II. Patriarchy and persistent systemic discrimination

5. The global economy is broken. It is based on two pillars – the exploitation of people and the exploitation of the planet – that are fundamentally unjust, unsustainable and incompatible with human rights. Similarly, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) observed that environmental crises “are deeply rooted in an economic system that fails to value, protect, nourish and invest in what is essential”.<sup>5</sup> Like women’s disproportionate unpaid labour and contributions to the care

<sup>1</sup> The Special Rapporteur expresses his thanks to Stephanie Keene for her outstanding support in preparing the present report.

<sup>2</sup> Ms. Hansa Mehta, from India, is widely credited with changing the language from “all men are born free and equal”.

<sup>3</sup> <https://www.ohchr.org/en/statements/2019/09/global-update-42nd-session-human-rights-council>.

<sup>4</sup> General Assembly resolution 76/300.

<sup>5</sup> UN-Women, *Beyond COVID-19: A Feminist Plan for Sustainability and Social Justice*, key messages (2021).

economy, nature's contributions to people are a critical foundation for human health and the economy but are taken for granted.

6. Skewed value systems that champion profit, growth and domination of nature fuel discrimination, environmental injustice and the oppression, erasure and exploitation of women, girls and other vulnerable groups. Businesses abuse human rights with impunity, worsen inequality, pollute, destroy nature and exacerbate the climate crisis. Powerful marketing methods exploit stereotypes and drive gendered patterns of unsustainable consumption (e.g. meat, cars, cosmetics and fashion) to the detriment of women, girls, human rights and the environment.

7. As a result, women and girls face profound socioeconomic disadvantages that erode their political agency and power. Legal, social and cultural obstacles prevent them from securing jobs, promotions and leadership positions, and limit their access to land, natural resources, finance, technologies, agricultural equipment and inputs, training and extension services. The following facts illustrate the pervasive, devastating nature of gender discrimination today:

(a) Women comprise 70 per cent of the world's poor; rural women have fared worse than rural men and urban women and men on every development indicator;<sup>6</sup>

(b) Women do three times more unpaid household and care work than men in both high- and low-income countries,<sup>7</sup> resulting in time poverty, lower employment and lower earnings;

(c) Women are overrepresented in informal economies (and thus lack social and legal protections); receive 20 per cent lower wages than men for the same work;<sup>8</sup> and frequently experience worse working conditions;<sup>9</sup>

(d) Women are underrepresented in leadership, management and decision-making roles across all levels and all sectors:

(i) Across 156 countries, women hold only 22.9 per cent of parliament seats and represent only 16.1 per cent of ministers;<sup>10</sup>

(ii) In 2022, only 8.8 per cent of chief executive officers at Fortune 500 companies were women.<sup>11</sup>

8. At current rates of progress, it will take 286 years to repeal or amend discriminatory laws and close gaps in legal protection for women and girls,<sup>12</sup> and 155 years to close the political empowerment gap.<sup>13</sup> Making matters worse, many gender gaps have widened as a result of the economic, health and social consequences of the coronavirus disease (COVID-19) pandemic.<sup>14</sup>

9. Gender discrimination and stereotypes affect girls from a young age, as they are treated as inferior in many States and cultures, undermining their self-esteem and leading to lifelong inequality, deprivation and exclusion. For example, domestic obligations imposed on girls – including water and fuel collection, cooking, cleaning, care-giving and other time-

<sup>6</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 34 (2016), para. 5.

<sup>7</sup> UN-Women, *Beyond COVID-19*.

<sup>8</sup> International Labour Organization (ILO), *Global Wage Report 2018/2019: What Lies Behind Gender Pay Gaps* (2018).

<sup>9</sup> ILO, *Women at Work: Trends 2016* (2016).

<sup>10</sup> World Economic Forum, *Global Gender Gap Report 2022*.

<sup>11</sup> Women Business Collaborative and others, *Women CEOs in America: Changing the Face of Business Leadership* (2022).

<sup>12</sup> UN-Women and Department of Economic and Social Affairs, *Progress on the Sustainable Development Goals: The Gender Snapshot 2022*.

<sup>13</sup> World Economic Forum, *Global Gender Gap Report 2022*.

<sup>14</sup> UN-Women, *Beyond COVID-19*.

consuming tasks that interfere with girls' education, play and development – are rooted in cultural norms and traditions that give men and boys preferential treatment.<sup>15</sup>

10. States must tackle the root causes of gender inequality. To fulfil women and girls' human rights, gender-transformative changes to laws, policies, programmes and projects, as well as education, awareness-building and training are urgently needed. Human rights, based on the bedrock of equality and non-discrimination, can and should be a catalyst for needed systemic changes. Yet according to the United Nations Environment Programme (UNEP), “almost no countries have policy frameworks or mechanisms in place that would enable a synergistic view (let alone implementation) of gender and environmental goals”.<sup>16</sup>

11. Although the present report is focused on the right of women and girls to a clean, healthy and sustainable environment, all human rights are interrelated, undermined by inequality and gender discrimination, and compounded by intersecting vulnerabilities related to race, ethnicity, poverty, age, sexual orientation, migration status and disability. The Special Rapporteur recognizes the diversity of gender identities that comprise humanity and acknowledges that alleviating discrimination and achieving gender equality is relevant not only for heterosexual women and girls, but also for lesbian, gay, bisexual, transgender, intersex, two-spirit and other gender-diverse and non-binary (LGBT+) persons.

### III. Disproportionate impacts of the global environmental crisis on women and girls

12. All people depend on nature for their life, health and well-being, from the oxygen in air produced by plants on land and at sea, to crops pollinated by birds, bats and bees and other insects. Everyone has the right to a clean, healthy and sustainable environment. This includes clean air; access to safe water and adequate sanitation; healthy and sustainably produced food; non-toxic environments in which to live, work, study and play; healthy biodiversity and ecosystems; and a safe climate. It is also linked to the rights to information, participation in decision-making and access to justice with effective remedies.

13. Unfortunately, gender-based stereotypes, biases, inequalities and discrimination profoundly restrict women and girls' enjoyment of the right to a clean, healthy and sustainable environment.<sup>17</sup> This also affects the rights to life, health, adequate housing, food, water, sanitation, education and an adequate standard of living, cultural rights and child rights. Gender-based discrimination is exacerbated for women and girls who are potentially vulnerable or marginalized because they are Indigenous, Afrodescendent, peasants, older, LGBT+, migrants, displaced, refugees, unmarried, informally married, widowed or living in armed conflict, or because they have disabilities.

14. The lack of gender- and sex-disaggregated data regarding many environmental issues renders women, girls and their needs invisible to policymakers.<sup>18</sup> Despite decades of commitments to ensure gender equality in environmental decision-making and sustainable development, existing monitoring and assessment mechanisms and data-collection/disaggregation practices are inadequate to meet State obligations to the right of women and girls to a healthy environment.<sup>19</sup> For example, in 2021 only 22 per cent of States included data disaggregated by sex in their nationally determined contributions under the Paris Agreement.<sup>20</sup>

<sup>15</sup> E/CN.4/2006/45.

<sup>16</sup> UNEP, *Global Gender and Environment Outlook: The Critical Issues* (2016), p. 84.

<sup>17</sup> E/CN.6/2022/3 and A/HRC/41/26.

<sup>18</sup> UN-Women, “Measuring the nexus between gender equality and women's empowerment and the environment, including climate change and disaster risk reduction” (2021).

<sup>19</sup> UNEP and International Union for Conservation of Nature, *Gender and Environment Statistics: Unlocking Information for Action and Measuring the SDGs* (2018).

<sup>20</sup> International Union for Conservation of Nature, *Gender and National Climate Planning: Gender Integration in the Revised Nationally Determined Contributions* (2021).

## A. Clean air

15. Due to gendered cooking responsibilities, millions of women and girls die prematurely each year because of household air pollution from unclean fuels and inefficient cookstoves.<sup>21</sup> Household air pollution is a risk factor for acute lower respiratory tract infections, pneumonia, chronic obstructive pulmonary disease, cancer and heart disease. Women and girls living in poverty are especially affected. Girls living in households without clean cooking technologies bear the greatest time-loss burden related to collecting fuel. Negative impacts of solid-fuel cooking on the environment, public health and gender equality cost \$2.4 trillion annually.<sup>22</sup>

16. Nine in ten people live in areas that do not meet the World Health Organization (WHO) air quality guidelines, and are thus at higher risk for asthma, other respiratory diseases, cardiovascular disease, cancer and neurodegenerative diseases. Ambient air pollution threatens women's reproductive health, causing preterm birth, low birth weight, and stillbirth, as well as systemic inflammation and placental injury.<sup>23</sup> Air pollution is often concentrated in impoverished, racially or ethnically marginalized communities. A recent study revealed that, in the United States of America, people of colour are 3.6 times more likely than white people to live in counties with poor air quality.<sup>24</sup> LGBT+ persons in the United States are more likely to reside in low-income areas with high levels of air pollution.<sup>25</sup>

## B. Safe, sufficient water and adequate sanitation

17. Lack of access to clean water causes the death of approximately 800,000 women and girls annually.<sup>26</sup> Women and girls are primarily responsible for water collection in 80 per cent of households that lack water on the premises.<sup>27</sup> In sub-Saharan Africa and South Asia they spend huge amounts of time and energy to secure water for their families. Girls responsible for collecting household water often miss school in order to complete this task. Pollution and climate change force women and girls to travel farther to acquire safe and sufficient water, exposing them to injuries, stress and increased risks of violence.

18. Water pollution (from industry, agriculture and inadequate wastewater treatment) harms the reproductive health of women and girls. Lack of access to clean water increases the risk of pregnancy complications and death during childbirth.<sup>28</sup> Rising sea levels, storm surges and fresh water depletion are increasing drinking water salinity. This has been linked to adverse health impacts for pregnant persons, including hypertension and preeclampsia.<sup>29</sup>

19. One in three women and girls lack access to safe toilets, which exposes them to shame, psychosocial stress, violence and elevated risks of disease<sup>30</sup> (e.g. cholera, diarrhoea and bacterial infections). Women and girls require clean and sufficient water to achieve healthy menstrual management and hygiene, which is central to their ability to attend school, work

<sup>21</sup> <https://www.who.int/news-room/fact-sheets/detail/household-air-pollution-and-health>.

<sup>22</sup> <https://drawdown.org/solutions/clean-cooking>.

<sup>23</sup> Bruce Bekkar and others, "Association of air pollution and heat exposure with preterm birth, low birth weight, and stillbirth in the US: a systematic review", *JAMA Network Open*, vol. 3, No. 6 (2020).

<sup>24</sup> American Lung Association, *State of the Air 2022*.

<sup>25</sup> Timothy Collins, Sara Grineski and Danielle Morales, "Sexual orientation, gender, and environmental injustice: unequal carcinogenic air pollution risks in Greater Houston", *Annals of the American Association of Geographers*, vol. 107, No. 1 (2017).

<sup>26</sup> UN-Women and Department of Economic and Social Affairs, *Progress on the Sustainable Development Goals*.

<sup>27</sup> UN-Women, "Gender equality in the 2030 Agenda: gender-responsive water and sanitation systems" (2018).

<sup>28</sup> WHO and United Nations Children's Fund (UNICEF), *Water, Sanitation and Hygiene in Health Care Facilities: Status in Low- and Middle-Income Countries and Way Forward* (2015).

<sup>29</sup> Aneire Ehmar Khan and others, "Drinking water salinity and maternal health in coastal Bangladesh: implications of climate change", *Environmental Health Perspectives*, vol. 119, No. 9 (2011).

<sup>30</sup> UNEP, *Global Gender and Environmental Outlook*, p. 65.

and live productive and dignified lives.<sup>31</sup> Women and girls with disabilities face unique challenges in accessing sanitation facilities. As noted by the Special Rapporteur on the human rights to safe drinking water and sanitation, water and sanitation facilities must be safe, available, accessible, affordable and socially and culturally acceptable, provide privacy and ensure dignity for all individuals, including those who are transgender and gender non-conforming.<sup>32</sup>

### C. Healthy and sustainably produced food

20. Women and girls make up almost half of the world's agricultural workforce. In some low-income countries, they produce up to 80 per cent of the food, yet are often unpaid or paid less than men doing the same work. They account for 70 per cent of the world's hungry and are disproportionately affected by malnutrition, poverty and food insecurity.<sup>33</sup> These inequalities are rooted in discriminatory norms dictating that when insufficient food is available, women and girls should restrict their own food consumption and implement preferential feeding practices that favour men and boys. In 2019, nearly one in three women of reproductive age (15–49) were anaemic.<sup>34</sup>

21. A critical problem is discrimination regarding women's land ownership and the recognition and security of their resource tenure rights. Because of legal, cultural and economic barriers, only 20 per cent of the world's land is owned by women, and the land and resource rights of Indigenous women, Afrodescendants and other rural women who rely on community-based tenure systems are underrecognized and insecure. The number of malnourished children is 60 per cent higher in countries where women do not have the right to own land and 85 per cent higher in countries where women lack access to credit.<sup>35</sup>

22. In recent years, the climate crisis, the COVID-19 pandemic and armed conflicts exacerbated food insecurity for hundreds of millions of women and girls. Extreme weather events, such as droughts and floods, coupled with rising food prices, have devastating impacts on food security in the Horn of Africa, Latin America and many small island developing States. Nutritional deficiencies exacerbated by climate change adversely affect pregnancy, nursing and newborn health, leading to low-weight births, miscarriages and perinatal mortality.<sup>36</sup>

### D. Healthy ecosystems and biodiversity

23. Climate change, pervasive pollution and irresponsible resource use – all caused by the corporate capitalist economy that prioritizes extractive industries, energy megaprojects and large-scale industrial agriculture – have catastrophic impacts on the health of biodiversity and ecosystems and the people who depend most directly on nature.<sup>37</sup>

24. Declining biodiversity and degraded ecosystems affect human health, food security and livelihoods, particularly for Indigenous, Afrodescendent, peasant and local community women and girls. These women and girls steward their territories and use them for food, water, medicinal plants, non-timber forest products, cultural and spiritual purposes and small-scale livelihoods (agriculture, agroforestry, fisheries, livestock management and aquaculture). They also play vital roles in seed selection, protection and distribution. However, they and their communities often lack legal land title or legally recognized tenure rights, creating precarity. The Committee on the Elimination of Discrimination against

<sup>31</sup> General recommendation No. 34 (2016), para. 42.

<sup>32</sup> [A/HRC/33/49](#), para. 9.

<sup>33</sup> [A/HRC/16/40](#), para. 29.

<sup>34</sup> UN-Women Department of Economic and Social Affairs, *Progress on the Sustainable Development Goals*.

<sup>35</sup> United Nations Development Programme and Global Gender and Climate Alliance, "Gender and climate finance", Policy Brief No. 5 (2016).

<sup>36</sup> Women Deliver, "The link between climate change and sexual and reproductive health and rights: an evidence review" (2021).

<sup>37</sup> General recommendation No. 34 (2016), and [E/2022/27-E/CN.6/2022/16](#), chap. I, sect. A.

Women has highlighted adverse impacts of deforestation on the rights of women and girls, especially in Indigenous communities.<sup>38</sup>

25. In addition to women's land ownership being limited, the land owned by women tends to be smaller than men's, inferior in quality, and more prone to flooding, erosion and other adverse climatic effects.<sup>39</sup> Property, land and resource tenure laws, policies and practices and marital property regimes that discriminate based on gender are major barriers to equality and the enjoyment of the right to a healthy environment for women and girls.<sup>40</sup> These factors, coupled with limited information and financial resources, make it difficult for women to influence resource-management decisions, restricting their livelihood opportunities and perpetuating gender-based cycles of poverty and environmental injustice.

26. Rural land is increasingly targeted for land-grabbing to facilitate activities such as large-scale biofuel plantations for renewable energy and massive industrial monocultures. Loss of access to land endangers women's livelihoods and biodiversity.<sup>41</sup> For example, a women's cooperative in Haiti acquired land to operate an organic farming training school for peasant women. In 2020, its land was re-designated as an agro-industrial zone and the women were forcibly displaced.<sup>42</sup> Rural women are disproportionately affected by land grabs because of their limited ownership and control over land and resources, limited power and lack of access to justice.

27. Women comprise almost half of the global fishing workforce.<sup>43</sup> Rising ocean temperatures and acidification<sup>44</sup> and loss of coral reefs are contributing to declines in fisheries, compromising valuable livelihood activities for women involved in fish catching, processing and trading.

28. Ecosystem degradation perpetuates gender inequalities by increasing time poverty of women and girls, forcing them to travel further, repeat activities (e.g. replanting crops), do more unpaid caregiving, and spend more time and money to obtain the necessities of life, such as food, water, firewood<sup>45</sup> and fodder.

## E. Non-toxic environments

29. Because of economic, social, cultural and physiological factors, women and girls are disproportionately vulnerable to the adverse health effects of toxic substances. Exposure to industrial chemicals, heavy metals, pesticides and other pollutants causes cardiovascular disease, respiratory illnesses, cancer and reproductive harms. For example, women and girls from the Marshall Islands continue to suffer adverse physical and mental health effects from radiation caused by nuclear weapons testing decades ago. The breast milk of Inuit women in the Arctic contains levels of persistent organic pollutants up to nine times higher than that of women in southern Canada.<sup>46</sup>

30. Cultural norms affect the vulnerability of women and girls. Women of colour, regardless of socioeconomic status, are exposed to higher levels of toxic substances –

<sup>38</sup> General recommendation No. 39 (2022), [CEDAW/C/CIV/CO/4](#) and [CEDAW/C/GUY/CO/9](#).

<sup>39</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018).

<sup>40</sup> UN-Women and OHCHR, *Realizing Women's Rights to Land and Other Productive Resources* (2020).

<sup>41</sup> [E/CN.6/2022/3](#).

<sup>42</sup> <https://www.openglobalrights.org/land-grabs-in-haiti-sow-climate-vulnerability-and-violence-against-women/>.

<sup>43</sup> UNEP, *Global Gender and Environment Outlook*, p. 49.

<sup>44</sup> [A/HRC/41/26](#).

<sup>45</sup> UN-Women, *Beyond COVID-19*, p. 10.

<sup>46</sup> International Union for Conservation of Nature, *Women's Participation and Gender Considerations in Country Representation, Planning and Reporting to the BRS Conventions* (2017).

including lead and mercury – as a result of using beauty products such as haircare products and skin whiteners.<sup>47</sup>

31. Adverse reproductive health impacts of exposure to toxic substances include early puberty in adolescent girls (linked to breast cancer and other diseases), infertility, fibroids, poor maternal health, miscarriages, stillbirths, premature birth, low birth weight and birth defects. Urban women working as informal waste pickers and in the informal processing of electronic waste (including batteries) are exposed to dangerous chemicals associated with endocrine disruption and reproductive health problems.

32. The Committee on the Elimination of Discrimination against Women has expressed concern about the harmful impacts of agrochemicals on women's and children's health.<sup>48</sup> Pesticide exposure can cause infant mortality, birth defects, infant and childhood cancers, arrested physical, mental and reproductive development, including malformation of sexual organs in infants, premature and late menses, sterility and early menopause.<sup>49</sup> Because literacy rates in some States are substantially lower for women and girls, and agricultural training less accessible, important chemical safety information may be inaccessible, increasing the risks of unintended exposures to pesticides.

33. A disturbing emerging concern is plastic pollution. In many communities lacking effective waste management programmes, women and girls are responsible for disposal of household waste, often resulting in exposure to toxic smoke from open burning of waste containing plastic. Microplastics are more likely to accumulate in women and are associated with a range of adverse health effects.<sup>50</sup>

## F. A safe climate

34. For women and girls, adapting to climate change impacts is often harder due to rigid gender roles and their reduced access to and control over natural resources, information, technologies and finance. Extreme weather events provide a compelling example. Gendered social norms surrounding work, mobility, household decision-making authority, and comparatively limited access to health care, education, food, water, sanitation, technology and information place women and girls at greater risk during climate-related disasters.<sup>51</sup> It is shocking that 96 per cent of deaths from the Solomon Island floods in 2014 were of women and children and 70 per cent of deaths from the Tonga and Samoa tsunami in 2009 were of women.<sup>52</sup> During the catastrophic 2022 floods, hundreds of thousands of pregnant women in Pakistan were deprived of access to maternal health services.<sup>53</sup> Women and girls are more vulnerable to the increased prevalence of malaria after climate change-induced floods, hurricanes and typhoons because they fulfil cooking responsibilities during morning and evening hours when mosquitoes are most active. The climate crisis has also created significant mental health problems for women and girls, including stress-related disorders and depression.<sup>54</sup>

<sup>47</sup> Ami R. Zota and Bhavna Shamasunder, "The environmental injustice of beauty: framing chemical exposures from beauty products as a health disparities concern", *American Journal of Obstetrics and Gynecology*, vol. 217, No. 4 (October 2017).

<sup>48</sup> General recommendation No. 34 (2016), [CEDAW/C/GTM/CO/8-9](#) and [CEDAW/C/ARG/CO/7](#).

<sup>49</sup> Andrea Carmen, "Environmental violence: impacts on Indigenous women and girls", in *Indigenous Peoples' Rights and Unreported Struggles: Conflict and Peace*, Elsa Stamatopoulou, ed. (2017), pp. 98–100.

<sup>50</sup> UNEP, *From Pollution to Solution: A Global Assessment of Marine Litter and Plastic Pollution* (2021).

<sup>51</sup> General recommendation No. 37 (2018).

<sup>52</sup> UN-Women, *Leveraging Co-Benefits between Gender Equality and Climate Action for Sustainable Development* (2016), p. 24.

<sup>53</sup> <https://pakistan.unfpa.org/en/news/women-and-girls-bearing-brunt-pakistan-monsoon-floods>.

<sup>54</sup> Global Gender and Climate Alliance, *Gender and Climate Change: A Closer Look at Existing Evidence* (2016) and <https://www.carbonbrief.org/mapped-how-climate-change-disproportionately-affects-womens-health>.



35. The failure to develop and implement gender-transformative disaster risk reduction and response plans has led to early warning systems, shelters and relief programmes that neglect the particular needs of diverse groups of women, including women with disabilities, older women, Indigenous women,<sup>55</sup> pregnant/nursing persons and women with young children. Discrimination and social stigmatization endured by women, girls and LGBT+ persons during climate-related disasters increase risks of gender-based violence and limit access to vital relief services, including water, sanitation, food, housing and health care.

36. The climate crisis exacerbates extreme heat exposure, disproportionately affecting the health of older women and pregnant persons. Exposure to extreme heat causes increased risk of pregnancy-related hospitalizations and serious complications, including premature births, stillbirths and low birth weight.<sup>56</sup> In the United States, extreme heat exposure is worse for Black women, because Black communities experience hotter temperatures than white communities (e.g. due to less green space), lower socioeconomic status and less access to locations for cooling.<sup>57</sup> Rising temperatures are adversely affecting pregnant subsistence farmers in the Gambia, increasing cases of heat stress.<sup>58</sup>

37. Climate disasters result in economic difficulties for families that increase the likelihood of girls dropping out of school and render girls vulnerable to child marriage, which families use as a means to raise money or decrease the number of dependents.<sup>59</sup> Child marriage exposes girls to adolescent pregnancy and damages their health, education and future prospects. Globally, pregnancy complications and unsafe abortions are the leading causes of death for girls between the ages of 15 and 19.<sup>60</sup> Childhood pregnancy often terminates girls' education opportunities, perpetuating generations of poverty. An estimated 15 million girls are married before turning 18 each year, contributing to school dropout rates, rapid population growth and poverty that will cost developing countries trillions of dollars over the next decade.<sup>61</sup> By 2025, the climate emergency is expected to prevent at least 12.5 million girls from completing their education each year.<sup>62</sup>

## G. Risk multipliers

38. The climate and environmental crises are notorious risk multipliers, exacerbating the challenges faced by women and girls, especially in poor and marginalized communities. Droughts, soil degradation and other disasters worsen food and water scarcity, increasing the likelihood of displacement and migration. When families migrated from rural to urban areas in 2018–2019 in response to flooding, drought and conflict, girls' school enrolment rates dropped from 45 per cent to 29 per cent, while boys' enrolment rose.<sup>63</sup> Migrant, displaced and refugee women and girls are especially vulnerable to food insecurity, adverse health consequences and gender-based violence.<sup>64</sup> The increasing frequency and severity of extreme weather events cause additional injuries and illnesses, increasing the care burden of women and girls. Increases in food prices due to climate impacts on agricultural productivity are more likely to affect rural women and women living in poverty.

<sup>55</sup> Ibid., paras. 4–5.

<sup>56</sup> Bekkar and others, "Association of air pollution".

<sup>57</sup> [https://www.hrw.org/sites/default/files/media\\_2020/10/climatecrisis-reproductivejustice-US\\_1020\\_web.pdf](https://www.hrw.org/sites/default/files/media_2020/10/climatecrisis-reproductivejustice-US_1020_web.pdf).

<sup>58</sup> Shantelle Spencer and others, "The challenges of working in the heat whilst pregnant: insights from Gambian women farmers in the face of climate change", *Frontiers in Public Health* (2022).

<sup>59</sup> Lorena Aguilar, *Study on the Differentiated Impacts of Desertification, Land Degradation and Drought on Women and Men* (2022).

<sup>60</sup> [https://www.who.int/health-topics/adolescent-health/pregnancy-and-childbirth-complications-are-the-leading-cause-of-death-among-15-19-year-old-girls#tab=tab\\_2](https://www.who.int/health-topics/adolescent-health/pregnancy-and-childbirth-complications-are-the-leading-cause-of-death-among-15-19-year-old-girls#tab=tab_2).

<sup>61</sup> <https://www.worldbank.org/en/news/immersive-story/2017/08/22/educating-girls-ending-child-marriage>.

<sup>62</sup> Malala Fund, "A greener, fairer future: why leaders need to invest in climate and girls' education" (2021).

<sup>63</sup> UN-Women and Department of Economic and Social Affairs, *Progress on the Sustainable Development Goals*.

<sup>64</sup> General recommendation No. 37 (2018) and [A/77/136](#).

39. The climate change, biodiversity and pollution crises increase the risk of conflict – especially in fragile States that are ill-equipped to confront these environmental crises<sup>65</sup> – posing serious threats to peace and national security. Armed conflict is a major driver of gender inequality and environmental destruction, worsening living conditions for women and girls. In the Sahel region, in Africa, women and girls are disproportionately affected by the convergence of floods, droughts, conflict, food and water insecurity and limited resilience and adaptation capacity. Similarly, the dramatic shrinking of Lake Chad and land degradation caused by overuse is causing conflict between pastoral herders and farmers in Cameroon, Chad, the Niger and Nigeria, increasing risks of food insecurity and violence for women and girls.<sup>66</sup> Overlooking the security implications of climate change can jeopardize peace, adaptation and gender equality.

## H. Access to information, participation, and access to justice and effective remedies

40. Women and girls lack equal access to environmental and climate information; are often excluded from participation in environmental, climate and disaster risk decision-making processes; and lack access to justice and effective remedies when their rights are threatened or violated.

### 1. Access to information

41. Women and girls have less access to environmental and climate information because of unequal educational opportunities, disproportionate care responsibilities, stereotypes, lack of disposable income, language barriers, inadequate access to the Internet and communications technology, governments' failure to provide information in a gender-responsive manner, and other gender disparities. In low- and middle-income nations, hundreds of millions of women and girls do not own mobile phones,<sup>67</sup> putting the Internet out of reach despite its important role in providing access to information. For example, in Bangladesh, women have less access to radios, televisions and mobile phones than men, potentially cutting them off from life-saving information about extreme weather events.<sup>68</sup> Global surveys indicate that a surprising proportion of girls are unfamiliar with climate change, reflecting the failure of school systems to provide comprehensive environmental education.<sup>69</sup>

### 2. Participation in decision-making

42. Discrimination prevents many women and girls from having a say in the critical climate and environmental decisions that will determine humanity's future. Women are excluded from law-making and policymaking, planning, monitoring, and governance related to land, forests, fisheries, food systems, chemicals, climate, energy, fresh water and water and sanitation services. Common obstacles, rooted in systemic gender-based discrimination, include the comparative lack, among women and girls, of education, time, money, mobility, security and knowledge of legal, political and institutional procedures.<sup>70</sup>

43. The following statistics illustrate the underrepresentation of women in environmental decision-making:

- (a) In 2020, only 15 per cent of ministers of environmental sectors were women;<sup>71</sup>

<sup>65</sup> S/2021/827.

<sup>66</sup> UNEP and others, *Gender, Climate and Security: Sustaining Inclusive Peace on the Frontlines of Climate Change* (2020).

<sup>67</sup> GSM Association, *Connected Women: The Mobile Gender Gap Report 2022*.

<sup>68</sup> Global Gender and Climate Alliance, *Gender and Climate Change*.

<sup>69</sup> <https://www.unicef.org/media/118691/file/Bring%20In%20the%20Girls!.pdf>.

<sup>70</sup> General recommendation No. 34 (2016).

<sup>71</sup> <https://www.iucn.org/news/gender/202103/new-data-reveals-slow-progress-achieving-gender-equality-environmental-decision-making>.

(b) Just one third of decision-making roles under the United Nations Framework Convention on Climate Change and the Paris Agreement are occupied by women;<sup>72</sup>

(c) Only 21 per cent of delegates during the fourteenth session of the Conference of Parties of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa were women.<sup>73</sup>

44. Even when women were equally represented among registered delegates at one United Nations climate conference, men spoke for three quarters of the time.<sup>74</sup>

45. Employment discrimination and norms favouring men limit women's opportunities to fill key leadership positions relevant to the right to a healthy environment, including elected offices and senior roles in government agencies, corporations, industry associations, universities and international organizations. These institutions are dominated by men, particularly at management and leadership levels, undermining women's participation in environmental decision-making.

46. Indigenous and rural women are consistently excluded from business and government decisions related to land acquisition, land use, resource rights and processes in which their community's free, prior and informed consent is required. This exclusion harms women's ability to feed their families, earn livelihoods, participate in development, maintain their nature-dependent cultural or spiritual practices and receive compensation, leading to environmental conflicts and heightened risks of violence.<sup>75</sup> The systematic underrepresentation of women and girls worsens environmental outcomes. For example, their exclusion from community forest management leads to ineffective forest protection.<sup>76</sup>

### 3. Access to justice and effective remedies

47. Gender-equitable access to justice and effective remedies in all environmental contexts remains elusive. The same obstacles to participation in decision-making processes also impede access by women and girls to justice and effective remedies.<sup>77</sup> Patriarchal judicial and non-judicial grievance processes, biases against women, a lack of sensitivity towards the particular concerns of women and girls and the absence of affordable, accessible legal aid are also barriers.<sup>78</sup> It has been estimated that women account for only 27 per cent of judges worldwide.<sup>79</sup> Threats and reprisals also have a chilling effect on women's pursuit of justice.

48. In the aftermath of harms caused by climate change, biodiversity loss and pollution, access to justice is often inaccessible, particularly for Indigenous women, women in situations of intersecting vulnerability, including poverty, and where transnational claims are needed.<sup>80</sup> For example, following climate-related disasters, women may encounter significant difficulties in claiming compensation and other forms of reparation to mitigate their losses and to adapt to climate change.<sup>81</sup>

<sup>72</sup> <https://www.un.org/sg/en/content/sg/statement/2022-03-14/secretary-generals-opening-remarks-the-commission-the-status-of-women-bilingual-delivered-followed-all-english-and-all-french-versions>.

<sup>73</sup> Aguilar, *Study*.

<sup>74</sup> <https://unfccc.int/news/overrepresentation-of-men-in-un-climate-process-persists>.

<sup>75</sup> [A/HRC/41/43](#), and <https://www.wri.org/research/making-womens-voices-count-community-decision-making-land-investments>.

<sup>76</sup> UNEP, *Global Gender and Environment Outlook*.

<sup>77</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 33 (2015). See also [A/HRC/32/19](#).

<sup>78</sup> [A/HRC/41/43](#). See also [A/HRC/26/39](#).

<sup>79</sup> World Bank Group, *Women, Business and the Law 2016: Getting to Equal* (2015).

<sup>80</sup> Committee on the Elimination of Discrimination against Women, general recommendations No. 33 (2015) and No. 37 (2018), and Gwynne Skinner and others, *The Third Pillar: Access to Judicial Remedies for Human Rights Violations by Transnational Business* (2013).

<sup>81</sup> General recommendation No. 37 (2018), para. 37.

## I. Gender-based violence

49. During their lifetime, one in three women and girls will experience gender-based violence.<sup>82</sup> The climate, pollution and biodiversity crises worsen poverty, increase stress and fuel violence against women and girls, including physical, psychological, domestic and sexual violence, child marriage and sex trafficking. Increased domestic and sexual violence have been reported after hurricanes, cyclones, heatwaves and bush fires.<sup>83</sup>

50. Gender-based violence disproportionately affects women and girls in vulnerable situations. Indigenous women and girls experience a range of gender-based violence, including environmental violence that can take the form of environmental harm, degradation, pollution or State failures to prevent foreseeable harm connected to climate change.<sup>84</sup> Gender-based violence threatens the individual autonomy, personal liberty and security, privacy and integrity of all Indigenous women and girls and may also harm the collective and its well-being, by jeopardizing the spiritual life, connection with Mother Earth, cultural integrity and survival, and social fabric of Indigenous Peoples and communities.<sup>85</sup>

51. In some States, the climate crisis contributes to economic violence through wife inheritance (after a husband dies, his brother or other male family member “inherits” the widow and her family’s property), inheritance renouncement and other means of disinheriting women and girls. Climate-related disasters such as droughts and floods also are contributing to a rise in “witch” killings, which target women and girls and may serve as cover for land and property grabbing.

52. Militarized efforts to protect or facilitate environmentally destructive activities (especially large-scale agribusiness, extractive, hydropower and mining projects) heighten risks of gender-based violence, especially on Indigenous and rural lands. Examples from Guatemala, Papua New Guinea, the Philippines and the United Republic of Tanzania reveal the involvement of the police, the military and armed guards in rape, torture, assault, sexual harassment and other forms of violence against women.<sup>86</sup> Trafficking for the exploitation and the prostitution of others or other forms of sexual exploitation may replace safer livelihoods for women and girls. The risks of gender-based violence are also exacerbated by exclusionary, militarized approaches to conservation and by the illegal wildlife and timber trades.<sup>87</sup>

53. The planetary environmental crisis also contributes to forced displacement, where risks of violence against women and girls escalate. In 2021, over 20 million people were displaced by climate-related disasters. Millions more were displaced in 2022, in part because of the devastating floods in Pakistan. Most displaced persons are women and girls.

## J. Environmental human rights defenders

54. Women and girls around the world, especially from Indigenous, Black and other racially marginalized communities, have an inspiring history at the forefront of environmental defence. Women environmental human rights defenders are disproportionately affected by environment-related human rights violations. In response, they challenge patriarchy, corporate power and State complicity.<sup>88</sup>

55. Women and girls are at a disadvantage in defending the environment and human rights due to their lack of land and tenure rights, relative poverty and exclusion from decision-

<sup>82</sup> [A/77/136](#).

<sup>83</sup> *Ibid.*, para. 24.

<sup>84</sup> General recommendation No. 39 (2022), para. 37.

<sup>85</sup> *Ibid.*, paras. 17–18.

<sup>86</sup> Itzá Castañeda Camey and others, *Gender-based Violence and Environment Linkages: The Violence of Inequality* (2020).

<sup>87</sup> <https://www.ohchr.org/sites/default/files/Documents/Issues/Environment/SREnvironment/policy-briefing-1.pdf>. See also Joni Seager, *Gender and Illegal Wildlife Trade: Overlooked and Underestimated* (2021).

<sup>88</sup> [A/72/170](#).

making processes. Because of gender discrimination and the power of their activism, women and girl defenders are stigmatized, marginalized, shamed and exposed to greater risks of violence and reprisals. They are accused of pursuing environmental justice to the detriment of their domestic duties and may be subject to coercion through threats against their families and loved ones.<sup>89</sup> Hundreds of women have been murdered for their work as environment, land, water and human rights defenders in recent years. Countless more experience violence, intimidation and criminalization.

#### IV. Reasons for hope

56. Women and girls have always made substantial environmental stewardship contributions, benefiting their families, communities, businesses and nature. They are formidable agents of change, essential partners in the quest for a just and sustainable future, and their potential empowerment offers much-needed hope. Immense benefits would result from the gender-transformative realization of the right to a clean, healthy and sustainable environment, not only for women and girls. However, these potential benefits should not be used to instrumentalize or commodify the right of women and girls to non-discrimination. Without question, the equal realization of the right to a healthy environment for women and girls is a worthy imperative in and of itself, stemming from the inherent dignity of each woman and girl.

57. There is compelling evidence that the participation and leadership of women and girls in the design and implementation of climate and environmental policies results in cleaner, healthier and more biodiverse environments, resilient communities and more equitable distribution of nature's benefits.<sup>90</sup> Correlations exist between: women in positions of political authority and lower national carbon footprints; parliaments with a greater proportion of women and environmental treaty ratification; and higher percentages of women on corporate boards and full disclosure of carbon emissions.<sup>91</sup> A recent study of 18 nations found that higher numbers of elected women were correlated with stronger environmental standards.<sup>92</sup> Higher levels of girls' education have been strongly linked to climate resilience.<sup>93</sup>

58. Increasing women's rights and access to natural resources improves outcomes for nature and people. In Indonesia, Peru and the United Republic of Tanzania, when women's involvement in community forest management was guaranteed by gender quotas and supported by financial incentives, conservation outcomes improved.<sup>94</sup> Women's participation in environmental governance reduces the risk of resource-driven conflict. For example, fisherwomen on the border between Guinea and Liberia creatively resolved a decades-long conflict about a shared fishery.<sup>95</sup>

59. Women involved in policymaking are more likely to emphasize public goods. For example, women councillors in India prioritized water and sanitation investments more than their male counterparts.<sup>96</sup> A study of water supply and sanitation projects across 88 communities in 15 countries indicated that "projects designed and run with the full participation of women are more sustainable and effective than those that are not".<sup>97</sup>

60. Gender-transformative and -responsive approaches to agriculture (e.g. ensuring equal benefit from government support programmes) contribute to the achievement of Sustainable

<sup>89</sup> A/HRC/40/60.

<sup>90</sup> [https://www.unwomen.org/sites/default/files/2021-12/CSW66%20EGM%20report\\_final.pdf](https://www.unwomen.org/sites/default/files/2021-12/CSW66%20EGM%20report_final.pdf).

<sup>91</sup> Global Gender and Climate Alliance, *Gender and Climate Change*.

<sup>92</sup> Amy Atchison and Ian Down, "The effects of women officeholders on environmental policy", *Review of Policy Research* (2019).

<sup>93</sup> Plan International, *From the Frontlines: Youth Call for Action to Address Loss and Damage Caused by Climate Change* (2022).

<sup>94</sup> Nathan Cook, Tara Grillos and Krister Andersson, "Gender quotas increase the equality and effectiveness of climate policy interventions", *Nature Climate Change* (2019).

<sup>95</sup> Isabelle Fauconnier and others, *Women as Change-Makers in the Governance of Shared Waters* (2018).

<sup>96</sup> Ibid.

<sup>97</sup> Imrana Jalal, *Women, Water, and Leadership* (2014).

Development Goals concerning hunger, poverty, gender inequality, resilience to climate-related disasters, biodiversity, education and livelihoods. Closing the agricultural gender gap would lift hundreds of thousands of people in Malawi, Uganda and the United Republic of Tanzania out of poverty.<sup>98</sup> Empowering women farmers with the same level of resources as men farmers could reduce global hunger by 12 to 17 per cent, providing food for 100 million to 150 million people in need.<sup>99</sup> As the Secretary-General emphasized in his report entitled “Our Common Agenda”, women’s equal leadership, economic inclusion and gender-balanced decision-making are simply better for everyone, men and women alike.<sup>100</sup>

## V. State obligations

61. The Convention on the Elimination of All Forms of Discrimination against Women is the most comprehensive articulation of the right of women to equality, requiring States to take all appropriate measures, including temporary special measures, to prohibit and eliminate discrimination against women and girls in all fields. States must implement gender-transformative measures, meaning steps capable of changing norms and systems that perpetuate gender inequality, and address the root causes of gender-based discrimination, including those related to the right of women and girls to a clean, healthy and sustainable environment.

62. As a corollary to the right to a clean, healthy and sustainable environment, States have procedural, substantive and heightened obligations towards those in vulnerable situations, as set forth in the framework principles on human rights and the environment.<sup>101</sup> Framework principle 3, reflecting foundational principles of international human rights law, asserts that to address indirect as well as direct discrimination, States must pay attention to historical or persistent prejudice against groups of individuals, recognize that environmental harm can both result from and reinforce existing patterns of discrimination, and take effective measures against the underlying conditions that cause or help to perpetuate discrimination. These obligations apply to both sex and gender discrimination, and require urgent, transformative action to address the structural causes of inequality.<sup>102</sup>

63. While some human rights obligations are subject to progressive realization, the obligation of non-discrimination is of immediate effect. States must take into account women’s (and girls’) de jure and de facto situation, and then take legislative, policy-based and other measures to ensure substantive equality.<sup>103</sup> This requires mainstreaming gender-responsive assessments and gender-transformative measures across all actions with environmental or climate implications to ensure the gender-equal realization of the right to a healthy environment. Temporary special measures (including quotas, quorum requirements, targets and incentives) should be adopted to accelerate progress. The principle of non-discrimination also requires States to apply an intersectional lens, recognizing the heterogeneity of women, girls and LGBT+ persons.

64. States are obliged to employ a gender-transformative, rights-based approach to addressing the impacts of the climate, biodiversity and pollution crises and to accelerate gender equality related to environmental decision-making and benefit-sharing processes and outcomes. The rights-based approach clarifies the obligations of States towards women and girls, catalyses ambitious action and prioritizes the most disadvantaged. States must mobilize the maximum available financial, human and political resources in their gender-transformative actions to respect, protect and fulfil the right to a clean, healthy and sustainable environment. Implementation of State obligations must be guided by other

<sup>98</sup> UNEP and International Union for Conservation of Nature, *Gender and Environment Statistics*.

<sup>99</sup> Food and Agriculture Organization of the United Nations, *The State of Food and Agriculture 2010–11* (2011).

<sup>100</sup> [A/75/982](#), para. 31.

<sup>101</sup> [A/HRC/37/59](#), annex I.

<sup>102</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 28 (2010).

<sup>103</sup> *Ibid.*

principles, including prevention, precaution, non-regression and polluter pays. States must avoid exacerbating, and actively improve, existing situations of environmental injustice.

## **A. Procedural obligations**

### **1. Empower women and girls through access to information and education**

65. Since gender stereotypes have resulted in most environmental sectors (e.g. science and technology) being dominated by men, States must take targeted measures to promote women's training, professional development, hiring and promotion in these fields. Gender-transformative education has a key role in eliminating prejudices and stereotypes, and changing the practices, patterns and norms that foster exploitation of nature, women and girls. States must sensitize men and boys to gender, and educate them about the need to become allies in empowering women and girls and addressing both gender inequality and the global environmental crisis.

66. A gender-transformative approach requires States to provide the public with accessible, affordable, accurate, understandable information and comprehensive environmental education at all levels regarding:

(a) The human rights of women and girls, including their right to a clean, healthy and sustainable environment and their land, water and other resource rights;

(b) The nexus between gender inequality and environmental injustice, including the causes, consequences and gender-differentiated impacts of climate change, pollution and biodiversity loss;

(c) The distinct impacts of environmental harm on the rights and health of women and girls, including sexual and reproductive health;

(d) Existing and proposed laws, policies and decision-making processes related to environmental governance.

67. States must also:

(a) Provide gender-transformative training for teachers;

(b) Support capacity-building, vocational and technical training, professional development, and access to the Internet, technology and other resources for women and girls;

(c) Develop programmes to involve female professionals and scientists in all aspects of environmental stewardship and sustainable economic development;<sup>104</sup>

(d) Mandate that environmental impact assessment processes incorporate gender-responsive human rights impact assessments to examine the potential gender impacts of proposed plans, policies and projects.

### **2. Ensure meaningful, informed, inclusive and equitable participation**

68. States must take gender-transformative measures, including temporary special measures, to accelerate equal participation in climate and environmental decision-making; to redistribute land, power and resources; to eliminate discrimination against women in political and public life; and to ensure that women have equal opportunities to represent their governments internationally.<sup>105</sup> Examples of such measures include: increased allocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical targets connected with timelines; and quota systems.<sup>106</sup> Time poverty is a central obstacle to women's participation in environmental decision-making and leadership, so States must take

<sup>104</sup> Beijing Platform for Action, para. 256.

<sup>105</sup> Convention on the Elimination of All Forms of Discrimination against Women, arts. 7–8.

<sup>106</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 25 (2004).

actions to transform gender stereotypes and patterns of behaviour that contribute to women's disproportionate unpaid care burden.<sup>107</sup>

69. To ensure a gender-transformative approach to participation and leadership, States must:

(a) Ensure that all women and girls have equal opportunities for meaningful, informed and equitable public participation in all climate and environmental decision-making and implementation;

(b) Redesign decision-making institutions at all levels to overcome gendered barriers to women's participation and substantive engagement;

(c) Take special measures to place women in leadership positions across all sectors of climate, environmental and disaster risk reduction action;

(d) Empower the most directly affected, vulnerable and marginalized women and girls.<sup>108</sup>

### **3. Ensure affordable and timely access to justice and effective remedies**

70. States must ensure, through courts, tribunals, national human rights institutions and other public institutions, the effective protection of women against any act of discrimination.<sup>109</sup> This obligation includes providing access to gender-transformative remedies and mechanisms to hold those responsible for climate and environmental harms accountable. States must ensure that women and girls have access to judicial and administrative procedures that address their specific needs and that also meet basic requirements of justice, including: impartiality, independence, affordability, accessibility, security, transparency and fairness; timely review of claims; necessary expertise and resources; a right of appeal to a higher body; and binding, publicly available and effectively enforced decisions, including for interim measures, compensation, restitution and reparation.<sup>110</sup> These procedures should be available for claims of past, current, imminent and foreseeable human rights violations.

71. Specifically, States must:

(a) Provide women and girls with accurate, sufficient information about their rights and the various justice pathways to defend and enforce them;

(b) Systematically eliminate gendered obstacles to justice (social, cultural, financial, legal, procedural, linguistic and physical, among others) across formal and informal justice mechanisms;

(c) Provide judges, prosecutors and other legal and law enforcement professionals with training aimed at eliminating gender stereotyping;

(d) Incorporate a gender perspective and gender-transformative approaches in all aspects of the justice system, responding to the different types of violations experienced by women and girls and their unique remedial needs and expectations;

(e) Ensure that all justice systems are adapted to the needs of women who face intersectional forms of discrimination, including with regard to physical accessibility for women and girls with disabilities.<sup>111</sup>

### **4. Provide strong protections for environmental human rights defenders**

72. States must: ensure safe and enabling environments for woman and girl environmental human rights defenders; provide them with specific, heightened protections from threats, intimidation, harassment, criminalization and violence; investigate, prosecute and punish perpetrators of those crimes; and address root causes of socioenvironmental conflict. To

<sup>107</sup> Convention on the Elimination of All Forms of Discrimination against Women, art. 5.

<sup>108</sup> Committee on the Rights of the Child, general comment No. 12 (2009).

<sup>109</sup> Convention on the Elimination of All Forms of Discrimination against Women, art. 2 (c).

<sup>110</sup> General recommendation No. 33 (2015).

<sup>111</sup> Ibid. See also general recommendation No. 39 (2022) and [A/72/162](#).



exercise this obligation in a gender-transformative manner, States must provide specific, heightened protections for woman and girl environmental and human rights defenders. Such efforts should take an intersectional approach, prioritizing woman and girl defenders whose identities intersect with other vulnerable groups, especially Indigenous persons, Afrodescendants and other racial minorities, peasants and LGBT+ persons. States should also establish, support and publicize gender-transformative, independent and accessible national and regional mechanisms for the protection of human rights defenders.

## 5. Disaggregated data and monitoring

73. Elimination of de jure as well as de facto discrimination against women and girls is required for the equal enjoyment of human rights, including the right to a clean, healthy and sustainable environment. Thus, eliminating discriminatory laws, regulations and policies is insufficient. States must also eliminate gender- and age-based differences in exposure to air pollution and toxic substances, in access to safe drinking water and healthy, sustainably produced food, in disaster risk reduction and in access to land, tenure and resources. This requires sex- and gender-disaggregated data to better understand the problems and to what extent policies, programmes and actions taken are producing the intended results. For example, because aid recipient countries fail to gather data disaggregated by sex, it is impossible to track whether official development assistance reaches women farmers.<sup>112</sup>

74. To identify and remedy environmental injustices in a gender-transformative manner, States must strengthen the capacity of national statistical offices and government institutions to collect, disaggregate, assess, monitor and report on data by sex, gender and other intersecting variables associated with increased vulnerability to environmental and climate-related harms (e.g. income, age, race, ethnicity, migration status, disability, geographical location and other characteristics). This will enable States to track the environmental, health, social, economic, cultural and human rights impacts – including discriminatory impacts – of climate change, pollution and biodiversity loss, such as the relationship between climate change and child marriage and other distinctive impacts on women and girls. States must ensure the highest standard of health throughout the life cycle of women, in equality with men.<sup>113</sup> Additional research and researchers will be required, meaning that fulfilling States' obligations requires increased funding and human and technical capacity, along with improved coordination across government agencies. In particular, States must increase monitoring and research about environmental impacts on maternal and reproductive health.

## B. Substantive obligations

75. Discriminatory laws affect over 2.5 billion women and girls worldwide.<sup>114</sup> Women's ability to inherit land and other forms of property is often restricted by discriminatory land, succession, civil, customary, religious and family laws,<sup>115</sup> especially in Africa, the Middle East, Asia and the Pacific. For example, 76 States do not have laws granting women equal rights to property and inheritance. These discriminatory laws violate the Convention on the Elimination of All Forms of Discrimination against Women, which requires States parties to embody the principle of gender equality in their national constitutions and legislation; repeal or modify legislation that constitutes discrimination against women; and modify or abolish all practices or customs that constitute discrimination against women. States must eliminate all forms of discrimination related to land ownership, tenure and property rights, and natural resource governance, including those related to marital status, legal capacity and lack of access to economic resources. In particular, States must ensure equal land ownership and tenure rights for women and men, including the right to inherit and bequeath those rights.

76. States should legally recognize the right of women and girls to a clean, healthy and sustainable environment, as well as associated rights concerning women's equal ability to

<sup>112</sup> Oxfam, *Ten Years after the Global Food Crisis, Rural Women Still Bear the Brunt of Poverty and Hunger* (2019).

<sup>113</sup> Beijing Platform for Action, para. 92.

<sup>114</sup> E/CN.6/2020/3.

<sup>115</sup> Aguilar, *Study*.

use, conserve, protect, benefit from and participate in decision-making about nature. Government actions that threaten or violate these rights must be avoided. All climate, land, energy, natural resource and environmental laws and policies should be reviewed and, as necessary, revised to ensure that they are gender transformative. It has been noted that so-called gender-blind laws, policies, budgets and procedures, including those relevant to climate and the environment, are proven to enable discrimination against women and to disproportionately disadvantage them, and thus are incompatible with States' obligations under international law.<sup>116</sup> States must amend all gender-blind climate and environmental laws to specify the rights of women and girls and avoid retrogressive measures affecting the right of women and girls to a healthy environment.

77. States must employ "whole-of-government" approaches, recognizing that the entire range of national and subnational government institutions – legislative, executive and judicial branches – must be gender-transformative in order for women and girls to enjoy their right to a clean, healthy and sustainable environment without discrimination.<sup>117</sup> This will require extensive training and capacity-building because government institutions are dominated by men, particularly among leadership positions, and often characterized by gender biases and discriminatory social norms. States must enhance gender expertise across environmental ministries, and environmental expertise across women's affairs ministries.

78. States are obliged to effectively implement and enforce gender-transformative environmental laws, regulations and standards, supported by adequate financial, institutional and human resources. Failing to prevent foreseeable human rights harm caused by climate change, which disproportionately affects women and girls, or to regulate harmful activities contributing to such harm, could constitute a violation of States' obligations, and States must mobilize the maximum available resources to the adoption of measures aimed at mitigating climate change.<sup>118</sup>

79. Voluntary approaches to ensuring that businesses respect human rights have proven insufficient. States are obliged to regulate and monitor the conduct of businesses to ensure they respect the rights of women and girls, effectively enforcing rules and imposing meaningful penalties for violations.<sup>119</sup>

80. States must fulfil the right of women and girls to a clean, healthy and sustainable environment by employing gender-transformative approaches in order to:

- (a) Deliver improvements in household and outdoor air quality through universal access to clean cooking and heating technologies and reductions in ambient air pollution, prioritizing communities enduring the worst air quality;
- (b) Ensure universal access to safe and sufficient water and adequate, appropriate and acceptable sanitation;
- (c) Support the transition to agroecological food systems in which women and girls have equal opportunities to sustainably produce and consume healthy food;
- (d) Regulate and prevent exposure to toxic substances that disproportionately harm women and girls, paying special attention to developmental, reproductive and maternal health;
- (e) Conserve, protect and restore healthy biodiversity and ecosystems, while guaranteeing that women and girls share equally in the benefits of using nature;
- (f) Preserve a safe climate, including mitigation, adaptation, disaster risk reduction and climate finance actions that address the specific needs of women and girls, particularly in climate-vulnerable nations;

<sup>116</sup> E/CN.4/2006/118 and A/HRC/16/40. See also general recommendation No. 34 (2016).

<sup>117</sup> E/2022/27-E/CN.6/2022/16, chap. I, sect. A.

<sup>118</sup> HRI/2019/1.

<sup>119</sup> Committee on Economic, Social and Cultural Rights, general comments No. 24 (2017) and No. 16 (2005), para. 20.

(g) Eliminate environmental violence and all other forms of gender-based violence exacerbated by environmental harm;

(h) Fulfil the needs and rights of women and girls who are forced to migrate or who are left behind when men migrate due to environmental factors.<sup>120</sup>

81. The elimination of systemic discrimination against women and girls is essential for their consistent enjoyment of the right to a clean, healthy and sustainable environment. States must:

(a) Dismantle the root causes of gender inequalities prejudicing women and girls;

(b) Reform laws, policies, action plans and measures that perpetuate discrimination against women's enjoyment of the right to a healthy environment;

(c) Ensure that women have the same legal capacity as men to own, manage, inherit, bequeath and sell land and property, hold tenures and licences, conclude contracts and administer property independent of their husband or any male guardian;

(d) Adopt effective and appropriate measures to abolish practices that adversely affect the rights and health of girls and that are exacerbated by the climate and environmental crisis, including child marriage, female genital mutilation, preferential feeding of male children and "witch" killing;

(e) Improve health-care systems' gender-responsiveness, and expand gender-transformative measures, particularly in the context of disaster response;

(f) Overcome economic discrimination by mandating equal employment opportunities and pay for women and men, paid maternity leave and massive investments in the care economy;

(g) Prohibit the dismissal of workers due to pregnancy, maternity or marital status;

(h) Improve health and safety in working conditions across formal and informal sectors that are dominated by women, and address occupational health risks specific to women and girls;

(i) Demonstrate zero tolerance for violence against women and girls by preventing, investigating and punishing all forms of gender-based violence.

### **C. Heightened duties towards women and girls in vulnerable situations**

82. Gender-transformative climate and environmental actions should prioritize those groups of women and girls with heightened risk of vulnerability, including those from Indigenous, racial, ethnic and sexual minority groups, women and girls with disabilities, adolescents, older women, unmarried women, women heads of household, widows, women and girls living in poverty in both rural and urban settings, women sex workers and internally displaced, stateless, refugee, asylum-seeking and migrant women.<sup>121</sup>

83. Indigenous women and girls have a special connection to their environment, described as "territories of life", Pachamama or Mother Earth. They are disproportionately affected by pollution, deforestation, the climate crisis and biodiversity loss. Some Afrodescendent, peasant and local communities enjoy similarly deep connections to nature. States must:

(a) Recognize and prioritize the collective and individual needs and rights of women and girls in these communities in all climate actions and efforts to conserve, protect, restore, sustainably use and equitably share the benefits of nature;

(b) Take measures to protect Indigenous, Afrodescendent and other nature-dependent rural women's traditional knowledge, customary practices and cultural rights;

<sup>120</sup> General recommendation No. 37 (2018).

<sup>121</sup> *Ibid.*, paras. 26 (a) and 35.

(c) Support capacity-building for women and girls who depend directly on nature for their cultural identities and livelihoods to sustainably conserve and use nature based on traditional knowledge, customs and stewardship responsibilities;

(d) Respect the right of Indigenous women and girls to free, prior and informed consent in all decisions that affect their territories, cultural heritage and rights before authorizing economic, development, extractive or climate projects or designating their lands as protected areas.

84. As the customary laws and practices of Indigenous, Afrodescendent and other nature-dependent rural communities may be a source of discrimination against women and girls, States must not exempt customary laws and practices from laws guaranteeing gender equality or prohibiting discrimination against women.

85. Land is the most important asset for the majority of people in developing countries, in part because it is pivotal to rural women's capacity to escape poverty and act as transformational environmental agents, including with respect to their right to a clean, healthy and sustainable environment.<sup>122</sup> States must legally recognize the land and natural resource ownership, tenures and participatory rights of Indigenous and other nature-dependent rural women, including the collective ownership and tenure rights held by Indigenous and other nature-dependent communities.

86. To fulfil their obligation to protect the right to a clean, healthy and sustainable environment, States must strictly regulate business activities to prevent actions that threaten the lands, waters and ecosystems of Indigenous, Afrodescendent, local community, and peasant women and girls. States should recognize, support and honour the many contributions to climate action, environmental stewardship, conservation and restoration made by these pivotal rights holders.

## VI. Business responsibilities

87. Corporations and other non-State actors routinely abuse the rights of women and girls by polluting air, water and soil, exacerbating the climate crisis, devastating biodiversity and ecosystems and producing and marketing unhealthy, unsustainable food. Businesses are also responsible for promoting harmful gender stereotypes, consumerism, overconsumption and the commodification of nature. Environmentally destructive business activities are often outsourced from high-income to low- and middle-income States where protections for human rights and the environment are weaker or not enforced.<sup>123</sup> Additionally, some environmental organizations continue to employ exclusionary conservation approaches that abuse human rights and jeopardize biodiversity outcomes, with dire consequences for women and girls.<sup>124</sup>

88. Gender-transformative business practices should contribute to changing the patriarchal norms and unequal power relations that cause gender-based environmental injustices, discrimination and violence.<sup>125</sup> In the light of the Guiding Principles on Business and Human Rights,<sup>126</sup> businesses' responsibilities related to the right of women and girls to a clean, healthy and sustainable environment require them:

(a) To implement human rights and environmental due diligence to identify, assess, prevent, cease, mitigate and effectively remedy all actual or potential adverse human rights and environmental impacts that their activities may cause or contribute to, and prevent or mitigate adverse human rights, climate and environmental impacts linked to their operations, goods or services through their supply chains and business relationships;

<sup>122</sup> <https://www.ifad.org/documents/38714170/39148759/Land+tenure+security+and+poverty+reduction.pdf/c9d0982d-40e4-4e1e-b490-17ea8fef0775>. See also Aguilar, *Study*.

<sup>123</sup> [A/75/161](#).

<sup>124</sup> <https://www.ohchr.org/sites/default/files/Documents/Issues/Environment/SREnvironment/policy-briefing-1.pdf>.

<sup>125</sup> [A/HRC/41/43](#), para. 39.

<sup>126</sup> <https://www.ohchr.org/sites/default/files/documents/issues/environment/srenvironment/activities/2022-07-01/20220701-sr-environment-policybriefing3.pdf>.

- (b) To publicly disclose their adverse impacts on the health, rights and well-being of women, girls and nature;
- (c) To publicly commit to achieve substantive gender equality;
- (d) To support laws and policies intended to close gender gaps and employ rights-based approaches to climate and environmental problems;
- (e) To implement zero-tolerance policies concerning intimidation of, threats against or reprisals against women and girls;
- (f) To provide, or cooperate in providing, effective remedies for women and girls affected by environmental harm that a business causes or contributes to.

## VII. Good practices

89. There are many good practices that recognize and implement the right of women and girls to a clean, healthy and sustainable environment. Due to space constraints, these are highlighted in a separate annex.<sup>127</sup>

## VIII. Conclusion and recommendations

90. **Humanity must create a world that is gender equitable and ecologically sustainable. These imperatives are so deeply interwoven that neither can be achieved without the other. Because discrimination and unsustainability are so intertwined, pervasive and entrenched, only rights-based, systemic and transformative changes can achieve a just and sustainable future where everyone, including every woman and girl, enjoys the right to a clean, healthy and sustainable environment. Gender-transformative change is especially important in the context of a just recovery from the COVID-19 pandemic, which reversed gender equality gains in many countries.**

91. **The Special Rapporteur wholeheartedly endorses the recommendations on climate change, the environment and the rights of women and girls advanced by the Commission on the Status of Women,<sup>128</sup> the Committee on the Elimination of Discrimination against Women,<sup>129</sup> the Committee on the Rights of the Child,<sup>130</sup> the Special Rapporteur on violence against women and girls, its causes and consequences,<sup>131</sup> the Special Rapporteur on the human rights to water and sanitation,<sup>132</sup> the Special Rapporteur on the right to food,<sup>133</sup> the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes,<sup>134</sup> the Special Rapporteur on the rights of Indigenous Peoples,<sup>135</sup> UN-Women,<sup>136</sup> UNEP<sup>137</sup> and OHCHR.<sup>138</sup>**

### 1. Accelerate gender-transformative, rights-based climate and environmental action

92. **States should recognize the right to a clean, healthy and sustainable environment – for women, girls and all people – in all regional and national legal systems, and**

<sup>127</sup> The annex will be available at <https://www.ohchr.org/EN/Issues/Environment/SREnvironment/Pages/AnnualReports.aspx>.

<sup>128</sup> E/2022/27-E/CN.6/2022/16, chap. I, sect. A.

<sup>129</sup> General recommendations No. 37 (2018) and No. 39 (2022).

<sup>130</sup> Draft general comment No. 26, available at <https://www.ohchr.org/en/calls-for-input/2023/call-comments-draft-general-comment-childrens-rights-and-environment-special>.

<sup>131</sup> A/77/136.

<sup>132</sup> A/HRC/33/49.

<sup>133</sup> A/HRC/31/51.

<sup>134</sup> A/77/183.

<sup>135</sup> A/77/238 and A/71/229.

<sup>136</sup> UN-Women, *Beyond COVID-19*.

<sup>137</sup> UNEP, *Global Gender and Environment Outlook*.

<sup>138</sup> A/HRC/41/26.

accelerate the implementation of gender-transformative actions to fulfil this right for women and girls, including by:

- (a) Taking more ambitious action on mitigation, adaptation and compensation to limit and remedy the impacts of the climate crisis on women and girls;
- (b) Prioritizing water and sanitation provision in schools, health-care facilities, other public buildings, workplaces and households lacking these essential services;
- (c) Strengthening air quality standards by incorporating the most recent World Health Organization guidelines;
- (d) Scaling up investments in clean cooking to \$5 billion annually to achieve universal access by 2030;
- (e) Strengthening regulations on chemicals that disproportionately harm women and girls;
- (f) Taking additional measures to prevent the exposure of girls, women of child-bearing age and pregnant persons to toxic substances, including through a new international instrument to eliminate developmental neurotoxins;
- (g) Enhancing the role of women and girls in the stewardship, protection and restoration of nature;
- (h) Addressing the drivers and impacts of climate- and environment-induced displacement and migration;
- (i) Prioritizing human rights and gender equality in nationally determined contributions, National Biodiversity Strategies and Action Plans, land degradation neutrality profiles and other strategies for climate and environmental action;
- (j) Establishing binding targets and timelines for achieving gender equality, including quotas for women in leadership positions in all environmental sectors and fields;
- (k) Monitoring the disaggregated impacts of the above actions.

## 2. Empower women and girls as climate and environmental leaders

93. States should take action, including temporary special measures, to empower women and girls as climate and environmental leaders by:

- (a) Addressing barriers to participation for marginalized women and girls, including through consultations exclusively for women and girls and the provision of safe transportation, free childcare and translation services;
- (b) Partnering with ministries responsible for women's affairs when designing and implementing climate and environmental policies and actions;
- (c) Strengthening institutions and mechanisms, including national human rights institutions, customary justice systems and community paralegal services, to defend the rights of women and girls to a healthy environment, land and other natural resources.

## 3. Empower women and girls as economic actors

94. States should:

- (a) Subsidize childcare services;
- (b) Increase support for woman and girl entrepreneurs, including equal access to finance, marketing support and technologies;
- (c) Promote equal rights and opportunities for women in agriculture and fisheries, including access to finance, technology, education, training and extension services;

(d) **Integrate informal workers, who are predominantly women, into formal economies and provide them with social protection;**

(e) **Improve social protection programmes, prioritizing women and girls living in poverty.**

**4. Increase information and resources for women and girls**

**95. States should:**

(a) **Increase funding for grass-roots women's organizations working on climate and environmental issues;**

(b) **Redirect hundreds of billions of dollars in subsidies from environmentally harmful activities to sustainable and regenerative actions led by women and girls;**

(c) **Increase funding for the implementation of gender action plans under multilateral environmental agreements;**

(d) **Prioritize gender-transformative climate and biodiversity finance in the form of grants, not loans, for projects in low-income nations and small island developing States that directly benefit women and girls, designed, decided and implemented with their full and effective participation;**

(e) **Provide health-care providers with sufficient capacity to inform pregnant patients about environmental risks and adaptation measures, particularly in marginalized communities;**

(f) **Devote the resources necessary to ensure effective implementation of the recommendations in the present report, including through gender-transformative budgets.**

**96. The General Assembly and United Nations entities should support the gender-transformative implementation of the right to a clean, healthy and sustainable environment. The Human Rights Council, United Nations treaty bodies and national human rights institutions should address the nexus of gender equality and environmental justice through the universal periodic review, country reviews, investigations and public education.**

**97. The final recommendation is for men, who should acknowledge their privilege and power, become advocates for the empowerment of women and girls as agents of change and environmental leaders, and take tangible actions to support women and girls in realizing their right to a clean, healthy and sustainable environment.**

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