INTERNATIONAL HUMAN RIGHTS NETWORK 2018 SYMPOSIUM PANEL: THE HUMAN RIGHTS IMPACT OF CLIMATE CHANGE

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GENDER EQUALITY IS AT THE HEART OF HUMAN RIGHTS

• A fundamental principle of the United Nations Charter is “equal rights of men and women”

• Discrimination based on sex is also prohibited under almost every human rights treaty including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESC).

• Both ICCPR and ICESC also seek to ensure the equal right of men and women to the enjoyment of all rights contained in them.
GENDER EQUALITY IS AT THE HEART OF HUMAN RIGHTS

• Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

• Lays out state obligations to eliminate discrimination and achieve substantive equality

• Discrimination: any difference in treatment on the grounds of sex which intentionally or unintentionally disadvantages women

• Discrimination: any difference in treatment on the grounds of sex which prevents women from exercising human rights and fundamental freedoms
**Women and health**

**Key facts**

- Women live longer than men around the world: 74.2 years vs. 69.8 years.
- Every day, approximately 830 women die from preventable causes related to pregnancy and childbirth, especially young adolescents and women older than 35.
- Noncommunicable diseases are the biggest killers of women globally.
  - Among women of all ages, groups, and countries.
- Cardiovascular disease is the top cause of women's death.
- Female health workers comprise 70% of the health workforce worldwide.
  - Yet half of women's contributions to global health are in the form of unpaid care.
- Unipolar depression is twice as common in women.
  - Globally, 1 in 3 women are likely to experience physical or sexual violence.
  - This has a profound impact on women's physical, sexual, reproductive, and mental health.
  - Women represent a majority of people living with HIV.
  - Particularly young women aged 15-24.
**Figure 1**
Global number of out-of-school children, adolescents and youth, 2000-2016

- **Primary age**
- **Lower secondary age**
- **Upper secondary age**

**Out-of-school population (million)**

- World in 2000: 377.5 million
- World in 2016: 253.0 million

- Female: 92.7 million
- Male: 84.4 million
- Female: 54.0 million
- Male: 45.7 million
- Female: 58.3 million
- Male: 42.5 million
- Female: 34.3 million
- Male: 31.1 million
- Female: 30.0 million
- Male: 71.1 million
- Female: 67.4 million

RESEARCH WAGE GAP

UK companies with more than 250 employees had until 5 April to publish statistics on the gender pay gap. Nature analysed data from universities, pharmaceutical companies and other employers of scientists.

1. Science employers averaged a median pay difference of 15% in favour of men, compared with the UK-wide figure of 10%.

2. A lack of women in senior roles underlies many pay gaps. One report found that less than one-quarter of UK professors are female, even though women make up 45% of the academic workforce.

![Graph showing the difference in median hourly wage by employer and gender]

Gender by quartile (%)

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Nature’s analysis is based on data from 122 universities (including Cambridge and Oxford colleges with more than 250 employees), 11 science institutes, 29 companies, 10 research funders and 8 science publishers.
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5 GENDER EQUALITY
Achieve gender equality and empower all women and girls
CLIMATE CHANGE ‘IMPACTS WOMEN MORE THAN MEN’

• Mainly because women make up the majority of the world’s poor

• More dependent for their livelihoods on natural resources that are threatened by climate change

• Social and political barriers that limit coping capacity

• Unequal voice in decision-making processes → limited mobility and reduced survival rates during natural disasters
WOMEN RESPONSIBLE FOR SECURING WATER, FOOD AND FUEL FACE THE GREATEST CHALLENGES

Climate change has significant impacts on fresh water sources and water quality

- Travelling further to get water
- Physical dangers
- Increases amount of labour required to collect, store, and distribute water
WOMEN RESPONSIBLE FOR SECURING WATER, FOOD AND FUEL FACE THE GREATEST CHALLENGES

Energy

- Nearly 2 billion people in the developing world use wood/charcoal/agricultural waste as their primary source of energy

- Aggravated environmental changes --> women are likely to spend longer hours collecting firewood
INvolving women as agents of change in climate change responses

- Energy policy
- Climate Finance: active participation of women in developing criteria for financing mechanisms and allocation of resources for climate change initiatives
- Technology
- Coping with natural disasters
GAP: GENDER ACTION PLAN

- Systematic integration of gender considerations in the thematic areas under the Convention and the Paris Agreement and in the policies and programs on the ground
- Participation of women in the UNFCCC process
- Coherence
- Aims to “ensure the respect, promotion and consideration of gender equality and the empowerment of women in the implementation of the Convention and the Paris Agreement”
- Monitoring and reporting (e.g. on the differentiated impacts of climate change on women and men; progress made in enhancing gender balance in national climate delegations)
A RIGHTS-TURN IN CLIMATE CHANGE LITIGATION
## CLIMATE CHANGE LITIGATION

- **900 cases in the US**
- **More than 270 cases in 25 jurisdictions (apart from the US)**
- **Australia: most advanced climate adaptation case law**

### Key Areas of Climate Change Litigation
- Challenging local planning decisions
- Failure of EIA to take CC impacts into account
- Enforcement (e.g. forestry, mining law)
- Suing private corporations in negligence
- Rights-based litigation
- Public Trust Doctrine
URGENDA V THE NETHERLANDS

The Higher Court stated that there is an imminent and real danger that the right to life and the right to private and family life as protected under the European Convention of Human Rights (Articles 2 and 8 respectively) will be infringed by climate change impacts.
LEGHARI V PAKISTAN

• Right to life includes right to healthy environment
• Failure to implement climate change policies threatens constitutional rights / human rights
• Establishment of climate change monitoring body
• Public interest litigation
COLOMBIAN YOUTHS CASE

Rights to a healthy environment, life, health, food, and water: threatened by deforestation in the Amazon and climate change
NORWAY : PEOPLE V ARCTIC OIL

Grounds: That opening up new/pristine areas of the Barents Sea for oil exploration violated the right to healthy environment enshrined in the Norwegian Constitution.
THE END