**Special thematic report on climate change and the human rights to water and sanitation by the Special Rapporteur on the human rights to safe drinking water and sanitation (January 2022)**

**Part 2: The impacts of climate change on the human rights to safe drinking water and sanitation of groups and populations in situations of vulnerability**

Contents

[I. Introduction 2](#_Toc94083050)

[II. Groups and population facing disproportionate impact 2](#_Toc94083051)

[A. Climate change and the human rights of groups and population living in situations of vulnerability 2](#_Toc94083052)

[B. Climate change as a multiplier of inequalities 3](#_Toc94083053)

[C. Participation 4](#_Toc94083054)

[III. Impact of climate change on groups and population in situation of vulnerability 5](#_Toc94083055)

[A. Persons living in poverty 5](#_Toc94083056)

[a. Persons living in poverty in rural areas 5](#_Toc94083057)

[b. Persons living in poverty in urban areas 6](#_Toc94083058)

[B. Indigenous peoples 7](#_Toc94083059)

[C. Women and girls 9](#_Toc94083060)

[D. Children 10](#_Toc94083061)

[E. Persons with disabilities 11](#_Toc94083062)

[F. Migrants and displaced persons 12](#_Toc94083063)

[G. Older persons 13](#_Toc94083064)

[H. Ethnic minorities 14](#_Toc94083065)

# Introduction

1. We are in a global water crisis and climate change exacerbates this crisis. It is well known that climate change arises as a consequence of the massive emission of greenhouse gases, and therefore no one doubts that mitigation strategies must be led by the energy transition. However, it is rarely explained that the main socio-economic impacts are generated around water. Adaptation strategies must be based on a hydrological transition that strengthens environmental and social resilience in the face of climate change. It is urgent to recover the good state of wetlands and underground aquifers, true natural lungs of the water cycle, which can and should be strategic reserves for these increasingly severe droughts. It is equally urgent to strengthen social resilience in the face of the impacts of climate change, with participatory adaptation plans that prioritize the human rights to drinking water and sanitation in times of both drought and flood emergency, particularly for those living in poverty and vulnerability.
2. The causes of scarcity of safe drinking water are rarely purely physical. Most people without access to safe drinking water are not living in waterless (arid) environments, but are either impoverished people who lack access to drinking water for their basic needs while the available drinking water is served to those who can afford it. Other people without access to safe drinking water and sanitation are people living in poverty, who live near polluted rivers, lakes or aquifers, which are either their source of drinking water or have impact on the availability of source of water.[[1]](#footnote-1) People living at the intersection of multiple sources of vulnerability and marginalization are more likely to lack access to safe drinking water and sanitation and to be disproportionately impacted by climate change. In addition, inadequate access to safe water and sanitation, among other impacts of climate change, exacerbates an additional layer of vulnerability the people face, especially their health.
3. The current report is part of three special thematic reports issued by the Special Rapporteur on the human rights to safe drinking water and sanitation.[[2]](#footnote-2) It serves as an intermittent report between the Special Rapporteur's report to the 48th session of the Human Rights Council in September 2021, focused on his plans and vision for the mandate ([A/HRC/48/50](https://ap.ohchr.org/Documents/dpage_e.aspx?si=A/HRC/48/50)) and his next report to the 51st session of the Human Rights Council in September 2022 focused on the human rights to safe drinking water and sanitation of indigenous peoples. The first special report aims to outline how climate change will impact the human rights to safe drinking water and sanitation, and to describe the main trends in those impacts by region. The second and current special report explores the impacts of climate change on the human rights to safe drinking water and sanitation of specific groups, and the third outlines a human rights approach to climate adaptation, mitigation, financing and cooperation.

# Groups and population facing disproportionate impact

## Climate change and the human rights of groups and population living in situations of vulnerability

1. In March 2008, in its resolution 7/23, the Human Rights Council expressed concern that climate change “poses an immediate and far-reaching threat to people and communities around the world” and requested OHCHR to prepare a study on the relationship between climate change and human rights. In a further resolution in March 2009 (resolution 10/4), the Human Rights Council noted that the impacts of climate change on human rights “will be felt most acutely by those segments of the population who are already in a vulnerable situation owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability”.
2. In 2010, the Conference of the Parties to the United Nations Framework Convention on Climate Change adopted Decision 1/CP.16, in which it was noted that the adverse effects of climate change have implications for the effective enjoyment of human rights, that the effects will be felt most acutely by those segments of the population that are already vulnerable, and that States parties should, in all climate change-related actions, fully respect human rights.[[3]](#footnote-3) In 2015, 196 State parties adopted the Paris Agreement, which explicitly states that “parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, including the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity". In article 7(5) of the Paris Agreement, the State parties specifically acknowledged that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems.
3. Several of the Human Rights Council resolutions[[4]](#footnote-4) and reports[[5]](#footnote-5) highlighted the disproportionate impact of climate change on the human rights of certain groups, including women and girls, children, migrants, persons with disabilities, and older persons. The links between climate change and human rights and States’ human rights obligations have also been explored by many Special Procedures mandate-holders and the human rights treaty monitoring mechanisms, many of which highlight the impact of climate change on the human rights to safe drinking water and sanitation.[[6]](#footnote-6) Most recently, the Human Rights Council (resolution 47/24) requested the Secretary-General to consult member States and other relevant stakeholders in order to prepare and submit to the 50th session of the Human Rights Council a report on the adverse impact of climate change on the full and effective enjoyment of human rights of people in vulnerable situations.

## Climate change as a multiplier of inequalities

1. Around the world, and within regions, specific groups and populations may face additional vulnerabilities that arise due to the effects of climate change. This could be the case for communities living in particularly vulnerable areas (e.g. riverbanks or coastlines), or indigenous peoples and impoverished rural communities who are often highly dependent on their natural environment for their livelihoods.
2. From a human rights perspective, climate change is understood as a risk multiplier: not only because the impacts of climate change will affect persons living in vulnerable situations to a greater extent, but also because this vulnerabilitymay be increased byclimate change. While climate change will impact water availability through changes made to the hydrological system, the impacts of these changes are more likely to be mediated by existing inequalities in water and sanitation management and governance. These existing inequalities will tend to be exacerbated as extreme events increase the scarcity of safe drinking water, especially if adaptation solutions do not take into account the elimination of those inequalities as a priority.[[7]](#footnote-7)

## Participation

1. Water is the primary vector through which the socio-economic impacts of climate change are, and will be, felt. As such, adaptation should occur through a ‘hydrological transition’ that strengthens social and environmental resilience in the face of climate change. This includes eliminating inequalities in access to drinking water and sanitation and associated vulnerabilities, restoring the good status of aquatic ecosystems and rigorous hydrological, territorial and urban planning, based on the precautionary principle, to identify, prevent and minimise the main risks arising from climate change. Within general adaptation measures and strategies, it is important to prioritize the needs of those whose human rights to safe drinking water and sanitation are most affected and threatened by climate change. As the vulnerability of these groups and populations tends to intersect with systemic marginalization and often discrimination, steps must be taken to ensure their active participation.[[8]](#footnote-8)
2. In order to design adaptation measures that do not perpetuate or exacerbate existing inequality, the process of identifying and designing these measures must be fully inclusive and participatory. Sometimes, measures taken in the name of climate change mitigation and adaptation can lead to violations of the human rights of marginalized groups: for example, the eviction of indigenous peoples from their ancestral land to building mega-infrastructures which can sever their links to traditional water sources and leave them homeless. In these situations, applying the principle of free, prior and informed consent and access to remedy that is fair and previously accepted is a necessary part of protecting the human rights of affected groups. [[9]](#footnote-9)
3. Participation is engrained into the climate adaptation process, most notably through the National Adaptation Plan (NAP) mechanism. NAPs are documents which identify countries’ most urgently needed adaptation projects, as part of the Cancun Adaptation Framework under the UN Framework Convention on Climate Change (UNFCCC). The Water Supplement to the NAP Technical Guidelines elaborated by the Global Water Partnership outlines how integrating participatory processes into the NAPs from the start of the process ensures that the specific vulnerability of marginalized groups are taken into account - both through the sharing of information and through open dialogue with concerned communities.[[10]](#footnote-10) In addition, including the needs of groups in situations of vulnerability at the core of NAPs will ensure that climate funding will be marked and channelled into redressing the inequalities at the heart of those situations of vulnerability.[[11]](#footnote-11) The majority of completed NAPs cite water as a main priority for adaptation, and explicitly address gender inequality, though references to other inequalities are disparate.[[12]](#footnote-12)
4. Ensuring that the voices of those most likely to be impacted by climate change and adaptation to the impacts of climate change are heard is the only way to ensure the dual goals of restoring the health of the environment, in particular the hydrological system, and eliminating the inequalities that multiply the impacts of climate change on the human rights to water and sanitation of groups and population in situations of vulnerability. Participatory processes for the development and implementation of climate change adaptation plans must incorporate a gender perspective. In fact, women and girls not only suffer the most severe impacts of non-compliance with the human rights to safe drinking water and sanitation, but also bear the greatest responsibility for providing these services to their families and communities.

# Impact of climate change on groups and population in situation of vulnerability

1. In its resolution 47/24, the Human Rights Council expressed concern that while the impacts of climate change affect individuals and communities around the world, they are felt most acutely by those segments of the population that are already in vulnerable situations, owing to factors such as geography, poverty, gender, age, indigenous or minority status where applicable, national or social origin, birth or other status and disability. The current report seeks to explore the way in which the human rights to safe drinking water and sanitation of groups in vulnerable situations will suffer disproportionate impacts from climate change. The groups have been selected in according to the work of the Human Rights Council on human rights and climate change[[13]](#footnote-13) and are presented in no particular order.

## Persons living in poverty

1. The Human Rights Council recognized that poverty, in all its forms and dimensions, is one of the greatest global challenges, and that poverty eradication is critical to climate change resilience and the promotion and protection of human rights (resolution 47/24). But at the same time, as outlined in the recent report of the Special Rapporteur on the human rights to safe drinking water and sanitation to the Human Rights Council in September 2021 (A/HRC/48/50), the non-fulfilment of the human rights to safe drinking water and sanitation is itself a key cause of extreme poverty.
2. Studies suggest that climate change is likely to increase the global rates of poverty, further increasing the economic vulnerability of persons currently living in poverty. According to a World Bank study, climate change could push nearly 100 million people who have recently escaped poverty back into poverty by 2030.[[14]](#footnote-14) A combination of increasing economic losses due to the impact of extreme events, rising food and amenity prices, and increasing volatility of yields in the agricultural sector will increase the number of individuals and households living in situations of economic vulnerability.[[15]](#footnote-15)
3. In addition to potential growing poverty rates, increasing competition between water uses and the increasing need for building and maintaining water and sanitation infrastructure to face the impacts of climate change may lead to increased costs of access to water and sanitation services and facilities worldwide. Persons living in poverty can be strongly affected by increased tariffs, in particular when there is no social protection support in place, rendering water and sanitation services unaffordable. One in five households in Latin America, and 70 per cent of households in sub-Saharan Africa, are likely to face issues regarding the affordability of water with the onset of climate change.[[16]](#footnote-16)

### Persons living in poverty in rural areas

1. Persons living in impoverished rural areas face specific climate change-related threats in access to water and sanitation, as they rely more directly on the nature and aquatic ecosystems for their source of water and their livelihoods. Droughts are increasingly disrupting the availability, accessibility, and quality of water which is likely to be used without treatment; while pit latrines collapse and overflow with floods, contaminating drinking water.
2. The vast majority of the 767 million people living on less than US$1.90 a day lives in rural areas.[[17]](#footnote-17) Their livelihoods often depend on agriculture, livestock or fishing.[[18]](#footnote-18) As a result, climate change threatens not only the availability of water for drinking and domestic use, but also the production of their food and the stability of their income. Prolonged water scarcity, which is likely to grow more frequent in arid and semi-arid regions as a consequence of climate change, can push individuals into poverty, greatly limiting their ability to afford water and sanitation services. Indigenous pastoralists in Turkana County, Kenya, for example, face droughts that ruin their pastures, threatening the survival of their herds and leading to conflict and insecurity.[[19]](#footnote-19) More generally, in arid and semi-arid areas, increasingly severe and prolonged droughts are forcing women and girls longer walk further to obtain potable water, while extending and deepening poverty.[[20]](#footnote-20)

### Persons living in poverty in urban areas

1. The access to water and sanitation of persons living in poverty in urban areas is impacted by climate change in conjunction with other factors such as increased population density and low-quality or even lack of water and sanitation infrastructure. The Habitat III New Urban Agenda, endorsed by the UN General Assembly in 2016, recognises that urban centres worldwide, especially in developing countries, have characteristics that make these urban centres and their inhabitants especially vulnerable to climate change impacts via water – in terms of extreme weather events, flooding, water scarcity, droughts, water pollution, vector-borne diseases, and sea level rise.[[21]](#footnote-21)
2. Persons living in poverty in urban areas are usually concentrated in informal settlements and slums, where access to safe drinking water and sanitation is often not guaranteed and where water and sanitation services are extremely vulnerable to the impacts of climate change. An estimated 1 billion people already live in urban slums, where there are challenges related to accessing safe water and sanitation.[[22]](#footnote-22) Slums also tend to be located in unsafe areas, including on fragile hillsides or flood-prone riverbanks. These areas are highly vulnerable to extreme climate events. Water and sanitation services can be destroyed by flooding events, rendering them unsafe or entirely unavailable. When wells and water sources are contaminated with dirty flood waters, residents may not have the financial and human capacity to find alternative sources and may be forced to drink water of low quality.[[23]](#footnote-23)
3. Affordability from the perspective of households and individuals as users of the water and sanitation services are an issue to highlight in urban areas and particularly for those living in poverty. There is an increasing risk that prices for water and sanitation services will rise in contexts of climate change-induced water scarcity. These prices can increase substantially especially in informal settlements, where informal water vendors often charge prices multiple times more expensive than those neighborhoods with piped water connections. But even within formal water infrastructure networks, there can be increases in costs and tariffs during periods of drought. Cape Town can serve as an example: faced with the threat of ‘Day zero’ - when the city was predicted to run out of water - water tariffs were restructured to encourage savings. Water became more expensive, and the free consumption that had been established to ensure affordability for the most impoverished was abolished. Since July 2017, the most impoverished households relied on a complicated and often inaccessible registration process to receive subsidised water.[[24]](#footnote-24)
4. Not only is climate change predicted to impact the availability, accessibility, quality and affordability of water and sanitation in urban areas, particularly for persons living in poverty, it is also predicted to greatly increase the numbers of persons living in poverty in urban areas by accelerating migration to cities. Water scarcity or drought can lead this migration from rural areas to cities, where people hope to find access to basic services, including access to water and sanitation. However, research shows that most of the persons who have been forced to move for environmental reasons end up in peripheral, slum areas with limited access to resources and services.[[25]](#footnote-25) Rural-to-urban migration, which is likely to be accelerated by climate change, is posing and will pose a challenge to the provision of drinking water and sanitation services, especially in deprived peri-urban and slum areas.[[26]](#footnote-26) Massive climate migration threatens to overwhelm the ability of urban services and increase overexploitation and increased competition over resources, rising tariffs and irregular sale of lower quality water to the most impoverished.[[27]](#footnote-27)

## Indigenous peoples

1. The Human Rights Council recognized that the effects of climate change are most acutely felt by those who are already vulnerable, including indigenous peoples (Resolution 29/15).
2. To the extent that indigenous peoples used to live in direct relationship with, and with dependence on their territorial environment, the impacts of climate change on the natural environment and in particular on aquatic ecosystems generate direct and serious impacts on them. Indigenous peoples are more vulnerable to drought, flooding and other risks, especially when the aquatic ecosystems on which they depend are degraded or affected by mega-projects or exploitations outside the communities, making them more fragile and vulnerable to climate change impacts.
3. Geographic factors can strongly affect the vulnerability of indigenous peoples as they often live in areas that are particularly vulnerable to climate change. For example, the Inuit and other Arctic peoples are experiencing major consequences of climate change because of the warming in the Arctic region. Mountain settlements, such as those in the Andes and Himalayas that are dependent on glaciers and snow for freshwater, are also at high risk.[[28]](#footnote-28) 70-80 per cent of the more than 370 million indigenous peoples worldwide are spread across Asia and the Pacific, in areas particularly vulnerable to the impacts of climate change.[[29]](#footnote-29)
4. Indigenous lands and territories tend to coincide with areas that are most disadvantaged in terms of access to infrastructure, including access to drinking water and sanitation.[[30]](#footnote-30) In Canada, more than 10,000 on-reserve homes do not have access to piped water and sanitation, and 25 per cent of reserves have unsafe or inappropriate water and sewage systems.[[31]](#footnote-31) It is estimated that 36 per cent of indigenous peoples living in urban areas in Latin America are confined to informal neighbourhoods, where they tend to live in extreme poverty with no piped water or sanitation.[[32]](#footnote-32) The impacts of heavy rainfall (and reduced snowfall) and droughts, due to climate change, will be multiplied by the non-existence or low quality of drainage, supply and drinking water infrastructures. Water quality can be expected to fall as pollution concentration, especially in areas without drinking water treatment. Indigenous communities in the Torres Strait, northern Australia, for example, are highly vulnerable to sea level rises, as their freshwater sources become saline and flooding occurs with storm surges.[[33]](#footnote-33)
5. Problems with declining water availability can often force indigenous peoples to migrate. This migration can threaten their cultural survival and traditional livelihoods. In the desert of Guajira, located on the northernmost tip of Colombia, problems caused by severe drought have forced more than 400 families of the Wayuu communities to migrate to Venezuela in order to survive. However, they periodically return home because of their commitment to their ancestral heritage.[[34]](#footnote-34) This highlights the dimension of the impact of climate change on indigenous peoples derived from their strong attachment to the land.
6. Although indigenous peoples represent 6.2 per cent of the world’s population[[35]](#footnote-35) and they make up 15 per cent of those living in poverty and around 33 per cent of those living in extreme poverty in rural areas.[[36]](#footnote-36) In Australia, in particular, indigenous peoples in the State of New South Wales, who make up 3 per cent of the overall population, account for 20 per cent of the homeless population.[[37]](#footnote-37) Indigenous peoples that remain in their territories often find it difficult to develop investments to ensure their water and sanitation services, particularly in the face of climate change, such as groundwater pumps, water treatment, or piped networks. Those who choose to migrate face extreme poverty in urban setting, without the protection of the community ties and traditions that they have relied on previously. In this context, these indigenous peoples are forced to access water from informal systems supplied with poor quality water.
7. Many indigenous peoples face exclusion from decision-making processes, often lacking institutional support and the effective recognition of their rights. Laws do not allow indigenous peoples to question the implementation of projects that seriously affect their access to water and sanitation.[[38]](#footnote-38) This limits their access to remedies, increases the vulnerability of their human rights to safe drinking water and sanitation to climate change and undermines their ability to adapt to climate change.[[39]](#footnote-39) On the other hand, from their knowledge of their territories and from their vision of respect for nature and ecosystems, the community participation of indigenous peoples in the design of solutions and preventive measures against climate change is essential to design strategies based on nature, which are usually the most efficient.

## Women and girls

1. The Human Rights Council recognized that women and girls are disproportionately affected by the negative impacts of climate change and recognized that the integration of a gender-responsive approach into climate policies would increase the effectiveness of climate change mitigation and adaptation (resolution 38/4).
2. Climate change disproportionately affects women and girls in several ways when it comes to accessing water and sanitation services and facilities. As women and girls bear the burden of fetching drinking water in the 80 per cent of households that do not have water at home, climate change impacts on the availability of water sources will affect them the most.[[40]](#footnote-40) When the availability of water is reduced and the quality of water is impacted, women and girls are forced to walk further and longer to find water for their homes and they are the ones who take care of people who become sick from drinking contaminated water.[[41]](#footnote-41) In addition, the need to travel further from their homes increases the risks of gender-based violence they face on a daily basis, both when women and girls fetch water and when they need to relieve themselves in toilets far from their homes.
3. Furthermore, the impacts of climate change on drinking water can disproportionately affect the physical and mental health of women and girls. Salinization of drinking water sources as a result of sea-level rise may cause increased rates of adverse health outcomes, including preterm births and maternal and perinatal deaths.[[42]](#footnote-42) The destruction of infrastructure such as toilets and washing facilities during extreme events can remove options for women and girls to manage their menstrual hygiene safely and with privacy and dignity. Forced migration due to extreme events, such as drought and flood, can lead to women and girls living in camps without the availability of water and sanitation services and facilities for managing menstrual needs, and with increased risk of sexual or gender-based violence when accessing shared water and sanitation facilities.
4. The affordability of water and sanitation services may become disproportionately compromised for women and girls as a result of climate change. Women and girls constitute most of the world’s poor and are often directly dependent on natural resources as their primary source of food and income, resources which will be threatened by droughts, floods, and other impacts of climate change.[[43]](#footnote-43) For example, women make up a higher proportion of agricultural workers than men, undertaking in particular the majority of small-scale agriculture.[[44]](#footnote-44) The bankruptcy of small family agricultural production aggravates poverty and can cause migration, increasing difficulties in accessing and paying for water and sanitation services and facilities.
5. Finally, gender inequality and the violation of the rights of women and girls hinder their participation in climate action.[[45]](#footnote-45) The continued marginalization of women in decision-making steps limits the ability of adaptation measures to include the specific water and sanitation needs of women and girls, while reducing or nullifying their input and leadership capacities in this area as active actors committed to providing water and sanitation services. Women and girls are severely underrepresented at all decision-making levels, from the community and local spaces to the ministries in which water competencies are managed.[[46]](#footnote-46) Women’s empowerment and leadership and advancing gender equality can deliver results across a variety of sectors including water security and health.

## Children

1. The Human Rights Council has often drawn attention to the effects of climate change on the enjoyment and exercise of the children's rights. It recognized that children are among the most vulnerable to climate change, which may have a serious impact on their enjoyment of the right to highest attainable standard of physical and mental health, right to education, right to adequate food, to adequate housing, and rights to safe drinking water and sanitation (resolution 32/33). The Human Rights Council also placed a particular emphasis on the impacts of climate change on children with disabilities, children on the move, children living in poverty, children separated from their families and indigenous children (resolution 35/20).
2. The impact of climate change on the children’s rights to water and sanitation ranges from loss of connections to families to adverse health effects from concentration of contaminants in drinking water. First, children are exposed to displacement due to floods and other extreme events. 330 million children are currently highly exposed to riverine flooding, and 240 million children are exposed to coastal flooding.[[47]](#footnote-47) These types of flooding are both predicted to increase as a consequence of climate change, with increased intense rainfall and glacier melt, and increased occurrence of extreme events and sea-level rise, respectively with potential for destruction of water and sanitation infrastructure.[[48]](#footnote-48) 400 million children are currently highly exposed to cyclones, a number that is also expected to rise.[[49]](#footnote-49) Massive displacement as a result of droughts, floods, and extreme events such as cyclones can also increase the vulnerability that children face. For instance, the loss of connections to families, communities and protective services can reduce their access to safely managed water and sanitation services, as well as hygiene education.[[50]](#footnote-50)
3. Second, children exposed to the impacts of water scarcity face physical and socio-economic consequences. 920 million children (over one third of children globally) are currently highly exposed to water scarcity.[[51]](#footnote-51) The rate of exposure is likely to worsen as climate increases frequency and severity of droughts, water stress, seasonal and interannual variability, contamination – and demand and competition for water increases, resulting in depletion of available water resources.[[52]](#footnote-52) Water scarcity can lead to the use of unsafe water, which in turn contributes to communicable diseases, to which children are more physically vulnerable.[[53]](#footnote-53) Water scarcity can also put pressure on families with many children – children, particularly girls, may be taken out of school to help with fetching water, and miss out on education.
4. Finally, water pollution, which is expected to increase, contributes to diarrhoeal diseases that cause more than 350,000 deaths a year of children under 5 years old, and another 80,000 deaths of children aged 5 to 14. When children get sick with diarrhoea, they are unable to absorb the nutrients they need to grow, which may lead to stunting.[[54]](#footnote-54) UNICEF stated in 2022 that approximately 149.2 million children under 5 suffer from stunting as a result of inadequate nutrition and unhealthy water and sanitation. Stunted children are not only shorter than they should be for their age; they suffer harm throughout their lives, including weaker immune systems and reduced brain development.[[55]](#footnote-55)
5. Children around the world are taking to the streets and advocating for their rights in the face of slow and insufficient climate mitigation and adaptation. The mandate of the Special Rapporteur has organized a yearly Human Rights Youth Challenge since 2018. The fourth Human Rights Youth Challenge held in 2021 focused on the topic of climate change and human rights showcased the impressive understanding and motivation of children surrounding climate and human rights issues.[[56]](#footnote-56) Despite this, the voices of children rarely reach the arenas in which decisions on climate mitigation and adaptation are made.[[57]](#footnote-57)

## Persons with disabilities

1. The Human Rights Council recognized that the rights of persons with disabilities are disproportionately affected by the negative impacts of climate change (resolution 42/21)*.* In addition, in a joint statement issued at the occasion of the 2019 Climate Action Summit, the Committee on the Rights of Persons with Disabilities warned that the failure to take climate action might constitute a breach of the obligations of States under international human rights law. In that statement, the Committee highlighted the need for persons with disabilities to be recognized as agents of change and essential partners in climate action.[[58]](#footnote-58)
2. Persons with disabilities – an estimation of 1 billion individuals around the world[[59]](#footnote-59) - are more likely to suffer from the impacts of climate change on their access to water and sanitation. For example, they are more reliant on accessible infrastructure and may be unable to access water and sanitation services when this infrastructure is damaged during floods or extreme events. Persons with disabilities face additional challenges when it comes to travel for long distances to find water, so they will be more severely impacted when water sources either dry out or drastically decline in quality during droughts.
3. Persons with disabilities are more likely to be living in poverty, often facing discrimination and exclusion, leading to challenges in gaining access to the same opportunities as the rest of the population.[[60]](#footnote-60) They may therefore be disproportionately impacted by rising prices due to increasing costs of climate-proofing infrastructure and increased competition of water uses between drinking water and agricultural or industrial uses. Being unable to afford water and sanitation services and facilities in homes has a particularly significant impact on the human rights to water and sanitation of persons with disabilities: while as persons without disabilities could resort to those facilities in the public space, persons with disabilities cannot, as public facilities are often designed without accessibility in mind.
4. Persons with disabilities are often among those most adversely affected in extreme events such as floods, droughts, and severe storms, sustaining disproportionately higher rates of morbidity and mortality, and are among those least able to access emergency support.[[61]](#footnote-61) Research has shown that persons with disabilities are often forgotten in climate change and emergency planning, and as such their water and sanitation needs may not be provided for in refugee camps (for example with physically accessible water and sanitation facilities) or in long-term climate adaptation plans.[[62]](#footnote-62) As extreme events are expected to become more frequent and more devastating with the onset of climate change, the lack of planning for the drinking water and sanitation needs of persons with disabilities in emergency planning poses a significant threat to their human rights to water and sanitation.
5. Finally, persons with disabilities are often disenfranchised to participate in the design and development of adaptation and emergency plans for climate change. Since these people are the most interested and aware of the needs they have, they are undoubtedly the ones who can best contribute to making these plans inclusive. On the other hand, providing accessible information on climate change and its impact on water and sanitation is a key part of the human rights to water and sanitation – this information must be available for all groups, including those with physical or mental disabilities.[[63]](#footnote-63)

## Migrants and displaced persons

1. The Human Rights Council noted the urgency of protecting and promoting the human rights of migrants and persons displaced across international borders in the context of the adverse impact of climate change (resolution 35/20).
2. Climate change is expected to increase the numbers of persons forced to migrate due to water scarcity in certain arid regions that will tend to become uninhabitable.[[64]](#footnote-64) Estimates predict that water scarcity in some arid and semi-arid places would displace between 24 million and 700 million people.[[65]](#footnote-65) Climate change and related drought increasingly force nomadic pastoralist communities to alter their routes, traveling further and for longer periods. Progressive environmental degradation due to prolonged drought can lead to permanent migration of these communities.[[66]](#footnote-66) The gradual drying up of Lake Chad, for example, - over the last 60 years, its surface area has decreased by 90 per cent - with the collapse of fishing, a key source of food for the coastal populations, is a case in point. Furthermore, forced displacement due to climate change is likely to increase pressure on drinking water and sanitation services at the destination of migration. If these migration and resettlement processes are not properly planned and organised, they can generate conflict in these areas, as well as increase vulnerability to floods and droughts due to lack of services and infrastructure in cities and resettlement areas.[[67]](#footnote-67)
3. Migrants and displaced persons may face difficulties in accessing water and sanitation in their destination areas. Often, they will move from rural areas to informal urban areas, facing discrimination and without social security and assistance to pay for water and sanitation services and will be forced to consume low quality water from unregulated, informal and expensive systems.[[68]](#footnote-68) Studies project that climate change will increase flooding, which lead to the contamination of drinking water sources and the destruction of water and sanitation infrastructure in urban settings and in turn, migrants and displaced persons living in informal settlements or outside social and financial help will become especially vulnerable to these impacts.[[69]](#footnote-69)
4. Migrants often face administrative and social barriers to participating in decision-making. Often, planning overlooks measures to ensure the human rights of migrants or to provide them access to remedy. In the face of growing mass migration, especially in and from arid regions such as the Sahel, it is crucial to plan for meeting the water and sanitation needs of migrants, and for their full participation in the planning process.

## Older persons

1. The Human Rights Council has recognized that the negative impacts of climate change disproportionately affected the rights of older persons (resolution 44/7).
2. Older persons are disproportionately affected by water insecurity resulting from climate change. Water and sanitation services and facilities are less likely to be physically accessible, both in terms of distance and in terms of design to older persons with reduced mobility. Older persons often live on fixed or reduced incomes, meaning that the possibility of water tariffs rising as a result of the impacts of climate change may render water and sanitation services unaffordable for some older persons. Additionally, rising temperatures are likely to increase older person’s drinking water needs, as they are particularly susceptible to dehydration and infectious diseases associated with poor sanitation.[[70]](#footnote-70)
3. Older persons are often disproportionately impacted by extreme events such as droughts and floods: 75 per cent of those who died during Hurricane Katrina in the United States of America were over the age of 60, as were about 40 per cent of those who died during Typhoon Haiyan in the Philippines in 2013 and 70 per cent of those who died as a result of floods in La Plata, Argentina, in the same year.[[71]](#footnote-71) Another impact relating to extreme events are damages to water and sanitation infrastructures; older persons with mobility issues will be more negatively impacted by damaged water and sanitation infrastructure, and are more likely to be unable to travel far to access alternative sources of water. Furthermore, in temporary shelters during evacuation from extreme events, water and sanitation services are more likely to be inaccessible or inappropriate for older persons.[[72]](#footnote-72)
4. The inclusion of older persons in planning climate adaptation and the climate-proofing of water and sanitation services is deeply unequal. Older persons are often excluded, overlooked and neglected in research and data collection. As such, they are often disregarded or deprioritized during the designing of adaptation plans.[[73]](#footnote-73) As a group, older persons are often marginalized from to participating in the design and decision-making of adaptation and emergency plans. The participation of older persons is especially significant when one considers the knowledge that they bear. Traditional knowledge includes understanding weather patterns, traditional ways of managing drought and storing water, weather patterns that precede extreme events, and sustainable water exploitation methods.[[74]](#footnote-74) Therefore, the participation of older persons can be invaluable when seeking climate solutions and addressing the negative human rights impacts of climate change.[[75]](#footnote-75)

## Ethnic minorities

1. In its resolution 47/24, the Human Rights Council expressed concern that while the impacts of climate change affect individuals and communities around the world, they are felt most acutely by those segments of the population that are already in vulnerable situations, due to factors including minority status, and national or social origin.
2. Ethnic minorities often live in the most vulnerable areas where climate change is having the most disruptive impacts. The Working Group of Experts on People of African Descent has highlighted, for example, how the legacy of slavery has led to climate change having disproportionate impacts on regions of the world inhabited by large communities of people of African descent.[[76]](#footnote-76) The Caribbean, for example, is facing an increasing threat of water shortages due to the salinization of coastal aquifers and increasing damage to services during extreme events such as hurricanes.[[77]](#footnote-77) Even within regions, ethnic minorities are likely to live in more vulnerable areas. In 2007, during a highly destructive period of flooding in India, the groups suffering the most destruction and displacement were the Dalit communities living in informal housing in low-lying areas, where water and sanitation services were destroyed, and water sources contaminated.[[78]](#footnote-78)
3. In addition to living in regions facing the heaviest consequences of climate change, ethnic minorities are likely to be living in unsafe and vulnerable housing. This will increase the risk of the destruction of water and sanitation services during floods, or the contamination of drinking water due to polluted intrusions through leak points when supply is cut off and there is a lack of pressure during droughts.
4. Finally, ethnic minorities are routinely excluded from planning for adaptation to climate change. For instance, during the severe floods of 2007 in India, Dalits were often excluded from emergency shelters and camps, forced to live in improvised shelter and defecate in the open.[[79]](#footnote-79) While the vulnerabilities of ethnic minorities to climate change are sometimes referred to in adaptation policy around the world, concrete steps to reduce those vulnerabilities, and to increase the participation of the concerned groups in planning, are lacking.[[80]](#footnote-80)
1. A/HRC/48/50, para. 20 [↑](#footnote-ref-1)
2. The Special Rapporteur wishes to thank and to acknowledge the contribution of Ms. Antoinette Duplay to this report. [↑](#footnote-ref-2)
3. FCCC/CP/2010/7/Add.1. [↑](#footnote-ref-3)
4. For more information, see: <https://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/Resolutions.aspx> [↑](#footnote-ref-4)
5. For more information, see: <https://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/Reports.aspx> [↑](#footnote-ref-5)
6. For more information, see: <https://www.ohchr.org/en/issues/hrandclimatechange/pages/hrclimatechangeindex.aspx> [↑](#footnote-ref-6)
7. UNESCO, UN-Water, 2020: United Nations World Water Development Report 2020: Water and Climate Change, Paris, UNESCO, page 158 [↑](#footnote-ref-7)
8. Global Water Partnership, 2019, Addressing Water in National Adaptation Plans, Water Supplement to the UNFCCC NAP Technical Guidelines, Second Edition, page 22 [↑](#footnote-ref-8)
9. Climate action and the right to development: a participatory approach - A policy brief from the United Nations Special Rapporteur on the right to development, Saad Alfarargii on the occasion of the United Nations Climate Change Conference 2021 October 2021, page 14 [↑](#footnote-ref-9)
10. Global Water Partnership, 2019, Addressing Water in National Adaptation Plans, Water Supplement to the UNFCCC NAP Technical Guidelines, Second Edition, page 23 [↑](#footnote-ref-10)
11. Ibid., page 32 [↑](#footnote-ref-11)
12. UNFCCC, 2021, National Adaptation Plans 2020, Progress in the formulation and implementation of NAPs, page 17 [↑](#footnote-ref-12)
13. For more information, see: https://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/Resolutions.aspx [↑](#footnote-ref-13)
14. World Bank, 2016, Shock waves: managing the impacts of climate change on poverty, Climate Change and Development Series (Washington DC, World Bank, 2016), page 2 [↑](#footnote-ref-14)
15. Ibid., page 4 [↑](#footnote-ref-15)
16. Vivien Foster and Tito Yepes, 2006, “Is cost recovery a feasible objective for water and electricity? the Latin American experience”, Policy Research Working Paper, No. 3943 (Washington, D.C., World Bank, 2006), page 3 [↑](#footnote-ref-16)
17. World Bank Group, 2016, Poverty and Shared Prosperity 2016 : Taking on Inequality. Washington, DC: World Bank, page 7 [↑](#footnote-ref-17)
18. Ibid. [↑](#footnote-ref-18)
19. Mutu, Paul, 2017, Drought Coping Mechanisms among the Turkana Nomadic Pastoral Community of Ilemi Triangle Region of Northern Kenya. Research in Health Science. 2. 104, page 104 [↑](#footnote-ref-19)
20. A/71/161, para. 38 [↑](#footnote-ref-20)
21. A/RES/71/256, para. 64 [↑](#footnote-ref-21)
22. A/HRC/44/30, para. 16 [↑](#footnote-ref-22)
23. UNESCO, UN-Water, 2020: United Nations World Water Development Report 2020: Water and Climate Change, Paris, UNESCO, page 72 [↑](#footnote-ref-23)
24. Millington and Scheba, 2020, Day Zero and the Infrastructures of Climate Change: Water governance, Inequality and Infrastructural Politics in Cape Town’s Water Crisis, International Journal of Urban and Regional Research, 116 – 132, page 118 [↑](#footnote-ref-24)
25. Mach, E., 2017,Water and Migration: How far would you go for water?, page 84, Available at: <https://environmentalmigration.iom.int/sites/environmentalmigration/files/Paper_in%20print.pdf> [Accessed 25 October 2021] [↑](#footnote-ref-25)
26. Ibid. [↑](#footnote-ref-26)
27. Levy, B., 2019, Increasing Risks for Armed Conflict: Climate Change, Food and Water Insecurity, and Forced Displacement, International Journal of Health Services, Vo. 49(4), 682-691, page 686 [↑](#footnote-ref-27)
28. Ibid., page 314 [↑](#footnote-ref-28)
29. World Bank, 2016, Shock waves: managing the impacts of climate change on poverty, Climate Change and Development Series (Washington DC, 2016), page 65 [↑](#footnote-ref-29)
30. A/74/183, para. 11 [↑](#footnote-ref-30)
31. Ibid., para. 15 [↑](#footnote-ref-31)
32. Ibid., para. 13 [↑](#footnote-ref-32)
33. IPCC, 2014: *Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part B: Regional Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA., page 1405 [↑](#footnote-ref-33)
34. Statement by IOM on Indigenous People Day – 9 August 2018, https://unofficeny.iom.int/statement-iom-indigenous-people-day-%E2%80%93-9-august-2018 [↑](#footnote-ref-34)
35. ILO, 2019, Implementing the ILO Indigenous and Tribal Peoples Convention No. 169 Towards an inclusive, sustainable and just future, page 13, <https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_735607.pdf> [↑](#footnote-ref-35)
36. A/HRC/36/4, para. 7 [↑](#footnote-ref-36)
37. A/74/183, para. 13 [↑](#footnote-ref-37)
38. Climate action and the right to development: a participatory approach - A policy brief from the United Nations Special Rapporteur on the right to development, Saad Alfarargii on the occasion of the United Nations Climate Change Conference 2021, October 2021, page 8 [↑](#footnote-ref-38)
39. Rights and Resources Initiative and Environmental Law Institute, 2020, Whose Water? A Comparative Analysis of National Laws and Regulations Recognizing Indigenous Peoples’, Afro-descendants’, and Local Communities’ Water Tenure. Rights and Resources Initiative, Washington, DC, page 24 [↑](#footnote-ref-39)
40. A/HRC/41/26, para. 5 [↑](#footnote-ref-40)
41. UNESCO, 2021, Accelerating gender equality in the water domain: A call for action - UNESCO WWAP Water and Gender Working Group Position Paper [↑](#footnote-ref-41)
42. A/HRC/41/26, para. 19 [↑](#footnote-ref-42)
43. WaterAid, 2020, “Access to gender responsive water, sanitation and hygiene for climate resilience and adaptation”, page 34, Available at: <https://www.wateraid.org/se/blog/access-to-gender-responsive-water-sanitation-and-hygiene-for-climate-resilience-and-adaptation> [Accessed 14 October 2021] [↑](#footnote-ref-43)
44. United Nations Environment Programme, 2021, “Gender equality and the environment: a guide to UNEP’s work”, page 13 available at https://wedocs.unep.org/bitstream/handle/20.500.11822/7642/-Gender\_equality\_and\_the\_environment\_A\_Guide\_to\_UNEPs\_work-2016Gender\_equality\_and\_the\_environment.pdf.pdf?sequence=3&isAllowed=y [Accessed 2 November 2021] [↑](#footnote-ref-44)
45. A/HRC/41/26, para. 5 [↑](#footnote-ref-45)
46. UNESCO, 2021, Accelerating gender equality in the water domain: A call for action - UNESCO WWAP Water and Gender Working Group Position Paper [↑](#footnote-ref-46)
47. UNICEF, 2021, The Climate Crisis is a Child’s Rights Crisis, page 8 [↑](#footnote-ref-47)
48. Ibid., page 23 [↑](#footnote-ref-48)
49. Ibid., page 8 [↑](#footnote-ref-49)
50. A/HRC/37/58, para 24 [↑](#footnote-ref-50)
51. Supra note 48 [↑](#footnote-ref-51)
52. IPCC, 2014: Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, page 231 [↑](#footnote-ref-52)
53. UNICEF, 2021, The Climate Crisis is a Child’s Rights Crisis, page 23 [↑](#footnote-ref-53)
54. UNICEF, 2021, Reimagining WASH: Water security for all, page 7 [↑](#footnote-ref-54)
55. Ibid. [↑](#footnote-ref-55)
56. See : https://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/YouthChallenge.aspx [↑](#footnote-ref-56)
57. UNICEF, 2021, The Climate Crisis is a Child’s Rights Crisis, page 24 [↑](#footnote-ref-57)
58. A/HRC/44/30, para. 30 [↑](#footnote-ref-58)
59. World Health Organization (WHO) and the World Bank, 2011, World Report on Disability, page 29. [↑](#footnote-ref-59)
60. Smith, Mr & Simard, Mathieu & Twigg, J. & Kett, Maria & Cole, Ellie, 2017, Disability and Climate Resilience: A literature review, page 10 [↑](#footnote-ref-60)
61. A/HRC/44/30, para. 5 [↑](#footnote-ref-61)
62. Wolbring, G. and Leopatra, V., 2012, Climate change, water, sanitation and energy insecurity: Invisibility of people with disabilities. *Canadian Journal of Disability Studies*, *1*(3), pp.66-90, page 67 [↑](#footnote-ref-62)
63. A/HRC/44/30, para. 6 [↑](#footnote-ref-63)
64. IOM, 2009, Environment, Climate Change, and Migration: Assessing the evidence, page 7 [↑](#footnote-ref-64)
65. UNESCO, UN-Water, 2009: Water in a changing world: the United Nations world water development report 3, Paris, UNESCO, page 32 [↑](#footnote-ref-65)
66. Supra note 65, page 19 [↑](#footnote-ref-66)
67. Howard, G., Calow, R., Macdonald, A., Bartram, J., 2016, Climate Change and Water and Sanitation: Likely Impacts and Emerging Trends for Action, Annual Review of Environmental Resources, 41:253–76, page 254 [↑](#footnote-ref-67)
68. IOM, 2009, Environment, Climate Change, and Migration: Assessing the evidence, page 21 [↑](#footnote-ref-68)
69. UNESCO, UN-Water, 2020: United Nations World Water Development Report 2020: Water and Climate Change, Paris, UNESCO, page 60 [↑](#footnote-ref-69)
70. A/HRC/47/46, para. 25 [↑](#footnote-ref-70)
71. Ibid., para. 9 [↑](#footnote-ref-71)
72. Ibid., para. 15 [↑](#footnote-ref-72)
73. A/HRC/47/46, para. 6 [↑](#footnote-ref-73)
74. Ibid., para. 54 [↑](#footnote-ref-74)
75. Ibid., para. 55 [↑](#footnote-ref-75)
76. A/HRC/48/78, para. 32 [↑](#footnote-ref-76)
77. IPCC, 2014: *Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part B: Regional Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* . Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, page 1622 [↑](#footnote-ref-77)
78. Minority Rights Group International, 2008, *The Impact of Climate Change on Minorities and Indigenous Peoples*, page 3 [↑](#footnote-ref-78)
79. Ibid. [↑](#footnote-ref-79)
80. Minority Rights Group International, 2008, *The Impact of Climate Change on Minorities and Indigenous Peoples*, page 9 [↑](#footnote-ref-80)