



Special Rapporteur on human rights and the environment

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Women, Girls and the Right to a Healthy Environment: Good practices

Supplementary information to the report of the Special Rapporteur, David R. Boyd, on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

The following information is supplementary to the report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment (A/HRC/52/33). It is available on the website of the Office of the High Commissioner for Human Rights

<https://www.ohchr.org/en/special-procedures/sr-environment/annual-thematic-reports>

I. Introduction and the process of compiling good practices

1. This Annex to the Special Rapporteur's 2023 report to the United Nations Human Rights Council highlights good practices in the recognition and implementation of women's and girls' human right to a clean, healthy and sustainable environment (R2HE).¹ The examples presented in this Annex underscore that rights-based, gender-transformative environmental and climate action is possible and ongoing at all levels—even in difficult contexts—across both public and private sectors. Governments, businesses, civil society, women, girls and their allies are constantly employing new and innovative strategies to protect and ensure women's and girls' right to a healthy environment, and this report summarizes only a fraction of the good practices that exist.

2. The term "good practice" is defined broadly to include laws, policies, jurisprudence, strategies, programs, projects and other measures that contribute to reducing adverse impacts to women's and girls' realization of the R2HE, and/or that empower women and girls to be transformative agents of change. Such practices may relate to the substantive elements of the R2HE (clean air;² a safe climate;³ access to safe water and adequate sanitation;⁴ healthy and sustainably produced food;⁵ non-toxic environments in which to live, work, learn and play;⁶ and healthy biodiversity and ecosystems⁷) or to procedural elements of the right: access to information and education; public participation and leadership; access to justice and effective remedies; freedom of expression; and freedom of association.

3. The Special Rapporteur issued a call for inputs to inform his report relating to women, girls and the right to a clean, healthy and sustainable environment in August of 2022 that included a request to share good practices. He thanks the Governments of Azerbaijan, Benin, Chile, Lithuania, Mexico, Morocco, Qatar, Slovenia, and Uruguay, as well as the Federal Public Defender's Office of Brazil, for their insightful responses, as well as the thoughtful inputs provided by more than 30 international organizations, women's groups, Indigenous People's organizations, civil society organizations, and individuals.⁸ In addition, the Special Rapporteur extends his appreciation to the persons who participated in three November 2022 online consultations for the same thematic report, during which participants shared their experiences, insights and additional good practices concerning the intersection of gender equality and the R2HE.

A. Key principles at the intersection of gender equality and environmental and climate justice

4. The diverse array of good practices presented here illustrate four central facts about gender equality and the right to a healthy environment:

a) When empowered to take action in defence of their human right to a healthy environment, women and girls have tremendous capacity and potential;

b) When women and girls are intentionally, specifically and equitably targeted by interventions as rightsholders and equal partners—rather than being viewed and treated solely as vulnerable persons—environmental and climate actions are more likely to be effective and to contribute to gender equality;

¹ A/HRC/52/33.

² A/HRC/40/55.

³ A/74/161.

⁴ A/HRC/46/28.

⁵ A/76/179.

⁶ A/HRC/49/53.

⁷ A/75/161.

⁸ Submissions available at: <https://www.ohchr.org/en/calls-for-input/2022/call-inputs-women-girls-and-right-clean-healthy-and-sustainable-environment>. Responses to previous calls for input and desk research were also used in preparing this Annex.

c) The benefits of gender-transformative environmental and climate interventions are experienced not only by women, girls and gender-diverse persons, but by all of humanity and nature as well;

d) Because gender justice requires everyone's collaboration, educating and motivating men and boys to better appreciate women's and girls' nature contributions, and to become advocates for women's and girls' environmental rights, is critical to gender-transformative change.

5. While the wide variety of good practices featured in this report is encouraging, it is clear that existing initiatives remain insufficient to fulfil women's and girls' human right to a healthy environment or their broader demands for environmental and climate justice. Women and girls continue to bear the brunt of the triple planetary crisis while being excluded from most environmental and climate decision-making processes. This is untenable, as is the fact that gender-transformative environmental laws, policies, and practices have yet to become the norm in any State.⁹

6. It must also be acknowledged that the daunting climate, biodiversity and pollution crises are not simply driven by human consumption patterns but are largely man-made, in that the global economic systems propelling them have been and continue to be largely designed, led and controlled by men. These crises are predominantly fuelled by countries in the Global North, while the most destructive impacts are disproportionately shouldered by populations in the Global South.

7. In this context of deep injustice, immediate gender-transformative action at the intersection of gender equality, environmental action and climate action is a prerequisite to remedying the trifold nature crisis. Indeed, the empowerment and inclusion of women and girls in this endeavour—and particularly those in the Global South—must be a cornerstone of establishing just and sustainable systems capable of guaranteeing the right to a healthy environment for all. All States have an obligation to respect, protect and fulfil women's and girls' right to a healthy environment, including States that have not yet recognized the right to a healthy environment or prohibited gender- and sex-based discrimination.

8. The 1981 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which 189 States are party, requires States to take all appropriate measures to eliminate discrimination against women in the political, economic, social, cultural, civil and all other fields, including environmental and climate fields. The obligation to employ gender-transformative measures—meaning steps capable of positively changing norms and systems that perpetuate gender inequality and addressing the root causes of gender-based discrimination—to avoid and eliminate discrimination against women and girls concerning the R2HE is thus an immediate obligation that is not subject to progressive realization.¹⁰ To comply with their human rights obligations towards women and girls in addressing environmental and climate challenges, States are obliged to dedicate the maximum resources available.¹¹

II. Good practices in the implementation of women's and girls' right to a clean, healthy and sustainable environment

A. Gender-transformative law and policy frameworks recognizing women's and girls' right to a clean, healthy and sustainable environment

9. Explicit recognition of women's and girls' right to a healthy environment is a first but critical step towards the comprehensive realization of this human right. Legal frameworks

⁹ A/HRC/52/33.

¹⁰ International Covenant on Economic, Social and Cultural Rights, Article 3.

¹¹ International Covenant on Economic, Social and Cultural Rights, Article 2(1); and *Committee on Economic, Social and Cultural Rights*, general comment No. 3 (1992), para. 11.

that both recognize the R2HE for women, men and gender-diverse people and guarantee equality across sex, gender, sexual orientation, and other intersecting characteristics are best positioned to be implemented in a gender-transformative manner.

10. In 2019, the Special Rapporteur collaborated with the Vance Center for International Justice to prepare an updated list of States that legally recognize the right to a safe, clean, healthy and sustainable environment.¹² The analysis found that over 80 per cent of Member States (156 of 193) legally recognize the R2HE in national constitutions, national legislation and/or regional treaties, thus establishing binding obligations for governments. Of these 156 States, 152 have also ratified the Convention on the Elimination of All Forms of Discrimination against Women. The Beijing Declaration and Platform for Action was adopted unanimously by 189 States, and also includes extensive actions for the advancement of women’s human rights and gender equality across a range of core areas, including decision-making, the environment and matters specific to girls.¹³

11. The right to a healthy environment is explicitly included in regional treaties ratified by 133 States. This includes 53 parties to the African Charter on Human and Peoples’ Rights (Article 18(3)), 42 parties to the Maputo Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Article 18), 46 parties to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention), 17 parties to the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador, Article 3), 13 parties to the Escazú Agreement and 16 parties to the Arab Charter on Human Rights (Article 3(3)).¹⁴ Most of these regional treaties also oblige States to either eliminate discrimination based on sex or against women, or to guarantee men and women equal rights under the treaty, confirming that State Parties must ensure women’s and girls’ full and non-discriminatory enjoyment of the R2HE.¹⁵

12. The Special Rapporteur identified 110 States where the right to a clean, healthy and sustainable environment enjoys constitutional protection. Analysis indicates that constitutions in 95 of those 110 States also explicitly guarantee equality or non-discrimination across gender and/or sex, without permitting customary or religious law to supersede such protections.¹⁶ In providing these dual constitutional protections, nearly half of States worldwide have enshrined women’s equality and the right to a healthy environment as fundamental human rights with the strongest protection available under domestic law.

13. Across these countries, the 2011 Constitution of **Morocco** is noteworthy for explicitly recognizing the rights of both male and female citizens to the right to a healthy environment (Article 31), in addition to guaranteeing men’s and women’s equal enjoyment of environmental freedoms (Article 19). The constitutions of **South Africa** and **Cyprus**

¹² Annex II to A/HRC/43/53.

¹³ <https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>

¹⁴ Some States are parties to multiple regional agreements, thus the total is less than the sum of parties to the individual agreements. Argentina, the Plurinational State of Bolivia, Ecuador, Mexico, Nicaragua, Panama and Uruguay are parties to the San Salvador Protocol and the Escazú Agreement. Algeria, Egypt, Libya, Mauritania and Sudan are parties to the African Charter and the Arab Charter.

¹⁵ African Charter on Human and Peoples’ Rights, Article 18(3); Arab Charter on Human Rights, Article 3(3); and Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador), Article 3.

¹⁶ WORLD Policy Analysis Center, “Constitutions Data” (distinguishing those constitutions that, as of January 2022, guarantee non-discrimination or gender equality across sex and/or gender, as well as those that exempt such protections from persons subject to customary or religious law). Available at: <https://www.worldpolicycenter.org/maps-data/data-download/world-areas>. Downloaded on February 6, 2023. The following States were found to recognize the R2HE in their constitutions as of 2019 (Annex II to A/HRC/43/53), but do not also explicitly and uniformly guarantee equality or non-discrimination across gender or sex. An asterisk [*] indicates a constitution that, per the downloadable “Constitutions Data”, includes a claw back clause exempting guarantees for non-discrimination or equality based on gender/sex from applying to individuals subject to religious or customary law: Argentina, Belarus, Costa Rica, El Salvador, Ethiopia*, Indonesia, the Islamic Republic of Iran*, Ireland, Kenya*, Latvia, Malaysia*, Maldives*, Norway, Seychelles and Somalia*.

(amongst a small subset of others¹⁷) are noteworthy as they explicitly prohibit both direct discrimination (wherein a rights holder is treated unfavourably due to a protected characteristic) and indirect forms of discrimination (wherein a facially neutral requirement, practice or rule disadvantages a rights holder because they possess a protected characteristic) based on sex and other grounds.¹⁸ South Africa's Constitution of 1996 employs the additional good practice of recognizing and prohibiting intersectional discrimination (i.e., discrimination on numerous grounds experienced by the same individual), including discrimination based on race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religious conscience, belief, culture, language or birth (Article 9). Such provisions reflect the overlapping identities that contribute to individuals' various experiences of discrimination and may enable governments to employ an intersectional and multi-disciplinary approach to eliminating all forms of discrimination.

14. Given the importance of sexual and reproductive healthcare to women's and girls' ability to enjoy the right to a healthy environment, the Constitution of **Ecuador** also merits praise for its recognition of the connection between the right to a healthy environment and the right to health, including sexual and reproductive health (Article 32). Ecuador's Constitution also requires healthcare services to be governed by the principle of equity (amongst others) and provided with a gendered approach.¹⁹

15. National legislation should also reflect State duties to respect, protect and fulfil women's and girls' right to a clean, healthy and sustainable environment. The Special Rapporteur found that 101 States have incorporated the right to a clean, healthy and sustainable environment into national legislation, with states such as **Argentina, Brazil, Colombia, Costa Rica, France, the Philippines, Portugal** and **South Africa** having employed this right as a unifying principle permeating legislation, regulations and policies.²⁰ Of these 101 countries, **Belgium, France, Greece, Latvia, Portugal** and **Spain** have made particular progress in mandating gender equality across key facets of laws and regulations necessary for the equal realization of women's and girls' R2HE, including women's and men's equal access to education, access to healthcare services, mobility, decisions regarding the workplace, pay, marriage (including prohibitions against child marriage), parenthood, entrepreneurship, assets (property and inheritance) and pensions.²¹

16. Examples of specific, gender-transformative legislation include the **Gambia's** Women's Act of 2010 (amended in 2015), which guarantees women freedom from all forms of discrimination (including in the context of employment, education and health); recognizes women's right to a healthy and sustainable environment, food security, adequate housing and sustainable development amidst an extensive array of other rights; and adopts an intersectional approach by further specifying the rights and special protections of rural, disabled, distressed, and elderly women. In addition, the Act commits the Gambia to take appropriate measures to increase women's participation in environmental planning, management and preservation, to promote research and investment in renewable sources, to protect and enable the development of women's Indigenous knowledge systems, to regulate the management, processing, storage and disposal of domestic waste and to ensure that proper standards are followed regarding the storage, transportation and disposal of toxic waste. **Viet Nam's** Law on Environmental Protection (Law No. 55/2014) recognizes that environmental protection must be

¹⁷ Jody Heymann and others. 2022. *Advancing Equality: How Constitutional Rights Can Make a Difference Worldwide*, p. 50 (noting that "5 per cent of constitutions address indirect discrimination on the basis of sex, providing a tool for challenging laws and policies that are not explicitly discriminatory but have discriminatory effects").

¹⁸ Cyprus, Constitution of 1960 (amended in 2019), Article 28(2); and South Africa, Constitution of 1996 (No. 108), Article 9.

¹⁹ Annex VII to A/HRC/43/53.

²⁰ A/HRC/43/53.

²¹ World Bank Group. 2022. *Women, Business and the Law 2022*, p. 2 (finding that "12 economies—Belgium, Canada, Denmark, France, Greece, Iceland, Ireland, Latvia, Luxembourg, Portugal, Spain, and Sweden—score 100, meaning that women are on an equal legal standing with men across all of the areas measured").

harmonized with the promotion of gender equality and assurance of children's rights and other core objectives in order to ensure the right to live in a healthy environment.²²

17. **Paraguay's** Law on the Protection of Women Against all Forms of Violence (Law. No. 5777/16) guarantees women an array of associated rights, including the right to live in a "safe and healthy environment."²³ Furthermore, **Mexico's** General Law on the Rights of Girls, Boys and Adolescents of 2014 (amended in 2022) specifically recognizes the rights of girls, boys and adolescents to live in a healthy and sustainable environment (Article 43). National legal frameworks with multiple laws providing comprehensive, specific protections for women related to matters such as gender and sex-based discrimination, violence against women and gender-based violence (including sexual harassment), legal personhood, access to social security and benefits, maternity leave and access to sexual and reproductive healthcare provide a robust enabling environment for women and girls to realize all facets of the right to a healthy environment.

18. Laws mandating gender mainstreaming across ministries and guaranteeing people equal rights in the context of employment, access to social security benefits and access to social services can also play a tremendous role in ensuring that women's right to a healthy environment is respected in contexts of paid and unpaid work. **Uruguay's** Law No. 19846 (2019) guarantees equal rights to men and women, prohibits direct and indirect gender-based discrimination, requires all government bodies to take the necessary budgetary and administrative measures to guarantee gender equality and allocate resources towards actions to achieve gender equality, and requires all public bodies to have Specialized Gender Units responsive for gender mainstreaming across their assigned organization.²⁴

19. In **Slovenia**, gender mainstreaming and equal opportunities for people are guaranteed in the Equal Opportunities for Women and Men Act (2002). This Act requires the government and all ministries to take gender equality into consideration in all policy planning, design and implementation processes, and obliges all ministers to appoint Coordinators for Equal Opportunities for Women and Men who are responsible for overseeing gender equality within their ministry's competency. Coordinators also take an active part in ensuring that issues of gender equality are considered during law-making processes; for example, the Coordinator for the Ministry of the Environment and Spatial Planning is part of the ministry team currently charged with the initial drafting of Slovenia's law on climate change.²⁵

20. Similarly, **Lithuania's** Law on Equal Opportunities for women and men of 1998 (amended in 2017) requires that state and municipal institutions implement the rights of people equally across all acts that they draft and adopt. The country's National Progress Plan for 2021 – 2030 (the government's main strategic planning document) further mainstreams gender equality across all policies by making "equal opportunities for all" one of three horizontal guiding principles and by measuring progress towards this principle through a gender equality index (amongst other indexes).²⁶ Likewise, **Morocco's** Governmental Plan for Equality I and II aims to mainstream gender equality across all government policies, programs and sectors, as does the national program for the economic empowerment of women and girls, which aims to raise the formal employment rate of women from 20 to 30 per cent by 2026.²⁷

21. Gender mainstreaming efforts specific to environmental ministries and associated strategies and action plans are another key component of securing women's and girls' right to a healthy environment. For example, **Uganda** developed a Gender Action Plan (GAP 2020 – 2025) aimed at building and strengthening gender mainstreaming in all sectors implementing the Rio Conventions (addressing climate change, land degradation and biodiversity) in national and local governments, promoting women's equitable and

²² Annex V to A/HRC/43/53.

²³ Annex VII to A/HRC/43/53.

²⁴ Submission from Uruguay.

²⁵ Submission from Slovenia and <https://eige.europa.eu/gender-mainstreaming/countries/slovenia>

²⁶ Submission from Lithuania.

²⁷ Submission from Morocco.

meaningful decision-making at national and sub-national levels and establishing a mechanism to monitor the Rio Conventions' respective gender equality commitments and plans of action. The GAP is aligned with existing gender policies and plans across environmental ministries and was formulated by a consultative process at the national and sub-national levels involving the ministries responsible for agriculture, livestock and fisheries, water, environment, wildlife and gender, among others. The Ministry of Gender, Labour and Social Development is identified as one of the agencies responsible for implementing the GAP's draft workplan and is presented as a key stakeholder in the project stakeholder analysis.²⁸

22. Gender mainstreaming must also be accompanied by environmental mainstreaming across ministries, policies and programs focused on women's rights and gender equality. An example of such efforts is **Mexico's** National Program for Equality between people 2020-2024 (PROIGUALDAD). Designed by the National Institute for Women (INMUJERES), the Program includes 12 specific actions related to environmental and climate issues aimed at achieving three objectives: a) Promote the economic autonomy of women to close gendered inequality gaps; b) Position women to participate equally in decision-making within the political, social, community and private spheres; and c) Build safe and peaceful environments for women, girls and adolescents.²⁹

23. Governments cannot successfully implement policies and plans designed to protect and fulfil women's and girls' R2HE without gender-transformative budgeting and sufficient funds. To this end, **Slovenia** has distributed gender budgeting handbooks to all ministries and relevant institutions, and has engaged in gender-budget training co-financed by the European Commission.³⁰ In the **Philippines**, the Gender and Development (GAD) budgeting policy mandates national and local governments to plan and dedicate a portion of their budget for GAD-related initiatives that support women's empowerment.³¹ The Philippine's Magna Carta of Women Act 2009 requires all government agencies to designate five per cent of their annual budget for gender and development activities.

24. At the international level, the Small Island Developing States (SIDS) Accelerated Modalities of Action (Samoa Pathway, A/RES/69/15) is an example of an international development commitment that mainstreams women's rights and gender equality imperatives across numerous areas of central importance to the right to a healthy environment. The agreement is grounded by the unique circumstances facing SIDS, which experience pronounced impacts of the climate, biodiversity and pollution crises. Signed by 115 SIDS leaders, the Pathway reaffirms respect for the right to food, gender equality, women's empowerment and women's participation in all aspects of climate change action. It contains specific commitments to support women in the context of sustainable employment, disaster risk reduction, food security and nutrition, water and sanitation, the promotion of peaceful societies and safe communities and capacity building. In addition to the gender mainstreaming exemplified throughout the agreement, the Pathway includes a dedicated section on gender equality and women's empowerment.

25. The **European Union (EU)** renewed its policy framework on gender equality by adopting the Gender Equality Strategy for a Gender Equal Europe 2020-2025 and the Gender Action Plan III for a Gender Equal World 2021-2025, outlining how the EU prioritizes gender equality across all sectors, which is necessary for the implementation of all SDGs.

26. Regional environmental agreements recognizing gender equality as a policy objective or pledging to integrate gender perspectives in response to environmental and climate challenges include the Framework for Pacific Regionalism, the 2050 Strategy for the Blue Pacific Continent, the Framework for Resilient Development in the Pacific: An Integrated Approach to Address Climate Change and Disaster Risk Management, and the Boe Declaration on Regional Security and its Action Plan. The Pacific Resilience Partnership's

²⁸ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

²⁹ Submission from Mexico.

³⁰ Submission from Slovenia.

³¹ Submission from ARROW.

technical working group on localization also prioritizes women-led initiatives, with a specific focus on age and disability inclusion.³²

B. Good practices related to international cooperation and the mobilization of resources

27. Numerous good practices exist with respect to states' exercise of their international obligations to cooperate in and mobilize resources for the global fulfilment of women's and girls' right to a healthy environment. For example, the For All Coalition—launched by **Costa Rica** in 2018—strives to integrate human rights and gender equality within multilateral climate and environmental agreements.³³ In addition, the **Gender and Environment Group of the Forum of Ministers of the Environment of Latin America and the Caribbean** collaborates across Latin America and the Caribbean to develop tools and regional policies at the intersection of gender and the environment.³⁴

28. Coordinating the development and streamlining of gender-disaggregated, environmentally salient data is a global effort requiring extensive international coordination. The **UN Statistics Division** and **UN Women** have exercised leadership in this regard by developing a global methodology to refine survey methods for capturing individual-level asset ownership as part of the **Evidence and Data for Gender Equality Programme (EDGE)**. These methodological refinements are being utilized by the **UN Food and Agriculture Organization (FAO)** to support National Statistical Offices to collect data on women's and men's ownership and management of agricultural assets, including land and livestock. The **FAO's** Guidelines for the 2020 World Census of Agriculture featured a new theme on the "Intra-household distribution of managerial decisions and ownership on the holding." This data, once collected across a large number of countries, will facilitate a more comprehensive understanding of the impact of legal regimes on gender equality in land ownership and management.³⁵

29. Other noteworthy and collaborative efforts to collect, curate and disseminate data at the intersection of gender and the environment include the work of the **Gender + Environment Data Alliance (GEDA)**, an alliance co-convened by the **Women's Environment and Development Organization (WEDO)** and the **International Union for Conservation of Nature (IUCN)** and comprised of 17 non-governmental and UN organizations.³⁶

C. Good practices specific to lesbian, gay, bisexual, transgender, intersex, two-spirit and other gender-diverse and non-binary (LGBT+) persons

30. While the focus of this Annex is on women and girls, the Special Rapporteur emphasizes that gender-transformative laws and policies should not be limited to a binary approach to gender. Research for this Annex underscores the scarcity of documented good practices in support of LGBT+ persons' R2HE.

31. **Uruguay's** Comprehensive Law for Transgender Persons (Law 19684 (2018)) aims to ensure trans Uruguayans' right to be free from gender-based discrimination and provides a range of protections that are salient to trans rights in the context of climate-driven natural disasters. The law specifically forbids discrimination against transgender people concerning the right to access health services and housing, ensures that identification documents of trans people and information about them in national registries will be consistent with their gender identity and name, and establishes affirmative action measures guaranteeing that

³² www.resilientpacific.org/en/technical-working-groups

³³ Annex III to A/HRC/43/53, para. 117; and A/HRC/41/26, para. 50.

³⁴ Submission from Chile; and <http://www.pnuma.org/forodeministros/17-panama/html/documentos.htm>

³⁵ UN Women. 2019. *Progress of the World's Women 2019–2020: Families in a Changing World*, p. 124.

³⁶ <https://wedo.org/what-we-do/our-programs/gender-environment-data-alliance-geda/>

one per cent of jobs across the judicial, legislative, departmental and other governmental bodies be filled with trans people.

32. The **Inter-American Court of Human Rights** has also issued guidance concerning the right to equality and non-discrimination of LGBT+ persons³⁷ which, if implemented, would enhance the enjoyment of LGBT+ persons to the right to a healthy environment, particularly in post-disaster settings where their rights are often violated.

33. **Argentina, Canada, Costa Rica, Mexico** and the **Philippines** have Nationally Determined Contributions (NDCs) that reference LGBT+ persons. **Argentina's** NDC embraces an especially inclusive approach to persons of all genders, committing to mainstream gender and diversity perspectives across both climate mitigation and adaptation policies in order to reduce gender inequalities while “strengthening the physical, political and economic autonomy of women and LGBTI+ [LGBT+ people], the sovereignty over their bodies, lives and territories, and their capacity to make decisions.”³⁸ **Costa Rica's** NDC notes that consultation with transgender persons contributed to the development of their NDC.³⁹

III. Good practices related to procedural elements of the right to a healthy environment

A. Access to environmental information and participation in environmental decision-making

34. Access to information and education are widely recognized human rights that are essential for women and girls to: a) protect and defend their human rights from potentially harmful climate and environmental impacts; b) participate in climate and environmental decision-making processes; and c) assume environmentally salient leadership roles. When environmental information and education is accessible and tailored to the diverse realities of women and girls, environmental decision-making processes can be gender-transformative and inclusive, thus fulfilling related human rights for women and securing better outcomes for both people and nature. The intertwined and often causal relationship between women's and girls' access to information and participation in environmental decision-making processes is reflected in many of the good practices that follow.

1. Good practices in legislation and policy

35. At the regional level, the Escazu Agreement (2021) is amongst the most pioneering legally binding environmental and human rights agreements of the last 20 years. It requires state parties to establish conditions favourable to public participation in environmental decision-making processes while adapting these processes to reflect gendered and other characteristics of the public. (Article 7(10)). Women were foundational to the development of this pathbreaking treaty.⁴⁰

36. To enable women's political participation and protect them from violence, **Brazil** established Law No. 14.192 in August 2021 to prevent, suppress and combat violence against women exercising their political rights and public functions. The law prohibits both gender- and racially based discrimination, and aims to ensure women's participation in electoral debates.⁴¹

³⁷ Inter-American Court of Human Rights, Advisory Opinion OC-24/17 of November 24, 2017, requested by Costa Rica.

³⁸ IUCN. 2021. *Gender and National Climate Planning: Gender Integration in the Revised Nationally Determined Contributions*, p. 15.

³⁹ Submission from UNFPA.

⁴⁰ UNDP and others. 2022. *Synergies between the Escazú Agreement, Human Rights Law, and the Convention on Biological Diversity: Summary Report from Dialogue Series and Official Side-Event at the First Meeting of the Conference of Parties to the Escazú Agreement (COP1)*.

⁴¹ Submission from Federal Public Defender's Office of Brazil.

37. **Argentina's** 2021 Comprehensive Environmental Education Law (Law. No. 27521) establishes the right to comprehensive environmental education aimed at developing environmental awareness, enhancing "citizenship", and the exercise of the right to a healthy, dignified and diverse environment. The law, which will be implemented through Argentina's National Strategy for Comprehensive Environmental Education, makes environmental education compulsory in all schools and at all levels. It emphasizes that comprehensive environmental education is a process that defines sustainability as a social undertaking, specially requires environmental education to take into account environmental and ecological analyses derived from theoretical traditions of ecofeminism, and requires environmental education to be based on a number of critical principles, including: gender quality, equity, the exercise of "citizenship" through the right to a healthy environment, respect for biodiversity, socio-historical approaches to environmental issues and the recognition of cultural diversity.

38. **Lithuania's** Law on Strategic Management of the Republic of Lithuania requires that the preparation and implementation of policies and plans be characterized by gender equality.⁴² The **Maldives** has taken several measures to amplify the participation of women in the political arena, with the goal of increasing their role in all spheres of life including restoring declining biodiversity and degraded ecosystems. For example, amendments to the Decentralisation Act (Law No: 7/2010) reserve one-third of seats in local councils for women, allocate budgets to women's development councils, and more clearly define their role.⁴³ **Mexico's** Sustainable Development Law, General Law of Climate Change, General Law of Sustainable Forestry Development and General Law of Biological Balance and Environmental Protection all explicitly contemplate women's participation, with most also guaranteeing or promoting gender equality in the context of implementation.⁴⁴

2, Non-legislative good practices by States

39. While state delegations at conferences of the parties (COP) under the UN Convention to Combat Desertification (UNCCD) (1994), UN Framework Convention on Climate Change (UNFCCC) (1992), and Convention on Biological Diversity (1992) continue to be dominated by men,⁴⁵ some countries have made significant inroads towards gender parity. In the UNCCD COP14 (held in September 2019), for example, delegations from **Australia, Dominican Republic** and **Spain** all achieved gender parity.⁴⁶ The Conference of the Parties to the UNFCCC has established gender equality goals and now uses gender balance as a criterion to select speakers. In the 2021 UNFCCC COP, women comprised 49 per cent of party delegations, although men still accounted for 60 per cent of the speakers and 74 per cent of the speaking time in plenaries.⁴⁷ **Uruguay's** participation in UNFCCC COPs is noteworthy as the National Directorate for Climate Change—tasked with engaging in climate negotiations—is comprised exclusively of women.⁴⁸

40. The government of **Uruguay** has stated that the country's youth climate movement is mainly led by young women. Many of these youth environmental defenders reportedly participated in the 2022 initiative "Acción Climática Joven", in which Uruguay's Ministry of Environment partnered with UNICEF to organize a series of workshops for young people to learn more about climate change and to propose commitments for Uruguay to take within the framework of its second Nationally Determined Contributions. Experts on climate change participated in workshops, which culminated with the development of seven requests for governmental authorities and seven commitments that they plan to carry out in their current capacities.⁴⁹

⁴² Submission from Lithuania.

⁴³ Submission from the Maldives regarding Annex to A/75/161.

⁴⁴ Submission from Mexico.

⁴⁵ See, for example, Lorena Aguilar. 2022. *Study on the Differentiated Impacts and Drought on Women and Men*.

⁴⁶ Lorena Aguilar. 2022. *Study on the Differentiated Impacts and Drought on Women and Men*, p. 95.

⁴⁷ A/77/163, para. 66.

⁴⁸ Submission from Uruguay.

⁴⁹ Submission from Uruguay and <https://www.unicef.org/uruguay/accion-climatica-joven>.

41. To promote the principles of environmental education and sustainable development in a gender-inclusive fashion, **Morocco** supported 1,000 rural and 1,699 Koranic schools by providing them with drinking water and sanitation in order to reduce girls' drop-out rates, establishing nearly 550 environmental hubs to enrich students' environmental education, and organizing 70 training sessions for 2,200 facilitators in environmental education.⁵⁰

42. To support women's and girls' access to environmental information, the government of **Lithuania** is implementing an EU-funded project on the promotion of responsible, environmentally friendly behaviour that considers differences in consumption habits, perceptions, and environmental awareness between women and men. The initiative includes a variety of communication campaigns executed via a variety of channels, including regional and local internet portals, publications with the largest male and female audiences, social networks, and video platforms.⁵¹

43. With the support of the **International Fund of Agricultural Development (IFAD)** and the **Spanish Trust Fund**, the **Government of the Plurinational State of Bolivia's** "Economic Inclusion Programme for Families and Rural Communities in the Territory of Plurinational State of Bolivia" (2013-2019) demonstrated the effectiveness of intentionally employing intersectional, rights-based approaches that prioritize women's access to information, empowerment and participation in biodiversity interventions targeting community lands. In addition to supporting Indigenous communities' ability to obtain collective titles for their ancestral lands, the programme employed a participatory and gender-responsive methodology to understand Indigenous women and men's climate vulnerabilities and capacities and developed a Gender and Social Inclusion Strategy. The participation of rural men and women in the development of "talking maps" (*mapas parlantes*) depicting the gender-differentiated traditional and scientific knowledge of men and women regarding biodiversity, nature management, and their nature-based priorities constituted an inclusive, gender-transformative natural resource mapping process. These maps delineated ecological issues and threats to nature management practices by gender, age and ethnicity, and formed the basis for a system of local competitions (*concursons*) for biodiversity initiative funding. Selection criteria for access to finance included women's participation, with a minimum participation target of 80 per cent for both women and youth and a special focus on women-headed households. The initiative also featured a dedicated budget allocation for women's and youth-led initiatives in natural resource management, and embedded "gender promoters" throughout the project to support positive outcomes for women. To avoid conflicts with social norms that prohibited women from interacting with unknown men, women trainers were assigned to all capacity development initiatives. Crucially, the programme also provided childcare to women beneficiaries and employed other approaches to reduce women's workloads, thereby enabling their greater participation in programme activities. As a result of these interconnected, intersectional and gender-transformative measures:⁵²

- Women's groups comprised 43 per cent of the 1,200 groups to access funding through the *concursons*, with Indigenous women transforming social norms by directly managing funds, often for the first time;
- Over 500 women-led ecosystem and biodiversity management groups were established, and over 1,000 women-led marketing groups focusing on sustainable and traditional products were established;
- 40 per cent of the 15,000 project beneficiaries who improved their climate change resilience were women.

44. Another good practice co-supported by governments, climate finance mechanisms and other partners is the formation of multipurpose women's environmental networks to facilitate women's access to environmental information, capacity building and participation

⁵⁰ Submission from Morocco.

⁵¹ Submission from Lithuania.

⁵² Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

in environmental sectors. For example, the **Women in Fisheries Forum (WIFF)** in **Belize** has countered women’s underrepresentation, inequitable access to information and inequitable receipt of benefits in the fishing sector. Through the WIFF platform, women develop strategies for accessing technical resources at the community level; access information on how to obtain formal credit, scholarship opportunities and capacity development; and enjoy a safe environment to freely discuss fishing sector issues impacting them, such as personal safety, health and hygiene concerns that women encounter at work. The first WIFF resulted in the formation of a draft Gender Action Plan—covering matters such as women’s access to social protection to offset the seasonality of their fishing sector work—to support gender mainstreaming within Belize’s fishing sector. The fifth WIFF took place in July 2022, and the success of the forum has led other countries to adopt this approach. **Barbados** has established a national WIFF, and **Fiji** has formed both national and sub-national Women in Fisheries Networks.⁵³

45. The “Grassroots Capacity Building for REDD+” projects employed by the **Regional Community Forestry Training Center for Asia and the Pacific (RECOFTC)** and relevant government departments in **Indonesia, Lao People’s Democratic Republic, Myanmar, Nepal** and **Viet Nam** provided female and male community members with essential information about climate change, REDD+ (Reduced Emissions from Deforestation and Forest Degradation), social safeguards and the prevention of environmental degradation through capacity-building. Trainings and workshops equipped community members with facilitation skills to empower them to share their information with other community members and key government officials at local and national levels. Following their trainings, Indigenous and rural women began advising their communities on best practices regarding sustainable community forest management, providing useful information that all community members could use in tackling difficult issues such as illegal logging. By supporting women’s access to environmental education and information, the project enhanced women’s status and value within their own communities, as they could serve as important sources of information for their entire community.⁵⁴

46. Governments cannot provide women and girls with environmental information they do not have, and gendered data gaps remain large across high- and low-income countries alike. Through the AGENT (Advancing Gender in the Environment) initiative, the **United States Agency for International Development (USAID)** and **IUCN** are working to fill the immense gender knowledge gaps related to environmental challenges. This initiative shares knowledge on gender and environmental linkages and provides technical support to USAID and IUCN activities, with particular focus on women’s leadership, economic empowerment and livelihoods.⁵⁵

47. Since 2009, **Germany** has been monitoring its citizens’ awareness of nature and willingness to act to protect nature via its “Nature Awareness Study”. Approximately 2,000 respondents participate every two years, and responses are disaggregated and analysed by sex. The Government then utilizes survey findings to tailor its messaging around environmental matters. Generally speaking, women surveyed since 2009 have shown a higher awareness of nature, more positive attitudes and a greater willingness to conserve nature and biodiversity than men.⁵⁶

⁵³ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*; Caribbean National Weekly, “Belize to host Women in Fisheries Forum”, July 16, 2022; and FAO and Green Climate Fund, 2022, “Belize: Women in Fisheries Forum 5: Gender and Climate Change - Understanding the Link”, (YouTube) available at: <https://www.youtube.com/watch?v=iKzdIzN4q2Q> (last accessed January 30, 2023).

⁵⁴ Rights and Resources Initiative. 2019. *Strengthening Indigenous and Rural Women’s Rights to Govern Community Lands: Ten Factors Contributing to Successful Initiatives*.

⁵⁵ <https://genderandenvironment.org/agent/>

⁵⁶ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*, p. 79.

3. Good practices by non-state actors

48. Women’s organizations often fail to receive sufficient credit when their advocacy and political mobilization contributes to positive legislative change. In the **Democratic Republic of the Congo (DRC)**, the **Coalition of Women Leaders for Environment and Development (CFLEDD for its French acronym)** conducted capacity building training for Indigenous and rural women and organized multi-stakeholder dialogues on Indigenous and local community land governance with provincial leaders that contributed to the passage of Edict No. 002/2018 Bearing Recognition of the Rights of Possession and Enjoyment of Women to the Forest and Land Patrimony. This gender-transformative provincial regulation broadly affirms Indigenous and rural women’s rights to govern and benefit from community lands and forests and underscores the importance of collaboration between Indigenous and rural women, customary chiefs and local political leaders.⁵⁷

49. More recently in the DRC, CFLEDD played a major role in the enactment of a new law called the Law on the Promotion and Protection of the Rights of the Indigenous Pygmy Peoples. According to the IUCN, this historic law, enacted in 2022, is expected to have a lasting effect on land rights and tenure security while empowering Indigenous Pygmies to play a leading role in achieving the DRC’s conservation and climate objectives.⁵⁸

50. Gender transformative approaches to environmental challenges must be intersectional in order to effectively respond to the diversity of women and girls. In the **United States of America**, the **Intersectional Environmentalist (IE)** is a non-profit climate justice and community resource hub aimed at centring the voices and experiences of Black people, Indigenous people, people of colour, and other historically under-amplified voices in environmental sectors, thus countering exclusionary environmental narratives. IE provides accessible education resources for an audience of over 400,000 people and acts as an incubator to spark new ideas, foster collaboration and connect communities. It also runs a podcast called “Dismantled” for intersectional environmentalists.⁵⁹

51. Researchers from the **International Livestock Research Institute** and the **International Centre for Agricultural Research in the Dry Areas** found that facilitating “community conversations” in **Ethiopia** was an effective means to bridge gendered public health information gaps surrounding the prevention and spread of zoonotic diseases, transform deep-rooted cultural beliefs around hygiene, and shed light on gender dynamics that enable disease spread. By engaging in facilitated discussions that highlighted and challenged cultural perceptions about gendered work roles, participants were able to identify various gendered points of exposure to zoonotic diseases—such as women’s disproportionate participation in activities like milking cows or clearing manure from barns. These conversations increased community awareness of zoonotic disease risks and mitigation methods, particularly where animal health experts, traditional leaders, religious leaders, elders and farmers were participating. In addition to enhancing public health knowledge, some participants reported that conversations about gendered work roles helped them to realize that men and women should share more information in their communities, and that there are opportunities for men and women to redistribute household work to the benefit of the family.⁶⁰

52. To increase women’s access to information about conservation, the **World Wildlife Foundation (WWF)** supports the organization of women’s “radio listening groups” in

⁵⁷ Rights and Resources Initiative. 2019. *Strengthening Indigenous and Rural Women’s Rights to Govern Community Lands: Ten Factors Contributing to Successful Initiatives*.

⁵⁸ IUCN, “New legislation to protect the rights of the Indigenous Pygmy Peoples in the DRC”, August 5, 2022.

⁵⁹ <https://goodpractices.environment-rights.org/goodpractice/draft-intersectional-environmentalist-ie/>

⁶⁰ Georgiana Smith and Annet Mulema, “Ethiopia: Women making a difference on the front line of dangerous zoonotic disease spread”, International Livestock Research Institute, May 31, 2020; and Wole Kinata and others, “The role of community conversations in transforming gender relations and reducing zoonotic risks in the highlands of Ethiopia”, CGIAR Brief No. 6 (July 2019).

Madagascar, through which members listen to regularly scheduled conservation programmes and hold small gatherings to discuss what they have learnt.⁶¹

53. In 2014, the **Office of the Chakma Raj**—one of three tribal chiefdoms in the Chittagong Hill Tracts of modern-day **Bangladesh**—led a pathbreaking reform in the chiefdom’s customary Indigenous leadership system that enabled women to be nominated and selected as *karabis*, or village chiefs, for the first time. This reform in Indigenous governance greatly increases women’s ability to lead their communities’ environmental actions, including the governance of Village Common Forests—community-led bodies that protect and preserve forests and biodiversity through the implementation of Indigenous knowledge and management practices.⁶²

54. Similarly, the **National Organization of Andean and Amazonian Indigenous Women of Peru (ONAMIAP)** for its Spanish acronym) has successfully supported Indigenous communities in Peru to revise their bylaws to recognize women’s community membership and right to participate in decision-making processes related to community lands and resources. By prefacing community reform processes with gender sensitivity trainings for male community leaders and awareness-raising campaigns designed to render visible women’s contributions to their communities’ welfare, ONAMIAP supported many communities to modify statutes to include 30-40 per cent quotas for women’s participation in community leadership bodies.⁶³

55. Similar positive results have also been recorded by **Namati**, in partnership with the **Community Self Reliance Centre**. By staging over 800 facilitated meetings involving 100-200 male and female community members in **Nepal’s** Bhajani-Trishkti Municipality, communities developed gender-transformative bylaws, including bylaws: requiring families with registered land to obtain joint land ownership certificates held by both husband and wife; requiring half of leadership positions within community forest user groups to be held by women; and requiring women’s representation at all community-level committees.⁶⁴

56. It is important to acknowledge that the realization of women’s right to participate in environmental decision-making is often a good practice that saves lives. In La Masica, **Honduras**, there were no reported fatalities after Hurricane Mitch (1998), in part thanks to gender disaster training and equal participation by people in disaster risk management that allowed for rapid response to the hurricane and evacuation by communities.⁶⁵

57. **The International Fund for Animal Welfare’s (IFAW’s)** TenBoma Project in **Kenya** engaged and trained Maasai community women’s groups to participate in wildlife security and ecosystem conservation while also facilitating their economic empowerment via digital banking and livelihoods training. Women employed their training to photograph different wildlife activities and human-wildlife conflicts that they witnessed, generating evidence that people are equally affected by human-wildlife conflict. Women participants petitioned IFAW to consider hiring women as wildlife rangers so that they could participate in law enforcement—a role that runs counter to gender norms in many Maasai communities, wherein mostly male elders decide on major matters. During the same year, IFAW recruited and trained the first female Maasai Community Wildlife Rangers group in Kenya, named Team Lioness, which works alongside their male counterparts to provide security around Amboseli National Park.⁶⁶

58. Around the world, women organize to engage in environmental activism, often with limited resources. For example, a group of women predominantly comprised of single

⁶¹ Submission from World Wildlife Fund for Nature.

⁶² Submission from the Maleya Foundation.

⁶³ Rights and Resources Initiative. 2019. *Strengthening Indigenous and Rural Women’s Rights to Govern Community Lands: Ten Factors Contributing to Successful Initiatives*.

⁶⁴ Ibid.

⁶⁵ UN Women. 2016. *Leveraging Co-Benefits Between Gender Equality and Climate Action for Sustainable Development: Mainstreaming Gender Considerations in Climate Change Projects*, pp. 23-24.

⁶⁶ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*, p. 84.

mothers formed the Women for Conservation Network in **Namibia** in 2018, with the aspiration of becoming a national force for conservation in Namibia and increasing rural women's participation in conservation and associated decision-making processes.⁶⁷

59. Institutional reforms are often necessary for women and girls to have equal opportunities to participate in environmental matters. Since its founding in 1995, the **Federation of Community Forest Users in Nepal (FECOFUN)** has amplified the voices of forest-dependent Indigenous Peoples, local communities and women across Nepal. Following 15 years of advocacy by female members, FECOFUN's constitution was revised in 2010 to require that 50 per cent of executive leadership be women. With FECOFUN's support, 632 of almost 2,000 Indigenous and local community members elected during Nepal's 2017 local elections were women. Many of these elected women play key roles in Nepal's grassroots community forestry movement. Under women's leadership, FECOFUN has reserved 35 per cent of income generated from community forest user groups for women and poor persons, more directly addressed violence against women and community-level conflict management impacting community forest user groups, and successfully advocated for gender-responsive policies such as Nepal's Community Forestry Guidelines (2014) and the Gender Strategy (2065).⁶⁸

60. Global consultation initiatives to capture girls' priorities and concerns related to climate change, pollution and biodiversity loss are key to facilitating girls' participation in international environmental decision-making processes, and highlight the need to make comprehensive, gender-transformative environmental education mainstream. In 2022, **UNICEF** and the **World Association of Girl Guides and Girl Scouts** launched a global effort—co-designed and co-led by girls—to consult 33,523 girls and young women (ages 10 – 25) across 90 countries on their views concerning climate change. The survey found that nearly 30 per cent of respondents were not familiar with climate change, 10 per cent had never heard of it, and 60 per cent of respondents said their government had never consulted them on environmental policies.⁶⁹ **Plan International's 2022 State of the World's Girl Report** focuses on girls' political priorities and participation, finding that of the 29,000 girls and young women surveyed (ages 15 - 24) across 29 countries, 52 per cent ranked environmental issues a top political priority (52 per cent), with only poverty/unemployment (55 per cent) and conflict/peace/violence (53 per cent) ranked slightly higher.⁷⁰

61. Efforts to build girls' environmental agency by investing in girls' environmental education and green skills development are also emerging, including the **Girl Rising's** Future Rising Fellowship⁷¹ and **CAMFED's** Climate-Smart Agriculture Guides Program,⁷² which respectively support young women, Indigenous people and people of colour to address environmental challenges through activism and market-based approaches.

62. Research for this Annex indicates a need for more state-driven good practices specifically targeting girls' right to environmental information and participation in decision-making processes.

B. Access to justice and effective remedy

63. In most States where the right to a clean, healthy and sustainable environment is constitutionally recognized and gender-based discrimination is constitutionally prohibited, men and women have equal standing (as do non-governmental organizations) to bring

⁶⁷ Submission of World Wildlife Fund for Nature; and Namibian Association of Community Based Natural Resource Management (CBNRM) Support Organisations, "Women for conservation on CBNRM governance", December 14, 2021.

⁶⁸ Rights and Resources Initiative. 2019. *Strengthening Indigenous and Rural Women's Rights to Govern Community Lands: Ten Factors Contributing to Successful Initiatives*.

⁶⁹ World Association of Girl Guides and Girl Scouts. 2022. *Bring in the Girls! Girls' and Young Women's Views on Climate Change*.

⁷⁰ Plan International. 2022. *Power Now: Girls, Young Women and Public Participation (The State of the World's Girls 2022)*.

⁷¹ <https://girlrising.org/our-programs/future-rising-girls-education-climate-change/fellows>.

⁷² <https://camfed.org/us/what-we-do/our-programs/climate-smart-agriculture-guides/>

lawsuits based on the violation of the R2HE. For example, this is the case in **Colombia, India, Portugal, Romania and Slovenia**.⁷³

64. Good practices to prevent the abuse of women environmental human rights defenders are especially critical as women and girls worldwide are commonly embroiled in battles to preserve their right to a healthy environment against both state and business violations and are often the unsung environmental heroes of their communities.⁷⁴ Unfortunately, research for this Annex indicates a dearth of good practices by states that specifically support women and girl human rights defenders.

1. Good practices by international and regional entities

65. The **United Nations General Assembly** adopted a resolution on the protection of women human rights defenders in 2013. The resolution recognizes the human rights violations and challenges faced by women human rights defenders and urges States to prevent abuses against women human rights defenders and to ensure their ability to safely carry out their work, thus giving full effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.⁷⁵

66. The **United Nations Human Rights Council** adopted a resolution on environmental defenders in 2019, which recognizes the importance of gender equality, women's roles as natural resource managers and agents of change, and the specific abuses that women environmental defenders face. The resolution "urges States to develop and appropriately resource protection initiatives for human rights defenders..., taking into account the intersectional dimensions of violations and abuses against women human rights defenders, Indigenous peoples, children, persons belonging to minorities, and rural and marginalized communities."⁷⁶

67. The **Inter-American Court of Human Rights** has taken pioneering steps to uphold the rights of women environmental human rights defenders. For example, the court's April 2009 judgment in *Kawas Fernández v. Honduras*⁷⁷ clarified that the State's failure to protect the life of environmental human rights defender Blanca Jeannette Kawas-Fernández—who combatted illegal logging and advocated for conservation of protected areas in **Honduras** until she was murdered at her home—as well as the State's failure to adequately investigate her murder constituted violations of the rights to life and freedom of association. As a result, the Court held that the State must compensate the relatives of Ms. Kawas-Fernández and take other steps to publicize the work of environmental defenders.⁷⁸ The Court has also issued an advisory opinion acknowledging that women, Indigenous Peoples, disabled persons and people living in extreme poverty are amongst the groups most vulnerable to environmental damage.⁷⁹

68. The **Inter-American Commission on Human Rights** has also proven receptive to women's appeals for justice related to their exposure to toxic substances. For example, the **Center for Reproductive Rights** and partners were successful in their petition to the

⁷³ A/HRC/43/53, para. 30; and WORLD Policy Analysis Center, "Constitutions Data" (distinguishing those constitutions that, as of January 2022, guarantee non-discrimination or gender equality across sex and/or gender, as well as those that exempt such protections from persons subject to customary or religious law). Available at: <https://www.worldpolicycenter.org/maps-data/data-download/world-areas>. Downloaded on February 6, 2023.

⁷⁴ See, for example, Submission from Forest Peoples Programme on behalf of the Akar Foundation, the Federation of Native Communities of Ucayali and Tributaries, the Federation of Indigenous Kechwa Peoples of Bajo Huallaga San Martín, and the Federation of Indigenous Kechua Chazuta Amazonian Peoples; and Francesco Martone. 2019. *Enough! Pledging Zero Tolerance to Attacks Against Environmental and Human Rights Defenders*. Forest Peoples Programme.

⁷⁵ A/RES/68/181.

⁷⁶ A/HRC/40/11.

⁷⁷ Inter-American Court of Human Rights, Case of *Kawas Fernández v. Honduras*. Judgment of April 3, 2009. Series C No. 196. (Merits, Reparations and Costs).

⁷⁸ A/HRC/28/61, para. 43.

⁷⁹ Inter-American Court of Human Rights, Advisory Opinion OC-23/17 of November 15, 2018, requested by Colombia.

Commission in relation to the cases of two Colombian women who suffered devastating health impacts of exposure to the toxic pesticide glyphosate, including miscarriages, premature birth and even death.⁸⁰

69. In 2012, the **African Commission on Human and People's Rights** issued a resolution on the need to study the situation of women human rights defenders (WHRDs) in Africa.⁸¹ The resulting report outlines the kinds of abuses facing WHRDs, and recommends that State parties establish an enabling environment for WHRDs through legislation and other measures, including "a response to the religious and cultural norms that subjugate women in general and women human rights defenders in particular."⁸²

2. Good practices in legislation, policy and judicial actions

70. Economic barriers to women's and girls' access to justice include the substantial expenses often associated with filing lawsuits and the so-called loser pays rule, which requires unsuccessful litigants to pay the costs of the winning parties. **Costa Rica, Finland, Ireland, Slovakia** and **Sweden** are States where unsuccessful litigants are usually not required to pay such costs in environmental cases. In **Denmark, Hungary, Romania, Slovenia** and **Spain**, civil society organizations have access to legal aid in environmental cases.⁸³ Given that the world's poor are disproportionately women,⁸⁴ such practices are particularly positive for women. In addition, **Costa Rica** reportedly prioritizes the environmental complaints of those segments of the population that are more vulnerable to harm, including women.⁸⁵

71. Because obstacles to environmental justice for women often relate to their comparative lack of resources and education (compared to men), they also stand to benefit significantly from practices that simplify judicial processes. The Supreme Court of the **Philippines** instituted the Writ of *Kalikasan* (nature) as a legal remedy wherein complaints and petitions on environmental cases (e.g., destruction of ecosystems, endangered biodiversity) may be filed and heard in courts pursuant to expedited and simplified judicial processes.⁸⁶

72. **Uruguay's** Law on Sexual Harassment, Prevention and Punishment in the Workplace and in Teacher-Student Relations (Law No. 18561 (2009)) is noteworthy in that it covers both workplace and educational settings within the public and private spheres,⁸⁷ thus allowing women who encounter sexual harassment in environmental sectors or in academic settings related to environmental matters (which are commonly male-dominated) to more easily seek remedy.

73. An increasing number of countries have passed laws for the protection of human rights defenders, although these do not always address the specific concerns of women defenders and implementation remains weak. **Brazil's** Decree No. 6044 of February 12, 2007, establishes principles and guidelines for the protection of human rights defenders, including protection against gender-based violations. Brazil's Decree No. 9937 of 2019 establishes the Protection Programme for Human Rights Defenders, Communicators and Environmentalists and the Deliberative Council of the Protection Programme for Human Rights Defenders, Communicators and Environmentalists under the Ministry of Women,

⁸⁰ Submission from the Center for Reproductive Rights – Latin America and the Caribbean Program; and Center for Reproductive Rights and Grupo Epidemiología y Salud Poblacional. 2020. *Reproductive Health and Glyphosate in the Context of the Armed Conflict: An Overview from a Gender and Reproductive Rights Perspective*.

⁸¹ ACHPR/Res.230(LII)2012.

⁸² African Commission on Human and People's Rights. 2013. *Report of the Study on the Situation of Women Human Rights Defenders in Africa*, p. 32.

⁸³ Annex II to A/HRC/49/53.

⁸⁴ Committee on the Elimination of Discrimination against Women, general recommendation No. 34 (2016), para. 5.

⁸⁵ Submission from Costa Rica regarding A/HRC/40/55.

⁸⁶ Supreme Court of the Philippines, Rules of Procedure in Environmental Cases, Resolution A.M. No. 09-6-8-SC (2010).

⁸⁷ Submission from Uruguay.

Family and Human Rights. In 2018, **Mali** passed the Law on Human Rights Defenders, which includes specific protections for women defenders against violence, discrimination and threats, as well as for those with disabilities.

74. In 2012, **Colombia's** Ministry of Interior issued Resolution 0805, recognizing the specific prevention and protection needs of women human rights defenders, in addition to establishing a gender protocol for their protection. Key elements of the Resolution include the extension of state protection measures to defenders' children and other family members and the prioritization of required consultation with women defenders.⁸⁸ The **Mexican** Ministry of Interior's Human Rights Office and the governor of the State of Chihuahua adopted a Contingency Plan for the prevention of attacks against human rights defenders and journalists in 2017. One of the Plan's five themes is the environment, and another is people in situations of vulnerability, including women, migrants and gender-diverse persons.⁸⁹

75. While promising on paper, it is vital to note that women environmental and human rights defenders in these Latin American nations continue to face grave threats of harassment, intimidation and violence. States must ensure the rigorous implementation of these laws and policies in order to provide genuine protection.⁹⁰

76. To improve the investigation and prosecution of environmental crimes, **Indonesia** is developing an integrated approach to environmental law enforcement with a five-year gender mainstreaming roadmap (2019-2024) and an annual plan for its implementation. The Roadmap provides guidance on mainstreaming gender equality into policy and regulations, capacity building and gender sensitive monitoring and evaluation.⁹¹

77. In February 2010, the Supreme Court of **Nepal** issued a ruling regarding the establishment of a fast-track system to address gender-based violence.⁹² As gender-based violence is often synonymous with and/or fuelled by environmental injustices,⁹³ such expedited measures can greatly facilitate women's and girls' access to justice and effective remedy in the context of the right to a healthy environment.

78. In addition, **Brazil's** Federal Public Defender's Office—which provides free legal assistance to Brazilians who cannot afford it, including in the context of environmental claims—is taking laudable efforts to become more gender-transformative. They conduct an annual survey to map and study gender dynamics across their office and work, have developed a guide on non-sexist language, and are part of the federal government's Observatory of Violence Against Women in Politics, which is tasked with carrying out research and disseminating data on political violence against women, women's political representation and the electoral process.⁹⁴

79. Language barriers can serve as significant obstacles to women's access to environmental justice.⁹⁵ Since 2013, **Guatemala** has facilitated non-Spanish speaking Indigenous women's and girls' access to justice via the judiciary's Indigenous Interpretation and Translation Centre, which supports Indigenous women and children to utilize the justice system in their own language. The government has developed a 2014 guide to sensitize judiciary staff to the particular rights of Indigenous women, and the Office for the Defence

⁸⁸ Inmaculada Barcia. 2014. *Our Right to Safety: Women Human Rights Defenders' Holistic Approach to Protection*. Association for Women's Rights in Development (AWID).

⁸⁹ <https://goodpractices.environment-rights.org/goodpractice/contingency-plan-for-human-rights-defenders-and-journalists-in-chihuahua/>

⁹⁰ Inmaculada Barcia. 2014. *Our Right to Safety: Women Human Rights Defenders' Holistic Approach to Protection*. Association for Women's Rights in Development (AWID).

⁹¹ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*, p. 82.

⁹² Women Human Rights Defenders International Coalition. 2012. *Global Report on the Situation of Women Human Rights Defenders*.

⁹³ Itzá Castañeda Camey and others. 2020. *Gender-Based Violence and Environment Linkages: The Violence of Inequality*. International Union for Conservation of Nature (IUCN).

⁹⁴ Submission from the Federal Public Defender's Office of Brazil.

⁹⁵ Committee on the Elimination of Discrimination against Women, general recommendation No. 33 (2015), paras. 3, 8-10 and 13.

of Indigenous Women was established to promote the full realization of Indigenous women's rights and to contribute to the elimination of all forms of violence against Indigenous women.⁹⁶

3. Good practices by non-state actors

80. Around the world, women's environmental defence efforts include filing lawsuits in defence of their rights, those of their communities and of nature. For example, a lawsuit filed by 56 female villagers of Sangihe Island, **Indonesia** resulted in a May 2022 court order requiring local officials to revoke an environmental permit issued to the Canadian-backed company PT Tambang Mas Sangihe. The permit authorized gold mining on a 42,000-hectare area (over half the size of New York City) that overlaps with 80 Sangihe Island villages. The women plaintiffs viewed the lawsuit as necessary to defend their villages from widespread environmental destruction, including water pollution from heavy metals, that would threaten their lives and the prospects of their children. The court also ordered the company to refrain from mining activities (pending the revocation of its mining license or the resolution of any future appeal) and found that the mine's environmental impact analysis failed to follow procedures concerning public notice and villagers' participation in the environmental impact analysis process. In addition to this women-driven movement to obtain environmental justice, Sangihe villagers filed a separate lawsuit at the state administrative court in Jakarta seeking the revocation of the company's mining contract, which permitted the company to mine for gold until 2054.⁹⁷

81. Women sometimes obtain justice through the operational-level grievance mechanisms of business enterprises involved in environmental human rights abuses, in addition to filing claims before judicial and other state bodies. With the help of **EarthRights International**, dozens of Indigenous and local women and girls in **Papua New Guinea** filed such complaints against Barrick Gold, alleging that they were raped and subject to other forms of sexual violence by security guards working at the company's gold mines. Barrick Gold has also caused widespread environmental damage to their communities' lands and been associated with systematic killings and other acts of violence by security guards against male community members. After the grievance mechanism established by Barrick was found to be inadequate by some complainants, eleven women and three men reached a settlement agreement in which they receive compensation and payment for their participation in the mediation process.⁹⁸

82. In 2016, a group of Swiss senior women filed a lawsuit against Switzerland's Federal Department of the Environment, Transport, Energy and Communications and other agencies, arguing that the Government of **Switzerland** violated their human rights by failing to take adequate actions to reduce greenhouse gas emissions to levels consistent with the commitments set forth in the Paris Agreement. The women, all of whom are at least 75 years old, argue that their rights are jeopardized by the increasing frequency, intensity and duration of heat waves, which have well-established disproportionate impacts on older persons. The case was not successful in the Swiss court system and is currently before the Grand Chamber of the European Court of Human Rights, where the focus is on whether Switzerland complied with its obligations related to the rights to life, health, a fair trial and effective remedies.⁹⁹

83. Rural women in **Odisha, India** have advocated for the restoration of their community lands and pursued environmental claims on behalf of their communities with the support of **Vasundhara**, an organization supporting community rights recognition and land governance. Vasundhara has worked to inform rural people in the state of Odisha of their

⁹⁶ OECD. 2019. *SIGI 2019 Global Report: Transforming Challenges into Opportunities*, p. 54.

⁹⁷ Hans Nicholas Jong, "Indonesia's Sangihe islanders score legal victory over mining company", *Mongabay*, June 20, 2022.

⁹⁸ <https://earthrights.org/case/barrick/>; and Kelsey Jost-Creegan, "Women earth rights defenders: defying earth rights abuses and patriarchy", EarthRights International, November 29, 2017.

⁹⁹ European Court of Human Rights, *Verein KlimaSeniorinnen Schweiz and others v. Switzerland*, Application No. 53600/20.

community forest rights under India's Forest Rights Act and supports local communities in filing Community Forest Rights claims with the government.¹⁰⁰

84. Coalitions and networks of women environmental human rights defenders can be safe and edifying spaces for defenders to exchange experiences, resources and strategies. For example, the **ReSisters Dialogue** is a forum for women defenders from Indigenous and rural communities across **Asia** that fulfils such purposes.¹⁰¹ The **Mesoamerican Women Human Rights Defenders Initiative's (IM-Defensoras)** Feminist Protection Programme shares resources among women environmental and other human rights defenders and supports network building and self-care in an effort to strengthen women defenders' social movements, enhance their safety and increase the visibility, recognition and impact of their human rights work.¹⁰²

85. In 2017, the **Office of the United Nations High Commissioner for Human Rights (OHCHR)** formed the **Women Human Rights Defenders Network** and a rapid response mechanism in **Uganda** to address urgent cases impacting women defenders, in addition to training multiple women human rights defenders throughout the country. The network supports women engaged in environmental human rights defence efforts in Uganda and enhances the defence capacities of members.¹⁰³ Other networks specific to women environmental defenders in Africa include **Women, Mining and Extractives in Sierra Leone** and the **Natural Resource Women's Platform in Liberia**.¹⁰⁴ At the international level, the **Women's Human Rights Defenders International Coalition (WHRD-IC)** is a network of 28 organizations that provides many support services to women who defend environmental rights.¹⁰⁵

86. To fill critical gaps in regional knowledge about the challenges and good practices related to protecting women environmental and other human rights defenders in **West Africa**, the Liberian environmental non-profit **Green Advocates International** published a much needed, gender-responsive baseline assessment of the situation of human rights defenders, with a specific focus on frontline defenders of land and environmental rights.¹⁰⁶

87. Indigenous and tribal organizations play key roles in enabling women's defence of community lands and resources. For example, the **Honduran Black Fraternal Organisation (OFRANEH)** is a federation of the Garifuna People of Honduras that supports members' cultural and territorial rights, with an emphasis on women's environmental defence efforts. OFRANEH establishes a physical presence in the areas where grassroots women defenders work, provides advice regarding defenders' protection, engages in strategies to raise the visibility of defenders' quest for justice and facilitates alliances and networks that can be utilized in situations of emergencies and defender abuse. OFRANEH's approach to supporting women's environmental defence work prioritizes their physical and psychosocial protection and well-being, while strengthening the Garifuna people's social fabric.¹⁰⁷

88. Women environmental defenders are often disproportionately targeted by digital attacks, and women's digital literacy and awareness of digital risks often lags behind men's.¹⁰⁸ To combat these realities, the services of **Amnesty Techa** – a global collective of advocates, hackers, researchers, and technology specialists that supports defenders of all

¹⁰⁰ Rights and Resources Initiative. 2019. *Strengthening Indigenous and Rural Women's Rights to Govern Community Lands: Ten Factors Contributing to Successful Initiatives*.

¹⁰¹ IUCN. 2021. *Women Environmental Human Rights Defenders: Facing Gender-Based Violence in Defense of Land, Natural Resources and Human Rights*, p. 11.

¹⁰² <https://goodpractices.environment-rights.org/goodpractice/draft-mesoamerican-women-human-rights-defenders-initiative-consultations-grulac/>

¹⁰³ <https://goodpractices.environment-rights.org/goodpractice/ohchrs-project-to-support-women-human-rights-defenders-uganda/>

¹⁰⁴ Green Advocates International. 2021. *Securing the Firewall and Connecting the Unconnected: Frontline Defenders Across West Africa Final Baseline Report*.

¹⁰⁵ <https://www.defendingwomen-defendingrights.org/about/>; and A/HRC/28/61, para. 54.

¹⁰⁶ Green Advocates International. 2021. *Securing the Firewall and Connecting the Unconnected: Frontline Defenders Across West Africa Final Baseline Report*.

¹⁰⁷ <https://goodpractices.environment-rights.org/goodpractice/draft-honduran-black-fraternal-organisation-ofraneh/>.

¹⁰⁸ GSM Association, 2022. *Connected Women: The Mobile Gender Gap Report 2022*.

genders—may prove beneficial. Amnesty Techa provides direct support to defenders by investigating, exposing and shutting down digital attacks against them, developing tools and resources, and providing training to create and strengthen digital protection capacities.¹⁰⁹

89. For more than 10 years, the **Plurales Foundation** and the **Fondo de Mujeres del Sur** have supported the strengthening of rural women’s organizations in **Argentina, the Plurinational State of Bolivia and Paraguay**, buttressing their fight for access to water, land tenure and against the contamination and deforestation that harm their territories.¹¹⁰ They supported the information and technology needs of Indigenous and other women environmental human rights defenders by developing a mobile application to strengthen defenders’ capacity to access information and report threats. The app facilitates communication between defenders in Argentina, the Plurinational State of Bolivia and Paraguay, providing geo-referenced data, photos, voice notes and news, along with the ability for defenders to submit complaints and data about threats to their environment.¹¹¹

IV. Good practices related to substantive elements of the right to a healthy environment

A. Clean air

90. Air pollution causes seven million premature deaths annually.¹¹² Women and children are disproportionately represented amongst the 3.8 million people who die of household air pollution each year from cooking/heating with dirty fuels and inefficient stoves.¹¹³ Consequently, good practices supporting the realization of women’s and girls’ right to breathe clean air may be lifesaving.

1. Good practices in legislation and policy

91. The **Dominican Republic** (General Law on the Environment and Natural Resources 2000), **France** (The Environment Code) and **the Philippines** (The Clean Air Act) are countries that explicitly recognize the right to breathe clean air. In **India** and **Pakistan**, courts have clarified that the right to breathe clean air is constitutionally protected because it is essential to the rights to life and health.¹¹⁴ All of these countries also have constitutions that explicitly guarantee equality or non-discrimination across gender or sex, without permitting customary or religious law to supersede such protections.¹¹⁵ Thus, gender- or sex-based discrimination against women’s and girls’ right to breathe clean air is expressly forbidden.

92. Air quality legislation should acknowledge the biological and social drivers that render women, girls, pregnant people and other populations (such as older people and those with respiratory illnesses) more vulnerable to harm due to air pollution, require governments to consider these factors in regulating air quality, and safeguard women and girls’ rights to participate in all related policy making and implementation processes. For example, **Switzerland’s** Law on Environmental Protection requires the government to establish emission limits that take into account air pollution impacts on groups most

¹⁰⁹ <https://goodpractices.environment-rights.org/goodpractice/amnesty-tech/>.

¹¹⁰ Annex to A/HRC/46/28, para. 102.

¹¹¹ IUCN. 2021. *Women Environmental Human Rights Defenders: Facing Gender-Based Violence in Defense of Land, Natural Resources and Human Rights*; and IUCN, “How a mobile app can help safeguard and connect women environmental defenders”, June 22, 2020.

¹¹² A/HRC/43/53, para. 38.

¹¹³ UN Women. 2021. *Beyond Covid-19: A Feminist Plan for Sustainability and Social Justice*, p. 50.

¹¹⁴ A/HRC/43/53, para. 42.

¹¹⁵ WORLD Policy Analysis Center, “Constitutions Data” (distinguishing those constitutions that, as of January 2022, guarantee non-discrimination or gender equality across sex and/or gender, as well as those that exempt such protections from persons subject to customary or religious law). Available at: <https://www.worldpolicycenter.org/maps-data/data-download/world-areas>. Downloaded on February 6, 2023.

sensitive to these effects, including pregnant women, children, the elderly and the sick (Article 13).¹¹⁶

93. The Special Rapporteur notes that legislation specifically concerning women and girls and their right to breathe clean air is especially lacking – the preponderance of legislation and policies continues to be gender blind.

2. Good practices by States concerning household air pollution

94. Reducing household air pollution has particular salience for women and girls because it disproportionately impacts their health and enjoyment of gender equality. Advances are being made with respect to clean cooking policy frameworks. In 2010, none of the 55-energy access-deficit countries analysed in the World Bank’s Regulatory Indicators for Sustainable Energy Index (RISE) possessed an advanced clean cooking policy framework, but **China, Ethiopia, India, Indonesia, Kenya, Lao People’s Democratic Republic, Nepal and Uganda** did so as of 2019 (the RISE methodology does not consider the gender responsiveness of these frameworks). Major improvements in countries’ clean cooking policies and performance were observed in **Ethiopia, India, Indonesia, Kenya and Nepal**.¹¹⁷ Half of surveyed countries’ clean cooking awareness strategies consider gender, income and geographical factors.¹¹⁸

95. Global access to clean cooking fuel and technologies increased by 1 per cent annually between 2010 and 2019, driven by progress in populous countries. Advances in **Brazil, China, India, Indonesia and Pakistan** were substantially faster than global progress overall, while **Cambodia and Myanmar** have also achieved noteworthy progress.¹¹⁹ Many countries, led by **India and Indonesia** and also including **Benin, Ecuador, Guatemala, Honduras and Uganda**, are making major efforts to replace polluting cookstoves with cleaner fuels and technologies, resulting in cleaner air and improved health for women and children while reducing greenhouse gas emissions.¹²⁰

96. Pradhan Mantra Ujjwala Yojana is an **Indian** government programme started in 2016 that targets women living in poverty. Funds are provided directly to women to purchase liquid propane gas (LPG) stoves, connections and fuel. Over 90 million new LPG connections have already been made.¹²¹ This programme has positive impacts on the lives of millions of women, girls and households living in poverty by providing them with access to safe, affordable cooking technologies and fuels and reducing time previously spent gathering fuels.¹²²

97. In **Malawi**, the Ministry of Energy with the support of the **UN Development Programme (UNDP)** and the **UN Environment Programme (UNEP)** supported communities in four districts to produce, market and distribute energy efficient stoves and briquettes. The project involved the training of 345 local people (the majority of whom were women) on to how use the stoves and produce the briquettes. Simultaneously, the project supported the Department of Forestry to revise its 1996 National Forest Policy to better reflect the relationship between forest resources, livelihoods of poor communities, and energy use. The project resulted in more sustainable forest use, reduced the amount of time spent by women and children collecting firewood (thereby reducing the associated risk of sexual violence), and reduced rates of respiratory illness by reducing women’s exposure to smoke inhalation while cooking.¹²³

¹¹⁶ Submission from Switzerland regarding A/HRC/40/55.

¹¹⁷ Energy Sector Management Assistance Program (ESMAP). 2020. *Regulatory Indicators for Sustainable Energy (RISE) Sustaining the Momentum*, p. 21. World Bank.

¹¹⁸ Ibid.

¹¹⁹ IEA and others, WHO. 2021. *Tracking SDG 7: The Energy Progress Report*, p. 54.

¹²⁰ Annex III to A/HRC/43/53, para. 91.

¹²¹ <https://popbox.co.in/pmujjwalayojana/>

¹²² A. Kar and H. Zerriffi, “From cookstove acquisition to cooking transition: framing the behavioural aspects of cookstove interventions”, *Energy Research and Social Science*, vol. 42 (August 2018), pp. 23–33.

¹²³ Lorena Aguilar, Margaux Granat and Cate Owren. “Leading the Way: Case Studies of Gender-Responsive Initiatives”, in *Roots for the Future: The Landscape and Way Forward on Gender and*

3. Good practices by States concerning ambient air pollution

98. Communicating air quality information in a way that is accessible to women and girls is also essential. **Norway** provides an air quality forecast for today and tomorrow at all times in the entire country that can be accessed through mobile phones, computers and tablets. The forecast, shown in maps and graphs, includes dust, nitrogen dioxide, ground-level ozone and particulate matter. Relevant health advice is provided not only for the general public, but also for seniors, children, pregnant women and people who are vulnerable to air pollution due to pre-existing health conditions such as asthma and cardiovascular diseases.¹²⁴

99. The governments of **Cyprus, Ireland, Montenegro and Slovakia** have air quality early warning processes or mechanisms aimed at ensuring that the public, and especially persons particularly vulnerable to air pollution, receive information about air quality emergencies.¹²⁵ **Lebanon** has plans to develop their air quality monitoring and warning systems with a focus on pregnant women, children and the elderly;¹²⁶ **Morocco's** National Air Program includes plans to develop and extend the National Air Quality Monitoring Network and to equip cities of over 200,000 inhabitants with air quality stations, which could greatly enhance the government's capacity to inform women and other persons, local authorities and decision-makers about air quality concerns.¹²⁷

100. **Egypt** has employed women-centred social benefit programs as part of its transition to renewable energy, to the benefit of women and their families. The country removed fossil fuel subsidies that promoted wasteful, polluting and unsustainable consumption in 2014. To offset the resulting impact of rising energy prices on the most marginalized while addressing structural poverty, the government reallocated 15 per cent of these subsidies in 2015 to social protection via two cash transfer programs. The Takaful Program provides income support for families with children, with a focus on nutrition, maternal and child health, and education; the Karama Program is a social inclusion initiative providing pensions to the elderly and to disabled people who are unable to work. Of the households enrolled in these programs at the close of 2017, 11.6 per cent (237,766) were male-headed while 88.4 per cent (1,804,938) were headed by females. Approximately 89 per cent of program cash payments are made to mothers within households, based on research indicating that women tend to put funds to better use, and are most likely to direct funds towards children's welfare.¹²⁸

4. Good practices led by women, girls and civil society

101. As is the case with all substantive aspects of the right to a healthy environment, women and girls around the world are successfully implementing an array of good practices to better realize and defend their right to breathe clean air.

102. The **Ella Roberta Family Foundation** seeks to reduce air pollution, raise public awareness of its devastating impacts, educate health professionals as to how they can better inform patients of associated risks, and promote research into the links between air pollution and asthma.¹²⁹ Among their leading projects is a proposal for Ella's law, which would recognize the right of United Kingdom residents to breathe clean air and compel governments to take actions to improve air quality. Ella Kissi-Debrah was a nine-year-old girl who suffered from severe asthma exacerbated by traffic pollution in London and is

Climate Change, L. Aguilar, M. Granat, & C. Owren (Authors). (Washington, DC: IUCN & GGCA, 2015).

¹²⁴ Annex III to A/HRC/43/53, para. 20.

¹²⁵ Submissions from Cyprus, Ireland, Montenegro and Slovakia regarding A/HRC/40/55.

¹²⁶ Submission from Lebanon regarding A/HRC/40/55.

¹²⁷ Submission from Morocco regarding A/HRC/40/55.

¹²⁸ UNICEF. 2019. *Reform of Social Protection in Egypt: Takaful and Karama Programme (TKP), A Pro-Women Programme*; and ILO, "Social protection and climate change: How has the removal of fuel subsidies in Egypt affected its people and the climate?", Brief, 2016.

¹²⁹ <https://ellaroberta.org/> and WHO, "Changing legislation: when women move mountains", March 16, 2022.

believed to be the first person in the world whose death certificate identifies air pollution as the cause of death.

103. In the **United States of America**, **Moms Clean Air Force** is a community of over one million moms and dads devoted to protecting children from air pollution. This woman-founded and -led network of state-based community organizers has proven to be a powerful force for healthy air in the United States.¹³⁰ Of note, Moms Clean Air Force engaged in 18-months of extensive advocacy—including over 8,000 emails to congressional members and over 300 meetings with congressional offices—to help secure the passing of the Inflation Reduction Act, which features an unprecedented \$369 billion investment in cutting climate pollution.¹³¹

104. Founded by a woman, **Solar Power Company Group** is Thailand’s largest solar power generation company, having installed 36 solar farms that eliminated over 200,000 tons of carbon dioxide emissions per year and contributed to improvements in local air quality from reduced fossil fuel combustion. The Group’s business model prioritizes women’s inclusion in the clean energy sector.¹³²

105. Women’s organizations of all sizes are making positive environmental impacts, particularly when they receive access to even greater financial and technical resources. This is evidenced by the work of women on Sulu-an Island, a small off-the-grid island in the **Philippines** that is home to approximately 417 families who have struggled with energy poverty. In 2016, the **Institute for Climate and Sustainable Cities (ICSC)** partnered with the 15-woman self-help group **Sulong Sulu-an (SSA)** to distribute solar-power systems to 49 homes on Sulu-an Island. SSA members used earnings from their distribution work to invest in a commercial freezer used to store meats and fish that they then sold to their community. In 2018, the two organizations partnered again to develop a woman-run renewable energy-powered convenience store utilizing the solar powered freezer, and to train women SSA members on how to repair and troubleshoot renewable energy systems. The collaboration between SSA and ICSC has resulted in 90 per cent of households on the island having solar lamps and stand-alone solar electricity systems in their homes.¹³³ ICSC’s work on Sulu-an Island received an award from the Philippine Commission on Women for mainstreaming gender and development in the environment sector.¹³⁴

106. To eliminate the disproportionate burden shouldered by women as a result of energy poverty, **Solar Sister** invests in African women to establish and sustain successful clean energy businesses. By providing women entrepreneurs in **Nigeria**, **Uganda** and the **United Republic of Tanzania** with training, affordable solar-powered products and clean cook stoves, over 8,500 Solar Sister Entrepreneurs have developed sustainable businesses in their communities, which in turn have collectively reached over 3.5 million people with clean energy.¹³⁵ Nearly 1 million metric tons of CO₂ emissions have been avoided. Women entrepreneurs benefit from income, increased control over household decisions and enhanced leadership skills. Customers receive the health benefits and cost savings provided by renewable energy, along with myriad benefits to education and security outcomes associated with reliable access to energy.¹³⁶

107. Solar Sister is part of **ENERGIA**, an international network across Africa and Asia that works to facilitate women’s equal and equitable access to and control over sustainable

¹³⁰ <https://www.momscleanairforce.org>

¹³¹ <https://www.momscleanairforce.org/inflation-reduction-act-report/>

¹³² Lorena Aguilar, Margaux Granat and Cate Owren. “Leading the Way: Case Studies of Gender-Responsive Initiatives”, in *Roots for the Future: The Landscape and Way Forward on Gender and Climate Change*, L. Aguilar, M. Granat, & C. Owren (Authors). (Washington, DC: IUCN & GGCA, 2015).

¹³³ Arturo Tahup and others. 2022. *Building Women's Empowerment in Climate Change Adaptation and Mitigation in Sulu-an Island, Guiuan Municipality, Eastern Visayas*. Institute for Climate and Sustainable Cities; and <https://icsc.ngo/rcp/>

¹³⁴ Institute for Climate and Sustainable Cities, “ICSC awarded for best practices in mainstreaming gender in the environment sector”, November 24, 2022.

¹³⁵ <https://solarsister.org/> and <https://solarsister.org/what-we-do/our-model/>

¹³⁶ <https://solarsister.org/what-we-do/our-impact/>

energy services. The network amplifies energy services delivery via women-led micro and small businesses; conducts advocacy and provides technical support on gender mainstreaming across energy policies; generates research on energy investment effectiveness and promotes awareness concerning gender and energy.¹³⁷ ENERGIA has partnered with the research and development organization **Kopernik** to support over 300 community women (called “Wonder Women”) in East Nusa Tenggara, **Indonesia** to receive sustainable enterprise training. These small-scale entrepreneurs have sold over 10,000 clean energy products (solar lanterns, water filters and clean cookstoves) benefitting the health and quality of life of nearly 84,000 people and reducing over 5,000 tons of CO₂ emissions.¹³⁸

B. Access to safe, sufficient water and adequate sanitation

108. As of 2020, 2 billion people (one in four) continued to lack access to safely managed drinking water services,¹³⁹ and 673 million people still practiced open defecation due to lack of sanitation services.¹⁴⁰ Globally, women and girls are predominantly responsible for water collection in 80 per cent of households that lack water on the premises.¹⁴¹ In addition, an estimated one in three women and girls lack access to safe toilets, thus putting them at risk of shame, disease and sexual and physical violence.¹⁴²

109. The human rights to water and sanitation were recognized in 2010 by the UN General Assembly in Resolution 64/292 and by the UN Human Rights Council in Resolution 15/9.¹⁴³ A former Special Rapporteur published a comprehensive handbook of good practices in implementing the rights to water and sanitation, including practices supporting the specific rights and experiences of women and girls.¹⁴⁴ This guidance emphasizes the need for a clear articulation of the rights to water and sanitation through laws, regulations and policies governing availability, physical accessibility, affordability, quality and safety, in accordance with principles of non-discrimination and gender equality. Legal frameworks to eliminate discrimination in the provision of water and sanitation services are also essential (as reported in **Ghana, Honduras and Pakistan**).¹⁴⁵

1. Good practices in legislation, policy and judicial action

110. The following States have recognized the human right to water and/or sanitation in their constitutions and/or legislation, while also constitutionally guaranteeing gender equality or prohibiting gender/sex-based discrimination without exception: **Belgium, the Plurinational State of Bolivia, Chile, Colombia, Cuba, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Fiji, France, India, Mali, Mexico, the Netherlands, Nicaragua, Niger, Panama, Paraguay, Peru, Slovenia, the Solomon Islands, South Africa, Tunisia and the United Republic of Tanzania**.¹⁴⁶

¹³⁷ <https://www.energia.org/who-we-are/>

¹³⁸ Lorena Aguilar, Margaux Granat and Cate Owren. “Leading the Way: Case Studies of Gender-Responsive Initiatives”, in *Roots for the Future: The Landscape and Way Forward on Gender and Climate Change*, L. Aguilar, M. Granat, & C. Owren (Authors). (Washington, DC: IUCN & GGCA, 2015).

¹³⁹ <https://data.unicef.org/resources/progress-on-household-drinking-water-sanitation-and-hygiene-2000-2020/>

¹⁴⁰ <https://www.unicef.org/stories/state-worlds-sanitation>

¹⁴¹ UN Women, “Gender equality in the 2030 agenda: gender-responsive water and sanitation systems”, Issue Brief, 2018.

¹⁴² UNEP. 2016. *Gender and Environmental Outlook: Critical Issues*, Section 2.2.

¹⁴³ A/RES/68/157 and A/HRC/RES/27/7.

¹⁴⁴ Caterina de Albuquerque. 2014. *Realising the Human Rights to Water and Sanitation: A Handbook*.

¹⁴⁵ A/HRC/43/53, para. 81.

¹⁴⁶ A/HRC/43/53, para. 82; WORLD Policy Analysis Center, “Constitutions Data” (distinguishing those constitutions that, as of January 2022, guarantee non-discrimination or gender equality across sex and/or gender, as well as those that exempt such protections from persons subject to customary or religious law). Available at: <https://www.worldpolicycenter.org/maps-data/data-download/world-areas>. Downloaded on February 6, 2023; and Rights and Resources Initiative and the Environmental

111. Rights to water and sanitation and the principle of gender equality should be embedded throughout a State's entire legal framework, policies and programmes. For example, in **South Africa**, gender equality and the right to water are enshrined in its Constitution, the National Water Act of 1998, the Free Basic Water Implementation Strategy and the National Framework for Municipal Indigent Policies.¹⁴⁷

112. Water legislation should specifically recognize women's equal right to participate in water governance. The 2012 **Burundi** Water Code stipulates that "women participate in decision-making at all levels and must be involved in activities, protection and development of water resources and the management of hydraulic and sanitation infrastructures". The Rural Water Supply Policy in **Nepal** also has notable provisions empowering women.¹⁴⁸ It recognizes the different roles and responsibilities of people in relation to water collection, the vulnerability of the poor in relation to water access, and appropriate methods of raising awareness based on differences within the community. The policy also states that "the participation of gender, caste and disadvantaged ethnic groups will be made essential to all decision-making processes regarding water supply... and special emphasis will be given for their meaningful participation." Under the policy, water committees should ensure proportional representation of gender, caste and disadvantaged ethnic groups, including 50 per cent representation of women.¹⁴⁹

113. Similarly, **Pakistan's** 2009 National Drinking Water Policy acknowledges that women are the main providers of domestic water supply and are responsible for clean environments at home. The Policy ensures and promotes women's participation in planning, implementation, monitoring, operation and maintenance of water supply systems. It commits the State to take special efforts to recruit women in water supply institutions and other relevant agencies, and to ensure that the needs of women are adequately addressed in the design, operation and maintenance of water supply systems. National laws in **Liberia**, **Mexico** and **Zambia** are noteworthy for their recognition of women's rights to participate in the community-level governance of waters held by their Indigenous Peoples and local communities. Zambia's law goes further by guaranteeing women's rights to use community freshwater.¹⁵⁰

114. Multifaceted gender mainstreaming efforts across water ministries are important elements of state's obligations concerning women's right to a healthy environment. **Jordan's** Ministry of Water and Irrigation carried out a study on women in the water sector in 2018. Then the Ministry developed a Gender Policy Action Plan to promote gender equality and mainstreaming, focused on women's contributions to water sector institutions, gender mainstreaming across plans, programs and activities, the establishment of gender-sensitive monitoring and evaluation systems, and the launch of communications, outreach, training and knowledge-sharing mechanisms. Gender Focal Points were established to implement the Plan and crucially, a sufficient budget for these specific activities was secured. Since the implementation of the plan, women have excelled in managing small-scale irrigation projects and extension services, improving the efficiency of water use. As well, vocational training increased the number of women working as plumbers.¹⁵¹

115. **Brazil's** Ordinance No. 326 (2016) established the Pro-Gender Equality Committee, a 13-member advisory body tasked with supporting the agency to eradicate gender inequality, formulate gender equity strategies, and overseeing the implementation of the National Water Agency's National Plan for Women's Policies.¹⁵² **The United Republic of**

Law Institute. 2020. *Whose Water?: A Comparative Analysis of National Laws and Regulations Recognizing Indigenous Peoples', Afro-descendants', and Local Communities' Water Tenure.*

¹⁴⁷ A/HRC/43/53, para. 83.

¹⁴⁸ A/HRC/46/28, para. 85.

¹⁴⁹ World Health Organization. 2019. *A Guide to Equitable Water Safety Planning.*

¹⁵⁰ Rights and Resources Initiative and the Environmental Law Institute. 2020. *Whose Water?: A Comparative Analysis of National Laws and Regulations Recognizing Indigenous Peoples', Afro-descendants', and Local Communities' Water Tenure.*

¹⁵¹ Annemiek Jenniskens. 2022. *With Women, Better Results for Water Management.* Women for Water Partnership.

¹⁵² Submission from Brazil's Federal Public Defender's Office.

Tanzania's 2002 Water Policy includes an objective of mainstreaming women's issues across water projects. Tanzania's Water Act No. 12 of 2019 requires at least one woman to be on the board of the Rural Water Supply Agency, the government body responsible for the country's rural water supply.

116. There is an urgent need for increased efforts to combat harmful practices against women and girls that infringe upon their rights to water and sanitation. In 2005, the Supreme Court of **Nepal** prohibited the practice of *chhaupadi*—in which women and girls who are menstruating and those who recently gave birth are compelled to live in isolated, unsafe huts outside of the home, exposing them to significant health risks, including those related to unsafe water and inadequate sanitation. The Court ordered the Government to pass laws against this practice. Nepal criminalized the practice in 2017, although the practice continues to be widespread.¹⁵³

117. Water service cut-offs may disproportionately affect women, in particular in poor female-headed households. Based on human rights principles that prevent a person's disconnection from water services for reasons beyond their control, **Colombia's** Constitutional Court ruled that female-headed households may receive special protection if they are unable to pay their water bills and must be guaranteed special tariffs and a minimum amount of free water.¹⁵⁴

2. Other good practices by States

118. **Brazil's** National Water Agency and its partners have launched a number of initiatives aimed at increasing women's participation in water governance and building the "gender and water" agenda. These include the Latin America Women's Collective Network for Water in the Citizen Process, a Women and Water Roundtable, and a course for water professionals aiming to sensitize them to gender asymmetries within the water resources sector.¹⁵⁵ Such efforts have been buttressed by much-needed research at the intersection of gender, water and sanitation issues. For example, civil society organizations **Trata Brasil Institute** and **BRK Ambiental** published a pathbreaking 2018 report on the impacts of inadequate sanitation access on Brazilian women, finding that access to adequate sanitation would lift 635,000 women (primarily Black and young women) out of poverty in Brazil, where one in four women lack access to adequate sanitation and health facilities.¹⁵⁶

119. States and enterprises engaged in the supply of environmental services are also implementing good practices to increase the percentage of women within the water sector. For example, the **Lilongwe Water Board (LWB)** is the state-owned corporation responsible for water and sewage services in Lilongwe City, **Malawi**. A gender assessment revealed the extent to which women were consistently under-represented across leadership positions in the city's water sector. LWB designed a comprehensive, five-year institutional development action plan to close this gender gap, including a \$US8.5 million investment in institutional capacity, the incorporation of a gender budget into its annual budget and a childcare room within working facilities for employees with children under five. As a result, LWB increased the number of female employees from 69 to 104 and the share of women in senior supervisory roles jumped to 25 per cent between 2019 – 2022.¹⁵⁷

120. Water governance institutions can demonstrate leadership by making gender equality and inclusion a core goal, which requires adequately funding and implementing gender equality strategies.¹⁵⁸ When the **Rural Water Supply Agency** of the **United Republic of Tanzania** provided leadership training to women during the Kihurio Water project—

¹⁵³ Amnesty International, "Nepal: authorities must proactively act to eradicate the harmful practice of banishing women and girls to insanitary and dangerous huts during their menstrual cycles", January 14, 2019.

¹⁵⁴ Constitutional Court of Colombia, Judgment T-740/11, October 3, 2011.

¹⁵⁵ Submission from Brazil's Federal Public Defender's Office.

¹⁵⁶ Submission from Brazil's Federal Public Defender's Office; and Instituto Trata Brazil and BRK Ambiental. 2018. *Sanitation and the Life of Brazilian Women*.

¹⁵⁷ Annemiek Jenniskens. 2022. *With Women, Better Results for Water Management*. Women for Water Partnership.

¹⁵⁸ Annex to A/HRC/46/28, para. 81.

which aimed to rehabilitate and extend rural water infrastructure to ensure 24 hours of water services in the Kihurio ward—women’s participation in water governance as well as the overall sustainability and efficiency of project outcomes increased. Officials decided to conduct the training after they observed that while women participated in community water projects, women sometimes lacked the confidence to take on leadership positions. After the training, new water user committees led by women were established, and these women-led committees out-performed male-led committees in terms of governance and the collection of water revenues for operation and maintenance.¹⁵⁹

3. Good practices by women, Indigenous organizations, civil society and other non-state actors

121. In **Slovenia**, women environmental defenders who are part of the 8th of March Institute (Raziskovalni Inštitut 8. Marec¹⁶⁰) spearheaded a successful advocacy campaign in a 2021 national referendum, leading to the rejection of proposed changes that would have severely weakened the country’s Water Act.¹⁶¹ The 8th of March Institute collected the necessary 40,000 signatures against the proposal in order to hold the referendum, and contributed to an unprecedented turnout for such a referendum (over 45 per cent) and the rejection of the regressive amendments via the support of over 86 per cent of voters.¹⁶²

122. Women and girls in Flint, Michigan (in the **United States of America**) played a central role in responding to the 2014 Flint water crisis, which exposed poor and predominantly African American residents to lead poisoning after the city of Flint switched to a cheaper and highly polluted water supply and ignored community members complaints for months.¹⁶³ Female Flint residents, including parents, doctors and youths, led efforts to document the effects of the contaminated water on children and the community, conducted water quality tests, proved high levels of lead contamination, filed lawsuits and delivered safe water to families in need.¹⁶⁴ A female youth activist wrote to US President Obama, convincing him to come to Flint and address the water crisis, leading to \$100 million dollars in federal relief for Flint. The same activist raised over \$600,000 in support of children in Flint and has helped communities across the United States of America respond to the threat of contaminated water and environmental racism.¹⁶⁵

123. Upstream Indigenous and local communities in the Ayacucho region of **Peru** operate an award-winning rainwater harvesting and storage program called **Fondo Sierra Azul**, which benefits families through improved water quality and quantity, improved agricultural production, ecosystem restoration and less time gathering water for women and girls.¹⁶⁶

124. In **Mozambique**, some communities including the village of Ndombe are using solar electricity to power community water systems. Many women are involved in managing and maintaining these systems. Women also benefit from increased economic opportunities. For example, improved irrigation systems enable women to sell vegetables and fruits and increase their income. Improved crop yields also improve diets, reducing malnutrition especially among women and children.¹⁶⁷

125. **Earth Forever**, a non-profit focused on waste water management and safe sanitation in **Bulgaria**, is managing a woman-led project that works with rural and predominantly

¹⁵⁹ Annemiek Jenniskens. 2022. *With Women, Better Results for Water Management*. Women for Water Partnership.

¹⁶⁰ <https://www.8marec.si/>

¹⁶¹ Submission from Slovenia.

¹⁶² Submission from Slovenia; and AP News, “Slovenian voters reject changing water protection law”, July 11, 2022.

¹⁶³ Melissa Denchak, “Flint water crisis: everything you need to know”, National Resources Defense Council, November 8, 2018.

¹⁶⁴ Submission from Lauren Fleming, Marcie Rotblatt and Oieshi Saha, students in the UN Human Rights Practicum at the University of Michigan Law School, supervised by Professor Karima Bennoune.

¹⁶⁵ <https://www.maricopeny.com/>

¹⁶⁶ Annex to A/75/161, para.196.

¹⁶⁷ Annex to A/HRC/46/28, para. 95.

Roma communities to increase access to safe water and sanitation, improve access to nutritious food and empower young female WASH (water, access to sanitation and health) professionals. The project prioritizes activities that educate women and girl community members, as well as local government officials, about EU sanitation regulations, alternative sanitation management approaches. It also raises awareness about wastewater treatment and the safe reuse of resources. Over 160 women and girls have received vocational training concerning alternative sanitation, 90 of whom have gone on to receive jobs in the sanitation sector.¹⁶⁸

126. In 2017, the **Stockholm Water Institute’s Shared Waters Partnership programme** established the Women in Water Diplomacy Network with support from the **Environmental Law Institute** and others. The Network supports women’s leadership in high-level transboundary water and climate diplomacy, negotiations and related peace-building processes through Track 1.5 dialogue—conversations including a mix of government officials commonly participating in an unofficial capacity alongside non-governmental stakeholders and experts. The Network initially focused on the Nile Basin (**Burundi, Democratic Republic of the Congo, Egypt, Ethiopia, Eritrea, Kenya, Rwanda, South Sudan, Sudan, the United Republic of Tanzania and Uganda**), but has since expanded to other water insecure “hotspots” and conflict sensitive regions including Central Asia, **Afghanistan** and Southern African riparian states. The Network’s 80 members are composed of Track 1 decision makers (largely Ministry of Water and Foreign Affairs and other related line ministry representatives) supporting bilateral and multilateral peace- and security-related water dialogues, in addition to Track 2 (non-governmental) decision makers operating across diverse fragile and conflict-affected contexts. The Network thus functions as a mechanism through which gender equitable cooperation in transboundary water governance—a critical component to safeguarding the human rights to water and a healthy environment—is strengthened.¹⁶⁹

127. Additional diagnostic tools are needed to inform water and sanitation-related interventions and to ensure that they respond to women’s and girls’ rights and needs. To this end, the **Stockholm Environmental Initiative** developed the Empowerment in WASH Index, a survey-based tool for measuring, monitoring and evaluating WASH-related interventions, such as the development of sanitation.¹⁷⁰

128. The **Asian Development Bank** has provided technical training and capacity building to women in the Kegalle District of **Sri Lanka** in order to facilitate women’s leadership of a community-based organization established to improve access to water. Given the disproportionate burden women shoulder in order to access safe water, women were more motivated than men to take advantage of the project—some women beneficiaries literally worked through the night to complete the pipe-laying process. Women leaders also initiated a tree-planting program to protect water sources, worked to ensure that women’s perspectives were considered when the community was assessing water needs, received elevated status in the community due to their water leadership roles, and facilitated improvements in the water access and lives of 719 families. The Asian Development Bank has implemented water sector projects featuring targets and quotas for women’s leadership in **Bangladesh, Cambodia, Georgia, Lao People’s Democratic Republic, Nepal and Pakistan**.¹⁷¹

129. Across **India**, poor women farmers are erecting, utilizing and maintaining over 130 Bhungroo water management systems—using a technology that stores water underground

¹⁶⁸ Annemiek Jenniskens. 2022. *With Women, Better Results for Water Management*. Women for Water Partnership.

¹⁶⁹ Annemiek Jenniskens. 2022. *With Women, Better Results for Water Management*. Women for Water Partnership; and Elizabeth Koch. 2022. *Laying the Bedrock of Transformation: The Women in Water Diplomacy Inception and Development Report, 2013-2021*. Stockholm International Water Institute, Sweden.

¹⁷⁰ [https://www.sei.org/projects-and-tools/projects/ewi-empowerment-in-wash-index/#:~:text=Empowerment%20in%20WASH%20index%20\(EWI,for%20inclusive%20and%20equitable%20outcomes](https://www.sei.org/projects-and-tools/projects/ewi-empowerment-in-wash-index/#:~:text=Empowerment%20in%20WASH%20index%20(EWI,for%20inclusive%20and%20equitable%20outcomes)

¹⁷¹ Asian Development Bank (ADB), “Women, water and leadership”, ADB Brief No. 24, 2014.

during excess rainfall and lifts it out for irrigation when water is less available—in order to increase fresh water supply, decrease salt deposits on field, increase crop yields and improve food security. This initiative, spearheaded by the social enterprise **Naireeta Services Pvt. Ltd** with funding from the Rockefeller Foundation, supports women farmers and increases their income, community leadership roles and knowledge of water management and agriculture, while facilitating their ability to own land, a key asset. Over 18,000 poor farmers and their dependents in **India** have benefited from this technology, which preserves sufficient freshwater for community needs and counters desertification.¹⁷²

130. Similarly, an initiative equipping 400 women farmers in **Benin's** driest region with drip irrigation systems powered by solar pumps has cut water waste in half, ridding women and girls of the time-consuming burden of hand-watering crops. This positive result was secured by prioritizing women's farming cooperatives as beneficiaries and empowering women to lead project design and governance, thus increasing their agency, knowledge and social status. As a result, nutrition, women's farm incomes, and school enrolment for participants' children have all improved substantially.¹⁷³ Access to solar-powered irrigation for women in **Nepal** has increased cropped areas by almost 30 per cent and significantly reduced their dependency on diesel pumps that not only cause pollution but are expensive to purchase and operate.¹⁷⁴

C. Healthy and sustainably produced food

131. In 2021, one in three women were moderately or severely food insecure; a situation that deteriorated because of the COVID-19 pandemic.¹⁷⁵ While women cultivate over 50 per cent of food grown, they account for 70 per cent of the world's hungry and are disproportionately impacted by malnutrition, poverty and food insecurity.¹⁷⁶ Given the devastating environmental and human health impacts of industrial agriculture and mounting food insecurity, good practices supporting women's and girls' right to healthy and sustainably produced food are imperative for the subsistence, health and development of women, girls and their communities.

1. Good practices in legislation and policy

132. The right to food is recognized in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights as part of the right to an adequate standard of living. Thirty-one States provide constitutional recognition of the right to food: **Belarus, the Plurinational State of Bolivia, Brazil, Colombia, Costa Rica, Cuba, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Egypt, Fiji, Guatemala, Guyana, Haiti, Honduras, India, Kenya, Malawi, Maldives, Mexico, Nepal, Nicaragua, Niger, Panama, Paraguay, the Philippines, the Republic of Moldova, South Africa, Suriname, Ukraine and Zimbabwe.**¹⁷⁷ Of these, all but the constitutions of Belarus, Costa Rica, Haiti, Kenya and the Maldives explicitly and uniformly guarantee equality or non-discrimination across gender or sex, without permitting customary or religious law to

¹⁷² <https://www.naireetaservices.com/about/>; and Lorena Aguilar, Margaux Granat and Cate Owren. "Leading the Way: Case Studies of Gender-Responsive Initiatives", in *Roots for the Future: The Landscape and Way Forward on Gender and Climate Change*, L. Aguilar, M. Granat, & C. Owren (Authors). (Washington, DC: IUCN & GGCA, 2015).

¹⁷³ Lorena Aguilar, Margaux Granat, and Cate Owren. "Leading the Way: Case Studies of Gender-Responsive Initiatives", in *Roots for the Future: The Landscape and Way Forward on Gender and Climate Change*, L. Aguilar, M. Granat, & C. Owren (Authors). (Washington, DC: IUCN & GGCA, 2015).

¹⁷⁴ Isabelle Fauconnier and others. 2018. *Women as Change-Makers in the Governance of Shared Waters*. IUCN.

¹⁷⁵ FAO and others. 2022. *The State of Food Security and Nutrition in the World 2022: Repurposing Food and Agricultural Policies to Make Healthy Diets More Affordable*.

¹⁷⁶ A/HRC/16/140, para. 29.

¹⁷⁷ A/HRC/43/53, para. 74.

supersede such protections.¹⁷⁸ Thus, women's and girls' equal right to food is well-established in the highest source of law.

133. The Law creating the State Policy on Organic Production and Agroecology (No. 14 486 of 2014) in the **Brazilian state of Rio Grande do Sul** is guided by the principles of sustainable development. These include participation; gender, socioeconomic, and ethnic equity; ecological conservation; social inclusion; food security and sovereignty; and agricultural, biological, territorial, landscape and cultural diversity. One of the Law's objectives is to create agroecological education and continuing education programs for women farmers and other groups in vulnerable situations.

134. **Nepal's** Right to Food and Food Sovereignty Act (2018) is intended to improve the food security of impoverished households through initiatives to: provide ration cards; maintain food supply during emergencies; protect the rights of farmers; sustainably use agricultural land; promote local food systems; and adapt to climate change. Importantly, the Act requires the State to expand the access of women farmers to agricultural land and agricultural materials, on a priority basis. As a result of enhanced irrigation, high-yielding seeds, and the introduction of limited volumes of chemical fertilizers, the status of food security has improved.

135. The **Indian state of Sikkim** is the first 100 per cent organic state in the world, as all of its farmland is certified organic. This transition has benefited over 66,000 farming families on over 76,000 hectares of land. Sikkim's State Policy on Organic Farming (2004) prioritizes the participation and empowerment of women. As part of the process by which chemical fertilizers and pesticides were phased out, women were key recipients of handouts, case-studies and best practices, and awareness-raising materials related to agroecology and associated policies. The policy requires the State to encourage the formation of women organic farmer groups, clubs and cooperatives for the purpose of cultivation, input production, seeds/seedlings/planting materials production, certification and marketing.¹⁷⁹

136. **Ghana** adopted the National Gender Mainstreaming Strategy for the Fisheries Sector in 2016. The Strategy seeks to empower women by enabling their participation in fisheries management and highlights women's role in the sector.

137. **Mexico's** Agriculture and Rural Development Sectoral Program 2020-2024 is intended to further the realization of both the right to food and the right to a healthy environment, and aims to achieve "a fair, healthy and sustainable agricultural and nutritional system, through the increased productivity of healthy and safe crops and agri-food products, responsible use of soil and water, and the inclusion of historically excluded sectors." A key strategy of the program is the promotion of gender equality in agriculture, aquaculture and fisheries in order to advance rural women's rights. Actions under this strategy include:

- Contributing to the achievement of the objectives of the Program for Equality between people 2020-2024;
- Promoting rural women producer's ownership of productive assets;
- Developing rural women's organizational and productive capacities in agricultural activities;
- Promoting the participation and positioning of women in the agricultural value chain;
- Promoting women producers' access to financing services, technical assistance and markets;

¹⁷⁸ WORLD Policy Analysis Center, "Constitutions Data" (distinguishing those constitutions that, as of January 2022, guarantee non-discrimination or gender equality across sex and/or gender, as well as those that exempt such protections from persons subject to customary or religious law). Available at: <https://www.worldpolicycenter.org/maps-data/data-download/world-areas>. Downloaded on February 6, 2023.

¹⁷⁹ <https://www.futurepolicy.org/healthy-ecosystems/sikkims-state-policy-on-organic-farming-and-sikkim-organic-mission-india/>

- Promoting the activities of women in fisheries, aquaculture and mariculture;
- Strengthening participation of rural women in sectoral decision-making.

138. Legally recognized, secure rights to land and natural resources for women and girls are pivotal to many aspects of their right to a healthy environment. Given women's and girls' important contributions to agriculture, the security of women's land tenure has particular salience for their enjoyment of the right to healthy and sustainably produced food. As of 2016, **Cape Verde** was the only country in the world to report that over half of agricultural holdings (50.5 per cent) belonged to women.¹⁸⁰

139. **Mozambique's** Environmental Law (Law No. 20/97) is noteworthy as it both recognizes the right to a healthy environment and women's and men's equal rights to access and use natural resources.¹⁸¹ **Zambia's** Forest Act of 2015 requires the Forest Department to devise and implement participatory forest management approaches for Indigenous forests and plantations involving local communities, traditional institutions, nongovernmental organisations and other stakeholders, based on gender equitable participation. **Mexico's** National Human Rights Program 2020-2024 includes a strategic priority to "Implement measures aimed at the rights to land, territory and a healthy environment", which includes two specific actions relating to the integration of gender perspectives.¹⁸² The Committee on the Elimination of All Forms of Discrimination against Women complimented **Argentina** for its Rural Lands Act (No. 26.727 of 2011), which emphasizes the need to protect biodiversity and ensures that women have equal rights to access land, enter into contracts, and administer assets.¹⁸³

140. The Magna Carta of Women Act (2009) in the **Philippines** provides a wealth of protections for women's equality, including for women's rights to food security and productive resources. The Act recognizes women's contributions to food production, guarantees the availability of safe and health-giving foods with particular attention to the specific needs of poor girls as well as pregnant and marginalized women, and guarantees women's role and participation in food production, allocating "priority to their rights to land, credit, and infrastructure support, technical training, and technological and marketing assistance" (Section 20). It also recognizes women and men's equal status in regard to land titling and the issuance of stewardship controls, and to equal treatment in agrarian reform programs. It is important to note that while these laws are impressive on paper, implementation is limited or even non-existent in practice, particularly in States that are hotspots of violence against environmental human rights defenders, including women and girls.¹⁸⁴

141. While many countries have laws broadly affirming women's land and property rights, fewer recognize the land and natural resource rights of Indigenous, Afro-descendant, local community and peasant women, alongside the collective land and resource rights held by their communities.¹⁸⁵ In the case of Indigenous and other rural women who rely on community-based land tenure, both the collective and individual dimensions of their resource rights must be satisfied in order for them to enjoy the right to healthy and sustainably produced food in a culturally appropriate manner.¹⁸⁶ Gender-responsive and gender-transformative laws protecting customary tenure systems create space for men and women within communities to self-manage their resources based on collective rights, gender equity, and the rules defined by each community. Overall, Indigenous Peoples and local communities (including women) are more likely to invest in the sustainable

¹⁸⁰ UNEP. 2016. *Gender and Environmental Outlook: Critical Issues*, p. 15.

¹⁸¹ Annex IV to A/HRC/43/53.

¹⁸² Submission from Mexico.

¹⁸³ CEDAW/C/ARG/CO/7.

¹⁸⁴ May Thida Aung and others. "Women's Rights and Contributions to the Enjoyment of the Human Right to a Healthy Environment", in *Prosperous and Green in the Anthropocene: The Human Right to a Healthy Environment in Southeast Asia*, Claudia Ituarte-Lima and others (Editors). (Lund, Sweden: Raoul Wallenberg Institute of Human Rights and Humanitarian Law, 2020).

¹⁸⁵ See, for example, Rights and Resources Initiative. 2017. *Power and Potential: A Comparative Analysis of National Laws and Regulations Concerning Women's Rights to Community Forests*.

¹⁸⁶ A/HRC/52/33, para. 83.

management of forests, soil and water if they have clear user rights and security against eviction. They are more likely to invest in improving yields on existing land and less likely to extend cultivation into forested areas.¹⁸⁷

142. Some of the strongest legislative protections of women’s rights to community lands guarantee women’s rights to participate in community-level decision-making processes through quota and quorum requirements; inherit rights to collective land and resources; engage in dispute resolution processes about community land and natural resource rights; and access and use community-owned resources. **Colombia** imposes legally binding quota and quorum requirements to support the rights of Afro-descendant women to participate in and lead decision-making over community forests.

143. The Forest Rights Act (2006) of **India** provides similar protection for women’s community forest governance rights within Scheduled Tribes and other traditional forest-dwelling communities, while also guaranteeing women’s rights to participate in community freshwater governance. **Tanzanian** national law recognizes women’s right to lead community forest executive bodies and requires a quorum of women leaders to be present before such bodies may take binding action. **Mexican** law guarantees equal inheritance rights for daughters, widows and women in consensual unions, while also ensuring that Indigenous and local community women can inherit community land rights.¹⁸⁸

144. **Kenya’s** Community Land Act (2016) establishes that all community members have the right to benefit from community land and to equal treatment in all associated dealings, and expressly forbids gender-based discrimination (Article 30).

145. **Sierra Leone** passed a suite of progressive laws in 2022 that enable women and their communities to exercise greater governance over their community lands in the context of private sector investments, thus benefiting local women, their communities and the environment. The Mines and Mineral Development Act of 2022 requires mining companies to obtain the free prior and informed consent (FPIC) of local communities before they may commence activities on their land, allows landowners the right to veto any project affecting them, and guarantees women’s equal land rights.¹⁸⁹ Most notably, the Customary Land Rights Act (No. 20) of 2022 and National Land Commission Act (No. 19) of 2022 collectively: recognize local communities FPIC rights over all industrial projects on their lands; prohibit industrial development in old-growth forests and other ecologically sensitive areas; guarantee equal rights to customary lands for women and men; provide a range of specific protections for women’s land rights in various familial circumstances; require women’s consultation in any resettlement and displacement processes that a community consents to; and establish local land use committees with decision-making power over community land management while mandating that at least 30 per cent of committee members be women.

2. Other good practices by States

146. In order to ensure food and nutrition security, **Kenya’s** National Accelerated Agricultural Input Access Programme gives preference to female- and child-headed households when selecting resource-poor farmers to receive free input packages for cereal production. Between 2017 and 2019, about 361,550 female farmers were supported with the package and capacity-building sessions.¹⁹⁰

147. In 1997, **Costa Rica** started a program to improve the livelihoods of Indigenous Peoples, small-scale farmers, agroforestry producers and landowners by paying them to

¹⁸⁷ IPBES. 2019. *Summary for Policymakers of the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*. S. Díaz, J. Settele, et. al (eds.). (IPBES secretariat, Bonn, Germany, 2016).

¹⁸⁸ Rights and Resources Initiative. 2017. *Power and Potential: A Comparative Analysis of National Laws and Regulations Concerning Women’s Rights to Community Forests*.

¹⁸⁹ Business & Human Rights Resource Centre, “Sierra Leone enacts unprecedented laws requiring explicit community consent, land rights for women, and strong environmental protection”, August 16, 2022.

¹⁹⁰ Annex to A/GA/76/179, para. 47.

conserve, restore and sustainably use forests. The program focused on low-income and Indigenous communities and has resulted in the conservation and protection of more than 1.2 million hectares of forest and the payment of over \$500 million between 1997 and 2018. Almost 3,000 women landowners have signed contracts to receive funds under this program.¹⁹¹

148. In **Ecuador**, Quito's Participatory Urban Agriculture Programme promotes the production, processing, marketing and distribution of healthy organic food in urban and peri-urban areas. The program works along the entire food chain with the aim of improving food sovereignty, food security, gender equity and social inclusion for women and other groups in vulnerable situations. Through the provision of agroecological technical assistance and capacity-building, the creation of production infrastructures and other measures, the program has achieved improvements in access to and availability of healthy food for women and other vulnerable groups while increasing income and converting abandoned space into productive land.¹⁹²

149. **Ethiopia's** land certification and registration movements in the early 2000s increased tenure security and landowners' likelihood of investing in soil and water conservation measures by 20-30 per cent. The method of land registration was gender-transformative in that land certificates included the names of both spouses as joint holders, and a federal regulation required the consent of both spouses as a prerequisite to selling land.¹⁹³

150. The **United States of America's** global hunger and food-security initiative, Feed the Future, invests in countries to improve food security and nutrition around the world, with particular emphasis on supporting vulnerable and under-resourced groups, such as women and youth. In 2019, Feed the Future helped almost 2.4 million women improve their agricultural management practices and reached over 8.5 million pregnant women with nutrition-specific interventions.¹⁹⁴

151. According to WWF, in eastern **Uganda** approximately 80 per cent of women report experiencing physical and psychological violence when claiming their land rights, while only 8 per cent of men believe it is wrong to commit violence against women. In response, USAID and IUCN are collaborating to improve the security of women's land rights while reducing risks of gender-based violence under the Resilient, Inclusive, and Sustainable Environments (RISE) initiative. RISE is gender-transformative because it addresses power imbalances between men and women. Faith-based leaders and implementing staff receive training to promote social norms that support women's rights to access and control land and to live free from gender-based violence. The project also helps women to better document their land rights, and trains traditional leaders to use an alternative dispute resolution mechanism that takes into consideration the rights of women.¹⁹⁵

152. Gender-transformative results generated by the USAID-supported project "**Ghana Sustainable Fisheries Management Project**" demonstrate the efficacy of multi-pronged gender mainstreaming in projects designed to support healthy and sustainable food production. The project's goal was to stop overfishing and protect fish stocks central to local food security by achieving gender-inclusive, sustainable fisheries management. A gender mainstreaming theory of change, buttressed by a gender analysis and needs assessment that involved women's participation, articulated how the project would empower women to be effective leaders and advocates for fishery management. Approximately 5,000 people were engaged through: strengthening fish processor associations in which many women are employed; building women's participation in fisheries governance; and working with the Government of Ghana to enable gender-responsive fisheries co-management policy. The project increased women processors' and oyster gleaners' confidence, knowledge and

¹⁹¹ Annex to A/GA/76/179, para. 71.

¹⁹² <https://www.futurepolicy.org/global/quito-agrupar/>

¹⁹³ Lorena Aguilar. 2022. *Study on the Differentiated Impacts and Drought on Women and Men*, p. 39.

¹⁹⁴ *Feed the Future Global Annual Data 2011 – 2019*, available at: https://cg-281711fb-71ea-422c-b02c-ef79f539e9d2.s3.us-gov-west-1.amazonaws.com/uploads/2020/10/FeedtheFuture_GlobalAnnualData_FY11-19.pdf

¹⁹⁵ Submission from World Wildlife Fund for Nature.

ability to articulate their concerns and to advocate for sustainable fisheries practices. Men's understanding of the imperative of women's role in fisheries increased. The project contributed to the reduction in illegally caught fish, with women fishers rejecting illegally caught fish and advocating for sustainable practices even when doing so ran contrary to their fisher husbands' financial interests or when such advocacy risked their being blacklisted from the supply chain by male fishers.¹⁹⁶ Similarly, local women fish-traders ("fish mummies") across **Ghana** are advocating against chemical fishing, with some women refusing to purchase fish that, following a test conducted on the beach, prove to contain chemicals.¹⁹⁷

153. In **Tunisia**, a fair-trade agreement between the **Tunisian Association of Women Clam Collectors and Development** (represented by the NGO Association of Continuity of Generations), the **Prince Export Centre for Clams** (responsible for compliance with international food safety standards), and the Italian importer **Pesca Pronta** (a leading seafood company) demonstrates the potential benefits for biodiversity, sustainable food production and women's economic empowerment that can be achieved through gender transformative public-private partnerships. This agreement was executed as part of the "Enabling Women to Benefit More Equally from Agrifood Value Chains" project in Tunisia, which seeks to increase the visibility of women's work in the fisheries sector, achieve sustainable food practices and economically empower women. Over 4,000 women work in clam production across 17 sites in Tunisia, and a community-designed fair-trade label are used for the clam sector in the Gabes and Sfax communities of Tunisia, which are primary points of clam production. In contrast to the low payments typically received by women clam collectors, the agreement sets a fixed, higher price that guarantees predictability of payments for women clam collectors and the importer, in addition to mandatory onsite cash payments to women collectors by purchasers. To help ensure sustainable clam repopulation, the agreement includes a special payment to women collectors for larger clams. The **Tunisian Government** and **FAO** collaborated with private stakeholders to facilitate an equity partnership with Pesca Pronta that provides women collectors' privileged access to high value European markets. In addition, clam collectors received training on their fisheries rights, sustainable fishing practices and entrepreneurship skills. Crucially, FAO also facilitated the creation of a databank of female clam collectors across Tunisia to provide the government with a clearer understanding of women clam collectors' backgrounds, education and incomes. Using this database, the government has been able to provide women clam collectors with social security coverage, which is vital because clam-collection is a seasonal enterprise lasting for only six months a year.¹⁹⁸

154. Women mollusc collectors in **Costa Rica** experience some of the same livelihood challenges related to unclear resource rights and limited negotiating power. In response, women supported by **FAO** and NGO partners engaged with the Government to develop a mollusc sustainable use plan granting them permits ensuring their labour rights, clarifying their rights to legally harvest molluscs and granting them access to social security, healthcare and pensions.¹⁹⁹

3. Good practices by women, Indigenous organizations and other non-state actors

155. Women farmers, producers and cooperatives have increasingly taken up sustainable practices, such as agroecology, agroforestry, diversification of production systems and conservation agriculture, to support climate-resilient livelihoods and food sovereignty. These approaches link science and technology with Indigenous and ancestral knowledge, practices and techniques for sustaining the diversity and quality of farming systems, crops,

¹⁹⁶ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

¹⁹⁷ Submission from One Ocean Hub.

¹⁹⁸ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

¹⁹⁹ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*, p. 77.

seeds, water and soil, and providing healthy diets.²⁰⁰ For example, the women of the **Peasant and Community Reserves Collective** of Santander, **Colombia** embrace the principle of *buen vivir* (living well) by utilizing their traditional knowledge to implement agroecological best practices for food sovereignty and biodiversity conservation. The Collective implements these community conservation and food sovereignty initiatives and highlights the importance of environmental and cultural heritage and gender equality in response to the destruction of native forests, the proliferation of monocultures, indiscriminate use of agrochemicals, industrial livestock production and the displacement of rural people caused by the presence of armed groups. Women have taken ownership of the Collective as “guardians of nature”. Many women have self-organized to create their own reserves, facilitate inclusive dialogues on environmental matters impacting their communities, educate children and youth groups on ecological principles of care for land and culture, and participate in trainings that develop their socio-economic capacities. Such activities have been gender-transformative—they have elevated and empowered women but also resulted in men joining spaces that are usually occupied by women, such as in food processing and embroidery. The Collective has had a multiplier effect, with additional nature reserves being declared outside of Santander.²⁰¹

156. In 2021 in **Indonesia**, the **Akar Foundation** supported the Indigenous Rejang women’s group **Ade Harapan** (Bahasa for “There is Hope”) to build a food security system that revitalized culturally rooted, diverse cropping patterns and traditional Rejang foods around the Community Forest Area of the Tebat Pluau Village in Bengkulu Province. Through agroecological approaches, the initiative addressed the food “scarcity” created by the marketization of local agriculture and dependence on store-bought foods. At the heart of the initiative were food demonstration plots filled with varieties of local foods, alongside rigorous research, documentation and community workshops led by women.²⁰²

157. The **Pescado Azul (Blue Fish) Women’s Association** of Isabela in the Galapagos (**Ecuador**) promotes responsible fishing by empowering local women. The association emphasizes traditional knowledge and the conservation and sustainable use of marine resources. Illegal and unsustainable fishing in local coastal waters has led to the overexploitation of sea cucumbers, spiny lobsters and a variety of fish species. To reduce pressures on these species, Pescado Azul promotes alternative livelihood opportunities. The main focus has been on developing value-added smoked products from sustainably sourced yellowfin tuna. Wood from guava shrubs, an invasive species, is used to smoke the fish. Products are marketed under the Pescado Azul brand, and the association has developed links with ecotourism operators to help identify markets. Other activities have included reforestation of local mangroves and efforts to promote ecological awareness.²⁰³

158. The **Mountain Partnership Products (MPP) initiative** in the **Plurinational State of Bolivia** is a certification and labelling program that provides technical and financial support to about 10,000 smallholder mountain producers—6,000 of whom are women—in Bolivia’s mountain regions to create enterprises, enhance producers’ marketing skills and boost their livelihoods by improving the value chains of products such as organic food, textiles and tourism services. The initiative promotes short, domestic value chains while ensuring transparency and trust between producers and consumers, fair compensation for the primary producers, conservation of agrobiodiversity and preservation of ancient techniques. Each product has a label that tells the story of the product’s origins, production method, nutritional value (in the case of foods) and role in the local culture, enabling consumers to make informed purchases. An example of a product supported by the MPP initiative is honey from stingless bees, carefully harvested by a cooperative of **160**

²⁰⁰ E/CN.6/2022/3, para. 38.

²⁰¹ See Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*; and Juana Vera Delgado. 2020. *Toward Buen Vivir with Gender Equality and Environmental Justice: Gender Analysis of the Sustainable Development Goals in Five Countries in Latin America*.

²⁰² Submission from Forest Peoples Programme on behalf of the Akar Foundation, the Federation of Native Communities of Ucayali and Tributaries, the Federation of Indigenous Kechwa Peoples of Bajo Huallaga San Martín, and the Federation of Indigenous Kechua Chazuta Amazonian Peoples.

²⁰³ Annex to A/75/161, para. 159.

Indigenous women of the Guarani community in Serrania del Inao National Park, Chaco Province, Bolivia. Although Guarani families have reared bees since ancient times, the honey has become rare because of deforestation and the introduction of European honeybees. Perfectly adapted to the local environment, stingless bees are crucial pollinators; their displacement could lead to a significant loss of forest biodiversity. This initiative improves the livelihoods of beekeepers, conserves native bee species, and helps to maintain plant biodiversity through pollination.²⁰⁴

159. **UN Women’s Fund** for Gender Equality supported the acquisition of solar dryers in four areas of **Guinea** and trained local women’s cooperatives to use this renewable technology to increase moringa production.²⁰⁵ Moringa is a vitamin-rich tree that supports biodiversity and prevents soil erosion by keeping the earth full of nutrients while offering over 300 medicinal benefits.

160. The UN’s **International Fund for Agricultural Development (IFAD)**, which strives to reduce poverty and hunger in rural areas of low-income States, implements its IFAD Impact Assessment Initiative, a gender responsive and pioneering effort to document the evidence of IFAD’s impact. Outputs covering 2019 – 2021 indicate that women in IFAD beneficiary households had 27 per cent more decision-making power than other women in comparison households.²⁰⁶

D. Non-toxic environments in which to live, work, learn and play

161. Pollution is the most significant environmental driver of disease and premature death—over 9 million people die from pollution each year.²⁰⁷ Due to a combination of biological and gendered social determinants, women and girls are especially vulnerable to the adverse impacts of many forms of toxic substances, particularly during pregnancy, the post-partum period and childhood.²⁰⁸

1. Good practices in international law and agreements

162. Of the foundational global treaties that prohibit, phase out or limit the use of certain toxic substances, the Stockholm Convention on Persistent Organic Pollutants and Minamata Convention on Mercury acknowledge the specific health risks women face from exposure to toxic substances. Under the Minamata Convention, if a State determines that artisanal and small-scale gold mining and processing within its territory is “more than insignificant”, the State must develop a National Action Plan to prevent exposure of vulnerable populations, particularly women of child-bearing age, pregnant women and children (Article 7(3) and Annex C, Article 1(1)).

163. The Stockholm Convention on Persistent Organic Pollutants (POPs) is intended to protect human health from toxic chemicals that persist in the environment for long periods of time, become widely distributed across the planet, bioaccumulate in wildlife and humans, and damage human and ecosystem health. Because women generally have a higher proportion of the fatty tissue in which POPs accumulate, they are disproportionately impacted by these chemicals, suffering breast cancer, reproductive cancers and cardiovascular disease amongst other health consequences.²⁰⁹ The Stockholm Convention requires Parties, “where appropriate”, to cooperate with women’s groups and other

²⁰⁴ Annex to A/75/161, para. 184.

²⁰⁵ Annex to A/75/161, para. 190.

²⁰⁶ IFAD. 2021. *IFAD11 Impact Assessment Report (2019 - 2021)*.

²⁰⁷ Philip J. Landrigan and others, “The Lancet Commission on pollution and health”, *The Lancet*, vol. 391, No. 10119 (February 2018).

²⁰⁸ BRS Secretariat, “Women disproportionately vulnerable to health risks from chemical and waste pollution”, March 1, 2019; and Women in Europe for a Common Future. 2016. *Women and Chemicals: The Impact of Hazardous Chemicals on Women*.

²⁰⁹ Banrida Wahlang, “Exposure to persistent organic pollutants: impact on women's health”, *Reviews on Environmental Health*, 19;33(4):331-348 (December 2018).

entities to facilitate the development, implementation and updating of action plans under the Convention (Article 6(2)).

164. **The Secretariat of the BRS Conventions** (the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Rotterdam Convention, and Stockholm Convention) has established a Gender Action Plan (2019) to ensure that the principle of gender equity is firmly embedded in the activities undertaken by the Secretariat and at conferences of the parties to the Conventions.

165. Primary emissions of most of the POPs first listed under the Stockholm Convention are declining. Given the long-lasting nature of these chemicals and women's and girls' particular vulnerability to them, this is positive news for women and girls. As emissions declined, so did human exposures to these toxic substances.²¹⁰ However, trends are less positive for other POPs, notably polybrominated diphenyl ethers (PBDEs), HCB and Polychlorinated biphenyls (PCBs), among others, due in part to their remobilization.²¹¹

166. In 2006, the **International Conference on Chemicals Management (ICCM)** adopted the Strategic Approach to International Chemicals Management (SAICM), a policy framework to foster the sound management of chemicals. The importance of women's participation in chemicals management and specific measures to protect women (including pregnant women) from the risks of harmful chemicals is reiterated across SAICM texts and resolutions.

167. The **European Union** has enacted the most comprehensive legislation to reduce toxic chemicals and plastic waste. With regards to women's rights, the EU's REACH Regulation (EC 1907/2006) requires that human health hazard assessments be conducted, and related information be made publicly available regarding the level of exposure to a regulated substance above which humans should not be exposed. Where information related to a substance is available to support differentiated threshold levels for sub-populations, including children and pregnant women, targeted thresholds must be established and published. Furthermore, the EU Directive 2019/904 states that: "The presence of hazardous chemical substances in sanitary towels, tampons and tampon applicators should be avoided in the interest of women's health. In the framework of the restrictions process under Regulation (EC) No. 1907/2006 [REACH], it is appropriate for the Commission to assess further restrictions on such substances." Banned items include plastic cutlery, plates, stirrers, straws, expanded polystyrene (foam) food and beverage containers, and balloon sticks. Extended producer responsibility rules cover additional plastic products and packaging. By 2029, 90 per cent of single-use plastic wastes must be collected for recycling.

2. Good practices in State legislation and policy

168. Hazardous chemicals pose a particularly significant threat to the health of pregnant women.²¹² The Constitution of **Ecuador** is notable for devoting an article to the rights of pregnant women (Article 43), which guarantees, among other rights: the rights of pregnant and breast-feeding women to non-discrimination in education, social and labour sectors; free maternal healthcare services; and prioritized protection and care of health and life during pregnancy, child birth and postpartum.

169. A notably small but growing number of countries regulate toxic substances in a gender-responsive or gender-transformative manner. **Canada's** Pest Control Products Act (2002) acknowledges that it is in the nation's interest to assess risks of pest control products to individuals, including the cumulative and aggregate effects on pregnant women, other women, infants, children and seniors. In evaluating whether the health and environment risks of pesticides are acceptable, the government is required to consider available

²¹⁰ WHO Regional Office for Europe. 2015. *Human Biomonitoring: Facts and Figures*.

²¹¹ UNEP. 2019. *Global Chemicals Outlook II*.

²¹² This Annex, its associated report (A/HRC/52/33) and the mandate of the Special Rapporteur recognize that in addition to women, trans men, non-binary persons and other gender-diverse persons may be capable of pregnancy, and that relevant considerations in this report may be applicable in their case.

information on the different sensitivities of these named groups, and to apply appropriate margins of safety.

170. The burden of workplace exposure to hazardous chemicals is often highly gendered, and protecting women from toxic substances at work is a State obligation under the right to a clean, healthy and sustainable environment.²¹³ In this context, **Uruguayan** laws protect pregnant and breastfeeding workers from having to handle toxic chemicals (such as those used in forestry, agriculture and chemical manufacturing), prohibit employers from terminating persons on the basis of pregnancy or maternity, prohibit gender discrimination in the workplace, and have enhanced protections regarding maternity and paternity leave.²¹⁴ The following countries provide strong protections for women workers that can strengthen their right to a non-toxic environment in which to work, including prohibitions against gender discrimination, prohibitions against termination on the basis of pregnancy or maternity, and guarantees of substantial paid maternity leave: **Belgium, Canada, Denmark, France, Greece, Iceland, Ireland, Latvia, Luxembourg, Portugal, Spain and Sweden.**²¹⁵ These States scored 100 out of 100 on the World Bank's *Women Business and the Law 2022 Report* assessment, which evaluates laws underpinning women's economic participation, including those related to mobility, workplace, pay, marriage, parenthood, entrepreneurship, assets and pensions.²¹⁶

171. In 2021, President Joe Biden of the **United States of America** introduced Executive Order 14008, which mandates that state agencies "shall make achieving environmental justice part of their missions by developing programs, policies and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on disadvantaged communities." Further, the Order pledges that the government will improve air quality, create more job opportunities for women and people of colour in "hard-hit" communities, and "[reduce] methane emissions, oil and brine leaks, and other environmental harms from tens of thousands of former mining and well sites."

172. As women and girls are the most significant users of many potentially hazardous consumer products (including cosmetics, personal care products and household cleaners),²¹⁷ ensuring that women have access to information about the contents of these products is key. An example of a consumer right-to-know law is Proposition 65 (also known as the Safe Drinking Water and Toxic Enforcement Act of 1986), created in the **State of California in the United States of America**. Proposition 65 requires businesses in California to provide warnings about potential exposures to chemicals in products, homes or workplaces, or those released to the environment, that cause cancer, birth defects and other types of reproductive harm. This enables women and girls to make informed decisions to avoid these chemicals. Proposition 65 requires California to publish an annually updated list of such chemicals, which has grown to include approximately 900 chemicals since it was first published in 1987.²¹⁸

173. **Canada, France, New Zealand, Sweden, the United Kingdom of Great Britain and Northern Ireland, and the United States of America** have taken regulatory actions to restrict the manufacture, import and sale of microbeads in cosmetics, a measure that will protect women and girls from exposure to toxic substances.²¹⁹ **Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, and Yemen** initiated legislation to restrict the use of certain chemicals of concern in products such as cosmetics, personal care

²¹³ UNEP. 2019. *Global Chemicals Outlook II*.

²¹⁴ Submission from Uruguay; and World Bank Group. 2022. *Women, Business and the Law 2022: Uruguay Snapshot*.

²¹⁵ World Bank Group. 2022. *Women, Business and the Law 2022: Canada Snapshot*.

²¹⁶ World Bank Group. 2022. *Women, Business and the Law 2022*.

²¹⁷ UNEP. 2019. *Global Chemicals Outlook II*.

²¹⁸ Annex II to A/HRC/49/53, para. 46.

²¹⁹ Annex II to A/HRC/49/53, para. 18.

products, detergent, and other products.²²⁰ **Morocco** and **Rwanda** have both recently passed legislation addressing certain substances in cosmetics.²²¹

174. While waste-related legislation is commonly gender blind, **Nepal's** Solid Waste Management Act (2011) requires that a threshold number of women serve on the Solid Waste Management Council—the body that formulates solid waste policy. **Uruguay's** National Waste Management Plan (2021) was developed by a broad set of actors, and this inclusive consultative approach facilitated the intersectional mainstreaming of gender, environmental, economic and social dimensions into the Plan. The Plan calls for the disaggregation of data by gender and ethnicity/race where appropriate in order to render women's roles and contributions to comprehensive waste management visible. It also applies a social perspective to labour in the waste management sector and takes into account persistent gender inequalities and barriers to access to social protection and the full exercise of women's rights. Finally, the Plan gives specific consideration to the situation of children, adolescents and pregnant women as they are at greater risk of suffering health impacts associated with toxic substances.²²²

175. The vast majority of State Parties' initial National Implementation Plans (NIP) under the Stockholm Convention address gender considerations. These plans commonly acknowledge the gender-differentiated impacts of chemicals and pollutants on women and men, and 70 per cent include sex-disaggregated data. The plans of **Denmark, Finland, Nauru** and **Sweden** address the specific vulnerabilities of pregnant and/or breastfeeding women to hazardous chemicals. The **Philippine's** initial NIP mentions the 2012 Pesticide Safety Awareness Symposium for Farm Women. Participants in this Symposium, (most of whom were women), learned about the safe management of pesticides and food safety control plans. **Pakistan** and **Sudan** were amongst 17 countries to include a dedicated budget in the NIPs for women or gender-oriented activities. The initial NIPs of **Canada, Ecuador** and **Panama** are noteworthy for their characterization of women as agents of change. Finally, the NIPs of **Bosnia and Herzegovina** and **Mexico** place particular emphasis on women and girls, with **Bosnia and Herzegovina** dedicating a specific section to gender mainstreaming.²²³ **Saint Lucia is the only State (out of 162)** whose national report to the Basel Convention addressed gender considerations.²²⁴

3. Other good practices by States

176. Meetings of the subsidiary bodies of the BRS Conventions have all approached gender parity amongst members, as did the gender distribution of delegates attending the BRS 2015 COP.²²⁵ The progress reports of SAICM indicate that, at least across the 54 SAICM state-members, an increasing number of countries are communicating chemical safety information to women, in addition to other vulnerable groups such as children, the elderly and Indigenous Peoples.²²⁶ **Austria** and **Denmark** have undertaken efforts to inform pregnant women about the health consequences of hazardous chemicals, respectively employing awareness raising campaigns and online brochures.²²⁷

177. Many countries are addressing women's right to non-toxic environments once scientists identify a potential threat. For example, **Sweden** took prompt action to protect women's and children's right to live in non-toxic environments after scientists discovered polybrominated diphenyl ethers (PBDEs) accumulating in breast milk. Sweden banned PBDEs domestically and led a successful global effort to add PBDEs to the list of substances

²²⁰ Annex II to A/HRC/49/53, para. 30.

²²¹ Annex II to A/HRC/49/53, para. 33.

²²² Submission from Uruguay.

²²³ IUCN. 2017. *Women's Participation and Gender Considerations in Country Representation, Planning and Reporting to the BRS Conventions*.

²²⁴ Ibid.

²²⁵ Ibid.

²²⁶ SAICM/OEWG.3/INF/4.

²²⁷ Alexandra Caterbow and Johanna Hausmann. 2016. *Women and Chemicals: The Impact of Hazardous Chemicals on Women*. Women in Europe for a Common Future.

prohibited under the Stockholm Convention. Levels of PBDEs in breast milk declined rapidly.²²⁸

178. **France** banned the endocrine disruptor Bisphenol A and other harmful chemicals from food contact materials in 2013, and stipulated timeframes for eliminating these chemicals from pacifiers, teething rings and food contact materials intended for children under three years of age. In the interim, the government employed the gender-responsive measure of requiring a warning label, intended to alert pregnant women, indicating Bisphenol A's existence in products.²²⁹

179. Gender-responsive human biomonitoring is a good practice because it measures concentrations of toxic substances and their metabolites in bodily fluids, faeces, hair, teeth and nails, and can identify important health risks for women in particular. Gender-responsive biomonitoring data reveal levels of exposure and trends that impact women and men, help researchers to understand gender- and sex-differentiated health effects, and assist in developing and evaluating policies introduced to reduce exposure. Ethical standards must be applied to protect human rights. **Canada, Denmark, France, Germany, Norway, Spain** and the **United States of America** have national biomonitoring programs, all of which consider gender as a variable. Many states collect data specific to pregnant women. **Canada, Denmark, France, Norway** and **Spain** have conducted specific birth cohort studies that monitor pregnant women.²³⁰ In Europe, the **WHO/UNEP** survey of POPs in human milk provides information on the cumulative exposure of mothers as well as the current exposure of their infants.²³¹

180. In **Italy**, the National Epidemiological Study of Territories and Settlements Exposed to Pollution Risk, known as the SENTIERI project, examines the health of populations impacted by National Priority Contaminated Sites. The SENTIERI project offers public health advice and addresses environmental injustice by dedicating extra attention to vulnerable groups. The disaggregation of data based on gender revealed high rates of certain cancers in women living near certain contaminated sites. The SENTIERI project also detected excess incidences of malignant mesothelioma, lung, colon and gastric cancer and non-malignant respiratory diseases, all linked to national priority contaminated sites.²³²

181. Good practices related to women's and girls' right to non-toxic environments in which to live, work and play also stem from courts. For example, **Colombia's Constitutional Court** has ruled that, in regard to the health impacts of glyphosate fumigation: "Miscarriages (...) are significant impacts that the State must avoid as it moves toward fulfilling its constitutional duty to ensure the fundamental right to health."²³³

4. Good practices led by women

182. As is the case with all elements of the right to a healthy environment, women's and girls' contributions to fighting for non-toxic environments have been substantial but underappreciated. Many women around the world are combatting the scourge of plastic pollution, which threatens the health of ecosystems and human communities. For biological reasons, microplastics from marine waters and elsewhere are more likely to accumulate in women, causing respiratory, reproductive, cardiovascular, metabolic and neurodevelopmental diseases, as well as impairments in foetal development.²³⁴

²²⁸ Annex II to A/HRC/49/53, para. 20.

²²⁹ Women in Europe for a Common Future. 2016. *Women and Chemicals: The Impact of Hazardous Chemicals on Women*.

²³⁰ World Health Organization Regional Office for Europe. 2015. *Human Biomonitoring: Facts and Figures*.

²³¹ World Health Organization Regional Office for Europe. 2015. *Human Biomonitoring: Facts and Figures*.

²³² Annex II to A/HRC/49/53, para. 41.

²³³ Center for Reproductive Rights and Grupo Epidemiologia y Salud Poblacional. 2020. *Reproductive Health and Glyphosate in the Context of the Armed Conflict: An Overview from a Gender and Reproductive Rights Perspective*, p. 11.

²³⁴ UNEP. 2021. *From Pollution to Solution: A Global Assessment of Marine Litter and Plastic Pollution*; and UNEP. 2016. *Gender and Environment Outlook: Critical Issues*.

183. To combat plastic pollution across **Peru's** beaches, **Life Out of Plastic (LOOP)**, a women-led social enterprise supported by Peru's Ministry of Environmental and **Conservamos Por Naturaleza**, produces and sells up-cycled products made of coastal plastic pollution. LOOP also organizes awareness activities, such as eco-conscious art exhibits aimed at school-aged children and annual beach-clean up events.²³⁵ As of 2022, LOOP had reached over 34,000 people, removed over 140,000 tons of debris from beaches and the ocean, provided 235 hours of workshops raising awareness about pollution, and recycled 1.3 million PET (polyethylene terephthalate) bottles into commercial products. Clean-up events led by LOOP have expanded to **Mexico** and **Hawaii**.²³⁶

184. **Ocean Sole** is a **Kenyan** social enterprise that reduces plastic marine pollution by collecting plastic flip flops found in the ocean and recycling them into crafts, thus facilitating the employment of underemployed local women.²³⁷ The **Samoa Women's Association of Growers** makes traditional baskets from coconut leaves that can be used for shopping.²³⁸

185. A women-led social enterprise called **Wecyclers**²³⁹ in Lagos, **Nigeria**, runs a low-cost, rewards-for-recycling waste management network that relies on mobile technology and cargo bikes. The platform incentivizes households, and especially women, to collect and sort their waste into plastic, cans, paper and glass. Wecycle employees collect the waste on bicycles (called "wecycles") and provide participating households with a stamp; households with enough stamps can redeem these for various consumer goods. The waste is cleaned and sold to recycling companies, keeping it away from city streets and the environment and preventing it from being burnt.²⁴⁰

186. While women's participation in chemical and waste management continues to lag behind men's, their contributions to this crucial area of environmental stewardship are often overlooked.²⁴¹ In this context, it is important to acknowledge that for all but one year between 2016- 2021, at least one-woman scientist was amongst the winners of the **Elsevier Foundation Green and Sustainable Chemistry Challenge**.²⁴²

4. Good practices by other non-state actors

187. International health organizations are taking steps to inform women of the potentially devastating health impacts of chemical exposures to reproductive health. For example, the **International Federation of Gynecology and Obstetrics** issued a statement in 2019 declaring that there is evidence supporting the impact of chemical exposures on health, particularly related to pregnancy outcomes, possible birth defects, cancer rates and neurodevelopmental disorders.²⁴³ UNDP was the first UN agency to issue a publication including recommendations focused specifically on gender and chemicals.²⁴⁴

188. **UN Special Rapporteurs** have put increasing pressure on governments to stop the use of toxic pesticides that disproportionately harm women. For example, on December 17,

²³⁵ <http://loop.pe/>

²³⁶ Lorena Aguilar, Margaux Granat, and Cate Owren. "Leading the Way: Case Studies of Gender-Responsive Initiatives", in *Roots for the Future: The Landscape and Way Forward on Gender and Climate Change*, L. Aguilar, M. Granat, & C. Owren (Authors). (Washington, DC: IUCN & GGCA, 2015).

²³⁷ UNEP. 2019. *Global Chemicals Outlook II*.

²³⁸ Annex III to A/HRC/43/53, para. 156.

²³⁹ <https://www.wecyclers.com/about#our-story>

²⁴⁰ Women in Europe for a Common Future. 2017. *Gender Dimensions of Hazardous Chemicals and Waste Policies Under the Basel, Rotterdam and Stockholm Conventions, Case Studies Indonesia and Nigeria*.

²⁴¹ Women in Europe for a Common Future. 2016. *Women and Chemicals: The Impact of Hazardous Chemicals on Women*.

²⁴² See <https://elsevierfoundation.org/partnerships/research-in-developing-countries/greenchem/our-winners/>

²⁴³ International Federation of Gynecology and Obstetrics, "Removal of glyphosate from global usage: A Statement by the FIGO (International Federation of Gynaecology and Obstetrics) Committee on Reproductive and Developmental Environmental Health", July 31, 2019.

²⁴⁴ Women in Europe for a Common Future. 2016. *Women and Chemicals: The Impact of Hazardous Chemicals on Women*, p. 54.

2020, **seven UN Special Rapporteurs** urged the **Colombian Government** to refrain from re-activating the Program for the Eradication of Illicit Crops with Glyphosate, due to the risks that aerial fumigation with glyphosate poses to human rights and the environment, particularly regarding women's rights to reproductive health. The Special Rapporteurs emphasized that resuming these activities would violate the Colombia Peace Agreement along with several Constitutional Court decisions establishing a hierarchy of strategies for the eradication of illicit crops.²⁴⁵

189. The Wapichan People of modern-day Southern Guyana have been active in monitoring pollution impacting their ancestral territory (called *Wapichan wiizi*). Their representative body, the **South Rupnuni District Council**, was legally recognized by the Guyanese Government in April 2017.²⁴⁶ The Council has been monitoring local waterways since 2013, in response to unlawful gold mining on Mardi Mountain. The Council discovered that local women in at least one village had mercury contamination above the recommended WHO safety limits.²⁴⁷

190. Few publicly available lists of harmful chemicals consider the specific vulnerabilities of women.²⁴⁸ Several NGOs have created tools aimed at informing women and other consumers about the potential toxicity of products and healthier, more sustainable alternatives. For example, the **Environmental Working Group (EWG)** developed a verification system that identifies products that are free from EWG's chemicals of concern and rates the toxicity of other skincare, hair care, cleaning products and foods. The "EWG Healthy Living" app is a gender-responsive smartphone app aimed at informing consumers of the health risks and unsustainability of such products. Many of the products featured on the app are used by women, although the app contains a tab for personal care products commonly used by men. In addition, EWG generates a wealth of publications, consumer databases, and reader friendly guides (including guides specific to pregnancy, infants and toddlers) aimed at helping consumers avoid toxic consumer products.²⁴⁹

191. Across **Bangladesh, India and Nepal**, showering about 8 million tons of flowers annually at temples and mosques is a religious ritual. When these places of worship are near the Ganges River (or other waterways), the flowers subsequently rot, disrupt aquatic ecosystems, and release pesticides and insecticides that contaminate surface and ground water. To combat this pollution, the social enterprise **HelpUs Green** designed a "flower-cycling" technology to up-cycle temple waste. The organization employs women in the lowest caste to collect tons of flower waste from temples and mosques daily. Rural and impoverished women process the waste into hand-crafted organic fertilizers, natural incense and biodegradable packing materials. HelpUsGreen also created self-help groups for women workers intended to empower them to voice their concerns, and also provided women workers with bank accounts in which their earnings can be deposited outside the control of any husband or other person. This gender-transformative environmental work economically empowers local women in disadvantaged communities and has enabled 119 girls to start attending school. As of 2021, 21,060 metric tonnes of flowers were upcycled, and 210 metric tonnes of chemical pesticides were offset. The project has transformed the

²⁴⁵ December 17, 2020 Letter from Seven Special Rapporteurs to Colombian President Duque Concerning the Aerial Fumigation of Glyphosate, available in Spanish at: <https://www.dejusticia.org/wp-content/uploads/2021/03/Carta-relatores.pdf>; and Submission from the Center for Reproductive Rights - Latin America and the Caribbean Program.

²⁴⁶ <https://www.forestpeoples.org/en/node/50355>

²⁴⁷ Submission from Forest Peoples Programme on behalf of the Akar Foundation, the Federation of Native Communities of Ucayali and Tributaries, the Federation of Indigenous Kechwa Peoples of Bajo Huallaga San Martín, and the Federation of Indigenous Kechua Chazuta Amazonian Peoples.

²⁴⁸ For example, the *Global Chemical Outlook 2013* includes a list of tools developed by governments, NGOs, trade unions and industry for chemical hazard assessment and identification that, while helpful, is gender blind: UNEP. 2013. *Global Chemical Outlook*, p. 187.

²⁴⁹ <https://www.ewg.org/consumer-guides>

way that temple and religious authorities think about waste and has generated government interest in the program.²⁵⁰

192. In the **Plurinational State of Bolivia**, **Swisscontact** and the global network **Women in Informal Employment: Globalizing and Organizing (WIEGO)** support informal women waste workers to take protective measures against harmful chemicals exposure in their work while equipping women workers with knowledge on more environmentally friendly recycling practices that could also increase their income generation potential. WIEGO also partners with women waste workers to translate their priorities and perspectives into waste sector-related policy demands that are delivered to government officials.²⁵¹

193. The **MSP Institute** (a German charitable organization) launched the “GenChemRoadMap” project from 2021-2022, which builds support for the systematic integration of gender into **Germany’s** national chemical management efforts. The initiative’s Gender and Chemicals Road Map—a step-by-step guide for gender mainstreaming—was piloted in collaboration with the Germany SAICM National Focal Point and other stakeholders.²⁵²

E. Healthy ecosystems and biodiversity

194. Healthy ecosystems and biodiversity sustain humanity, offering a vast range of goods and ecological services including food, fuel, fibre, medicine, pollination, clean air and water and pandemic prevention.²⁵³ Men and women relate to, steward and depend on nature in distinct ways, and the nature-dependent livelihoods and cultural practices of Indigenous, Afro-descendant, local community, peasant and other rural women are often highly gendered.²⁵⁴ While the diversity of Indigenous and other rural communities worldwide is immense, women rightsholders within these communities use their traditional ecological knowledge to maintain and restore healthy ecosystems and biodiversity, playing key roles as seed, land and natural resource stewards; food and medicine preparers; farmers, fishers and fish processors; household water and energy managers and collectors; and environmental defenders. Good practices for securing women’s and girls’ right to healthy ecosystems and biodiversity support every substantive element of the right to a healthy environment—both for women and all people—and are thus crucial to the equal realization of human rights.

1. Good practices in legislation and policy

195. The preamble of the Convention on Biological Diversity acknowledges “the vital role that women play in the conservation and sustainable use of biological diversity and affirms the need for full participation of women at all levels of policy-making and implementation for biological diversity conservation.” One of the Convention’s objectives is the “fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding” (Article 1).

196. The **Kunming-Montreal Global Biodiversity Framework** acknowledges that successful implementation will “depend on ensuring gender equality and empowerment of women and girls and reducing inequalities.” The Framework includes two targets related to gender equality and women’s rights to healthy ecosystems and biodiversity. Framework

²⁵⁰ Lorena Aguilar. 2021. *Guidance on Mainstreaming Gender under the Ramsar Convention on Wetlands*. Gland, Switzerland: Secretariat of the Convention on Wetlands; and <https://www.helpusgreen.com/pages/about-us>

²⁵¹ Carmen Capriles (Reacción Climática) and Bolivia Sascha Gabizon (WECF). 2021. *Gender, Chemicals and Waste: Gender Dimensions of Chemicals and Waste Policies in Bolivia in relation to the Minamata, Basel, Rotterdam and Stockholm Conventions*.

²⁵² Submission from MSP Institute; and <http://gender-chemicals.org/road-map>

²⁵³ A/75/161.

²⁵⁴ World Bank and others. 2009. *Gender in Agriculture Sourcebook. Agriculture and Rural Development*. Washington, DC: World Bank.

Target 22 seeks to ensure the full, equitable, inclusive, effective and gender-responsive representation and participation in decision-making and access to justice and information related to biodiversity by Indigenous Peoples and local communities, as well as by women, girls, children, youth, and disabled persons. Target 23 aims to “Ensure gender equality in the implementation of the framework through a gender-responsive approach where all women and girls have equal opportunity and capacity to contribute to the three objectives of the Convention, including by recognizing their equal rights and access to land and natural resources and their full, equitable, meaningful and informed participation and leadership at all levels of action, engagement, policy and decision-making related to biodiversity.”²⁵⁵

197. Many States’ constitutions include provisions protecting ecosystems and biodiversity while also guaranteeing gender equality or forbidding sex/gender-based discrimination without exception. These States include: **Andorra, Angola, Azerbaijan, Bahrain, Bhutan, the Plurinational State of Bolivia, Brazil, Bulgaria, Cabo Verde, Cambodia, China, Croatia, Cuba, Czech Republic, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Fiji, Finland, Georgia, Germany, Guatemala, Guyana, Hungary, India, Kazakhstan, Kyrgyzstan, Lao People’s Democratic Republic, Lithuania, Luxembourg, Mongolia, Montenegro, Namibia, Nepal, North Macedonia, Panama, Papua New Guinea, the Philippines, Portugal, the Russian Federation, São Tomé and Príncipe, Serbia, Slovakia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Switzerland, Tajikistan, Togo, Uganda, Ukraine, the Bolivarian Republic of Venezuela and Zimbabwe.**²⁵⁶

198. **Ecuador’s** ground-breaking Constitution contains comprehensive provisions relating to the rights of Pachamama or Mother Earth (Articles 71-74) and the collective rights of Indigenous, Afro-Ecuadorian, and *montubio* (*back-country*) Peoples and communities (Articles 56 - 60), which the State guarantees without any discrimination and under conditions of equality and equity between men and women (Article 57). The Constitution also recognizes the rights of these communities to develop and practice their own legal systems within the bounds of constitutional rights, especially those of women, children and adolescents (Article 57). Recognizing, in a gender-transformative manner, the rights of nature and the Indigenous and other rural communities who make the greatest nature stewardship contributions could potentially reduce environmental harm, thus benefiting rural women and their communities.

199. The Constitution of the Republic of **Croatia** prescribes that equal rights, social justice, respect for human rights and the conservation of nature and the human environment are among the highest values of the nation (Article 3). **Namibia’s** Constitution asserts that: “The State shall actively promote and maintain the welfare of the people by adopting, inter alia, policies aimed at the following: (a) enactment of legislation to ensure equality of opportunity for women, to enable them to participate fully in all spheres of Namibian society; ... [and] (l) maintenance of ecosystems, essential ecological processes and biological diversity of Namibia and utilization of living natural resources on a sustainable basis for the benefit of all Namibians, both present and future ...” (Article 95). Given the importance of natural forests for biodiversity and forest-dependent women, it is worth noting that **Bhutan’s** Constitution requires that 60 per cent of the land remain forested forever (Article 5(3)).

200. **Peru** has a progressive Forestry and Wildlife Act (Law No. 29763) that, among other measures: guarantees equitable access to resources, benefits, and development opportunities with a focus on gender; commits the state to promoting forestry and wildlife education with a gender and intercultural approach; guarantees the right of Indigenous Peoples to free, prior and informed consent; and recognizes the right to participate in decision-making related to nature.

²⁵⁵ CBD/COP/15/L.25, para. 15.

²⁵⁶ Annex to A/75/161, para. 11; WORLD Policy Analysis Center, “Constitutions Data” (distinguishing those constitutions that, as of January 2022, guarantee non-discrimination or gender equality across sex and/or gender, as well as those that exempt such protections from persons subject to customary or religious law). Available at: <https://www.worldpolicycenter.org/maps-data/data-download/world-areas>. Downloaded on February 6, 2023; and Kosovo, Constitution of 2008 (amended in 2020).

201. National Biodiversity Strategy and Action Plans (NBSAPs) under the Convention on Biological Diversity are key policy instruments that should be gender-transformative to fulfil States' obligations under the right to a healthy environment. The IUCN found that the NBSAPs of 107 of 174 States (56 per cent) contained at least one key word related to gender and/or women, and roughly 25 per cent include gender considerations or activities involving women. In their NBSAPs, **Cuba, Dominican Republic, El Salvador, Gambia, Germany, Samoa** and **Zimbabwe** characterized women as agents of change, with Germany's report noting that women consumers demand eco-friendly products and value access to nature more than men. In 9 per cent of States, including but not limited to **Botswana, Gambia, Georgia, Liberia, Malawi, Namibia** and **Trinidad and Tobago**, NBSAPs included budgets specific to gender or women-oriented activities (e.g., access to credit, capacity building, education, and outreach programs).²⁵⁷

202. **Samoa's** NBSAP 2015-2020 has been applauded by the Committee on the Elimination of All Forms of Discrimination against Women for its focus on rural women.²⁵⁸ **Mexico's** 2016-2030 NBSAP emphasizes women's agency as actors who can stop, reverse and mitigate biodiversity loss. While there is always room for improvement in the process of developing gender transformative policies, the NBSAP reflects marked efforts at gender mainstreaming: 19 of the 24 action areas, 50 of the 160 actions related to biodiversity priorities, and 44 additional actions refer to the imperative of adopting measures to strengthen and promote women's inclusion in biodiversity management and use.²⁵⁹ **Mexico's** National Commission for Protected Areas (CONANP) and the National Forestry Commission (CONAFOR) include a gender perspective in the operation rules of their programs. For example, CONANP's Conservation Programme for Sustainable Development and CONAFOR's Programme for Sustainable Forest Development both guarantee the participation of women, men, and Indigenous Peoples.²⁶⁰

203. The process by which **Mexico** developed its 2016-2030 National Biodiversity Strategy and Action is also worthy of emulation. An inter-institutional platform brought together the Ministry of the Environment and Natural Resources, the National Commission for the Knowledge and Use of Biodiversity, the National Women's Institute and predominantly female experts and key actors from related institutions and civil society.²⁶¹ Similarly, **Uganda's** 2015-2025 NBSAP, which includes multiple activities intended to increase gender responsiveness, was developed through a process spearheaded by a Gender Task Force, including broad consultations with gender stakeholders.²⁶²

2. Other good practices by States

204. **Costa Rica** is drawing on sex-disaggregated data from a REDD+ program, national census data on land ownership, and the National System of Protected Areas to generate a baseline on the role, uses, and beneficiaries of forest use, with the intent of understanding and transforming gender gaps and inequalities in sectors critical for healthy biodiversity. Evidence paints a comprehensive picture of gendered roles relating to forest conservation and demonstrates gendered gaps in relation to decision-making, land ownership, knowledge of gender and biodiversity linkages, recognition of women's role in biodiversity management, access to biodiversity finance and other matters. This evidence informed the development of more gender-responsive biodiversity policy, such as a Directive No. 005-2019, which requires:

- Executive Directors of biodiversity-related institutions to report on actions aimed at reducing gender gaps within their organization;

²⁵⁷ Barbara Clabots and Molly Gilligan. 2017. *Gender and Biodiversity: Analysis of Women and Gender Equality Considerations in National Biodiversity Strategies and Action Plans (NBSAPs)*. Washington, USA: IUCN.

²⁵⁸ Annex to A/75/161, para. 42.

²⁵⁹ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

²⁶⁰ Ibid.

²⁶¹ Ibid.

²⁶² Ibid.

- Key government agencies' Institutional Strategic Plans to include concrete gender equality actions, including gender analysis for all new strategies, projects, and plans, along with creating guides on how to integrate gender dimensions into technical instruments such as Protected Areas Management Plans.

205. To generate funds for the Directive's implementation, **Costa Rica** has developed a 5-year action plan and entered a memorandum of understanding with UNDP to mobilize funds.²⁶³

206. **Slovenia's Forestry Institute** is a coordinator of the Fem4Forest: Forest in Women's Hands initiative, which seeks to strengthen the status and participation of women within the forestry sector and to expand women's forest ownership across the Danube region, thereby enhancing women's social inclusion, equality and economic independence.²⁶⁴

3. Good practices by women and other non-state actors

207. Networks and organizations of women biodiversity defenders can amplify their voices and impact. One such international network is the **CBD Women Caucus**, a network of about 400 organizations worldwide that aims to strengthen gender-responsive actions to biodiversity conservation and sustainable use under the Convention on Biological Diversity.²⁶⁵ Another is **Women4Biodiversity**, a civil society organization that worked tirelessly for the inclusion of gender equality provisions in the Kunming-Montreal Global Biodiversity Framework and is led by women from the global South.

208. In **Peru**, several women-led organizations are at the forefront of forest conservation and restoration. ARBIO is responsible for the stewardship of nearly 1,000 hectares of Amazon rainforest in the Las Piedras watershed near Madre de Dios. Women serve as forest rangers and disseminate environmental information about the importance of protecting and conserving primary forests.²⁶⁶ A Working Committee led by women from the Indigenous community of Shampuyacu manages a region of forest called Bosques de las Nuwas. The women have established a traditional plant nursery, are preserving ancestral knowledge, growing medicinal plants and restoring the health of the ecosystem and the community.²⁶⁷

209. Peasant and other local women in **Turkey's** Black Sea Region have engaged in admirable efforts to defend biodiversity and fragile ecosystems against mining operations, hydroelectric power plants and other environmentally destructive infrastructure development.²⁶⁸

210. In Santa Julia, **Nicaragua**, women run the non-profit **Gloria Quintanilla Agricultural Cooperative**, which was established to combat illegal logging in the community, develop joint strategies to protect nature, contribute to women's economic empowerment and improve community food security. The Cooperative is a forum where women bring environmental concerns to the attention of their peers and strategize about responsive actions. It also fosters sustainable agricultural, financial and leadership capacities in its members. Through these efforts, the Cooperative has enhanced local methods of food production, achieved the efficient control of illegal logging and burning, and ended the use of agrochemicals in the community's lands in ways that empower women.²⁶⁹

211. In **Yap, Federated States of Micronesia**, women are planting palms in flooded taro patches to provide material for weaving, building homes and for protection against coastal

²⁶³ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

²⁶⁴ Submission from Slovenia; and <https://www.interreg-danube.eu/approved-projects/fem4forest>

²⁶⁵ <https://goodpractices.environment-rights.org/goodpractice/cbd-women-caucus/>

²⁶⁶ <https://www.arbioperu.org/>

²⁶⁷ <https://www.bosquedelasnuwas.com>

²⁶⁸ Submission from Yareliz.

²⁶⁹ <https://goodpractices.environment-rights.org/goodpractice/cooperativa-agricola-gloria-quintanilla/>

flooding. They run a nursery of native plants that generates seeds for food and medicine and help replant areas damaged by flooding.²⁷⁰

212. In **Kenya**, the **Green Belt Movement**, for which Wangari Maathai won a Nobel Peace Prize in 2004, has planted more than 51 million trees. This grass-roots organization sponsors 4,000 tree nurseries that produce more than eight million native seedlings annually. More than 30,000 women received training in forestry, beekeeping, food processing and other trades, enabling them to earn a livelihood while protecting local lands and ecosystems. Similar movements now exist in **Uganda, the United Republic of Tanzania and other African States**.²⁷¹

213. Women in **Nigeria** founded a nursery from which hundreds of thousands of mangrove plants are sold to the Nigerian subsidiary oil Royal Dutch Shell, an oil company that is responsible for massive mangrove destruction throughout the Niger Delta. Following two environmentally devastating oil spills in 2007 and 2008, Shell agreed to compensate the community, clean up the spill and replant the mangroves, creating economic empowerment opportunities for women while restoring crucial ecosystems.²⁷²

214. An example of gender mainstreaming funded by the **United States of America** and implemented by **IUCN** is the Regional Coastal Biodiversity Project, which works with marine-coastal communities in **Guatemala, Honduras and El Salvador** to help protect the regions' biodiversity and promote communities' economic growth and prosperity, including through measures aimed at gender equality. Through the implementation of the project's gender strategy—in turn grounded in comprehensive gender analysis—the project has facilitated marked progress towards women's leadership in natural resources governance bodies (including five Indigenous Peoples and local community organizations) and promoted support for gender integration in fisheries governance; over 250 men and women have been trained on the business case for gender integration into fisheries and coastal resource management, and 728 people (37 per cent women) have been trained in environmental legislation, management, and community organization. Women and men beneficiaries are now working together to restore mangroves while availing themselves of project-introduced alternative livelihoods to fishing, such as honey production. As the project's gender analysis identified gender-based violence (GBV) against women as a problem within beneficiary fishing communities, a key activity is providing male local fishers, agricultural leaders and leaders in local environmental organizations with positive masculinities training; these trainees' leadership status well positioned them to influence other men's perspective on GBV, women's role in natural resource governance, and pathways to mutual economic empowerment between men and women.²⁷³

215. Community-based efforts to link environmental sustainability with access to sexual and reproductive health services can yield positive results for gender equality and the environment. In the **Lake Victoria Basin**, gender equality and decreases in the productivity of small-scale fisheries have collided to produce a “fish for sex” phenomenon in which female fish vendors—faced with a dwindling supply of fish due to overfishing, eutrophication, and the introduction of invasive fish species—are compelled to have sex with male fishermen in order to obtain a sufficient supply of fish to sustain their livelihoods, thus leading to high levels of HIV and other sexually transmitted diseases. In response, the NGO **Pathfinders International** supported **Kenyan and Ugandan** communities in the region to tackle inter-related conservation, reproductive health and gender equality challenges through a range of activities including: providing information and training about both conservation and reproductive health, supporting individuals to develop new skills enabling a diversification of livelihoods (e.g., tree nurseries, energy efficient stoves), supporting community-based groups to promote positive health and environmental practices,

²⁷⁰ UN Women. 2022. *Progress on the Sustainable Development Goals: The Gender Snapshot 2022*, p. 18.

²⁷¹ A/HRC/43/53, para. 111.

²⁷² Ruth Maclean, “The Nigerian activist trying to sell plants to the oil company that destroyed them”, *The New York Times*, September 3, 2021.

²⁷³ IUCN and USAID, “Advancing gender in the environment: a sea of opportunities in Central America for gender equality and sustainability”, Brief, 2022.

expanding community-based health services, and encouraging governments to emphasize linkages between reproductive health and conservation. The Health of People and Environment-Lake Victoria Basin Program (2011–2019) supported: sustainable practices and associated empowerment for both women and men; the protection of 204 fish breeding zones; the planting of over 856,000 trees; more than 25,000 energy-efficient stoves; a 214 per cent increase in childbirth at supported health facilities; and 118,000 visits for contraceptives. The project’s integrated approach of supporting sustainable livelihoods and reproductive health also resulted in a positive shift in household-level gender dynamics, as both men and women were provided with more sustainable means of generating income and because increased access to contraception increased both female and male partners’ ability to care for each other and their existing children.²⁷⁴

216. With the support of **Keystone Foundation**, rural women are supporting environmental monitoring in **India’s** Nilgiri Biosphere Reserve. Through the Barefoot Ecologists Programme, rural people combine their traditional ecological knowledge with various forms of agrobiodiversity monitoring, which they are trained to conduct. Women barefoot ecologists have included natural historians, seed savers, kitchen gardeners, fuel efficient stove makers and traditional healers who collect monthly data on agricultural activities, their villages’ consumption of wild food, and wildlife sightings, thus rebuilding nature stewardship ethics and collecting information that can be used for a variety of sustainability-driven purposes.²⁷⁵

217. **WWF-Madagascar** has supported several communities in northwest **Madagascar** to facilitate women’s participation in mangrove planting teams, which was previously considered “men’s work”. Male community leaders report several successful outcomes of this program. Involving women in mangrove planting and management is easing the burden of conservation work while broadening the support base for and engagement with conservation across the community. Mangrove protection and planting rates have improved, with reports of a 95 per cent increase in mangrove restoration since women’s involvement commenced. Women report that their involvement in mangrove management has increased their respect in their communities.²⁷⁶

218. Supporting Indigenous and other rural women to employ their traditional knowledge is a key good practice. In **Mexico**, the *Sembrando Vida* (Sowing Life) program creates jobs, contributes to reforestation and respect for biodiversity, and improves living conditions in rural areas by providing financial support for agroforestry, organic agriculture, heritage varieties of corn, seedlings and other materials for tree planting. An emphasis is placed on education, shared decision-making, and the value of traditional knowledge and customs, with a specific emphasis on the inclusion of rural and Indigenous women. The program seeks to strengthen women’s social integration and access to economic and productive resources, technology, savings and training. While one-third of registered planters are female, half of the program’s scholarship recipients are young women.²⁷⁷

219. There is now wide acknowledgment that outcomes for peace, nature and gender equality are inter-related in conflict and post-conflict settings.²⁷⁸ The Joint Programme on Women, Natural Resources and Peace, led by **UNEP, UN Women, and UNDP**, secures positive outcomes for gender equality, biodiversity and peacebuilding by promoting women-centred natural resource-based interventions within peacebuilding contexts. In the conflict- and drought-ridden region of Al Rahad in **Sudan’s** North Kordofan state, the project employed a sequenced approach in which women’s immediate livelihood needs were first addressed, primarily via training in sustainable agricultural techniques, developing communal farms, establishing women’s farmers’ associations and supporting their access

²⁷⁴ Pathfinder International, “Sustaining health, rights and the environment in the Lake Victoria Basin”, Technical Brief, 2015; and <https://www.pathfinder.org/projects/hope-lvb/>

²⁷⁵ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

²⁷⁶ Submission from World Wildlife Fund for Nature.

²⁷⁷ Annex to A/75/161, para. 187.

²⁷⁸ UNEP and others. 2020. *Gender, Climate and Security: Sustaining Inclusive Peace on the Frontlines of Climate Change*.

to local markets. Subsequently, people participated in Community and Environmental Action Planning. Local women received conflict mediation and resolution training to increase their leadership in relation to natural resource conflicts. An extensive sensitization campaign was undertaken on key gender considerations regarding women’s knowledge, roles, agency and contributions to natural resource governance. Through these interventions, 87 per cent of women beneficiaries reported increased income and the number of women affiliated with the area’s principal conflict resolution mechanism doubled, with women comprising 40 per cent of the mechanism’s mediators. Women now lead Dialogue Forums in which pastoralist, farming and internally displaced peoples’ communities discuss matters that incite tension in the area, including access to land and water. Appreciation for women’s capacities, roles and contributions has risen dramatically, and women’s leadership in environmental governance has continued. For example, women from Nawa mobilized their communities to contribute human and financial resources for 6,000 trees to be planted to combat soil degradation.²⁷⁹

F. Safe climate

220. Human activities have caused atmospheric greenhouse gases to reach their highest level in millions of years, and the resulting climatic disruption—including droughts, floods, rising sea levels and increasing extreme weather events—poses myriad threats to people and human rights.²⁸⁰ While the climate emergency harms all people, pervasive patriarchal norms and practices make women and girls disproportionately vulnerable and least able to adapt and respond resiliently.²⁸¹

1. Good practices in legislation and policy

221. For over four decades, governments, international bodies, women’s and feminist organizations, and civil society have periodically convened via the Regional Conference on Women in Latin America to discuss challenges and policy solutions related to women’s autonomy and rights.²⁸² At these sessions, member states of the **Economic Commission for Latin America and the Caribbean (ECLAC)** have developed promising commitments at the nexus of gender equality, women’s rights, and climate change that champion intersectional and human-rights based approaches to adaptation and mitigation. For example, the 2016 Montevideo Strategy for the Implementation of the Regional Gender Agenda within the Sustainable Development Framework by 2030 recognizes that the integration of women’s rights in climate change adaptation and mitigation is essential to both the realization of gender equality and the full effectiveness of climate policies, programs and resources. The Strategy calls for “harmonizing regulations at the regional level, taking into account the human rights of women, and assessing the extraterritorial effects of the legislation and policies adopted, in order to respond to transnational phenomena such as ..., climate change, ... and the rights of Indigenous, Afro-descendant, ethnically diverse and native women.” Reinforcing this approach, the 2020 Santiago Commitment contains many gender-transformative pledges, including to: advance intersectional gender mainstreaming across policies and budgeted programs related to sustainable development and climate change; promote climate actions that advance gender equality; and support the participation of women’s organizations and movements, including those of Indigenous and Afro-descendant women.²⁸³

222. Climate change legislation in many States addresses gender equality. For example, **Mexico’s** General Law on Climate Change includes a specific focus on gender equality and

²⁷⁹ Secretariat of the Convention on Biological Diversity. 2022. *Best Practices in Gender and Biodiversity: Pathways for Multiple Benefits*.

²⁸⁰ A/HRC/43/53, para. 19.

²⁸¹ E/CN.6/2022/L.7 and E/CN.6/2022/3.

²⁸² Lorena Aguilar, “Gender equality in the midst of climate change: What can the region’s machineries for the advancement of women do?”, Gender Affairs Series, No. 159, 2021. (LC/TS.2021/79), Economic Commission for Latin America and the Caribbean (ECLAC).

²⁸³ Submission from the Kaschak Institute.

empowering women.²⁸⁴ Under **Chile's** Climate Change Framework Law (Law No. 21.455) of 2022, the principle of “climate equity and justice” requires the State to seek a fair allocation of burdens, costs and benefits with respect to climate change and to safeguard the needs of future generations. In doing so, the State must focus on gender and place a special emphasis on climate-vulnerable sectors, territories, communities and ecosystems. In the **Philippines**, the Climate Change Act of 2009 requires the State to incorporate “a gender-sensitive, pro-children and pro-poor perspective” in all climate change and renewable energy efforts, plans and programs.²⁸⁵ With the support of the **International Development Law Organization (IDLO)**, **Kenya** adopted the Climate Change Act of 2016—the first framework law on climate change in Africa—which is guided by the Kenyan Constitution’s recognition of the right to a healthy environment. The Climate Change Act mandates the mainstreaming of gender equality across all climate responses, requires gender and intergenerational equity in the distribution of funds from the national Climate Change Fund, and establishes a National Climate Change Council (where at least one-third of council members must be women) charged with approving a gender-responsive public education and awareness strategy on climate change.²⁸⁶

223. Gender transformative legislation on climate change should be supported by equally transformative policies and plans. An increasing number of states have developed policies specific to the intersection of gender and climate change.²⁸⁷ **Jordan's** Third National Communication on Climate Change (2014) and National Climate Adaptation Plan (2021) integrate a gender perspective. **Chile's** Long-Term Climate Strategy includes objectives and goals promoting gender equity and equality. Amongst its objectives is to “Reduce the gender gaps identified in the different climate change management instruments at the national and subnational levels, to reduce the vulnerability of women to climate change and thus guarantee the equality of women, their autonomy and the equity of gender”.²⁸⁸ Similarly, **Vanuatu's** national policy on climate change and disaster-induced displacement mainstreams gender equality, in part by requiring gender-inclusive and participatory measures and conducting gender-sensitive needs assessments.²⁸⁹ The **Philippines' National Climate Change Action Plan (2011 – 2028)** calls for the identification of women’s climate change-related needs through research, women’s participation across all levels of planning and programming, and the enhanced role of women across environmental matters and sectors. Climate change policies in **Myanmar** acknowledge that the disproportionate effects of climate change on women stem from their unequal rights and access to resources. Myanmar’s Climate Change Strategy and Master Plan (2018 – 2030) establishes a minimum 30 per cent quota for women to access loans, microcredits and grants, and emphasizes that gender analysis and capacity development will be required to integrate gender perspectives across climate change responses to agriculture.²⁹⁰ **Togo** is reinforcing women’s leadership in its national plan to reduce emissions.²⁹¹

224. In 2022, **Jamaica** established its first Gender and Climate Change Strategy and Action Plan to facilitate gender-responsive climate action and strategic disaster risk reduction. The Plan’s development was jointly led by the ministries overseeing economic growth and gender, and was informed by a national gender and climate change assessment. It builds upon the emphasis placed on gender equality, gendered environmental challenges and climate conscious development in the country’s National Development Plan (Vision 2030),

²⁸⁴ A/HRC/43/53, para. 55.

²⁸⁵ A/HRC/43/53, para. 55.

²⁸⁶ Submission from IDLO.

²⁸⁷ <https://genderandenvironment.org/agent/agent-tech-support/ccgaps/>

²⁸⁸ Submission from Chile.

²⁸⁹ Vanuatu, National Disaster Management Office, *National Policy on Climate Change and Disaster-Induced Displacement* (Port Vila, 2018).

²⁹⁰ Plan International. 2022. *Rising Tides: Mapping Youth Movements for Climate Resilience in Ethiopia, Fiji, Indonesia, Laos, Mozambique, Myanmar, Solomon Islands, Uganda and Zimbabwe*.

²⁹¹ Submission from Togo regarding A/77/136.

Climate Change Policy Framework (updated 2021), and National Policy for Gender Equality (2011).²⁹²

225. **Pakistan's** first "Climate Change Gender Action Plan" was released by the Ministry of Climate Change in 2022, with the support of **IUCN** and the **Green Climate Fund**.²⁹³ **Benin's** first Gender and Climate Change Action Plan (2023-2025) was released during the same year.²⁹⁴ **Uruguay** approved its National Gender and Climate Change Strategy (2020 – 2025) in 2018, and its Action Plan on Gender and Climate Change (2020 – 2024) addresses capacity building, gender parity, policy integration and implementation challenges at the intersection of gender equality and climate change.²⁹⁵

226. IUCN's methodology for developing climate change gender action plans (CCGAPs)²⁹⁶ establishes a multi-stakeholder, multi-sectoral process that views women not merely as climate change victims, but as drivers of transformative change across governments' designated priority sectors (e.g., health, forests, energy, food security, land tenure, coastal and marine environments, etc.). The methodology has been employed by the following national governments in the development of national (and in the case of Mexico, sub-national) CCGAPs: **Bangladesh, Costa Rica, Cuba, Dominican Republic, Egypt, Haiti, Jordan, Liberia, Mexico, Mozambique, Nepal, Panama, Peru, the United Republic of Tanzania and Zambia**.²⁹⁷

227. Some States address issues specific to women and gender within their disaster risk reduction policies. For example, **India's** Disaster Risk Reduction 10-Point Agenda (2017) highlights the need to encourage women's participation and leadership in disaster risk management.²⁹⁸ **Kyrgyzstan's** Ministry of Risk Reduction and Emergencies has a gender strategy as well as targets and indicators on how the needs of people differ in disaster response.²⁹⁹

228. A growing number of countries' have established gender equality plans that address climate change. A study³⁰⁰ of 37 gender equality plans in Latin America and the Caribbean from 1997 – 2021 found that 20 mentioned "climate change", with plans in the **Dominican Republic, El Salvador, Grenada, Honduras, Mexico, Panama** and **Uruguay** including climate change as a strategic area of focus.³⁰¹ Sectoral Gender Action Plans regarding deforestation and forest degradation exist in countries including **Mexico** and **Costa Rica**, while **Nicaragua** has established a gender action plan on equitable rights to forests, forest resources, and their benefits.³⁰²

²⁹² The Gleaner, "Jamaica develops Gender and Climate Change Strategy and Action Plan", July 25, 2022.

²⁹³ Submission from ARROW.

²⁹⁴ Submission from Benin.

²⁹⁵ Submission from Uruguay.

²⁹⁶ Submission from IUCN (describing climate change gender action plans (CCGAPs) as cross-sector, multi-stakeholder and participatory national, regional and/or sub-national processes that aim to identify women's priorities and map key actions in climate change priority sectors to complement existing national climate change strategies). See also <https://genderandenvironment.org/agent/agent-tech-support/ccgaps/>

²⁹⁷ Submission from the Kaschak Institute and <https://genderandenvironment.org/agent/agent-tech-support/ccgaps/>

²⁹⁸ Government of India, Ministry of Home Affairs, "NDMA Advisory Committee discusses road ahead on PM's 10-point agenda on DRR", January 19, 2017.

²⁹⁹ Anna Kirilenko (BIOM) and Indira Zhakipova (EKOIS). 2019. *Gender, Chemicals, and Waste: Gender Dimensions of Hazardous Chemicals and Waste Policies under the Minamata, Basel Rotterdam and Stockholm Conventions - Case Study Kyrgyzstan*. WECF.

³⁰⁰ Lorena Aguilar and Mayling Aguilar. *Planes de igualdad de género y su vínculo con el cambio climático en América Latina y el Caribe*. Informative Brief, 2021. Costa Rica, Secretaria General Facultad Latinoamericana de Ciencias Sociales (FLACSO).

³⁰¹ Generally speaking, these plans either highlight a need to incorporate a gender and human rights approach in climate change programs and policies, or communicate a state commitment to guarantee women's participation in decision-making spaces on climate change adaptation. Submission from the Kaschak Institute.

³⁰² Ibid.

229. The Enhanced Lima Work Programme on Gender and its Action Plan, amidst other UNFCCC decisions, is propelling efforts to mainstream gender equality in climate action. A 2021 analysis of 89 revised or updated Nationally Determined Contributions (NDCs) by the IUCN found that 78 per cent mentioned women or gender (up from 40 per cent in 2016), and 55 per cent included at least one gender-responsive component. The NDCs of **Cambodia** and the **Republic of Moldova** were especially gender-responsive, satisfying all eight criteria concerning gender responsiveness.³⁰³ **Sri Lanka** was the sole country whose NDC explicitly acknowledges women's traditional and ecological knowledge, which contributes to women's capacity as agents of change.³⁰⁴ NDCs in **Cameroon, Comoros, Costa Rica, Côte d'Ivoire, Sri Lanka** and **Uzbekistan** position women as agents of change in addressing climate change.³⁰⁵

230. Only 30 countries mentioned girls in their NDCs as of 2022³⁰⁶, with **Tunisia** and the **Bolivarian Republic of Venezuela** addressing climate change education, and **Dominican Republic** and **Georgia** recognizing them as agents of change.³⁰⁷ Some NDCs also address the intersection of women's sexual and reproductive health and climate change, including gender-based violence (GBV). For example, **Viet Nam's** NDC addresses the way that climate change increases risks of early marriage as a means of reducing household economic burdens. **Jordan** and **Tunisia** both include supporting women exposed to GBV as a health-related climate adaptation measure.³⁰⁸ Finally, a number of NDCs include actions to collect gender-disaggregated data to identify, highlight and create measures to address gendered impacts of climate change, including **Cambodia, Pakistan** and **Nepal**.³⁰⁹

231. **Costa Rica's** National Decarbonisation Plan aims to achieve net zero emissions by 2050 through transformations in the transportation, agriculture, waste management and forestry sectors. This ambitious plan is based on the principles of inclusion, respect for human rights and gender equality.³¹⁰

232. The UN Convention to Combat Desertification (UNCCD 1994) champions women's and girls' participation in climate decisions and actions related to desertification. It obliges parties to promote awareness and participation of local populations, particularly women and youth, in efforts to fight desertification (Article 5(d)). National action programs should provide for both women's and men's effective participation at the local, national and regional levels in policy planning, decision-making and implementation (Article 10(2)(f)).

233. Land Degradation Neutrality (LDN) country profiles submitted under the UNCCD national reporting scheme highlight the role that land issues play with respect to climate change by showcasing countries' land-based commitments in their Nationally Determined

³⁰³ IUCN. 2021. *Gender and National Climate Planning: Gender Integration in the Revised Nationally Determined Contributions*. Satisfaction of the study's eight criteria indicates that the analysed NDC: either draws from or plans gender analysis; features sex-disaggregated data; communicates that women were involved in NDC development; lists gendered objectives; includes gender actions and activities; identifies women's organizations or national mechanisms as key participants in implementation; devotes specific budget allocation to women/gender activities; and includes indicators specific to women that require sex-desegregation or that are used to track progress towards reducing gender gaps.

³⁰⁴ IUCN. 2021. *Gender and National Climate Planning: Gender Integration in the Revised Nationally Determined Contributions*.

³⁰⁵ Cristina Kwauk and others, "Girls' education in climate strategies: opportunities for improved policy and enhanced action in nationally determined contributions," Global Economy & Development Working Paper 133, 2019. Brookings Institution.

³⁰⁶ These countries are: Antigua & Barbuda, Argentina, Barbados, Benin, Cambodia, Canada, Chad, Comoros, Democratic Republic of the Congo, Dominican Republic, El Salvador, Eswatini, Georgia, Honduras, Jordan, Mali, Mauritania, Namibia, Nauru, Pakistan, Palestine, Panama, Sao Tome & Principe, Sierra Leone, South Sudan, Togo, Tunisia, the United Kingdom of Great Britain and Northern Ireland, the Bolivarian Republic of Venezuela, and Viet Nam. See Christina Kwauk. 2022. *The Climate Change Education Ambition Report Card: An Analysis of Updated Nationally Determined Contributions and National Climate Change Learning Strategies*.

³⁰⁷ Christina Kwauk. 2022. *The Climate Change Education Ambition Report Card: An Analysis of Updated Nationally Determined Contributions and National Climate Change Learning Strategies*.

³⁰⁸ Submission from UNFPA.

³⁰⁹ Submission from UNFPA.

³¹⁰ Annex III to A/HRC/43/53.

Contributions. A 2022 study of the 30 LDN Country Profiles reveals that all of them acknowledge that investing in LDN accelerates progress towards gender equality (SDG 5).³¹¹ The country profiles of **Namibia** and **the Gambia** incorporate women-focused climate change projects and studies.³¹²

234. Many National Drought Plans (NDPs) under the UNCCD address gender, and this can partly be attributed to the clear and specific gender criteria and guidance issued by UNCCD Secretariat.³¹³ The UNCCD Performance Review and Assessment of Implementation System Reports on **Angola, Montenegro, Nigeria** and **Zimbabwe** are noteworthy for their inclusion of targets specific to gender or women.³¹⁴

235. The purposes of the UNCCD Gender Action Plan (2017) are to further gender mainstreaming in the implementation of the UNCCD's 2018-2030 Strategy and to facilitate national efforts to achieve the LDN targets. The Gender Action Plan includes priority actions to accomplish these objectives. The UNCCD 2018-2030 Strategic Framework mandates all UNCCD stakeholders and partners to establish gender-responsive policies and measures, to promote the full participation of people in all planning, decision-making and implementation at all levels, and to empower women, girls, and youth in affected areas.

236. **Finland, Ireland** and the **United States of America** have established National Action Plans on Women, Peace and Security that integrate climate-related security risks, related actions and goals, and promote women's participation in climate actions and negotiations as part of relief and recovery or conflict prevention efforts.³¹⁵

2. Other good practices by States

237. **Chile** established a Gender and Climate Change Table at the beginning of 2020. Led by the Ministry of Environment together with the Ministry of Women and Gender Equality, the Table's objectives are to address gender inequalities and to advance gender mainstreaming across climate change policy. The Table is comprised of representatives from 25 public sectors linked to climate change and is supported by international agencies with expertise on gender and climate change.³¹⁶

238. The establishment of **Bogotá, Colombia's** bus rapid transit system TransMilenio in 2000 is considered a cornerstone of the cities' urban renewal process. A fleet of high-capacity buses serves more than 500 marginalized communities in low-income and/or remote areas, and accounts for one quarter of all public transportation trips in the city. TransMilenio buses include spaces for wheelchairs and strollers, and preferential entry doors for pregnant women, children, disabled people, and older people. The employment of women and potentially vulnerable women is prioritized. Twenty-four per cent of the TransMilenio workforce is female, and 62 per cent of women employees are single mothers.³¹⁷ To address the significant obstacle to equitable public transport use faced by women due to sexual harassment, the **city of Bogotá** utilized the app SafetiPin since 2015. This app allows women transit users to document their perception of personal safety throughout the city and to share this information with a crowdsourced map built by other users. The city has used this data to design numerous public and institutional awareness campaigns, to sensitize TransMilenio staff on the issue of women's safety, and to target areas of the city requiring improved night-time lighting and other security measures.³¹⁸

³¹¹ Lorena Aguilar. 2022. *Study on the Differentiated Impacts and Drought on Women and Men*, p. 100.

³¹² Lorena Aguilar. 2022. *Study on the Differentiated Impacts and Drought on Women and Men*, p. 97.

³¹³ Lorena Aguilar. 2022. *Study on the Differentiated Impacts and Drought on Women and Men*, p. 98.

³¹⁴ Lorena Aguilar. 2022. *Study on the Differentiated Impacts and Drought on Women and Men*, pp. 99-100.

³¹⁵ UNEP and others. 2020. *Gender, Climate and Security: Sustaining Inclusive Peace on the Frontlines of Climate Change*.

³¹⁶ Submission from Chile.

³¹⁷ WHO. 2014. *Gender, Climate Change and Health*.

³¹⁸ Ariel Dekovic, "Bogota's fight for gender equality and safe public transport", Imapker, April 10, 2019.

239. **Germany** funds projects in **Mexico** to foster women’s participation in climate action, such as *Red Mujeres en Energía Renovable y Eficiencia Energética* (Renewable Energy and Energy Efficiency Women’s Network). **Ireland** promotes gender equality in access to renewable energy, developing climate-resilient agriculture and greening the health sector.³¹⁹

3. Good practices related to international cooperation and the distribution of resources

240. The successful implementation of climate laws and policies depends on governments’ allocation of sufficient resources to gender equality. Climate finance should be designed to benefit women, girls and other persons in potentially vulnerable situations.³²⁰ All major multilateral climate funds now have gender policies and associated action plans.

241. **Germany** is amongst the leading contributors to climate finance and was among the first States to announce its replenishment pledge for the Green Climate Fund. Germany requires a gender analysis for all climate projects in which it invests.³²¹ **UN Women** promotes gender-responsive climate action through initiatives such as Women’s Entrepreneurship for Sustainable Energy, Women’s Empowerment through Climate-Smart Agriculture and Addressing the Gender Inequality of Risk in a Changing Climate.³²² To achieve many of the same objectives, the R4 Rural Resilience Initiative, launched by the **World Food Programme** and **Oxfam** in 2011, offers an integrated package of gender-responsive financial services and community assets to address climate variability and extreme weather.³²³

4. Good practices by women and other non-state actors

242. The woman-led civil society organization **MADRE** is committed to helping Indigenous and rural women around the world shape climate change responses at the local, national and international levels. They support grassroots Indigenous and rural women climate defenders by providing them with financial resources, training, peer-exchange spaces and by influencing international and domestic policy related to climate change and women’s climate defence work. In addition, MADRE offers funding and training to help women participate in international and national policy-making fora.³²⁴

243. In **Gujarat, India**, the **Self-Employed Women’s Association (SEWA)**—an organization of impoverished self-employed women workers in the informal economy—launched a successful campaign (the Hariyali campaign) to increase the efficiency of salt production by obtaining sustainable, modern energy devices for SEWA members. In addition to being irregular and low-paying, salt production is hazardous work, in part due to the use of fuel-based pumps. By utilizing solar pumps, women working in the salt fields fostered safer working conditions, improved sustainability, raised their incomes and living standards and reduced emissions.³²⁵

244. Ten women started **Qvinnovindar**—a 80 woman-member women’s energy cooperative in **Sweden** that invests in community wind farm projects near Falköping, Sweden—with the goal of economically empowering women and promoting clean, sustainable energy. The cooperative prioritizes equal representation of all members

³¹⁹ A/HRC/43/53, para. 71.

³²⁰ Green Climate Fund and UN-Women. 2017. *Mainstreaming Gender in Green Climate Fund Projects*.

³²¹ Annex III to A/HRC/43/53, para. 114.

³²² Annex III to A/HRC/43/53, para. 117.

³²³ Annex III to A/HRC/43/53, para. 108.

³²⁴ <https://goodpractices.environment-rights.org/goodpractice/advancing-climate-justice/> and <https://www.madre.org/programs/advancing-climate-justice>

³²⁵ The Global Initiative for Economic, Cultural and Social Rights. 2022. *Setting a Roadmap for a Feminist Green Transformation: Using Economic, Social, Cultural and Environmental Rights as Guiding Tools for a Gender-Justice Transition*, p. 27.

regardless of the member's initial investment and hopes that a renewed focus on wind power in Sweden will displace nuclear energy.³²⁶

245. With the support of **Canada, the United Kingdom of Great Britain and Northern Ireland**, several **UN agencies** and the **Caribbean Disaster Emergency Management Agency**, "The Enabling Gender-Responsive Disaster Recovery, Climate and Environmental Resilience in the Caribbean (EnGenDER)" project aims to integrate gender equality and human-rights based approaches into national disaster risk reduction (DRR), climate change adaptation and environmental management frameworks and interventions across **Antigua and Barbuda, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Lucia, St. Vincent and the Grenadines** and **Suriname**. The project aims to improve the climate and disaster resilience of women, girls and other vulnerable populations by bolstering government capacity, addressing obstacles to gender-equal access to DRR and climate change and environment solutions, and carrying out gender analyses and assessments to inform climate change and DRR actions. Ongoing training efforts improve national capacity for gender-responsive climate change planning and implementation. Gender assessments enhance integrated recovery planning and frameworks for gender-responsive and resilient disaster recovery.³²⁷

246. Four young women with experience as climate activists created the Climate Youth Negotiator Programme in 2022 in order to train, connect and empower youth negotiators to participate meaningfully in the United Nations Framework Convention on Climate Change (UNFCCC) negotiations. During the first year, nearly 60 youth from 27 States joined a five-month training program and then took part in COP 27 in Egypt as part of their country's negotiating team.³²⁸

247. A community participation and ecological restoration project at Grand Sable and Quatre Soeurs in **Mauritius** led to the planting of 20,000 mangrove trees, environmental education campaigns in primary schools and the cultivation of vetiver, cassava, medicinal plants and seaweed as alternative income-generating activities to empower women and help them mitigate the challenges of climate change while sustaining their livelihoods. The initiative was recognised by the UN as an excellent example of using innovative solutions to develop economic opportunities.³²⁹

V. Conclusion

248. **The good practices highlighted in this Annex are encouraging but must not generate a sense of complacency. Much work lies ahead to establish sustainable ecological civilizations where the right to a clean, healthy and sustainable environment is universally respected, protected and fulfilled for all women, girls, men, boys and gender-diverse people. Research for this Annex underscores that gender transformative good practices by States are especially lacking in regard to: 1) girls' rights to environmental information and participation; 2) women and girl environmental human rights defenders; 3) eliminating environmental and gender-based violence; 4) legislation regulating toxic substances; 5) legislation regulating air pollution; 6) women's and girls' equitable access to water and sanitation and 7) the R2HE of LGBT+ persons.**

249. **In the face of daunting environmental and human rights challenges, the good practices described in this Annex demonstrate that progress is possible but depends upon political will, gender-transformative environmental education and increased gender-responsiveness across both private and public sectors.**

³²⁶ Lorena Aguilar, Margaux Granat, and Cate Owren. "Leading the Way: Case Studies of Gender-Responsive Initiatives", in *Roots for the Future: The Landscape and Way Forward on Gender and Climate Change*, L. Aguilar, M. Granat, & C. Owren (Authors). (Washington, DC: IUCN & GGCA, 2015).

³²⁷ UN Women and others. 2020. *EnGenDER Annual Report 2020*.

³²⁸ <https://www.youthnegotiators.org/>

³²⁹ Annex to A/HRC/46/28, para. 54.

250. Maintaining the unjust, inequitable and unsustainable status quo is not an option. A just and gender-transformative transition that secures women's and girls' right to a healthy environment is not only achievable, it is imperative.
