

Discussion Paper 2023 (June)

Climate Change and Disability Rights

Does the climate crisis impact implementation of the Convention on the Rights of Persons with Disabilities (CRPD)? A 3-country study.



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Foreword

CBM Global works alongside the disability movement worldwide to end the cycle of poverty and disability. Many of the countries in which our partners work are at the forefront of the climate crisis and feel the impacts of a changing climate environmentally, economically and culturally. These impacts are felt disproportionately by persons with disabilities.

In commissioning the study “Climate action and its impact on the implementation of the United Nations Convention on the Rights of Persons with Disabilities (CRPD)” we hypothesised that the costs and damages incurred by climate change, if not met with additional and specific funding, will result in national funds being diverted away from essential government services. Under this scenario, we were concerned that services for people with disabilities would be disproportionately affected as so often these are covered through discretionary funding and more vulnerable to economic downturn. The CRPD is an internationally agreed human rights convention and any potential negative impact on its implementation adds a further human rights dimension to the loss and damage suffered due to the climate crisis.

By asking the questions - is it possible to track the reallocations the governments make to cover the loss and damage caused by climate change and does this impact upon financing to meet States’ CRPD obligations? – we have sought to extend awareness of the ways in which climate change is exposing and intensifying global inequalities, with disproportionate and potentially devastating impacts for persons with disabilities and their long-term resilience.

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The research would not have been possible without the generous contributions of the policy experts and key informants from Organisations of Persons with Disabilities (OPDs) in Bangladesh, Kenya and Nepal. In keeping with the ethics approval for this study, their inputs remain anonymous. However, their contributions are fundamental in helping increase awareness around the under-researched, under-represented issue of disability inclusion in climate action.

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1. Introduction

The Convention on the Rights of Persons with Disabilities (CRPD) sets out a comprehensive set of rights in a disability-specific context to promote, protect and ensure the human rights and inherent dignity of persons with disabilities in all parts of the world. Adopted on 13 December 2006 at the United Nations, and ratified by 186 states to date², the CRPD was negotiated early in the timeline of the growing recognition of the climate crisis as a human rights concern. While measures for climate action are not referenced in the CRPD text, it is widely accepted that the human rights principles set out in the CRPD apply to measures taken by governments in all areas of climate action, including adaptation and mitigation. Applying these rights to the response that governments take to the climate crisis is critical, particularly when it comes to financing economic loss and damage. Box 1 highlights the relevant articles.

Box 1: The UN Convention on the Rights of Persons with Disabilities – in brief

- Article 3 sets out general principles for the implementation of the CRPD, such as non-discrimination, equality of opportunity, accessibility.
- Article 4 sets out obligations for the full and effective participation of persons with disabilities and their representative organisation when it comes to the development of legislation and policies.
- Article 32 on International Cooperation and Article 11 on Humanitarian Action set out the need for accessible and inclusive development and humanitarian action.
- Article 31 on statistics and data collection sets out standards for disaggregated data and their accessible dissemination.
- Article 33 on national implementation and monitoring provides the basis for government coordination.

The climate crisis, as it continues to unfold at an alarming pace, is impacting hundreds of millions of people around the world. The Intergovernmental Panel for Climate Change (IPCC) strongly associates poverty as a risk factor to greater climate change vulnerability³, and it is known that persons with disabilities experience poverty at more than twice the rate of persons without disabilities (WHO, 2011). Evidence from the IPCC, the UN Special Rapporteur on Human Rights and Climate Change, and other civil society organisations all points to the fact that persons who are already experiencing inequalities also experience the worst impacts of climate change, yet have contributed the least to its causes. The same can be said for many of the lower income countries at the forefront of the climate crisis who bear the worst economic and social losses. Persons with disabilities living in countries bearing the brunt of the climate crisis are acutely impacted at a personal level, in terms of health and well-being, at an economic level in terms of loss of livelihoods, and more broadly within the wider environment, for example, through disruption to essential services and infrastructure (OHCHR 2020).

The UN Special Rapporteur on climate change and human rights, in his report to the United Nations General Assembly in 2022⁴, cited research, by Carty and Walsh (2022), that stated

² <https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd#:~:text=There%20were%2082%20signatories%20to,Convention%20on%20its%20opening%20day>

³ IPCC (2018) [Chapter 5 – Global Warming of 1.5 °C \(ipcc.ch\)](#)

⁴ [N2243851.pdf \(un.org\)](#) [see para 53]

that by 2030 the unavoidable economic losses due to climate change are projected to reach between \$290 billion and \$580 billion. His report also highlighted research by Thomson Reuters Foundation which estimated the losses impacting 55 economies hit hard by climate change at \$525 billion over the past two decades due to global warming. Further, according to the United Nations Convention to Combat Desertification, between 1998 and 2017, droughts had led to global economic losses of approximately \$124 billion.

The small study reflected upon in this discussion paper set out to investigate if we could estimate how national Government budgets related to CRPD aligned expenditure were impacted by the costs of climate crisis in three countries - Bangladesh, Kenya, and Nepal. We expected budgets would not be well aligned with CRPD principles and hypothesised that CRPD related spending – so often in reality discretionary, and/or weakly defined within budgets – might itself be vulnerable to being diverted to crisis spending particularly in response to climate induced weather disasters.

The discussion paper is organised as follows:

- Section two highlights the research findings focused on the key building blocks for CRPD budgeting which included the participatory processes for budgeting, the legislation, the importance of data and the critical role for governments to enable participatory budgets. The degree to which these building blocks existed in each country helped to then assess their application within a climate crisis context.
- Section three takes a deeper look at what happens to budgets when a crisis happens particularly looking at evidence available in the 3 countries and reflections from activists and OPDs.
- Section four presents some key recommendations to strengthen governments' CRPD-related systems and processes, and better align to these in their climate response.
- Section five draws together concluding remarks and suggests further areas for research.

Research Method

Desk review and in-depth interviews were gathered to get as comprehensive a view as possible of the current situation on the impacts of climate change on CRPD budgeting. The team started with an extensive desk review of available academic and grey literature on climate change events, climate change policies, CRPD budgeting, budget tracking systems and frameworks, and CRPD funding and budgeting in crisis.

Key findings

- Lack of transparency of government budgets both centrally and decentralised across different ministries makes it difficult to understand where money is being spent and potentially being re-allocated during times of climate crisis. Evidence was found though in Kenya of the impact of the COVID crisis. Financial data illustrating countries' CRPD compliant budgets is very limited.
- With increasing costs of climate crisis, disability was not a key priority in any areas, including policy and finance allocation for the governments in each of our case study countries. Lack of adequate tracking mechanisms on CRPD implementation and funding to support the implementation of CRPD makes meaningful accountability challenging for persons with disabilities and their representative organisations.

- Organisations of Persons with Disabilities (OPDs) and persons with disabilities are not systematically included or meaningfully consulted in budgetary decision making for policies, even those that specifically relate to persons with disabilities, both within and outside the context of climate change.
- Structural gaps in communication and coordination between ministries make cross communication challenging between the departments working on the implementation of disability rights and departments working on climate adaptation and mitigation.

2. OPD participation in budgetary processes in Bangladesh, Kenya and Nepal

“These legislative issues are just ink on paper, in reality we are still seen as one of three vulnerable groups (women, youth, and persons with disabilities), what is worse is that they group us together when it comes to budgeting and empowerment programmes and - funds go to women and youth, we are often forgotten.” OPD Leader, Kenya

The study found that important legal progress had been made in each of our three study countries. For example, after ratifying the CRPD in Bangladesh, the government passed the Rights and Protections for PWD Act (RPPDA) in 2013, which enshrined the rights of persons with disabilities into national law. Despite progress, key informants interviewed in each of the three countries highlighted that national Disability Acts in themselves guaranteed little in actual progress towards the realization of disability rights.

Implementation of the CRPD and budgets related to its implementation is a growing area of research and organisations such as the Centre for Inclusive Policy highlight that implementation of the CRPD does not automatically happen. It requires concerted efforts and prioritization, backed up with CRPD compliant financing (CIP, 2019). Guidance on the level of spend in national and sub-national budgets for State Parties to progressively realize the CRPD was found not to be available though, and this creates challenges for holding government to account.

Even where accountability structures have been put in place, up-take can remain weak. For example, Smith et al. (2021) found it was only after the considerable multi-year efforts of a small USAID project seeking to empower OPDs to utilize accountability structures set in place by the RPPDA, did some OPDs file complaints in their selected regions. Key informants in Bangladesh confirmed that many government officials remain unaware of the law and its contents, which inherently limited the ability of OPDs to file complaints.

“So the voices [of OPDs] are very loud, but unfortunately the government are not really inviting us to listen [to] us. That's the issue. There is some kind of budget related discussion, but that is from the non-government side.” OPD Leader, Bangladesh

CRPD Article four paras (2) and (3) broadly set out the expectation of governments to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation to progressively realise the rights of persons with disabilities. Read alongside Article 4 (3) there is also an obligation to do so in consultation with persons with disabilities and their representative organisations. In practice though, OPDs and persons with disabilities are not included or fully consulted in budgetary processes and decision making. This was found to be the case also for decisions, policies, and plans - even those that specifically target persons with disabilities, both in and outside the context of climate change.

Respondents identified common barriers across all three countries for participation in budgetary processes:

“They call you two hours before the event to participate in a budget discussion after everything has been designed and placed, and in many cases, this is not possible.” OPD Leader, Kenya

- **Nominal participation of OPDs in the budgeting process:** OPDs and persons with disabilities are not systematically included or invited to participate in the budgeting process by their governments. Where there is some consultation, it is not uniform, and even when they are invited to budget meetings, their experiences and interests - their voices - are not always fully valued.

“That's why the persons with disabilities are invited, but their voices are not. Their choices are not reflected in the decision” OPD Leader, Nepal

- Stigma towards disability and persons with disabilities, alongside lack of awareness, prevail and affect the ways in which OPDs feel they are treated in municipality budget and policy discussions when they are invited to the table. In Nepal, for example, respondents talked about being referred to as “persons with special abilities” and framed as charity, reinforcing the inequalities that they struggle with.

Interestingly, competition with NGOs was identified by some informants as a barrier to the inclusion and participation of OPDs in budgetary processes. NGOs were typically better at conducting budget advocacy and discussions, making it harder for OPDs to participate in the budgeting process.

- **The budgetary process is difficult to understand:** the budgetary process can be opaque and OPD respondents in Kenya agreed that they do not fully understand the budget process or how decisions are made regarding financing disability-related programmes and interventions. In Nepal, respondents agreed that when persons with disabilities are invited to budget meetings, they - like many citizens - often don't have the numeric knowledge to actively contribute.

“I read the budgets the same way anyone else reads it, and it is only accessible in writing, so anyone who can't read won't get what the budget is about.” OPD Leader, Kenya

- **Budget information is not accessible to all:** Budget information tends to be delivered to OPDs in writing the same way it is delivered to the general public, (via pdf documents in Bangladesh, which are not accessible to anyone with a visual impairment). More accessible information is only provided through newspapers or via NGOs that specifically write budget reports and breakdowns.

3. Climate change, loss and damage, and disability in Bangladesh, Kenya & Nepal

The three countries included in the study are all at the front line of the climate crisis, suffering significant loss and damage. This section highlights the research findings related to how persons with disabilities feature within established (or emergent) systems for recognizing, responding to and/or compensating affected communities for the large-scale response necessitated by the climate crisis, particularly where adaptation is no longer an option. It asks how well this response is embedded – or starting to be embedded - within wider CRPD compliance structures and systems?

Recognising, responding and compensating persons with disabilities

Sudden-onset natural disasters and slow-onset events can seriously affect the access of persons with disabilities to food and nutrition, safe drinking water and sanitation, health-care services, support structures and medicines, education and training, adequate housing and access to decent work (OHCHR study 2020). Globally, persons with disabilities are more likely to live in disaster-prone areas; are frequently excluded from emergency preparedness plans⁵; experience disproportionately higher rates of morbidity and mortality⁶; are vulnerable to gender-based violence and abuse, particularly during humanitarian crises⁷; and are two to four times more likely to die in a natural disaster than persons without disabilities⁸. Are these human costs captured in governments' calculations alongside efforts to capture the economic costs of adaptation, including irreversible losses and damage?

- **Nepal's** economy is impacted through decreased agricultural productivity, as well as road damage and high energy imports during the dry season (World Bank, 2022). The Ministry of Finance (2017) reported that economic costs are increasing due to climatic events, contributing to a loss of 2-3% of GDP per year in water management and agricultural sectors, which tends to increase in extreme years. Loss due to floods alone was estimated at NRs. 15.5 billion, (approximately \$117 million), and due to landslides, over NRs. 1 billion (approximately \$7.6 million). Low-income households are estimated to have losses from these disasters up to ten times their annual earnings. This, the Government of Nepal (2017) concludes, is why it is so important to consider damages within the national adaptation response and to include it within climate budgeting. However, there is still no effective response for persons with

⁵ UNESCAP (2015) [Disability-inclusive disaster risk reduction \(unescap.org\)](https://www.unescap.org/publications/disability-inclusive-disaster-risk-reduction)

⁶ UNHCR (2020) [A/HRC/44/30 - E - A/HRC/44/30 -Desktop \(undocs.org\)](https://www.unhcr.org/refugees-and-disability)

⁷ Rohwerder (2017) [032-Women and girls with disabilities in crisis and conflict.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614443/032-Women_and_girls_with_disabilities_in_crisis_and_conflict.pdf)

⁸ [Disability-inclusive Humanitarian Action | United Nations Enable](https://www.un.org/en/development/desa/enable)

disabilities from the Government directly or indirectly via funding and support to OPDs (CBM, 2020).

- **Kenya** has also experienced several devastating floods, including the 2019 floods that affected over 100,000 people and caused extensive damage to infrastructure and crops (UNOCHA: 2019). Kenya is experiencing more frequent and severe droughts, with an estimated 3.4 million people currently facing food insecurity due to drought conditions (UNOCHA: 2021). Changes in precipitation patterns and temperature are affecting crop yields, and droughts are leading to livestock deaths and loss of livelihoods (World Bank: 2021). Climate change also increased cases of waterborne diseases such as cholera and typhoid due to flooding and water scarcity, and increase in malaria cases due to rising temperature (WHO: 2017).

Kenya was one of the first African countries to address climate change and issued the Climate Change Act of 2016 and the National Climate Change Action Plan (NCCAP) 2018 –2022 to provide guidance on climate resilient development and risk management of climate events (USAID: 2023). However, these are not disability inclusive:

“The climate act has no mention of us, I get that we are not seen as part of development, but we are also not seen when it comes to management of climate crisis including escape and relief efforts, seriously are we that unimportant that our lives are not worth considering?” OPD Leader, Kenya

- In **Bangladesh** too, frequent floods, droughts, thunderstorms, waterlogging, cyclones, tornados, river and coastal erosion, landslides and hailstorms are experienced. The Climate Change Vulnerability Index from 2015 suggests Bangladesh’s economy is more at risk to climate change than any other country. Recently, Bangladesh has experienced record-breaking floods with 7.2 million people affected, and it is estimated that one in seven people will be displaced by climate change by 2050 (Saha & Ahmed, 2019). And yet, the National Climate Change Adaptation planning process did not consider consulting with persons with disabilities and their organisations (CBM Global, 2022).

We know also that persons with disabilities are generally not included in National Climate Plans. [McGill and IDA \(2022\)](#) found that only 35 of the 192 States Parties to the Paris Agreement refer to persons with disabilities in their Nationally Determined Contributions or Intended Nationally Determined Contributions. At the domestic level, only 45 States refer to persons with disabilities in their climate adaptation policies, and none appear to refer to persons with disabilities in their climate mitigation policies. Moreover, the report concluded that even when States refer to disability, they do so in a cursory manner, without including meaningful mechanisms to consult people with disabilities or ensure their rights are respected in climate policies.

Barriers to disability inclusive policy development and finance – such as weak CRPD compliant budgeting and limited disability data – impacts the inclusion of persons with disabilities in measures to address climate losses and damage. The research team has not found any evidence to contradict this original concern. Further, we identified some indications of a zero-sum game between CRPD budgets and increased spending on climate action. This quote from Bangladesh implies this is an issue needing further investigation:

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“Last year, there was a huge flood in the Sylhet region... and more funding is required for that area to rebuild. So that means some fund cut will happen. And of course, disability is a more ignored issue and if something is cut, then it will cut from the disability” Disability Activist, Bangladesh

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There is, however, little hard evidence that can easily be gleaned from national and subnational budgets regarding a direct impact of increased climate spending on CRPD compliant spending. We can look at trends from other crises – such as economic crashes, or the COVID-19 response, as in the example from Kenya below - to provide indicative evidence of potential impact.

Kenya: COVID-19 crisis response impacts CRPD aligned spending

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In 2019, the Kenyan government allocated more than 4 million USD to the National Fund for the Disabled of Kenya (NFDK) to support rehabilitation projects and the economic empowerment of persons with disabilities, alongside cash transfer assistance. However, as COVID-19 hit Kenya, the government revised the budget and reduced allocations made to NFDK to 1.1 million USD - a 72.7% reduction. This was despite extremely impoverishing impacts on persons with disabilities of the nation-wide shutdowns and reduced budget support to key services during COVID-19 in Kenya – affecting access to employment, cash transfer support, education, health, and rehabilitation services (Owino: 2020).

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“We are always the first to lose, we were the first to lose our jobs, our access to education, and our access to health services, and access to the cash support when COVID-19 started.”

OPD Leader, Kenya

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Some OPD representatives in Kenya not only agreed that budget decreases during COVID-19 were felt hardest by persons with disabilities, but expected that even during COVID-19 recovery, disability support would decrease further as persons with disabilities were not regarded as people who could contribute to the economic recovery of the country.

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“The main focus will be to recover the economy, not to support the 2.2% of the population who are seen as non-contributors to the economy, rather a burden.”

OPD Leader, Kenya

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A whole-government approach to inclusive climate action

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A crucial component driving the exclusion of persons with disabilities from climate policy and budgeting is that climate policy makers (in dedicated Environment and Climate Ministries) are not making the connection between disability and climate. Often disability is siloed within relatively less influential ministries and units, and there is little or no ministerial

linkage between relevant departments. This siloing (in contradiction of Article 33 of the CRPD on government coordination) inhibits consideration of disability and the mainstreaming of disability inclusion across governments' climate response systems.

In Bangladesh, for example, an administrative disconnect was evident between the Ministry of Environment, Forest, and Climate Change from the Ministry of Social Welfare. Key informants indicated that this exclusion also reflects a prevailing charity mindset, through which persons with disabilities are considered as beneficiaries of the disability allowance, and realisation of their rights largely siloed into this provision by the Ministry of Social Welfare. The Bangladesh climate change mitigation fund is supporting a lot of projects, but the experiences and concerns of persons with disabilities are excluded from its planning and decision-making.

Disability data for inclusive climate governance

It is important to acknowledge the role that limited data has in perpetuating this coordination gap. Just as national disability data is limited so too is data to trace the impacts of climate change on person with disabilities. This represents a huge obstacle to developing an appropriate response and channelling it through the national and sub-national public financial management system.

Meaningful OPD participation and inclusive climate action

The UN (2022) acknowledged an increasing sense of unfairness that those most affected by climate change have usually little to no participation in decision-making processes to mitigate or compensate the impacts.

In Bangladesh, OPD representatives considered their exclusion from the policy processes in response to climate change as an extension of their government's charity mindset towards persons with disabilities. In Kenya, the Climate Change Act of 2016 and the National Climate Change Action Plan (NCCAP) 2018–2022 provide guidance on climate resilient development and risk management for climate events (USAID: 2023). However, key informants were clear that none of these, or associated procedures, were developed with the participation of persons with disabilities or even with consideration to their needs.

“We heard about these Acts on the news like everyone else... this is why no one thought of making the policies accessible to persons with disabilities”
OPD Leader, Kenya

Similarly, in 2022/2023, Nepal's Minister of Finance announced 0.61% of the general budget to Environmental Protection and NPR 1.61 billion (12 million USD) to the National Disaster Risk Reduction and Management Authority, with the aim of reducing risk of disasters, constituting a multi-disaster early warning and multi-disaster risk assessment system. No measures have since been put in place to invite OPDs or persons with disabilities into the processes within these systems. Key informants in Nepal reflected that the government simply considered climate change to impact persons with disabilities in the same ways as any other citizen, without their need for purposeful inclusion and participation. That said, shoots of change are beginning to be seen here, and some informants acknowledged that the Nepal government is now starting to recognise the need to consider persons with

disabilities and invite them to climate focused meetings. Progress may be small and patchy but this an opportunity for OPDs to engage.

Climate empowerment and OPDs

The study confirmed a low level of awareness of national disability laws within Government Ministries as well as only limited awareness or experience among OPD respondents of their government's climate response. This creates a systemic challenge to OPD advocacy around disability inclusion within government climate action.

The [Action on Climate Empowerment](#) (ACE) project holds a significant influencing role here. Potentially, each of its six interconnected elements (i.e., climate change education, training, public awareness, public participation, public access to information, and international cooperation on these elements) can work to support and deepen CRPD-compliance in the climate response. However, this must be accessible to all. By enabling persons with disabilities and their representative organisations to better understand climate change, they can feel empowered to recognise the value that their lived experiences of the climate emergency have in filling critical data gaps. People often develop innovative skills and context specific solutions for living with disabilities in low resource settings, acknowledging these, as untapped skills, can potentially benefit local adaptation discussions and plans.

Climate empowerment is an essential part of the picture in creating the political environment necessary to drive forward CRPD compliance in climate action. OPD informants recognised the climate agenda as an opportunity for raising their voices and receiving the attention from government that they have been asking for a long time, and they expressed hope that the urgency of this agenda will give them more exposure.

4. Recommendations

- 1. Action to empower OPDs in climate policy engagement:** The UN Special Rapporteur on climate change and human rights in his report to the General Assembly in 2022 highlighted a 'participation disconnect' between those who are at most risk of being affected by climate change impacts and those who participate and are represented in political and decision-making processes. The Special Rapporteur reiterates that the voices of those most affected must be heard and the losses and damages they are suffering must be understood and accounted for. Local OPDs work to advance and promote the rights of persons with disabilities especially in relations to their independent agency and empowerment. It is crucially important that the perspectives of persons with disabilities and OPDs are included in relevant policy discussions at national level, and this needs to be enabled through training and promotion of climate awareness. The COP27 outcome document included an Action Plan⁹ for an Action on Climate Empowerment (ACE) programme. This mandated States to include persons with disabilities and, if implemented, would mean better access to climate information, education, and public participation.
- 2. Disability data is a critical enabler for OPDs' climate advocacy:** It is imperative to have, as a starting point, accurate – or good enough - data on the numbers of persons with disabilities living in climate affected communities, as well as data related to the disability associated risks and impacts of climate change and crisis. Armed with this information, OPDs would be better positioned to represent diverse disability

⁹ <https://unfccc.int/documents/623194>

interests in national climate policy processes and demand disability inclusion in calculations of losses and damages, and associated budget provisions.

3. **Available, accessible, transparent budget data is a must:** Governments must engage with disability rights advocates and the wider public to ensure that budget reports are accessible to all, comprehensive and understandable. This is currently a major gap in the three countries reviewed, making it difficult for either researchers or OPDs to determine the scope of national CRPD-compliant budgets, let alone the impact that the ongoing climate crisis may be having on them. Governments must prioritize CRPD budget transparency and accountability. This includes developing comprehensive budget reports that clearly define budget allocations and spending for CRPD-related programmes and services. Such reports must themselves be underpinned by CRPD aligned inclusive and participatory budget processes, and budget tracking. Improved transparency would help achieve greater clarity for – and potentially, greater protection of – disability inclusive and rights-based spending.
4. **Governments need a rights-based, whole government approach to CRPD budgeting:** A major challenge facing persons with disabilities, despite the adoption of the CRPD as a rights-based framework, is the social welfare approach to disability support and services. Social protections are a critical aspect of disability service provision and funding, including in relation to climate change vulnerability and risk. However, as rights holders and active citizens, persons with disabilities must be included across all Government policy priorities, programmes and budgets – in alignment and compliance with principles and Articles set out in the CRPD. Disability should not be the sole responsibility of social welfare departments, there needs to be collaboration across Ministries and units. Inclusive government systems and processes that engage OPD representatives are essential to promoting inclusive practices in the national climate response too, including decisions around finance and budgeting.
5. **Calculations for loss and damage must be inclusive of persons with disabilities:** While the funding mechanism for covering loss and damage is currently being negotiated by governments, there must be recognition of the need for those funds and their distribution to be inclusive of persons with disabilities and CRPD compliant. Insurance schemes, for example, often discriminate against persons with disabilities so if these are used in response to loss and damage, they must be designed to be disability inclusive.

5. Concluding remarks

This discussion paper asserted a need to look at the impacts of the climate response on the financing and implementation of the CRPD. The impact of climate change on persons with disabilities is not in dispute – despite limited data inhibiting the political imperative to respond appropriately. The OPD members we spoke to recognised the impact that climate change has and will continue to have on persons with disabilities in all three countries. They are conscious that there is little pressure on government to consult them in developing and funding climate change response and risk management. There has been so little research on this topic to date that there is next to no pressure being exerted on State Parties to centre their CRPD obligations in their climate response.

In commissioning this small study, we knew the findings would only be indicative, but these indications are important. The differences between what we see on paper in Disability Acts and national policies, and the actual experiences of persons with disabilities and their representative organisations, requires significant efforts to align. National CRPD policies and programmes rarely have disability disaggregated budget data, and there is a lack of publicly or accessibly available data on how persons with disabilities are included in government supported projects or programmes. Data remains an important gap that needs filling, including making sure data is collected, stored and communicated inclusively and accessibly. It is not easy to determine how persons with disabilities are included within budgets and OPD perceptions of CRPD-spend does not always match stated formal commitments. We heard of a general lack of trust in government CRPD reports, and clear sense of marginalisation and exclusion from government processes.

Inclusive financing and budgetary processes are a key component of the alignment of climate response with the principles of the CRPD and protection of the rights of persons with disabilities. Without transparency around CRPD-compliance, it remains very difficult for OPDs to trace and demand greater accountability for government climate responses which “do no harm” and protect the rights of persons with disabilities.

References

Asian Development Bank. (2022). Strengthening disability inclusive development: 2021-2025 road map. [Strengthening Disability-Inclusive Development: 2021–2025 Road Map | Asian Development Bank \(adb.org\)](#)

Carty, Tracy and Lyndsay Walsh, (2022), *Footing the bill: Fair finance for loss and damage in an era of escalating climate impacts* (Oxfam International, 2022). Available at [Footing the bill: fair finance for loss and damage in an era of escalating climate impacts | Oxfam International](#)

CBM Global (2022) “Missing in Climate Action: Stories of persons with disabilities from the Global South”: <https://cbm-global.org/wp-content/uploads/2022/11/Missing-in-Climate-Action-November-2022.pdf>

Center for Inclusive Policy, (2019). “Clarification needed: Inclusive, Disability Responsive or CRPD compliant budgeting?” https://inclusive-policy.org/wp-content/uploads/2019/06/Inclusive-CRPD-budgeting-Brief_1006_web.pdf#:~:text=The%20Centre%20for%20Inclusive%20Policy%20has%20been%20working,related%20training%20modules%20with%20the%20Westminster%20Foundation%20for

Development Initiatives, (2020). “Status of disability in Kenya Statistics from the 2019 census background paper”. [Status of disability in Kenya: 2019 census statistics - Development Initiatives \(devinit.org\)](#)

Inclusive Futures, (2022). “From disability budget commitments to budget execution in Kenya: Matching disability approved allocations to actual spending and performance”. <https://devinit.org/resources/matching-disability-approved-allocations-actual-spending-performance/>

IPCC, (2018): “Global Warming of 1.5°C. An IPCC Special Report” Chapter 5: [Chapter 5 — Global Warming of 1.5 °C \(ipcc.ch\)](#)

McGill and IDA (2022) "Status Report on Disability Inclusion in National Climate Commitments and Policies" <https://www.disabilityinclusiveclimate.org/news/status-report-disability-rights-in-national-climate-policies-5c4ra>

Meeks, P and Cote, A., (2018). "Disability is Always an Afterthought: Why progress on inclusion demands action on budgets", Center for Inclusive Policy discussion paper no1: https://inclusive-policy.org/wpcontent/uploads/2019/06/Disability_budgets_discussion-paper_-2307_web.pdf

Rohwerder, B., (2017) K4D Helpdesk Report: Women and Girls with disabilities in conflict and crisis: [032-Women and girls with disabilities in conflict and crisis.pdf](https://publishing.service.gov.uk/government/uploads/attachment_data/file/623194/032-Women_and_girls_with_disabilities_in_conflict_and_conflict.pdf) (publishing.service.gov.uk)

Saha & Ahmed, 2019, pp146.2

Smith, M. S., Siddiquee, M. R. K., Stein, M. A., & Lord, J. E. (2021). Mobilizing Disabled Peoples' Organizations to Implement Bangladesh's Disability Law. *Journal of Human Rights Practice*, 13(2), 433–445. <https://doi.org/10.1093/jhuman/huab034>

Thomson Reuters Foundation (Eco-Business), "Vulnerable nations demand funding for climate losses, fearing UN 'talk shop'", 10 June 2022. Available at www.eco-business.com/news/vulnerable-nations-demand-funding-for-climate-losses-fearing-un-talk-shop/

UN Convention on the Rights of Persons with Disabilities (CRPD), Adopted 13 December 2006, by Sixty-first session of the General Assembly by resolution A/RES/61/106 <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>

UNESCAP (2015) [Disability-inclusive disaster risk reduction \(unescap.org\)](https://www.unescap.org/publications/2015-disability-inclusive-disaster-risk-reduction)

UNFCCC, Subsidiary Body for Implementation (SBI) (2022): "Action plan under the Glasgow work programme on Action for Climate Empowerment." Draft decision [-/CP.27] [-/CMA.4] <https://unfccc.int/documents/623194>

UN High Commissioner for Human Rights (2020) "Analytical study on the promotion of the rights of persons with disabilities in the context of climate change", report to UN General Assembly 44th Session (2020) [A/HRC/44/30 - E - A/HRC/44/30 -Desktop \(undocs.org\)](https://undocs.org/A/HRC/44/30-E-A/HRC/44/30-Desktop)

United Nations Office for the Coordination of Humanitarian Affairs. (2021). OCHA Annual Report 2021. United Nations [OCHA launches Annual Report for 2021 | OCHA \(unocha.org\)](https://www.unocha.org/2021/01/ocha-launches-annual-report-for-2021)

UN Special Rapporteur (2022) "Promotion and protection of human rights in the context of climate change" A/77/226: Delivered to General Assembly at its seventy-seventh session, on 26 July 2022. [A/77/226: Promotion and protection of human rights in the context of climate change | OHCHR](https://www.ohchr.org/en/press-releases/2022/07/a77226-promotion-and-protection-of-human-rights-in-the-context-of-climate-change)

UN website page (accessed May 2023): [Disability-inclusive Humanitarian Action | United Nations Enable](https://www.un.org/en/development/desa/enable/2023/05/disability-inclusive-humanitarian-action)

World Health Organisation (2011). "World report on disability" [World Report on Disability \(who.int\)](https://www.who.int/publications/m/item/world-report-on-disability)

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