



Submission of alternative information on Germany's climate & gender justice policy

by GenderCC – Women for Climate Justice and
Women Engage for a Common Future (WECF)

to the 85th Session of the CEDAW Committee to consider the Ninth Periodic
State Report by the Federal Republic of Germany on the Convention on the
Elimination of all Forms of Discrimination against Women (CEDAW)

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Introduction

- It is a well-known fact that climate change impacts are not gender neutral. Women and girlsⁱ are among those hardest hit by the climate crisis. As the 6th IPCC report plainly states, globally, women and BIPOC (Black, Indigenous and People of Colour) are most vulnerable to the drastic effects of global warming.ⁱⁱ This high degree of vulnerability derives not only from the destruction of ecosystems, but also from socioeconomic inequalities and discrimination. Moreover, climate change responses can have adverse effects on gender equality which should be taken into account in policy-making.
- WECF and GenderCC are two international non-profit and non-governmental networks dedicated to a gender-just and healthy planet for all, and that work to achieve gender equality, women's rights and climate justice worldwide. Our international networks and member alliances consist of over 300 women's, gender and civil society organisations in over 70 countries. We and our allies are deeply convinced that the challenges of climate change and gender injustice are related. A sustainable future requires the transformation of gender power relations *and* societal structures. This means more than just technical amendments to reduce emissions, and instead requires real mitigation by raising awareness and making extensive changes to unsustainable lifestyles and the current practice of unlimited economic growth.ⁱⁱⁱ
- As active members of the Women's and Gender Constituency Group to the UNFCCC we are committed to the 1.5 degree-target of the Paris Agreement and advocate for ensuring women's human rights as a prerequisite to effectively act on climate-change mitigation and adaptation.^{iv}

1. Ambition

- Climate impacts are one of the most serious threats to women's and BIPOC's human rights as protected under CEDAW (see General Rec. No 37). Germany is a state party to the UNFCCC Paris Agreement and has set targets with Nationally Determined Contributions (NDC), National Energy and Climate Plans (NECP) and the Climate Protection Act – domestic emissions target of a 65% reduction below 1990 levels by 2030. According to the Climate Action Tracker, "Germany would need to reduce emissions by at least 69% domestically and give significantly more climate finance to other countries for it to be in line with the Paris Agreement 1.5°C limit." The Climate Action Tracker rates Germany's current policies and targets as "Insufficient" overall.^v
- Article 20a of the German Basic Law obliges the state to protect the climate, and in its ruling on the Climate Protection Act, the Federal Constitutional Court reaffirmed the state's duty of care, especially towards the younger generation.^{vi} However, the results recently published by the coalition committee^{vii} give great cause for concern that this state duty of care will be increasingly neglected in the future and that the Climate Protection Act, which is inadequate anyway, will be considerably weakened.

GenderCC and WECF respectfully request the Committee to urge the German Government:

- To ensure the right to a safe, clean, healthy and sustainable environment for women and men, and all people in their diversity by ensuring that financial or technical projects implemented in cooperation with partner countries are based on the principle of Common But Differentiated Responsibilities (CBDR).
- To adhere to its international and national commitments and to implement them punctually, and to assume the duty of care to groups living in vulnerable situations, including women in all their diversity and BIPOC communities.

2. **Policy coherence: Feminist foreign policy and feminist development policy must not remain silos**

(Guidance No 4 on Gender Just Climate Policy)

- Gender CC and WECF welcome the new guidelines, both on feminist foreign policy^{viii} and on feminist development policy.^{ix} We appreciate and acknowledge the outstanding efforts being made by these two ministerial departments to advance a progressive, transformative and intersectional approach with the ambitious intent of tackling the root causes of gender-based discrimination and violence in core international policy fields. Further, we appreciate the fact that the Federal Ministry for Economic Cooperation and Development (BMZ) and the Federal Foreign Ministry (AA) have set shared and coherent gender-responsive climate policies high on their respective agendas.
- We especially welcome their efforts to no longer perceive women primarily as vulnerable victims of climate change, but instead to explicitly acknowledge them as “crucial actors in the fight against the climate crisis” (AA, p. 20) and to address them as knowledge bearers and decision makers (BMZ, p. 13).
- We further greatly welcome: 1) efforts to make gender justice a guiding principle; 2) the German Foreign Ministry’s intention to integrate feminist guidelines into its Foreign Climate Policy^x, and 3) the Ministry for Economic Cooperation and Development’s commitment to improve climate finance instruments (see section 4 of this document).
- However, in light of the fact that the Federal Government is currently far from speaking with one voice, we consider the huge step forward by these governmental departments to be endangered.

GenderCC and WECF respectfully request the Committee to urge the German Government:

- To live up to its commitment and provide the new principles as a whole-of-government approach with the necessary resources in the upcoming budget negotiations. We reiterate the warning by international feminist actors that financing fancy lighthouse projects alone will not sustain the most needed support for building resilience. Both feminist foreign climate policy and feminist climate development policy need coherent implementation and backing by all federal departments.

3. **Extraterritorial obligations, international cooperation and resource allocation^{xi}**

- Resource extraction – at the expense of local communities and women:

The high levels of greenhouse gas emissions from extracting petroleum, fracking for gas, and refining and processing fossil resources are very harmful for the climate. Studies have shown that abrupt industrialisation deepens gender power gaps and further marginalises especially ethnic and gender minorities who do not have a voice in these decisions. The installation of plants and facilities for the extraction of fossil fuels is often associated with sexual exploitation and gender-based violence.^{xii}

Soil contamination from oil spills and coal extraction eliminates sources of revenue primarily for women and marginalised groups, who engage in small-scale farming, fishing and/or trade. Health problems arise from methane and carbon dioxide gas emissions as well as carcinogenic soot particles. Moreover, comparative studies show that women are disproportionately affected by these changes, whether that means loss of income, migration or greater levels of care work, whereas at least some men can find new jobs in the fossil fuel industry.^{xiii}

- Germany's economic interests – a challenge for women's and indigenous human rights: The Federal Statistical Office reports that German hard coal imports from January to September 2022 have increased more than two and a half-fold over the same period of last year: around 4.8 million tonnes more than in 2021.^{xiv}
The EU's and especially Germany's growing demand for Colombian coal boosts *El Cerrejón*, Latin America's largest coal mine, located in Afro Descendant and Wayuu indigenous territory.^{xv} The ecosystem had been a source of water and spiritual well-being for the communities living in the area. These communities have already experienced permanent and irreversible loss and damage to their livelihoods and homes, as well as loss of culture and biodiversity, which cannot be quantified in monetary terms. The expansion of mining activities has led to an environmental and public health crisis. In addition, indigenous leaders and environmental defenders experience intimidation and hostilities on a regular basis.^{xvi}
- In Colombia, but also in other coal supplying countries such as Chile and South Africa from which Germany imports or intends to import fossil fuels, many Indigenous women are self-organizing locally in order to protect their livelihoods and to collectively resist eviction, exploitation and human rights violations. These local leaders, as well as environmental journalists and human rights defenders including many women, are particularly vulnerable to threats that also and especially target their families.^{xvii}
- The German government must face up to its historical and current responsibilities to regions suffering the consequences of extractive systems that power the unsustainable energy system and use in Germany.

GenderCC and WECF respectfully request the Committee to urge the German Government:

- To live up to its commitment of a do-no-harm policy in foreign cooperation, in order not to cause or aggravate a climate, social and/or economic crisis that affects first and foremost those people who have not contributed to the deterioration of the ecosystems they inhabit and that deepens hierarchical gender power relations.
- To consistently pursue the phase-out of fossil energy and not shift it to countries of the Global South. Likewise, the German government should support the countries of the Global South even more intensively in skipping the fossil development path and building sustainable energy systems. In doing so, it would respond pro-actively to the appeal by IPCC to

strengthen women and all marginalised groups in order to use their knowledge in joint efforts to heighten resilience to climate change.

- To protect and strengthen human rights and women’s human rights of environmental journalists and human rights defenders, especially Black, Indigenous and Women of Colour (BIWoC) in local communities and to not endanger these rights or even indirectly participate in this spiral of violence. Germany shall live up to its recent commitment to a Special Rapporteur on environmental defenders established under the UNECE Aarhus Convention with the mandate to take specific gender concerns into consideration.
- To supervise and ensure Germany’s environmental due diligence throughout all extra-territorial projects, as stipulated in the UN Guiding Principles on Business and Human Rights.
- To actively participate actively in negotiations for a binding treaty for business and human rights, and to conduct consequently systematic gender impact analyses of any proposed public-private partnerships in all areas that may affect livelihood activities, the natural environment and/or the climate.

4. Gender justice in the climate finance architecture

- We welcome the fact that the Ministry for Economic Cooperation and Development has committed to direct financial instruments for the empowerment of BIPOC communities and to applying feminist approaches to financial protection against climate risks within the framework of the Global Shield Against Climate Risks.
- We welcome the establishment by the Conference of the Parties of the UNFCCC (COP27) of a Loss and Damage Fund (LDF) for nations and communities most vulnerable and impacted by the effects of climate change. Germany must constructively engage in the Transitional Committee for the design of the LDF and improved funding arrangements for addressing loss and damage, and urgently increase its fair-share contribution to this and other multilateral funds to fight climate change and its consequences. Its bilateral development cooperation and financial cooperation should primarily take the form of non-repayable grants rather than loans. This is necessary to enable developing countries to start investing in their social and healthcare systems. If this does not happen, it will be women who bear the brunt of the climate catastrophe and the breakdown of the social welfare system.
- In line with the principles of its feminist foreign and development policy, the federal government must uphold the rights of women to equitably benefit from and increase their direct access to gender-responsive climate finance, including by participating in the advisory and decision-making processes within the evolving climate finance architecture, especially the funding structures.

GenderCC and WECF respectfully request the Committee to urge the German Government:

- To provide substantially more support to multilateral climate funds under the UNFCCC, including for the 2nd replenishment of the multilateral Green Climate Fund and to policies and financial approaches that channel climate financing directly to women and marginalized communities at local levels (“Enhanced Direct Access”).

- To widen and increase direct support for women's, human rights and feminist organizations that have not yet been able to adequately benefit from the International Climate Initiative (IKI).
- To proactively support further development of the UNFCCC Gender Action Plan in order to tackle especially the gender-specific impacts of climate change and multiple intersecting and mutually reinforcing global crises.^{xviii}

5. Energy poverty

- One in four Europeans^{xix} are subjected to energy poverty. Energy poverty has been exacerbated by geopolitical wars in recent years. Women, who are disproportionately poor, are disproportionately impacted by energy poverty. At the same time, they are largely left out of the solutions and are not targeted in the energy support programmes.^{xx}
- The drivers of energy poverty are structural and systemic. Energy poverty is caused by: 1) inadequate housing; 2) fossil fuel dependency and lock-ins; and 3) systemic and structural inequalities. A majority of female-led households are affected by these drivers; gender is therefore a crucial axis to be included when tackling energy poverty.
- We have pointed out that carbon pricing affects lower income groups more strongly, and that the policy measures introduced by Germany to compensate citizens for these higher costs do not alleviate the adverse effects on disadvantaged groups, including women with their lower average incomes due to gender gaps in pay and pensions. As a consequence, single mothers and elderly women are particularly prone to energy poverty.^{xxi}

GenderCC and WECF respectfully request the Committee to urge the German Government:

- To promote access to affordable, clean and renewable energy as a basic human and women's right, in keeping with Article 14 (2) CEDAW.
- To raise awareness about the intersection of gender and energy poverty, to fund research on the root causes of gender and energy poverty and to collect gender-disaggregated data.
- To ensure that energy policies and energy efficiency programmes are implemented in a gender transformative way, thereby fostering implementation of a right to energy for all.
- To provide targeted financing to low-income female-led households to support them in installing energy efficiency measures.

6. Domestic policy falls behind: Transport and mobility

- Feminist experts have criticised outmoded assumptions about social coexistence and stereotypical gender roles that underlie even the most recent urban planning concepts. This is particularly evident in the area of transport and mobility: women – who are usually the primary carers and providers in their families and neighbourhoods – face multiple difficulties when navigating today's car-friendly cities and must invest disproportionate time in doing so. Women, or any individuals providing care and social services, usually travel shorter distances but spend more time out and about in the city,

visiting the various destinations required by their mainly informal employment and/or care work.^{xxii}

- We have highlighted the important progress made on feminist climate policy in the federal ministries of international affairs. However, *national* climate policy falls far behind the international ambitions. After initial steps in recent years, no feminist approaches are currently discernible in national climate policy. And, in contrast to the Ninth Periodic Report stating that the most recently updated version of Germany's Sustainable Development Strategy (DNS) of March 2021 takes gender aspects into account, the DNS and the federal government's affirmed position of November 2022 do not address gender-based discrimination and vulnerability to environmental and climate-related hazards.^{xxiii}
- German transport policy is an especially prominent example of how climate change mitigation targets are missed, and how costs and benefits are distributed extremely unequally. The results from the Coalition Committee beginning March 29, 2023^{xxiv} are diluting the National Climate Protection Act^{xxv} because the transport sector is lagging behind and the federal ministry in charge is not willing to adopt additional policy measures as required by law. This negatively affects not only climate protection: the persistent preferential treatment of motorised individual transport also discriminates against women who rely heavily on public transport, cycling and walking. Billions of euros of taxpayers' money go into new highways and tax exemptions for commuters and company cars, thereby mainly benefitting men, while the infrastructure for walking, cycling and public transport are in need of considerable investment.
- We, GenderCC and WECF, share the criticism and great concern of the German environmental associations that the intended new regulations will cause Germany to miss its climate targets and will simply mask the increase in emissions caused by energy-intensive technologies. At the same time, funds will not be available to make the needed investment in a socially just expansion of renewable energies and a sustainable infrastructure for the provision of public services.

Thus, we respectfully request the Committee to urge the German Government:

- To take into account the findings of gender research in the development of climate policy programmes and measures, and to improve data on climate change-related issues in so-called gender-neutral fields and sectors (e.g., extension of LNG or hydrogen-based fuels).
- To strengthen gender competence and expertise in climate policy in all departments and all ministries, also by drawing on external expertise.
- To review and regularly evaluate climate policy programmes for their impact and improve them accordingly in order to maximise social and gender equality benefits.
- To focus all climate protection and adaptation programmes much more strongly on societal and social transformation.

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- ⁱ In our work and in this statement, we take a transformative, intersectional gender approach. We share a non-binary and inclusive understanding of gender that includes all people who define themselves as women and girls.
- ⁱⁱ Intergovernmental Panel on Climate Change (IPCC): Climate Change 2022: Impacts, Adaptation and Vulnerability (www.ipcc.ch/report/ar6/wg2/)
- ⁱⁱⁱ www.gendercc.net/who-are-we/our-vision.html; www.wecf.org/our-work/
- ^{iv} <https://womengenderclimate.org/>
- ^v <https://climateactiontracker.org/>
- ^{vi} BVerfG, Beschluss des Ersten Senats vom 24. März 2021 - 1 BvR 2656/18 -, Rn. 1-270,
- ^{vii} https://www.spd.de/fileadmin/Dokumente/Beschluesse/20230328_Koalitionsausschuss.pdf
- ^{viii} www.auswaertiges-amt.de/blob/2585008/d444590d5a7741acc6e37a142959170e/ll-ffp-data.pdf; for English see press statement from the Federal Foreign Minister: <https://www.auswaertiges-amt.de/en/newsroom/news/baerbock-guidelines-ffp/2586412>.
- ^{ix} www.bmz.de/resource/blob/146200/strategie-feministische-entwicklungspolitik.pdf; for English see press release from the Federal Development Minister: www.bmz.de/en/news/press-releases/development-minister-schulze-presents-feminist-strategy-146512.
- ^x E.g. gender impact assessments of all climate policy measures that needs to be strengthened in the GAP (Alber, Gotelind/Gender CC – Women for climate Justice: Recommendations for German Feminist Foreign Policy in the Field of Climate Change, August 2022; LINK...)
- ^{xi} See CEDAW, General Recommendation No. 37, 2018, V: C and D
- ^{xii} <https://www.mining.com/women-in-mining-still-facing-bullying-discrimination-report>; <https://www.industrial-union.org/womens-involvement-needed-to-stop-gender-based-violence-in-mining>; <https://www.ocmal.org/estudios-e-informes/genero/>
- ^{xiii} The World Bank (ed.), 2013: Extracting lessons on gender in the oil and gas sector (<https://documents1.worldbank.org/curated/en/266311468161347063/pdf/798940NWP0280E0Box0379795B00PUBLIC0.pdf>), and WECF (ed.) 2017: Plastics, Gender and the Environment (www.wecf.org/wp-content/uploads/2018/11/PlasticsgenderandtheenvironmentHighRes-min.pdf).
- ^{xiv} Due to the Russian attack on Ukraine (www.destatis.de/DE/Im-Fokus/Ukraine/Energie/_inhalt.html).
- ^{xv} www.misereor.de/fileadmin/user_upload/2.Informieren/Energie/Misereor_Policy_Brief_01_2022_Krieg_und_Energiekris_e.pdf
- ^{xvi} Testimonies by indigenous women in Colombia: <https://news.mongabay.com/2021/12/in-colombia-threatened-women-of-the-wayuu-community-continue-to-fight-rampant-mining/> and field observations by WECF.
- ^{xvii} Nearly 40% of documented violence against civil society activists and local participants is directed deliberately against women, in order to demobilize them and their families. Victims conjecture that their political engagement has been punished in part because via their activism they abandon various roles as socially marginalized individuals: “Vulnerability frequently extends beyond gender dynamics. Often, as an NGO representative in Oaxaca, Mexico pointed out, it is about being a woman, indigenous, marginalized, and a human rights defender” (Terwindt/Schliemann (2017): “Tricky Business: Space for Civil Society in Natural Resource Struggles”, Heinrich Böll Foundation, European Center for Institutional and Human Rights (eds.), p. 8; https://www.boell.de/en/2017/12/07/tricky-business?dimension1=division_demo).
- ^{xviii} Schalatek, Liane, 2021: Core Steps to Increase Quality and Quantity of Gender-Responsive Climate Finance, Expert Paper for UN Women Expert Group Meeting ‘Achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes’ 11 – 14 October 2021 (https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/66/EGM/Expert%20Papers/Liane%20SCHALATEK_CS66%20Expert%20Paper.pdf) See also: www.boell.de/en/2022/03/11/climate-mitigation-and-adaptation-requires-gender-responsive-financing
- ^{xix} <https://righttoenergy.org/about-energy-poverty/>
- ^{xx} EmpowerMed (2020): Report on gender aspects of existing financial schemes for poverty measures (www.empowermed.eu/resource/report-on-gender-aspects-of-existing-financial-schemes-for-energy-poverty-measures/)
- ^{xxi} Röhr, Ulrike (2021): Carbon Pricing from a Feminist Perspective (www.genanet.de/fileadmin/user_upload/dokumente/Themen/Klima/Carbon_pricing-Genderanalysis_en.pdf)
- ^{xxii} EEB and WECF (2021): Why the European Green Deal Needs Ecofeminism, pg. 109 et seq.; and Heinrich Böll Stiftung (ed.), 2022: Feminist Perspectives on gender-just and sustainable urban development (www.boell.de/sites/default/files/2023-01/inbrief_urbanisation_en.pdf)
- ^{xxiii} <https://www.wecf.org/de/blinder-fleck-gleichstellung>
- ^{xxiv} https://www.spd.de/fileadmin/Dokumente/Beschluesse/20230328_Koalitionsausschuss.pdf
- ^{xxv} <https://www.bundesregierung.de/breg-de/themen/klimaschutz/klimaschutzgesetz-2021-1913672>