



Women and Climate Change – Can International Law Sufficiently Protect Women in Developing Countries?

Raya Raijaleena Brink
Law Firm Leo's Peace, Finland

Abstract

Climate change drives extreme weather events, such as floods and droughts, disproportionately affecting women in developing countries. These climate-induced shocks not only exacerbate environmental hardship but also increase gender-based violence. This paper evaluates whether International Climate Change Law can offer sufficient protection for women in these contexts, and proposes potential improvements in case of inadequacy. This research employs a doctrinal legal methodology with an interdisciplinary approach, critically analyzing legal texts, academic literature, and relevant practices. It adopts insights from fields such as anthropology, gender studies, medicine, and social development, to assess the adequacy of International Laws in safeguarding women from the impacts of climate change. Key sources include reports from the Intergovernmental Panel on Climate Change, Decisions from the UNFCCC and the Paris Agreement, and Funds allocated for climate change adaptation, mitigation, and loss and damage. The analysis shows that women are often overlooked in climate change science and legal processes, leading to inadequate protection. While UNFCCC Decision 23/CP.18 includes some provisions for women, the language is vague and lacks clear measures for gender equality, participation, and funding. Implementing CEDAW within the Paris Agreement and clarifying language to explicitly address women would strengthen protections and resilience, particularly by ensuring equal participation and funding. A clarification could also be made by the term 'women's right to equal participation and funding'.

Keywords: Women, developing countries, ICCL, evaluation, improvements, 'right for equal participation and funding'

1. Introduction

Climate change brings extreme weather events like floods and droughts disproportionately impacting women in developing countries (NASA), Gender norms often restrict their mobility and limit access to vital survival skills. These inequalities intensify the effects of the climate crisis, with poor women and girls bearing the greatest burden (Thomas, 2023). Socio-

economic pressures assign women primary responsibility for childcare, food production, and water collection—roles severely disrupted by droughts (Swinnen et al., 2022).

Climate change also unreasonably impacts women in developing countries, worsening existing gender inequalities and threatening their livelihoods, health, and safety (UN Women, 2022). Women also makeup 80% of climate-induced displaced people (Halton, 2018) but can also be powerful agents of change (Pörtner et al., 2022). The link between gender dynamics and water access is also complex. Despite bearing the brunt of water-related challenges, women are excluded from national policy processes and remain underrepresented in high-ranking positions in the water and irrigation ministry (Aslam, 2024).

This research examines whether the International Climate Change Law (ICCL), including the UNFCCC (1992) and Paris Agreement (2015)¹, adequately protects women in developing countries from climate change. If insufficient, proposals to improve their protection will be offered. Both treaties are binding, and the topic is crucial as climate change worsens conditions for women, though not solely due to gender inequality. For these reasons, the main research question is:

How does the International Climate Change Law protect women, and how can it be improved if insufficient?

This research suspects that the legally binding regulations are insufficient specifically protecting women in the ICCL and that quotas for women's equal participation in decision-making bodies and right to equal funding may be missing. While some ICCL institutions, like the Intergovernmental Panel of Climate Change², have fixed quotas for developing countries (IPCC, 2018) gender quotas for women's participation seem absent, as are clear targets for achieving 50% female representation by a specific year. These issues form the basis of my research, focusing on what can be achieved through legal provisions or UN language. Before making recommendations, this research will examine the following possible shortcomings:

- Whether legal language uses binding terms like 'shall' or less-binding terms like 'should'.
- Whether there are binding quotas for women's participation and equal funding rights.
- Whether existing provisions can be leveraged or modified to enhance women's protection.

2. Materials and Method

This research employs a doctrinal legal analysis of texts and academic literature with a qualitative, and critical approach. It will incorporate interdisciplinary fields like social science, gender studies, and medicine for a broader perspective, as no single law can fully address women's issues under International Law. Recent legal scholars have adopted comparative and theoretical analysis to strengthen reform recommendations (Hutchinson, 2015).

This analysis will use doctrinal legal research to examine legal texts and academic literature, primarily focusing on the ICCL (binding hard law). Secondly, the relevant Conference of the Parties (COP)³ Decisions (UN Climate Change), and Funds for adaptation, mitigation,

¹ The Paris Agreement was established by Decision 1/CP.21 at COP-21 in 2015 (UNFCCC, 2015).

² The Intergovernmental Panel of Climate Change is abbreviated as IPCC (IPCC, 2018).

³ The Conference of the Parties is abbreviated as COP, and for example, COP29 was congregated in Baku in November 2024 (UNFCCC, 2024).

and loss and damage will be inspected. Thirdly, the IPCC conducts valuable climate science, thus listing the challenges for women (IPCC). The primary legal texts are the Paris Agreement (PA⁴) and its foundation, the UNFCCC, also known as the 1992 Rio Declaration (UNGA⁵, 1992). Notably, the PA introduces human rights and 'climate justice' in an international climate treaty (Sands et al., 2018), while the UNGA recognizes the human right to a healthy environment, opening the door for future climate change litigation (Setzer & Benjamin, 2020).

3. Vulnerabilities in Interdisciplinary Science

3.1 Women's Vulnerability due to Patriarchal Norms and Female Physics

Climate shocks increase violence against women (Thomas, 2023), with gender roles contributing to gender-based violence. While performing domestic tasks like fetching water and collecting firewood, women are vulnerable to Sexual and Gender-Based Violence (Castañeda Camey et al., 2020; Pörtner et al., 2022). Also, climate change-induced malnutrition mainly affects children and pregnant women, with women often receiving the least food, compromising their health (Pörtner et al., 2022; Thomas, 2023). Women also face greater challenges accessing water, as gender roles and patriarchal norms hinder their ability to manage it. In many developing countries, women's responsibility for fetching water takes time away from earning money or pursuing education (Pörtner et al., 2022; Castañeda Camey et al., 2020; UN Women Watch).

Lack of education increases women's vulnerability to climate change, as illiteracy limits their access to technology in vulnerable communities, hindering mitigation efforts. Additionally, improved education is an adaptation method that significantly reduces the risks of climate change for females (Pörtner et al. 2022). Improving education helps women adapt to climate change risks (Pörtner et al., 2022). The following - still relevant study - aligns with Pörtner et al. above, as educating girls reduces birth rates and curbs population growth in poor countries. An African intellectual stated accordingly that educating females benefits the whole family:

“[I]f you educate a woman, you educate a family” (Emman Kwegyir Aggrey, cited in Jacobs, 1996).

3.2. Macro-level Vulnerabilities: Underrepresentation and Vague Language

Women often have fewer fundamental rights due to gender roles (Castañeda Camey et al., 2020). The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW⁶) ensures equal rights, including land rights under Article 14(g), which promotes “equal treatment in land and agrarian reform” (CEDAW, 1979). Gender roles, influenced by deep-rooted societal beliefs and religion, impact women. However, women's empowerment may require individual change too, when influenced by social norms and institutions (Konte & Tirivayi, 2020).

⁴ Paris Agreement is abbreviated as the PA and was established in 2015 (UNFCCC; 2015).

⁵ UNGA is an abbreviation of the United Nations General Assembly (UN Foundation, 2024).

⁶ The Convention on the Elimination of All Forms of Discrimination against Women is abbreviated as CEDAW (CEDAW, 1979).

3.2.1 Women's Underrepresentation in Science and Policymaking

Women make up less than 30% of global researchers, and their participation in science and policymaking remains limited (UN & UNESCO⁷, 2019). However, women's involvement in public participation and policymaking significantly advances rights and conditions for all (Konte, 2020). The narrative of women as victims of climate change should shift, recognizing their agency and networks (Pörtner et al., 2022). It is important to understand both rigid gender binaries and intersectional factors, highlighting their resilience, strength, and wisdom (Alston et al., 2025). Women's absence in climate policymaking is also a key issue (UNESCO, 2019).

3.2.2 Developing Countries' Absence from the IPCC and Reluctance to Participate

The analysis shows that developing countries and women are underrepresented in the IPCC, which struggles to secure cooperation from developing nations to establish mitigation measures (Meyer, 2016). This research finds that this is also an essential macro shortcoming. The UNFCCC and IPCC, as separate bodies, hinder effective climate action. Integrating the IPCC into the ICCL's legal framework could improve participation and mitigation efforts (Meyer, 2016).

3.2.3. Undefined 'Gender Equality' and 'Women's Empowerment' Hinder Funding

The term 'gender' appears frequently in climate change documents, including the IPCC's Gender Policy and Implementation Plan, which mentions gender 93 times and women 3 times. Point 3.2.3 recommends gender quotas for women and encourages IPCC Contracting Parties to nominate more women for key positions (IPCC, 2020). While this is positive, this research finds that using 'gender' generically may overlook the specific needs of women, as it encompasses all 3 genders.

Achieving gender equality is essential for building a climate-resilient future (ScienceDaily, 2025). A report highlighted the lack of understanding of gender sensitivity in climate funding, leading to women being overlooked because *sub-national implementers don't grasp gender equality*. Defining these terms is crucial, as unclear or contradictory interpretations hinder women's access to climate funding. Implementers in developing countries often fail to recognize the importance of gender equality (Atmadja et al., 2020).

4. Introducing the ICCL for Women's Protection

This chapter focuses on the ICCL, binding laws and *shall* provisions. Importantly, this research finds that gender quotas for both equal participation and funding are crucial to ensuring that women receive equal financial support for climate action and equal representation in the ICCL and the IPCC.

The research includes the Paris Agreement (PA) and the predecessor UNFCCC as the International Climate Change Law (ICCL). The UNFCCC was operationalized in 1994 (Verschuuren, 2022), and the PA was adopted in 2015 (UNFCCC, 2015). The Conference of the Parties (COP) is the highest decision-making body of the UNFCCC and PA, adopting legal instruments and actions to implement climate measures (UN Climate Change). The COP-29, for example, was held in Baku in 2024 (UNFCCC, 2024). The PA Decisions are implemented through various Funds (UN Climate Change).

⁷ The UNESCO is an abbreviation of the United Nations Educational, Scientific and Cultural Organization (UN, 2025).

4.1 UNFCCC on Gender, Adaptation, and Mitigation

Notably, the UNFCCC does not mention women, gender, empowerment, or quotas in its Articles or Preamble (UNFCCC, 1992). While its primary goals were adaptation and mitigation, adaptation was overlooked until the IPCC emphasized its necessity in 2007. The earlier reluctance to focus on adaptation stemmed from concerns it might detract from mitigation efforts (Verschuuren, 2022).

Distributing funds was crucial in early UNFCCC discussions, focusing on allocating finances for adaptation in developing countries. Funds like the Adaptation Fund (AF), the Least Developed Countries Fund (LDCF), the Special Climate Change Fund (SCCF), and the Green Climate Fund (GCF) still exist today (Verschuuren, 2022). Notably, Article 11(2) of the UNFCCC mandates equitable representation and transparent governance in financial mechanisms (UNFCCC, 1992; Freestone, 2016). Accordingly, the GCF was established to emphasize the importance of finance in addressing climate change (Driesen & Carlarne, 2022).

4.2 UNFCCC and COP Decisions on Women

The UN Climate Change website lists circa 23 Decisions on women, starting from October 29, 2001, adopted at successive COPs. While the UNFCCC Articles don't mention women, gender, empowerment, or any definitions, COP Decisions address these issues positively (UNFCCC, 1992). The oldest, Decision 36/CP.7 - although in weaker language - aims to improve women's participation and representation, encouraging Parties to take measures on women's decision-making power (UNFCCC, 2001⁸).

Decision 23/CP.18 was adopted in 2012 to promote gender balance and women's participation in UNFCCC negotiations. It acknowledges that, despite efforts by the Contracting Parties, women remain underrepresented (UNFCCC, 2012⁹). This Decision refers to *women*, not gender, emphasizing the importance of balanced female representation from both developing and developed countries. It also highlights CEDAW, women's empowerment, and leadership (UNFCCC, 2012). It calls for goals to increase female participation and requests the Secretariat to gather data and organize workshops on gender balance (UNFCCC, 2012).

The intention to enhance women's position continues, as Decision 3/CP.25 highlights the persistent lack of progress in increasing women's participation (UNFCCC, 2019¹⁰). The research finds this unfortunate, as the undefined terms are used without explanations, as well as gender, which entails women, men, and transgender people. The Gender Action Plan (GAP) outlines five priority areas, including women's leadership and empowerment, but fails to define these terms (UNFCCC, 2019). This research appreciates the efforts but the absence of clear definitions and concrete measures, such as gender quotas, limits progress. The term 'empowerment' also appears in Decision 24/CP.27 without a definition (UNFCCC, 2022¹¹).

4.3 Paris Agreement on Gender, Adaptation, and Mitigation

The Paris Agreement (PA¹²) references gender equality, gender-responsiveness, and women's empowerment in the Preamble and Articles 7(5) and 11(2) (UNFCCC, 2015).

⁸ The UNFCCC Decision 36/CP.7 was established in 2001 (UNFCCC, 2001).

⁹ The UNFCCC Decision 23/CP.18 was established in 2012 (UNFCCC; 2012).

¹⁰ The UNFCCC Decision 3/CP.25 was established in 2019 (UNFCCC; 2019).

¹¹ The UNFCCC Decision 24/CP.27 was established in 2022 (UNFCCC, 2022).

¹² The Paris Agreement was established by Decision 1/CP.21 at COP-21 in 2015 (UNFCCC, 2015).

However, like the UNFCCC 1992, it leaves these terms undefined and uses weaker language regarding women (UNFCCC, 1992, 2015). The PA Preamble emphasizes the need to promote 'gender equality' and 'women's empowerment' as follows:

“[A]cknowledging that climate change is a common concern of humankind, Parties *should*, when taking action to address climate change, respect, promote and consider their obligations on human rights, [...] as well as *gender equality, empowerment of women* [...]” (added enhancement in italics) (UNFCCC, 2015).

As stated in the above citation, the PA Preamble links human rights to climate change (UNFCCC, 2015), with women's rights outlined in CEDAW¹³. Women in developing countries face a dichotomy, being both the most affected and also key change agents (UNFCCC, SBI, 2022¹⁴). Therefore, gender equality and women's empowerment are crucial, as climate change impacts women more in developing countries (Thomas, 2023).

Gender is closely linked to both adaptation and mitigation of climate change, so gender considerations should be included in both. Including women, the key stakeholders in policymaking can enhance the effectiveness of climate change policies (Mitchell, 2017). While the PA doesn't directly reference women or gender in mitigation, Article 4(4) calls for developing countries to enhance their mitigation efforts (UNFCCC, 2015). Gender-responsive mitigation can, however, engage communities and create benefits for women and their families (Mitchell, 2017).

PA Article 7(5) mandates that adaptation measures be country-driven, participatory, gender-responsive, and transparent, addressing vulnerable groups (UNFCCC, 2015), supposedly also including women in developing countries. The best available science and when possible, traditional knowledge from e.g. Indigenous people, should be used in developing adaptation. In this way, adaptation is for example integrated into environmental policies (UNFCCC 2015, Article 7(5)). On a macro level, it involves equal participation in decision-making, while on a micro level, it can include practical skills like learning to swim (Mitchell, 2017).

4.4 Paris Agreement and COP Decisions on Women

The UNFCCC COP-26 Decisions continue to discuss 'gender equality' and 'women's empowerment' again without definitions, urging Parties to promote human rights, women's empowerment, and equal participation in climate action. However, the language remains weak, repeating 'Parties should' and the terms 'empowerment' and 'participation' without clear commitments to improving women's position (UNFCCC, 2021¹⁵).

Decision 3/CMA.3's positive aspect is that the SBI will include one member from a small island developing Party and one from the least developed countries. However, this is limited, as the body has only 12 members and no quotas for women (UNFCCC, 2021). The SBI report echoes points from this research's third chapter 'Vulnerabilities', repeatedly mentioning women's vulnerability. For example, discriminatory laws and gender norms often prevent women from owning land, limiting their access to climate loans with collateral in the land (UNFCCC, 2021). Notably, 102 countries deny women land rights, and only 23% of women are landowners globally. To achieve equal female participation in leadership, discriminatory laws must be changed to build climate resilience (UNFCCC, 2021).

¹³ The CEDAW was established already in 1979 (CEDAW, 1979).

¹⁴ The UNFCCC Subsidiary Body for Implementation is abbreviated as *SBI* (UNFCCC, 2022).

¹⁵ UNFCCC COP-26 congregated in 2021 and established Decisions 1/CMA.3, 2/CMA.3, 3/CMA.3, and 4/CMA.3 (UNFCCC, 2021).

4.5 Funding Women-Focused Adaptation and Mitigation

Allocating finances for combatting climate change has long been controversial in policy and international negotiations, and climate action is now in its third decade (Driesen & Carlarne, 2022). Under PA Article 9(1), rich developed countries must assist developing nations through aid, loans, and investments (Thompson, 2016). A significant increase in climate finance is needed to meet the PA's adaptation and mitigation goals (Reins & Verschuuren, 2022).

For women in developing countries, this financial gap worsens inequities, as 90% of philanthropic climate funding goes to white-led organizations, 80% to male-led NGOs, and just 0.2% targets women and the environment (Selibas, 2022). However, gender-sensitive climate policies can simultaneously support various sustainable development goals, and when designed well, they can be cost-effective investments in development efforts (Chitiga-Mabugu et al., 2023).

Climate action requires significant funding for adaptation and mitigation, primarily from developed country Parties to support environmental efforts in developing nations (Mollins, 2021). A report on Indonesian climate funding estimates global needs as high as USD 1.371 billion. Climate finance can impact gender equity and poverty, so women must be prioritized in aid allocation to ensure finance empowers rather than hinders them (Atmadja et al., 2020). The goal is to focus on financing long-term, gender-transformative change. However, integrating gender into climate funding projects is complicated (Atmadja et al., 2020), highlighting the hurdles:

“[i]ntegrating *gender equality* concepts and practices into climate finance projects remains a complex and ongoing challenge, requiring adequately tailored approaches and financial and technical resources for each project and its context.” (added enhancement in italics) (Daniel, 2021).

4.6 Different Funds and Their Modest Focus on Women

The UNFCCC Funds were created through legally binding COP Decisions. While the PA includes fewer binding provisions specifically addressing women, they are still targeted with funding on a smaller scale (UNFCCC). Current climate change adaptations do not, however, automatically improve gender equality. Structural inequalities, like those based on geography, caste, ethnicity, and gendered social norms, worsen outcomes for the most vulnerable (Roy et al, 2025). The referenced Funds here are:

- Adaptation Fund (AF, 2001)¹⁶
- Green Climate Fund (GCF, 2010)¹⁷
- Least Developed Countries Fund (LDCF 2001)
- Special Climate Change Fund (SCCF, 2001)¹⁸
- the most recent Fund: Loss and Damage Fund (LDF, 2023)¹⁹

Despite the non-binding nature of Decisions on women and less binding language in ICCL obligations (UNFCCC, 1992, 2015), the Funds show some focus on women in their projects (see the following). Thus, this research finds that the grass-root-level efforts targeting women are not solely dependent on legal provisions. For instance, adaptation funding can support

¹⁶ The Adaptation Fund (AF) was established by Decision 10/CP.7 (UNFCCC, 2001)

¹⁷ The Green Climate Fund (GCF) was established by Decision 1/CP.16 (UNFCCC, 2010)

¹⁸ The Least Developed Countries Fund (LDCF) and Special Climate Change Fund (SCCF) were established by Decision 7/CP.7 (UNFCCC, 2001).

¹⁹ The Loss and Damage Fund (LDF) was operationalised by Decision 1/CP.28 (UNFCCC, 2023).

women in training on water management in water-scarce regions (AF, 2020). The Green Climate Fund strengthens women's capacity to cope with rising sea levels and water salinity (GCF). The GEF²⁰ does not explicitly focus on women's funding (GEF, 2023). The LDF, in its early stages, plans to adopt a gender-responsive approach (Monash University, 2024).

4.6.1 Adaptation Fund

The AF was created to finance adaptation projects (UNFCCC, 2001). While it doesn't explicitly address women, it helps developing countries build climate resilience (AF), possibly indirectly benefiting women. The AF Board includes representatives from small island and least developed country Parties, but there are no gender quotas. Currently, 4 out of 16 members are women (AF).

The AF highlights the need for guidance on human rights, gender equality, and women's empowerment (AF Annex 4, 2021). While important, the research finds that this focus on 'gender' is less relevant for women. Women should be explicitly mentioned, not just as 'gender' or 'women and men'. A positive change is the AF defines women's empowerment, though the use of 'strive' suggests merely an attempt rather than a guarantee (AF. Annex 4, 2021):

“[W]omen's empowerment: [...] by which women gain power and control over their own lives [...] and acquire the ability to make strategic choices [...], especially via *participation and decision-making*” and

“[T]he Fund and its implementing partners *shall strive* to uphold women's rights [...]”. (added enhancement in italics) (AF. Annex 4, 2021).

4.6.2 Green Climate Fund

The GCF was established as the primary institution for international climate financing to address UNFCCC shortcomings. It is the largest public source of climate financing, focusing on mitigation and adaptation with a country-driven approach (Driesen & Carlarne, 2022).

The GCF does not include women's quotas for its 24-member Board but ensures equal representation from developing and developed countries, including small islands (UNFCCC, 2010). However, the Governing Instrument fails to emphasize women's roles, mentioning gender without quotas, targets, or statistics, which may mask the reality of the situation. The Board Members are chosen:

“[w]ith a due consideration given to *gender balance*” (added enhancement in italics) (UNFCCC, 2011).

4.6.3 Least Developed Countries Fund and Special Climate Change Fund

The LDCF and SCCF were created under Decision 7/CP.7 to finance climate action in vulnerable countries (UNFCCC; 2001), and are managed by the GEF. Notably, the references to gender, women, or equality are absent (GEF, 2023). The SCCF, the first multilateral climate adaptation Fund, has invested up to USD 363 million in 88 projects, benefiting around 9 million people. The LDCF is the only Fund dedicated exclusively to assisting LDCs with climate action (GEF, 2023).

The LDCF/SCCF Council governs the SCCF with an independent board that develops and evaluates the Funds' policies. While there are no women's quotas, 30 of the 61 Council members are nevertheless women (GEF). The LDCF, nonetheless, focuses on transforming

²⁰ Global Environment Facility is abbreviated as *GEF* and manages the Special Climate Change Fund (SCCF) and the Least Developed Countries Fund (LDCF) (GEF).

adaptation through cooperation with vulnerable groups, including women and Indigenous peoples, to facilitate inclusion and locally-led action. The Glasgow Climate Pact Decision 3/CMP.1 granted each LDC USD 20 million in 2024 (CEF).

4.6.4 Loss and Damage Fund

The Loss and Damage Fund (LDF) was operationalized under Decision 1/CP.28 to address climate impacts that mitigation or adaptation cannot fix. While it mentions women and gender equality, there are no quotas for women (UNFCCC, 2023; UNEP²¹). The 26-member Board includes 12 members from developed countries and 14 from developing countries (Fund for Responding to Loss and Damage, LDF). The Fund aims to support recovery from extreme events like floods and droughts, including aiding 185,000 displaced people in Ethiopia (Wyns, 2023). Though in the early stages, it has committed more than \$730 million (Reinsurance News).

5. Concluded Shortcomings and Vital Recommendations

Achieving gender equality is estimated to take 286 years, even when women's participation can enhance resilience to climate change and accelerate progress toward SDGs, particularly in gender equality, poverty reduction, and environmental protection ((UN Women, 2022; Setyowati et al., 2025). This research suggests that women are currently under-utilized as a valuable resource, but they still have the potential to benefit society as a whole. However, significant progress can be made by focusing on women's vulnerability, starting with concrete terms and quotas. Without clear language and gender quotas, achieving gender balance is difficult, as gender equality goals may be misunderstood or ignored, both globally and at the grass-root- level. The UN's role is crucial in shaping terminology, as changes in language can shift attitudes. Ultimately, climate language must be modified to create actual changes for women.

5.1 Shortcomings for Women in Developing Countries

Women play a dual role in climate change, being both the most affected and key agents of change, therefore, greater attention should be directed towards women. This is the case particularly in these developing countries, as women are the most vulnerable group (Castañeda Camey et al., 2020; Pörtner et al., 2022). Even though International Law, such as the CEDAW, mandates that States ensure gender equality, and e.g. land rights for women (CEDAW, 1979), this research finds that this principle is widely overlooked in developing countries under climate change. As a result, gender equality - particularly women's equality - does not appear to be a primary focus for either the Contracting Parties of the UNFCCC or the bodies of the ICCL. The following lists the key shortcomings:

1. Missing definitions for 'women's empowerment' and 'gender equality':
 - a) 'gender equality' is undefined (PA, 2015; Atmadja, et al., 2020).
 - b) the term 'women's empowerment' is often symbolic and lacks practical impact (PA, 2015; AF, 2021).
2. Women's provisions are addressed with non-committal 'should' language or are frankly absent (UNFCCC Articles, 1992; PA, 2015).
3. Absent quotas for women in climate-related legal or scientific bodies, e.g. UNFCCC, PA, Funds and IPCC, etc. (UNFCCC, 1992-2025; Meyer, 2016).

²¹ UNEP is an abbreviation of UN Environment Program (UNEP).

4. Women remain underrepresented in climate science and policymaking (UN & UNESCO, 2019; UNESCO, 2019).
5. Women lack equal access to climate funding:
 - a) financial resources for women are minimal, as only 0.2% of funding goes to women (Selibas, 2022).
 - b) women are excluded from funding due to land ownership issues, with 102 countries denying them land rights (UNFCCC, 2021).
 - c) Funds do not have Decisions that improve women's situation (UNFCCC, 2001, 2010, 2023).
6. Human rights for women are largely ignored, despite the inspiration in the PA (UNFCCC, 2015):
 - a) women's human rights are rarely invoked (Castañeda Camey et al., 2020).
 - b) guidance is needed on protecting and empowering women (AF. Annex 4., 2021).
7. Failure to implement UNFCCC Decisions on women's equal participation (UNFCCC, 2001, 2012, 2019).

This research highlights that multiple studies emphasize women's vulnerability to climate change, yet the current climate discourse offers them little relief, particularly in developing countries. When Decisions are made or new climate laws are established, the underlying motivations often shift as well, as the people change. This is evident in the differing climate language used in UNFCCC Decisions and the PA Preamble, where the terminology and good intentions for women vary significantly (UNFCCC, 1992, 2015).

Essentially, urgent action is needed to address these gaps, as the UN has projected that achieving gender equality will take an estimated 286 years in these patriarchal developing countries (UN Women, 2022). Accordingly, this research finds that using the term 'women's empowerment' does not seemingly enhance women's situation, and its use could be replaced by the term '*half women - half men*' in every climate discourse regarding women in developing countries. This research aims to eliminate the term altogether, as it may be politically correct but frequently misunderstood or not grasped at all. Nevertheless, here are the most significant macro-level shortcomings, listed in order of their impact, with the most important being absent gender quotas for participation and funding:

1. most importantly, the absence of gender quotas for 'women's right to equal participation and funding' (UNFCCC, 1992-2025; Meyer, 2016; Selibas, 2022).
2. the underrepresentation of women in key bodies such as the ICCL and IPCC (UN & UNESCO, 2019; UNESCO, 2019).
3. the use of imprecise language lacking a clear definition for 'gender equality' (e.g. PA, 2015).
4. a limited understanding or frankly absent human rights for women (Castañeda Camey et al., 2020).

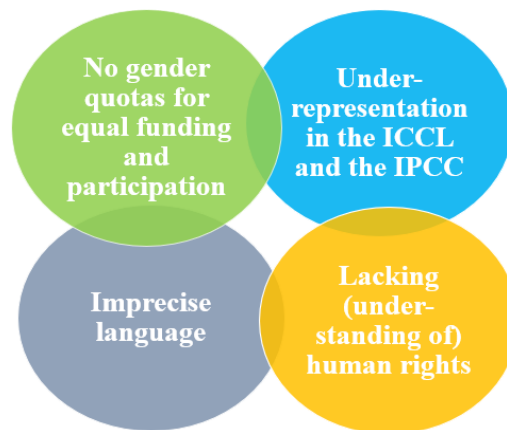


Figure 1. Main macro shortcomings for women internationally

5.2 Main Recommendation: *Women'S Right to Equal Participation and Funding*

Figure 2 exemplifies the 5 essential legal recommendations. It is crucial to establish clear and accurate definitions for 'gender equality' and human rights for women and eliminate the term 'women's empowerment,' as it does not effectively serve these women. Additionally, implementing the UNFCCC Decisions (UNFCCC, 2001, 2012, 2019) would benefit women by establishing gender quotas, and ensuring equal representation with 50% males and 50% females.

Integrating CEDAW alongside the ICCL would give women land rights (CEDAW, 1979). Moreover, since the ICCL provisions for women are currently framed with 'should' language (UNFCCC), replacing them with more binding 'shall' provisions would strengthen women's position. Furthermore, while some funding implementers discuss 'gender-equal' funding, this approach is unacceptable, as it fails to specifically address women as women, rather than merely as 'gender'.

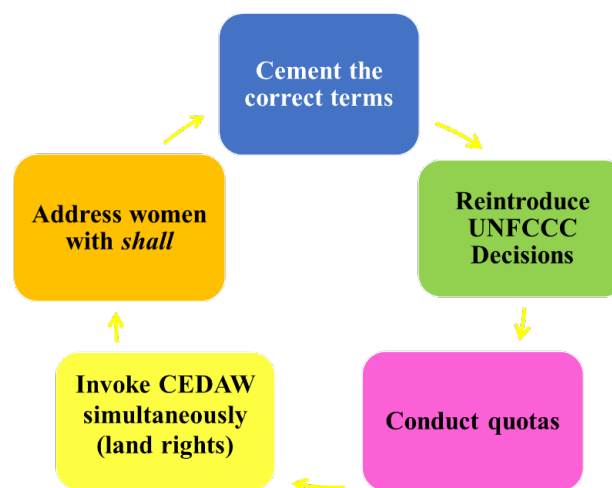


Figure 2: Five legal recommendations for women

However, my primary recommendation is to implement the term 'women's right to equal participation and funding' in climate language. This term could bypass the previous 5 recommendations and the undefined and misunderstood concepts of 'women's empowerment' and 'gender equality', ensuring equal treatment for women and men. It should be consistently used across all climate change frameworks, with 50% women and 50% men representation.

This approach would address key issues, from missing definitions to underrepresentation, and benefit women.

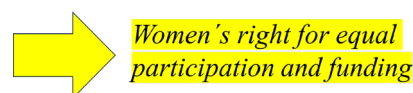


Figure 3. The term that could bypass all the 5 legal suggestions in Figure 2

Accordingly, women could also benefit from more targeted funding through dedicated projects. Although the Funds lack specific Decisions addressing women, they do not prevent funding from reaching women (UNFCCC, 2001, 2010, 2023). Moreover, more funding for women would not need any legal modifications and could be established with e.g. mitigations by solar panels and adaptations by sustainable water management. Notably, with the LDF now operational (UNFCCC, 2023), granting loss and damage funding could support displaced women.

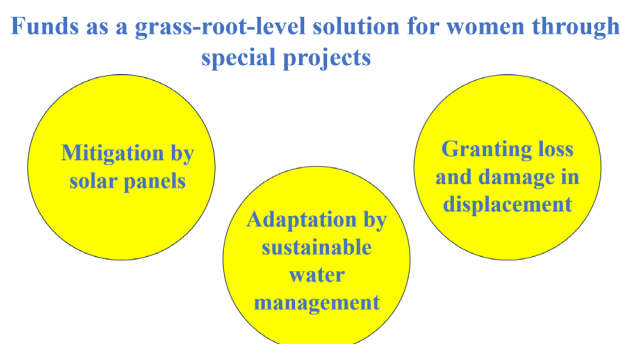


Figure 4. Alternative advances through funding alongside the new term in Figure 3

6. Final Conclusion

This research concludes that the ICCL's legally binding regulations are insufficient for protecting women, with a clear lack of quotas for women's equal participation and access to funding. The climate language is also less obligating with 'should' (UNFCCC). A recommended solution, 'women's right to equal participation and funding,' could significantly benefit women. If this is unfeasible, alternative measures must be explored.

The issues for women extend beyond the ICCL, highlighting the intersection of gender and climate change. Women's position within climate change policy and funding is dire, with only 0.2% of funding directed toward them (Selibas, 2022). Key shortcomings stem from underrepresentation in ICCL and climate science bodies, despite good intentions in Decision 23/CP.18 (UNFCCC, 2012). While the UNFCCC calls for quotas, they remain unimplemented, leaving women underrepresented in crucial bodies (UNFCCC).

Even when specific Decisions for women are absent (UNFCCC, 2001, 2010, 2023), climate change funding can still target women at the grass-root-level. Ideally, women should receive grants rather than loans for climate action, with the most impactful changes likely to occur at the grass-roots-level. Achieving change will, however, require a broader push, as tackling all these issues at once is unlikely.

References

- AF. Annex 4. Gender policy of the Adaptation Fund, pp. 5, 9. [Online]. Available: https://www.adaptation-fund.org/wp-content/uploads/2016/04/OPG-Annex-4_GP-and-GAP_approved-March2021pdf-1.pdf
- AF. Board. [Online]. Available: <https://www.adaptation-fund.org/about/governance/board/>
- AF (2020). Assessing Progress: Integrating Gender in Adaptation Fund Projects and Programmes, p. 15. [Online]. Available: <https://www.adaptation-fund.org/wp-content/uploads/2020/03/AF-Integrating-Gender-2020-web.pdf>
- Alston, M., Fuller, S. and Kwarney, N. (2025). Women and climate change in Vanuatu, Pacific Islands Region, p. 98. Gender, Place & culture, Vol 32, no. 1. [Online]. Available: <https://doi.org/10.1080/0966369X.2023.2229530>
- Aslam, A. (2024). Gendered Experiences of Climate Change: A Case Study of Gender Participation in Climate Change Policies in Pakistan. Pakistan Languages and Humanities Review, Apr-June 2024, Vol. 8, No. 2(S), p. 354. [Online]. Available: [https://doi.org/10.47205/plhr.2024\(8-II-S\)32](https://doi.org/10.47205/plhr.2024(8-II-S)32)
- Atmadja, S.S., Liswanti, N., Tamara, A., Lestari, H., and Djoudi, H. (2020). Leveraging climate finance for gender equality and poverty reduction. A comparative study, Center for International Forestry Research (CIFOR), pp. viii, xi, 1. [Online]. Available: https://www.cifor-icraf.org/publications/pdf_files/Reports/Climate-UNDP-Report.pdf
- Atmadja, S.S., Lestari, H., Djoudi, H., Liswanti, N., and Tamara, A. (2020) Making climate finance work for women and the poor: Insights from national climate finance mechanisms in Indonesia. CIFOR, pp. 1 - 2. [Online]. Available: https://www.cifor-icraf.org/publications/pdf_files/infobrief/7871-infobrief.pdf
- Castañeda Camey, I, Sabater, L., Owren, C. and Boyer, A.E. (2020). Gender-based violence and environment linkages. The violence of inequality, International Union for Conservation of Nature (IUCN), Wen, J. (editor), pp. xi, 9. [Online]. Available: <https://doi.org/10.2305/IUCN.CH.2020.03.en>
- CEDAW (1979). Convention on the Elimination of All Forms of Discrimination against Women, p. 6. [Online]. Available: <https://www.ohchr.org/sites/default/files/cedaw.pdf>
- Chitiga-Mabugu, M., Henseler, M., Maisonnave, H., and Mabugu, R. (2023). Climate Change and Women - Impacts and Adaptation. HAL open science, p. 20. [Online]. Available: <https://doi.org/10.1561/101.00000151>
- Daniel, T. (November 2021). Guide to strengthening gender integration in climate finance projects. Climate & Development Knowledge Network/ Women's Environment & Development Organization. WEDO, p. 3. [Online]. Available: https://wedo.org/wp-content/uploads/2021/11/Guide-to-strengthening-gender-integration-into-climate-finance-projects_WEDO_CDKN_11.21.pdf
- Driesen, D. and Carlarne, C. (2022). Climate finance after Paris, Research Handbooks in Climate Law series, Reins, L. & Verschuuren, J. (editors), pp. 265, 267, 268, 278, 282. [Online]. Available: <https://doi.org/10.4337/9781839101595.00018>
- Emman Kwegyir Aggrey, James. In: Jacobs, S. M. (1996). An African Intellectual in the United States, The Journal of Negro History, Vol. 81, p. 47 [Online]. Available: <https://doi.org/10.1086/JNHv81n1-4p47>
- Freestone, D. (2016). The United Nations Framework Convention on Climate Change - the Basis for the Climate Change Regime. Oxford Handbook of International Climate Change

- Law, Carlarne, C.P., Gray, K.R. and Tarasofsky (editors), p. 4. [Online]. Available: <https://doi.org/10.1093/law/9780199684601.003.0005>
- GCF (2011). Governing instrument for the Green Climate Fund, p. 4. [Online]. Available: <https://www.greenclimate.fund/sites/default/files/document/governing-instrument.pdf>
- Green Climate Fund. Enhancing adaptive capacities of coastal communities, especially women, to cope with climate change induced salinity. [Online]. Available: <https://www.greenclimate.fund/project/fp069>
- Global Environment Facility (GEF). Main issue. [Online]. Available: <https://www.thegef.org/what-we-do/topics/special-climate-change-fund-sccf>
- GEF. What we do. [Online]. Available: <https://www.thegef.org/what-we-do>
- GEF (2023). Least Developed Countries Fund (LDCF) [Online]. Available: <https://www.thegef.org/what-we-do/topics/least-developed-countries-fund-ldcf>
- GEF. Who We Are. [Online]. Available: <https://www.thegef.org/who-we-are>
- Halton, M. (8 March 2018). Climate change 'impacts women more than men'. BBC News. [Online]. Available: <https://www.bbc.com/news/science-environment-43294221>
- Hutchinson, T.C.M. (2015). The Doctrinal Method: Incorporating Interdisciplinary Methods in Reforming the Law. *Erasmus Law Review*, Vol. 8, pp. 130 – 131. [Online]. Available: <https://doi.org/10.5553/ELR.000055>
- IPCC. The Intergovernmental Panel on Climate Change (IPCC). [Online]. Available: <https://www.ipcc.ch/>
- IPCC (2020). Gender Policy and Implementation Plan, p. 4. [Online]. Available: https://www.ipcc.ch/site/assets/uploads/2020/05/IPCC_Gender_Policy_and_Implementation_Plan.pdf
- IPCC (2018). Appendix C to the Principles Governing IPCC Work. [Online]. Available: <https://www.ipcc.ch/site/assets/uploads/2018/02/ipcc-principles-elections-rules.pdf>
- Konte, M. (2020). Female Policymakers and Women's Well-Being in Africa. *Women and Sustainable Human Development - Empowering Women in Africa*, p. 320. The International Institute of Social Studies. [Online]. Available: <https://doi.org/10.1007/978-3-030-14935-2>
- Konte, M. and Tirivayi, N. (2020). Introduction. *Women and Sustainable Human Development - Empowering Women in Africa*, p. 5. The International Institute of Social Studies, Konte, M. and Tirivayi, N (editors). [Online]. Available: <https://doi.org/10.1007/978-3-030-14935-2>
- NASA. Extreme Weather and Climate Change. [Online]. Available: <https://science.nasa.gov/climate-change/extreme-weather/>
- Meyer, T. (2016). Institutions and Expertise: The Role of Science. *Climate Change Lawmaking*, Oxford Handbook of International Climate Change Law, p. 441, 445, 461, Carlarne, C. P. & Gray, K. R. & Tarasofsky, R. (editors). [Online]. Available: <https://doi.org/10.1093/law/9780199684601.003.0020>
- Mitchell, T. (2017). Women in Paris. The Inclusion of Gender Considerations in the Negotiation and Text of the Paris Agreement, pp. 118, 119, 122 - 124. [Online]. Available: <https://static1.squarespace.com/static/577228a5e4fcb512c064f2a7/t/5e86a5ed79449e7020bd6e2c/1585882606731/Taylor+Mitchell+Women+in+Paris+The+inclusion+of+gender+considerations+in+the+negotiation+and+text+of+the+Paris+Agreement.pdf>

- Mollins, J. (19 January 2021). Forest news. Structuring climate finance to benefit women and alleviate poverty. Research reveals gender disparities in accessing funds, CIFOR. [Online]. Available: <https://forestsnews.cifor.org/70589/structuring-climate-finance-to-benefit-women-and-alleviate-poverty?fnl=en>
- Monash University (05 November 2024). Putting women front and centre in the UN's Loss and Damage Fund. [Online]. Available: <https://lens.monash.edu/@cop/2024/11/05/1387147/putting-women-front-and-centre-in-the-uns-loss-and-damage-fund>
- Pörtner, H-O, Roberts, D.C., Tignor, M.M.B., Poloczanska, E., Mintenbeck, K., Alegria, A., Graig, M., Langsdorf, S., Löschke, S., Möller, V., Okem, A. and Rama, B. (2022) (editors). Climate Change 2022: Impacts, Adaptation and vulnerability. Working Group II Contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, IPCC, pp. 51, 70, 555, 587, 656, 1085, 1111, 1193. [Online]. Available: https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_FullReport.pdf
- Reins, L. and Verschuuren, J. (2022). Climate change mitigation and the role of law. In Reins, L. and Verschuuren, J. (editors), Research Handbook on Climate Change Mitigation Law, p. 10. [Online]. Available: <https://doi.org/10.4337/9781839101595.00006>
- Reinsurance News. Loss and Damage Fund to begin financing projects in 2025: COP29 Presidency. [Online]. Available: <https://www.reinsurancene.ws/loss-and-damage-fund-to-begin-financing-projects-in-2025-cop29-presidency/>
- Roy, J., Prakash, A., Some, S. Singh, C., Bezner Kerr, R., Caretta, M.A., Conde, C., Rivera Ferre, M., Schuster-Wallace, C., Tirado-von der Pahlen, M.C., Totin, E., Vij, S., Baker, E., Dean G., Hillenbrand, E., Irvine, A., Islam, F., McGlade, K., Nyantakyi-Frimpong, H., Ravera, F., Segnon, A., Solomon, D. and Tandon, I. (2025). Synergies and trade-offs between climate change adaptation options and gender equality: a review of the global literature, p. 8. Humanities & Social Sciences Communications. [Online]. Available: <https://doi.org/10.1057/s41599-022-01266-6>
- Sands, P., Peel, J., Fabra, A. and MacKenzie, R. (2018). Principles of International Environmental Law, p. 812. [Online]. Available: <https://doi.org/10.1017/9781108355728>
- ScienceDaily (February 5, 2025). Gender equality is crucial for a climate resilient future. [Online]. Available: <https://www.sciencedaily.com/releases/2025/02/250205131248.htm>
- Selibas, D. (20 Apr 2022). Funding for women-led conservation remains tiny, but that's changing fast. Mongabay. [Online]. Available: <https://news.mongabay.com/2022/04/funding-for-women-led-conservation-remains-tiny-but-thats-changing-fast/>
- Setyowati, R., Rusdiyana, E., Widiyanto, Sugihardjo, Lestari, E., and Lovinia Arwindianti, M. (2025). Women's contribution to climate change action: A gender analysis. BIO Web of Conferences 155, 06012, p. 1. [Online]. Available: <https://doi.org/10.1051/bioconf/202515506012>
- Setzer, J. and Benjamin, L. (2020). Climate Litigation in the Global South: Constraints and Innovations. Transnational Environmental Law, 9:1, pp. 77-78. [Online]. Available: <https://doi.org/10.1017/S2047102519000268>
- Swinnen, J., Arndt, C. and Vos, R. (2022). Climate Change and Food Systems. Transforming Food Systems for Adaptation, Mitigation, and Resilience, p. 6., International Food Policy Research Institute (IFPRI). [Online]. Available: https://doi.org/10.2499/9780896294257_01

- Thomas, L. (19 February 2023). Women and girls are disproportionately affected by climate change. News. Medical & life sciences, pp. 2, 3. [Online]. Available: <https://www.news-medical.net/news/20230219/Women-and-girls-are-disproportionately-affected-by-climate-change.aspx>
- Thompson, A. (2016). The Global Regime for Climate Finance: Political and Legal Challenges. In Carlarne, C. P., Gray, K. R. and Tarasofsky, R. Oxford Handbook of International Climate Change Law, p. 138. [Online]. Available: <https://doi.org/10.1093/law/9780199684601.003.0007>
- UN Climate Change. [Online]. Available: <https://cop29.az/en/media-hub/news/-1732385682>
- UN Climate Change Conference Baku - November 2024. [Online]. Available: <https://unfccc.int/cop29>
- UN Climate Change. Supreme Bodies. Bodies. Conference of the Parties (COP). [Online]. Available: <https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-cop>
- UNESCO (2025). UNESCO in brief. [Online]. Available: <https://www.unesco.org/en/brief>
- UNESCO (2019). Women in Science, pp. 1 – 2. [Online]. Available: <http://uis.unesco.org/sites/default/files/documents/fs55-women-in-science-2019-en.pdf>
- UNEP. About Loss and damage. [Online]. Available: <https://www.unep.org/topics/climate-action/loss-and-damage/about-loss-and-damage>
- UN Foundation (2024). What is the UN General Assembly? Everything you need to know about UNGA 2024. [Online]. Available: <https://unfoundation.org/unga79/what-is-the-un-general-assembly-everything-you-need-to-know-about-unga-2024/>
- UNFCCC (2023). Decision 1/CP.28. Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of Decisions 2/CP.27 and 2/CMA.4, pp. 1 - 41. [Online]. Available: https://unfccc.int/sites/default/files/resource/cp2023_11a01_adv.pdf
- UNFCCC. Fund for responding to Loss and Damage. Membership to the Board of the Fund. Available: <https://unfccc.int/loss-and-damage-fund-joint-interim-secretariat#Board>
- UNFCCC (2022). Establishing a dedicated fund for loss and damage. [Online]. Available: <https://unfccc.int/establishing-a-dedicated-fund-for-loss-and-damage>
- UNFCCC (2022). Subsidiary Body for Implementation (SBI), p. 4. [Online]. Available: https://unfccc.int/sites/default/files/resource/sbi2022_07.pdf
- UNFCCC (2022). Decision 24/CP.27, pp. 2 - 6. [Online]. Available: https://unfccc.int/sites/default/files/resource/cp2022_10a03_adv.pdf
- UNFCCC (2021). Decisions 1/CMA.3, 2/CMA.3, 3/CMA.3, and 4/CMA.3, pp. 2, 8 - 11, 19, 21, 25, 29 - 31, 41, 44. [Online]. Available: https://unfccc.int/sites/default/files/resource/cma2021_10a01E.pdf
- UNFCCC (2019). Decision 3/CP.25, pp. 6, 9. [Online]. Available: https://unfccc.int/sites/default/files/resource/cp2019_13a01E.pdf
- UNFCCC (2015). Decision 1/CP.21. Paris Agreement, pp. 1, 6, 10. [Online]. Available: https://unfccc.int/files/meetings/paris_nov_2015/application/pdf/paris_agreement_english_.pdf
- UNFCCC (2012). Decision 23/CP.18, pp. 47 - 48. [Online]. Available: <https://unfccc.int/resource/docs/2012/cop18/eng/08a03.pdf>

- UNFCCC (2010). Decision 1/CP.16. to establish the Green Climate Fund, p. 17. [Online]. Available: <https://unfccc.int/sites/default/files/resource/docs/2010/cop16/eng/07a01.pdf>
- UNFCCC (2001). Decision 10/CP.7 to establish the Adaptation Fund, p. 52. [Online]. Available: <https://unfccc.int/resource/docs/cop7/13a01.pdf#page=52>
- UNFCCC (2001). Decision 36/CP.7. Improving the participation of women in the representation of Parties in bodies established under the United Nations Framework Convention on Climate Change or the Kyoto Protocol, p. 26. [Online]. Available: <https://unfccc.int/sites/default/files/resource/docs/cop7/13a04.pdf>
- UNFCCC (2001). Decision 7/CP.7 to establish both the Least Developed Countries Fund (LDCF) and Special Climate Change Fund (SCCF), p. 43. [Online]. Available: https://unfccc.int/files/cooperation_and_support/financial_mechanism/application/pdf/7_c_p.7.pdf
- UN (1992). United Nations Framework Convention on Climate Change (UNFCCC). p. 14. [Online]. Available: <https://unfccc.int/resource/docs/convkp/conveng.pdf>
- United Nations General Assembly (UNGA). A/CONF.151/26 (Vol. I). Report of the United Nations Conference on Environment and Development. (Rio de Janeiro, 3 - 14 June 1992). [Online]. Available: https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.151_26_Vol.I_Declaration.pdf
- UN Women (28 February 2022). Explainer: How gender inequality and climate change are interconnected [Online]. Available: <https://www.unwomen.org/en/news-stories/explainer/2022/02/explainer-how-gender-inequality-and-climate-change-are-interconnected>
- UN Women Watch. Women, Gender Equality and Climate Change. [Online]. Available: https://www.un.org/womenwatch/feature/climate_change/downloads/Women_and_Climate_Change_Factsheet.pdf
- UN Women (2022). In focus: Sustainable Development Goal 5. Achieving gender equality and empowering all women and girls. [Online]. Available: <https://www.unwomen.org/en/news-stories/in-focus/2022/08/in-focus-sustainable-development-goal-5>
- Verschuuren, J. (2022) Climate change adaptation under the United Nations Framework Convention on Climate Change and related documents. In Verschuuren, J., (editor). Research Handbook on Climate Change Adaptation Law, pp. 8, 14, 29. [Online]. Available: <https://doi.org/10.4337/9781800371491.00014>
- Witcher Jackson, L. (2009). Educate the Women and You Change the World: Investing in the Education of Women is the Best Investment in a Country's Growth and Development, The Forum on Public Policy, p. 25. [Online]. Available: <https://files.eric.ed.gov/fulltext/EJ870099.pdf>
- Wyns, A. (2023). COP27 establishes loss and damage fund to respond to human cost of climate change. Deal on compensation for climate impacts represents major milestone for climate justice. The Lancet. Planetary Health. Newsdesk. Volume 7, p. e21. [Online]. Available: [https://doi.org/10.1016/S2542-5196\(22\)00331-X](https://doi.org/10.1016/S2542-5196(22)00331-X)