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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights of older persons

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler, in accordance with Human Rights Council resolution [51/4](#).

* [A/78/150](#).



Report of the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler

Summary

In the present report, the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler, examines the rights of older persons in the context of climate change-induced disasters and how to build forward more equally. She also sets out recommendations to States and other stakeholders to uphold the rights of older persons in climate-related disaster preparedness, response and recovery.

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I. Introduction

1. The present report is submitted to the General Assembly by the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler. It contains a brief overview of the activities of the mandate holder during the reporting period and a thematic analysis of the impacts of climate change-induced disasters on the human rights of older persons. The analysis relies on previous work and extensive desk research, as well as 32 written submissions received from States, national human rights institutions, civil society organizations, academics and other stakeholders in response to the call for contributions issued in March 2023.¹ Furthermore, five regional expert meetings were organized, in partnership with three United Nations regional commissions,² to collect inputs and good practices from all regions in the world. The Independent Expert is grateful to all those who contributed to the preparation of her thematic report.

2. In line with her mandate, the Independent Expert participated in the thirteenth session of the Open-Ended Working Group on Ageing, where she contributed to the discussions on normative inputs and on strengthening the promotion and protection of the human rights of older persons. She also participated in a series of events, including a side event on the resilience and contributions of older women to celebrate the International Day of Older Persons in 2022, a side event on intergenerational dialogue and participation in the margins of the sixty-first session of the Commission for Social Development, organized by the Permanent Mission of Portugal to the United Nations, and a side event on gender-based violence in old age on the occasion of World Elder Abuse Awareness Day in 2023. An overview of the activities undertaken by the Independent Expert over the past year can be found in the forthcoming report of the Independent Expert to the Human Rights Council, focused on violence, abuse and neglect of older persons.³

3. In a recent speech, the United Nations High Commissioner for Human Rights affirmed that the triple planetary crisis – of climate change, biodiversity loss and pollution – was a human rights crisis, noting that those worst hit would be people who are already trapped in vulnerable situations.⁴ Climate change results in extreme weather events and disasters that are greater in frequency and intensity, disproportionately affecting the most vulnerable people and systems.⁵ In 2019, 97.6 million people were affected by climate- and weather-related disasters, with vulnerability to climate change impacts compounded by factors such as age, gender, race, class, ethnicity, sexual orientation, Indigenous identity, disability, income, location and migration status.⁶

4. Older persons are more likely to die from climate-related disasters, such as heatwaves, typhoons, hurricanes and floods.⁷ They face disproportionate negative impacts on their health, housing, livelihoods, well-being and access to food, land, water and sanitation. This can be exacerbated by physical, political, economic and

¹ All submissions are available at <https://www.ohchr.org/en/special-procedures/ie-older-persons>.

² The Independent Expert is grateful for the support of the Economic Commission for Europe (ECE), the Economic and Social Commission for Asia and the Pacific and the Economic and Social Commission for Western Asia.

³ [A/HRC/54/26](#) (forthcoming).

⁴ See www.ohchr.org/en/statements-and-speeches/2023/06/climate-protection-human-right.

⁵ Intergovernmental Panel on Climate Change, Sixth Assessment Report, Summary for Policymakers (2022), para. B.1. Available at www.ipcc.ch/report/ar6/wg2/chapter/summary-for-policymakers/.

⁶ [A/77/226](#), para. 29.

⁷ [A/HRC/49/61](#), para. 23, and [A/HRC/47/46](#), para. 9.

social factors, including poverty, location, lack of transport and disruption of care and support services, as well as ageism and age-related discrimination.⁸

5. Older persons tend to be excluded, isolated and left behind when facing natural disasters and related emergencies. Two thirds of older persons across the globe are living in low- and middle-income countries that face a higher risk of climate-related disasters.⁹ By 2050, 80 per cent of older persons in the world will be living in these countries and over 20 per cent of the global population will be 60 years old or older.¹⁰ As a result of a rapidly ageing population combined with the impacts of climate change, the human rights of older persons will be increasingly threatened by climate-related disasters.

6. In 2019, the former Independent Expert addressed the human rights of older persons in emergency situations.¹¹ Following a 2020 panel discussion on climate change and the human rights of older persons at the Human Rights Council and pursuant to Council resolution 44/7, the Office of the United Nations High Commissioner for Human Rights conducted an analytical study on the promotion and protection of the rights of older persons in the context of climate change.¹² The resolution also encouraged special procedures mandate holders to consider the issue of climate change and human rights, particularly the adverse impact of climate change on older persons. In the present report, the Independent Expert focuses on the growing challenge of climate-induced disasters and the need for appropriate disaster preparedness, response and recovery, as well as climate mitigation and adaptation, that take the specific needs and conditions of older persons into account.

II. Impacts of climate change-induced disasters in older age

7. Although all climate-related disasters have a disproportionate effect on older persons, the nature and extent of the risks will vary depending on the type of disaster and the occurrence and frequency of such events in the region where they live.

Hurricanes, typhoons, floods and other extreme weather events

8. Climate change leads to extreme weather events, including severe storms, floods, hurricanes and typhoons. Floods pose numerous risks, including immediate injury or death from floodwater and the spread of infectious disease over the longer term. These risks are exacerbated by the loss of infrastructure, homes and livelihoods.¹³ Hurricanes and typhoons are increasing in frequency and intensity, with dramatic consequences for older persons, who are more likely to die from these events owing to, for example, difficulties with mobility, disrupted access to medical care, inappropriate shelter facilities and insufficient evacuation assistance.¹⁴

⁸ A/HRC/49/61, paras. 6–7, A/HRC/45/14/Add.2, para. 53, A/HRC/39/50/Add.1, para. 51, and A/HRC/30/43/Add.3, para. 55.

⁹ HelpAge International, “A rising force for change: older people and climate action”, HelpAge briefing, October 2021, p. 2.

¹⁰ Amnesty International, *Stop Burning Our Rights* (London, 2021), p. 54.

¹¹ A/HRC/42/43.

¹² A/HRC/47/46.

¹³ A/HRC/49/61, paras. 7 and 22, A/HRC/47/46, para. 9, and A/77/226, para. 32.

¹⁴ Gary Haq, “The forgotten generation: older people and climate change”, in *Diversity and Inclusion in Environmentalism*, Karen Bell, ed. (Abingdon and New York, Routledge, 2021); A/HRC/47/46, para. 9; A/HRC/49/61, para. 15; and Simon Athawes, “Five years on: how Haiyan shocked the world”, PreventionWeb, 8 November 2018 (available at www.preventionweb.net/news/five-years-how-haiyan-shocked-world).

Heatwaves and wildfires

9. Heatwaves are closely associated with detrimental impacts on the human rights of older persons, especially their right to health. Exposure and vulnerability to extremes of heat are rising in all parts of the world.¹⁵ Over the previous 20 years, there was a 53.7 per cent increase in heat-related mortality in those older than 65 years.¹⁶ Heatwaves also contribute to the prevalence and severity of wildfires. These pose significant threats to the well-being of older persons, including challenges related to mobility and evacuation, as well as an increased risk of health complications from exposure to wildfire smoke.¹⁷

Slow-onset disasters

10. Climate change is also causing slow-onset disasters such as droughts, coastal erosion and sea level rise. Droughts increase water and food shortages, thereby contributing to displacement and migration, which place older persons in vulnerable situations.¹⁸ Climate change can also trigger and exacerbate sand and dust storms in arid and drought-prone regions, contributing to poor air quality and related diseases.¹⁹ Sea level rise is a particular challenge for small island developing States, leading to migration and relocation, which pose challenges and risks for older persons.²⁰

Multiple hazards

11. The areas hardest hit by climate change may face numerous disasters consecutively or simultaneously, dramatically increasing the impacts on human rights.²¹ Climate variability will worsen owing to climate change, causing more intense and unpredictable disasters. Multiple forms of disaster, as well as multiple consecutive disasters, have dire consequences for the ability of States to respond to these events.²²

III. International legal and policy frameworks

12. There is limited recognition of the impact of climate change on human rights in international law. The Paris Agreement on climate change refers to human rights in its preamble, stating that parties to the agreement should respect, promote and consider their respective obligations on human rights when taking action to address climate change. The link between climate change and human rights is also evident in the right to a clean, healthy and sustainable environment, given that a “safe” climate is a substantive element of this right.²³

¹⁵ A/HRC/47/46, para. 9–10, and A/HRC/52/28, para. 14.

¹⁶ Nick Watts and others, “The 2020 report of The Lancet Countdown on health and climate change: responding to converging crises”, *The Lancet*, vol. 397, No. 10269 (January 2021).

¹⁷ A/HRC/52/28, para. 15; and Haq, “The forgotten generation”, p. 122.

¹⁸ A/HRC/49/61, para. 36; and United Nations Office for Disaster Risk Reduction, *Regional Assessment Report on Disaster Risk Reduction in the Arab Region, 2021*, p. 94.

¹⁹ United Nations Environment Programme, “Sand and dust storms”, fact sheet (available at www.unep.org/resources/factsheet/sand-and-dust-storms); World Meteorological Organization, “Sand and dust storms” (available at <https://public.wmo.int/en/our-mandate/focus-areas/environment/sand-and-dust-storms>); Madrid International Plan of Action on Ageing, 2002, para. 65; A/HRC/47/46, para. 10; and submission by the Organization for Defending Victims of Violence.

²⁰ A/HRC/30/43/Add.3, para. 54.

²¹ A/HRC/42/43/Add.2, para. 34.

²² HelpAge International, “‘Things have just gotten worse’: the impact of the global food, fuel and finance crisis on older people”, 2023, p. 27.

²³ See General Assembly resolution 76/300 and A/74/161.

13. The United Nations Principles for Older Persons are aimed at ensuring that priority attention is given to older persons and address the principles of independence, participation, care, self-fulfilment and dignity.²⁴ These principles should be applied to the policies and practices for disaster preparedness, response and recovery. Noteworthy, Human Rights Council resolution 48/14 establishing the mandate of the Special Rapporteur on the promotion and protection of human rights in the context of climate change and Council resolution 46/7, containing the latest renewal of the mandate of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, both make reference to older persons.

14. In the absence of a dedicated comprehensive international human rights treaty on the rights of older persons, provisions of other human rights treaties may apply. Indeed, the Convention on the Rights of Persons with Disabilities addresses situations of risk and humanitarian emergencies (article 11). Paragraph 35 of general recommendation No. 27 (2010) of the Committee on the Elimination of Discrimination against Women concerns climate change, disaster risk reduction and older women, while in its general recommendation No. 37 (2018), the Committee analyses the gender-related dimensions of disaster risk reduction in the context of climate change, including the importance of prioritizing older women as a marginalized group (para. 26), as well as promoting and protecting the rights of older women in disaster-related health care (para. 68 (f)). In its general comment No. 6 (1995), the Committee on Economic, Social and Cultural Rights affirms that older persons are entitled to enjoy the full range of rights recognized in the International Covenant on Economic, Social and Cultural Rights and establishes that States must take special measures to respect the rights of older persons wherever necessary and to the maximum of their available resources (para. 10). The Committee states its view that States parties to the Covenant must also pay particular attention to promoting and protecting the economic, social and cultural rights of older persons (para. 13). Relevant rights in the context of climate-induced disasters include the rights to equality, social security, protection of the family, an adequate standard of living and physical and mental health.

15. Despite the threat that climate change and related disasters pose to the human rights of older persons, the fragmented and inconsistent coverage of the rights of older persons in the international human rights framework fails to provide comprehensive protection from the many risks that older persons are exposed to in the face of climate change.

16. In contrast to the relative invisibility of older persons in international human rights treaties, the relationship between climate change, disaster risk reduction and the human rights of older persons has received some recognition in non-binding policy documents. In resolution 44/7, the Human Rights Council calls on States to adopt a comprehensive, integrated, gender-responsive, age-inclusive and disability-inclusive approach to climate change adaptation and mitigation policies (para. 4). The Madrid International Plan of Action on Ageing deals directly with older persons in emergency situations, addressing the need for equal access to food, shelter and medical care and recognizing the enhanced contributions of older persons to the reestablishment and reconstruction of communities and the rebuilding of the social fabric following emergencies (paras. 55–56). The situation of older persons in the context of disasters is explicitly addressed by the United Nations Office for Disaster Risk Reduction in its Charter 14 for Older People in Disaster Risk Reduction, which includes minimum standards for older persons that should be considered by States when developing laws and policies for disaster risk reduction.

²⁴ General Assembly resolution 46/91, annex.

17. The Sendai Framework for Disaster Risk Reduction (2015–2030) contains concrete actions to protect development gains from the risk of disaster. The Framework’s guiding principles recognize that policies and practices for disaster risk reduction should include a gender, age, disability and cultural perspective (para. 19 (d)). The Framework includes provisions on disaggregated data and recognizes the role of older persons’ knowledge, skills and wisdom in designing policies, plans and mechanisms for disaster risk reduction.

18. The Inter-Agency Standing Committee’s Operational Guidelines on the Protection of Persons in Situations of Natural Disasters aim to ensure that human rights principles are integrated into all disaster response and recovery efforts. Provisions referring to older persons include those dealing with non-discrimination and targeted measures for persons with special needs in evacuations; protection from violence; equal access to appropriate food, water and health services; accessible water and sanitation facilities at temporary and permanent relocation sites; and age-friendly shelter that is safe, appropriate and accessible.

19. Climate-induced disasters result in higher numbers of migrants and refugees, including older persons. Policies concerning migrants and refugees are therefore relevant, such as the Global Compact on Refugees, the Global Compact for Safe, Orderly and Regular Migration, the Guiding Principles on Internal Displacement, the Peninsula Principles on Climate Displacement within States and the Office of the United Nations High Commissioner for Refugees Policy on Older Refugees.

20. While Our Common Agenda, which aims at accelerating the implementation of the Sustainable Development Goals and other existing agreements, does not comprehensively address the needs and rights of older persons, it is a key agenda of action in which the life-course approach should be applied in addressing the climate crisis.

21. At the regional level, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons in Africa provides for the rights of older persons in conflict and disaster situations (art. 14). The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa refers to special protection and assistance for the “elderly” (art. IX). The Inter-American Convention on Protecting the Human Rights of Older Persons addresses the rights of older persons in situations of risk and humanitarian emergencies, requiring States to take specific measures to ensure their safety and foster their participation (art. 29).

IV. Intersectionality

22. Disproportionate impacts of climate-induced disasters are felt by older persons who experience multiple and intersecting forms of discrimination, including older women, older Indigenous persons, older persons with disabilities, older persons belonging to racial or ethnic minorities and older persons living in poverty.²⁵

Gender

23. Discrimination and social stigmatization increase the risk of gender-based violence during disasters and can limit access to essential goods and services, including food, water and sanitation, housing, medical supplies and health care.²⁶ Women face disproportionate health risks, including from extreme heat events,²⁷ and experience higher rates of poverty owing to related gender-based economic

²⁵ A/HRC/47/46, para. 34–40, and A/HRC/49/61, paras. 21 and 43.

²⁶ A/HRC/52/33, para. 35.

²⁷ Ibid., para. 36.

inequalities, especially when they are widowed, caring for children or part of the informal economic sector, leaving them with fewer resources in disaster situations.²⁸ They are more likely to live in inadequate urban or rural housing, in areas that are more vulnerable to climate-induced disasters.²⁹ Furthermore, codes of faith may exclude older women from accessing communal shelters that lack gender separation.³⁰ Older women may also be viewed as a burden in disaster situations, exposing them to abuse and neglect. Yet, in many instances, the particular impacts on older women and the risks they face remain invisible because of a lack of data disaggregated by sex and age.³¹

24. The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment has noted that the failure to develop and implement gender-transformative disaster risk reduction and response plans has led to early warning systems, shelters and relief programmes that neglect the particular needs of diverse groups of women, including older women.³² In paragraph 26 of its general recommendation No. 37 (2018), the Committee on the Elimination of Discrimination against Women indicates that States parties should ensure that all policies, legislation, plans, programmes, budgets and activities related to climate change and disaster risk reduction are gender-responsive and grounded in human rights principles, including the principles of equality and non-discrimination, with particular priority being given to marginalized groups, including older women.

25. Older women are also important actors and advocates in climate change policies. For example, an association of older women recently took Switzerland to the European Court of Human Rights arguing that heatwaves caused by climate change were posing a threat to their health and that the climate mitigation policies of the Government of Switzerland were insufficient to protect them from this threat.³³

Disability

26. Bias and discrimination based on age and disability can have compounding effects and lead to the invisibility and exclusion of older persons with disabilities, who are more likely to live in poor housing conditions, increasing their exposure to extreme temperature and weather events.³⁴ During disasters, older persons with disabilities may be reliant on assistive devices and support from others, placing them at greater risk. Older persons with cognitive disabilities require particular care and support. For instance, older persons with dementia may need support to be able to

²⁸ HelpAge International, “Older people in disasters and humanitarian crises: guidelines for best practice”, p. 12.

²⁹ Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018), para. 4.

³⁰ HelpAge International, “Older people in disasters”, p. 12.

³¹ [A/76/157](#), para. 61.

³² [A/HRC/52/33](#), para. 35.

³³ European Court of Human Rights, *Verein KlimaSeniorinnen Schweiz and others v. Switzerland*, Application No. 53600/20; see also amicus curiae brief submitted by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Marcus A. Orellana, the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd, and the Special Rapporteur on the enjoyment of all human rights by older persons, Claudia Mahler. See also Cordelia Christiane Bähr and others, “KlimaSeniorinnen: lessons from the Swiss senior women’s case for future climate litigation”, *Journal of Human Rights and the Environment*, vol. 9, No. 2 (September 2018).

³⁴ [A/HRC/47/46](#), para. 38.

make decisions about adjusting to extreme weather, avoiding dangerous situations, or taking necessary medications.³⁵

Racial and ethnic groups

27. In many instances, racial or ethnic groups already experience disproportionate rates of poverty and discrimination and reduced access to human rights.³⁶ This limits their ability to adapt to climate change and increases their exposure to harm from climate-related disasters. Older persons from racial and ethnic groups are often more likely to live in neighbourhoods that are more exposed to extreme temperatures, flooding and other climate-related disasters.³⁷ Racial and xenophobic discrimination also determine who can move within and across borders, limiting the ability to flee contamination hotspots or areas more exposed to disasters.³⁸ Following a disaster, financial and other support for rebuilding and recovery may favour certain neighbourhoods and communities over those comprised mostly of racial or minority groups.

Indigenous Peoples

28. Older persons in indigenous communities are more likely to have close ties to the environment, including from traditional practices and livelihoods. For this reason, the impacts of climate change may be associated with a unique sense of loss related to the disappearance of cultural practices and traditional ways of life.³⁹ Indigenous Peoples are also important bearers of knowledge and skills for climate adaptation.⁴⁰ The Special Rapporteur on the rights of Indigenous Peoples points out, for example, that Indigenous women are custodians of a collective accumulation of scientific knowledge and technical skills related to, inter alia, natural resource management and weather patterns.⁴¹ This knowledge is critical to managing the risks and impacts of climate change, as well as building resilience in the face of extreme events.⁴² Older Indigenous persons are often community leaders that hold this valuable indigenous knowledge. Their participation in decision-making processes concerning climate adaptation and disaster risk reduction should be facilitated and promoted.

Displacement and migration

29. Displacement and migration are linked to significant risks for the human rights of older persons. Older migrants may, for example, lose access to social security or pension benefits. Some older migrants may also be stateless (or become stateless) and face barriers to obtaining nationality.⁴³ The Special Rapporteur on the promotion and protection of human rights in the context of climate change addresses the issue of providing legal options to protect the human rights of persons displaced across international borders due to climate change. He recognizes age as a characteristic that can contribute to additional risks when crossing international borders as a result of

³⁵ Kevin McCracken and David R. Phillips, “Climate change and the health of older people in Southeast Asia”, in *Climate Change and Human Health Scenario in South and Southeast Asia*, Rais Akhtar, ed. (Switzerland, Springer International Publishing, 2016), pp. 47–48.

³⁶ [A/HRC/47/46](#), para. 39. See also Alana Hansen and others, “Vulnerability to extreme heat and climate change: is ethnicity a factor?”, *Global Health Action*, vol. 6, No. 1 (July 2013), pp. 44–45.

³⁷ See [A/HRC/49/53](#), paras. 26–29; [A/77/549](#), para. 19; and Hansen and others, “Vulnerability to extreme heat and climate change”, p. 1.

³⁸ [A/77/549](#), para. 34.

³⁹ [A/HRC/47/46](#), para. 40.

⁴⁰ [A/HRC/36/46](#), para. 22.

⁴¹ [A/HRC/51/28](#), para. 28.

⁴² *Ibid.*

⁴³ [A/HRC/47/46](#), para. 17.

climate displacement.⁴⁴ Displaced older persons face increased risks of violence, exploitation and abuse, which are exacerbated by barriers to humanitarian assistance and basic services. However, they can also play a vital role in displaced communities through preserving cultural heritage, social cohesion and connection with countries or regions of origin.⁴⁵ Where their right to participation is upheld, older displaced persons and refugees have a substantial capacity to contribute to responses and solution pathways.⁴⁶

30. The impacts of climate change-induced disasters are therefore particularly harmful to older refugees and internally displaced persons, who typically live in inadequate housing, especially in the context of camps or informal settlements, and already struggle to access basic services and live in conditions prone to vector-borne diseases. Furthermore, the erosion of support systems and difficulties to access telecommunications and information, sometimes due to language barriers, may prove challenging in the contexts of disaster prevention and management. Disaster risk reduction and mitigation plans for people in situations of forced displacement must be age-sensitive, as older persons are also often excluded from programmes targeting internally displaced persons and refugees.⁴⁷

Rural and urban areas

31. Older persons in rural areas may be at greater risk owing to a lack of access to essential services, socioeconomic disadvantage or isolation. In addition, rural areas may not be prioritized in disaster response. However, older persons in urban areas are also at heightened risk, exacerbated by poor quality housing, poor infrastructure and service delivery and inadequate spatial planning for urban growth.⁴⁸ Older persons living in informal settlements may be living in areas that are more exposed to flooding during extreme weather events. Urban areas also include many older persons who are experiencing homelessness and these individuals are acutely at risk during climate-induced disasters.⁴⁹

Socioeconomic status

32. The socioeconomic status of older persons plays a significant role in their adaptive capacity when it comes to climate change and related disasters.⁵⁰ Household insulation, heating or cooling systems and related energy costs may be unaffordable for low-income older persons. Socioeconomic status is also a critical factor in the ability of older persons to recover from climate-induced disasters, including rebuilding homes, recovering losses incurred or reviving economic activities. Many older persons are reliant on social security in the form of social grants or pensions, which are often insufficient for recovery from the many financial losses that may be incurred from a disaster. Owing to gender inequalities and wage gaps, pensions for older women tend to be lower than those for older men. Older lesbian, gay, bisexual, trans, intersex (LGBTI) and gender diverse persons often face social exclusion and a lack of family support that leave them in precarious situations, especially regarding

⁴⁴ Ibid.

⁴⁵ A/HRC/42/43, para. 35.

⁴⁶ A/HRC/45/14, para. 5.

⁴⁷ HelpAge International, “The neglected generation: the impact of displacement on older people”, pp. 20–32; and UNHCR, Integration Handbook, section on older refugees.

⁴⁸ “The right to adequate housing in older age”, submission by HelpAge International to the expert group meeting on affordable housing and social protection systems for all to address homelessness, United Nations Human Settlements Programme (UN-Habitat), May 2019, p. 4.

⁴⁹ Milanika S. Turner, “Climate change hazards + social vulnerability = a recipe for disaster”, *Generations: Journal of the American Society on Aging*, vol. 46, No. 2 (Summer 2022), pp. 4–5.

⁵⁰ Submission by Human Rights Watch; and Committee on Economic, Social and Cultural Rights, general comment No. 6 (1995), para. 17.

economic and housing security.⁵¹ Older women and older LGBTI persons are therefore at an even greater economic disadvantage, further exposing them to the risks associated with climate change and related disasters.

V. Protecting the rights of older persons in the context of climate change-induced disasters

A. Before: the rights of older persons in disaster preparedness and prevention

33. Despite their particular needs and situations of vulnerability, older persons in their full diversity are often overlooked in disaster prevention and preparedness. Recommendations in this regard have been outlined in earlier work from the current and former Independent Expert.⁵² Older persons, particularly those facing multiple and intersecting forms of discrimination, must be considered in disaster preparedness and prevention. For example, general recommendation No. 27 (2010) of the Committee on the Elimination of Discrimination against Women states that disaster risk reduction measures must be gender-responsive and sensitive to the needs and vulnerabilities of older women (para. 35).

34. Effective laws, policies and plans are essential to prevent and mitigate harm caused by climate-induced disasters, which are often unexpected, unpredictable or have unknown consequences. Adequate planning for climate-related disasters should occur at the national, regional and local levels, be based on disaggregated data and protect the human rights of older persons. Climate and disaster-related law and policy often refer broadly to vulnerable groups, or to specific groups other than older persons, thereby dismissing the distinct and particular needs of older persons.⁵³ To remedy this, older persons should be explicitly included, through meaningful participation, in preparedness and planning for climate-related disasters.

35. Some States have included older persons in their national disaster response and management plans, often referring to them in the context of vulnerable populations and noting their particular needs.⁵⁴ A number of States have referred to older persons within their national climate change adaptation plans, including Finland, Costa Rica and Slovakia.⁵⁵ Older persons have also been included in national policies and plans concerning heatwaves.⁵⁶ At the local level, some cities have dedicated heat action

⁵¹ A/74/181, para. 46.

⁵² A/HRC/30/43/Add.3, para. 114, A/HRC/33/44/Add.1, para. 97, A/HRC/36/48/Add.2, para. 99, A/HRC/39/50/Add.1, para. 106, A/HRC/39/50/Add.2, para. 98, and A/HRC/45/14/Add.2, para. 103.

⁵³ Submission by Philip Oamen. See also United Nations Office for Disaster Risk Reduction, *Regional Assessment Report*, p. 98, and submission by HelpAge International.

⁵⁴ See plans by Rwanda (<https://reliefweb.int/report/rwanda/national-disaster-risk-management-plan-september-2013>), p. 12, the Philippines (www.preventionweb.net/files/62898_nationaldisasterresponseplanforeart.pdf), Kenya (www.preventionweb.net/publication/kenya-national-disaster-response-plan) and Bangladesh (https://modmr.portal.gov.bd/sites/default/files/files/modmr.portal.gov.bd/policies/7a9f5844_76c0_46f6_9d8a_5e176d2510b9/SOD%202019%20_English_FINAL.pdf).

⁵⁵ Submission by Costa Rica in relation to Human Rights Council resolution 44/7; Finland's national climate change adaptation plan, 2022, p. 9 (https://climate-laws.org/documents/national-climate-change-adaptation-plan-2022_334f); and adaptation strategy of Slovakia to climate change (2019–2025/2030).

⁵⁶ Submission by Switzerland in relation to Human Rights Council resolution 44/7; A. Fouillet and others, "Has the impact of heat waves on mortality changed in France since the European heat wave of summer 2003? A study of the 2006 heat wave", *International Journal of Epidemiology*, vol. 37, No. 2 (April 2008); and A/HRC/47/46, para. 60.

plans for older persons, including Cologne, Germany,⁵⁷ and Buenos Aires.⁵⁸ Other cities have broader emergency preparedness plans that target older persons, such as San Francisco, United States of America.⁵⁹

36. Measures for building community resilience are important in combating the isolation and exclusion faced by older persons, particularly those who live alone. In Serbia, the Red Cross coordinates self-help groups for older persons over the age of 65 and manages phone circles to check in daily, primarily to combat loneliness and isolation.⁶⁰ These phone circles have been operated during heatwaves to monitor those who are the most at risk of extreme heat. Such pre-existing community arrangements are a valuable tool for protecting older persons and empowering them to build resilience against climate-induced disasters for themselves and their community.

37. Many efforts related to capacity-building for climate adaptation and disaster risk reduction are community driven. While these efforts are important, States may display an over-reliance on communities and on civil society organizations to provide care for older persons and prepare for disasters. It is the State's ultimate responsibility and obligation to protect the human rights of older persons during disasters.

38. The susceptibility of older persons to disasters is not entirely because of their age, but is also a result of "the limited social, financial and community support available to them".⁶¹ The role of structural and institutional inequalities therefore cannot be underestimated.

39. A key determining factor of older persons' adaptive capacity to climate change and related disasters is economic security. Solid social protection systems are therefore crucial to ensure disaster recovery. For example, in 2018 the Government of Tonga channelled assistance through its social welfare scheme for the elderly and disability benefits scheme to intentionally target these two groups in highly vulnerable situations following Tropical Cyclone Gita. Thanks to the already operational and steady social system, the assistance rapidly reached the beneficiaries to respond to their post-disaster needs.⁶² HelpAge International recommends that social protection systems are "built with shock-responsive design features to support the ability to cope with shocks" such as those related to climate-induced disasters, and that climate mitigation and adaptation policies should consider the economic security of older persons.⁶³

40. Older persons need adequate housing to adapt to climate change, to mitigate its effect and to prepare for climate-related disasters and natural hazards.⁶⁴ As noted by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, extreme weather conditions have implications for the habitability and affordability of housing and further entrench the energy poverty many people face today.⁶⁵ This is especially true for older persons, who are particularly vulnerable to extreme temperatures and are among those most likely to live in low-quality housing with

⁵⁷ A/HRC/47/46, para. 60.

⁵⁸ Submission by Argentina.

⁵⁹ Submission by Danielle Arigoni.

⁶⁰ See www.redcross.org.rs/en/what-we-do/social/ageing-and-older-people/self-help-groups/; and www.redcross.org.rs/en/news/telephone-circles-of-the-red-cross-of-serbia-highlighted-as-an-example-of-good-practice-on-the-red-social-innovation-website/.

⁶¹ Submission by Liat Ayalon and others.

⁶² World Bank, "Social protection and disaster recovery", Disaster Recovery Guidance Series (2019), p. 17.

⁶³ HelpAge, "Things have just gotten worse", p. 34.

⁶⁴ A/77/239, paras. 113–114.

⁶⁵ A/HRC/52/28, para. 16.

inadequate insulation or heating or cooling systems.⁶⁶ Extreme cold also threatens infrastructure, including road, electrical and water systems, which poses further risks to older persons.⁶⁷ They are more likely to have difficulty accessing safe, clean, healthy and sustainable energy, as well as in carrying out maintenance and repairs on their homes.⁶⁸ The increased use of household energy resulting from heating and cooling systems during periods of extreme temperatures can lead to power cuts, often in urban areas; prevention campaigns on accessing help and surviving extreme temperatures is thus vital.⁶⁹

41. Older persons living in long-term care facilities may be at greater risk if these institutions are not properly adapted to face climate-induced disasters. Governments have a responsibility to ensure that specific adaptation measures are required for public and private facilities that house older persons, including nursing homes and assisted living facilities. Adapting long-term care and assisted living facilities to handle extreme temperatures can be done by, for example, providing financing for installing heating or cooling systems, ensuring that residential homes for older persons have a “cool room”, and providing financing or support for appropriate insulation.⁷⁰ In some instances, back-up generators may be necessary.⁷¹ Furthermore, these facilities must have appropriate emergency plans in place for various types of disasters.⁷² It is recommended that such emergency plans are updated annually, staff are appropriately trained and annual drills are conducted, and that they include provisions relating to the location of residents; communication, particularly when Internet and telephone services are unavailable; evacuation plans; partnerships with emergency service providers; identification of suitable emergency shelters; and up-to-date emergency supplies.⁷³

42. Effective systems for communicating disaster-related information are essential to preparedness for climate-related disasters. Failure to adequately warn older persons increases their risk of death, illness and injury and robs them of precious time they could spend stocking up on essential food and medicines or evacuating to safer areas.⁷⁴ The Committee on the Elimination of Discrimination against Women, in its general recommendation No. 37 (2018), requires that early warning information be provided using modern, culturally appropriate, accessible and inclusive technology, including the extension of Internet and mobile telephone coverage, as well as other reliable and cost-effective communications technology such as radios (para. 54 (c)). In many States, the primary methods for early warning and related communications are social media and smartphone messaging applications. However, reliance on these methods alone excludes older persons, who may not have access to this technology. Illiteracy can further limit access to information for older persons.⁷⁵ This increases their reliance on family members for essential and potentially life-saving information.

⁶⁶ A/HRC/52/28, paras.14, 16 and 27, and A/HRC/47/46, para. 21.

⁶⁷ A/HRC/52/28, para. 16; see also Heather Chen and others, “From China to Japan, deadly cold is gripping East Asia: Experts say it’s the ‘new norm’” (available at <https://edition.cnn.com/2023/01/25/asia/east-asia-cold-snap-climate-japan-korea-china-climate-intl-hnk/index.html>).

⁶⁸ A/HRC/47/46, para. 21, and A/77/239, para. 40.

⁶⁹ Submission by Argentina.

⁷⁰ ECE, “Older persons in emergency situations”, Policy Brief on Ageing No. 25, November 2020, p. 10.

⁷¹ Submission by International Longevity Centre Canada.

⁷² Pan American Health Organization, *Guidelines for Mainstreaming the Needs of Older Persons in Disaster Situations in the Caribbean* (Washington, D.C., 2012), pp. 23–28.

⁷³ McKnights Long-Term Care News blog, 13 September 2019 (available at www.mcknights.com/blogs/climate-change-and-older-adults-lessons-from-canada/).

⁷⁴ Submission by Human Rights Watch.

⁷⁵ Submission by HelpAge International.

43. Several States have implemented early warning systems that specifically target older persons in disaster situations. The methods include pre-recorded emergency notifications delivered via telephone,⁷⁶ radio alerts, announcements over a loudspeaker and flag alert systems.⁷⁷ Predetermined early warning systems that target older persons empower them in their own disaster preparedness. In many instances, local civil society organizations are most effective in sharing early warnings and disaster-related information with older persons in their networks. Early warning systems are also important for staff working in services on which older persons rely. In France, the Government has put in place an alert system for high temperatures aimed at health and social workers.⁷⁸ Similarly, following Hurricane Katrina in the United States, an important lesson was that robust alert systems for carers of vulnerable individuals in institutional care were necessary.⁷⁹

44. The content of information should be adapted for the particular type of disaster and must be practical and accessible for older persons in all their diversity, including those with disabilities. Information should also be made available in indigenous or minority languages, where relevant. Preparedness can be strengthened by consulting older persons when designing relevant communications materials. Many communities have found direct outreach to be an effective strategy to adapt to the impact of heatwaves on older persons. Some cities use volunteer block captains to check in with those who are at high risk, others rely on a buddy system where volunteers are paired with neighbours,⁸⁰ and some assign direct outreach to primary care physicians or social and health workers.⁸¹

45. Health-care infrastructure, supplies and staff should be well prepared for climate-related disasters. Government health services, including ambulances and other emergency services, should be prepared to respond rapidly to disasters, paying particular attention to the distinct needs of older persons. Any undue delay in emergency services can lead to unnecessary deaths.⁸² In the context of health-care provision during heatwaves, it has been recommended that doctors in general practice receive training on how to treat older patients. They could also assist in identifying older persons who may be particularly at risk.

46. The well-being and resilience of informal caregivers is crucial for those older persons who rely on their care. Informal caregivers reduce the burden on public services, which may be overloaded during a disaster. They are usually women doing unpaid and often invisible work. Providing support, recognition and compensation for this work would help to ensure that informal caregivers are able to support older persons in a climate-induced disaster. For example, the Chilean National Service for the Elderly has published a manual aimed at contributing to a better quality of life for older persons through protecting the physical, emotional and social health of their caregivers. The manual includes strategies for emergencies and disasters, providing older persons and their caregivers with knowledge and practical tools to prepare for such events.⁸³

⁷⁶ Submission by Danielle Arigoni.

⁷⁷ Office for the Coordination of Humanitarian Affairs, ReliefWeb, “Field discussion guide: cyclone early warning procedures”, 17 June 2018; and Red Cross Red Crescent Magazine, “Raising the flag ahead of disasters”, 6 January 2023 (available at www.rcrcmagazine.org/2023/01/bangladesh-raising-the-flag-ahead-of-disasters/).

⁷⁸ ECE, “Older persons in emergency situations”, p. 10.

⁷⁹ *Ibid.*, p. 11.

⁸⁰ United Nations Office for Disaster Risk Reduction, PreventionWeb, “How to keep older adults safe during heat waves? Give them a housemate”, 13 September 2022.

⁸¹ Submission by Italy.

⁸² Submission by Human Rights Watch.

⁸³ Submission by Chile.

47. Planned relocation may be an essential preventative measure for those exposed to regular or ongoing climate-related disasters, including in areas that are particularly prone to disasters or where a slow-onset disaster is taking place.⁸⁴ For small islands in the Pacific, for example, relocations because of sea level rise often fail to consider the needs of older persons, resulting in loss of access to other essential services, including transport. Older persons with disabilities may lose access to vital food gardens, particularly when they have limited mobility.⁸⁵

B. During: the rights of older persons in disaster management and response

48. The nature and effects of climate-induced disasters are far-reaching and often unpredictable. Even when States take extensive measures to prepare and adapt, it may not be possible to prevent or avoid all the impacts of climate-related disasters. It remains essential to have measures in place to respond to disasters as they occur and to protect older persons' human rights throughout.⁸⁶ Considering variable needs dictated by the type of disaster, disaster response should be appropriate, accessible and age-friendly in the provision of temporary shelters and facilities, humanitarian aid, health care and information concerning the disaster itself, as well as where and how to access support. Disaster response must also include protecting older persons from abuse, particularly older women.⁸⁷

49. At the regional level, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa (art. 14) requires States parties to ensure that older persons enjoy access, on a priority basis, to assistance during rescue efforts, settlement, repatriation and other interventions; receive medical assistance and care; and receive humane treatment, protection and respect at all times. This prioritization of older persons is crucial as they are often the last to be provided with assistance and many in the region believe that those who are younger must be helped first.⁸⁸

50. The Independent Expert has addressed the response to emergency situations in the context of various country visits.⁸⁹ Humanitarian-related responses, services, support and information should be adapted to suit the specific needs and conditions of older persons without discrimination on any ground.⁹⁰ There is a risk of age-related discrimination from poorly designed policies and plans.⁹¹ A lack of understanding of older persons and their particular needs often results in inappropriate service delivery during disasters.⁹² Older persons with disabilities face additional challenges in receiving aid and support. They are more likely to miss out on aid as a result of physical and institutional barriers and face disproportionate challenges in accessing

⁸⁴ A/HRC/42/43, para. 96, A/HRC/33/44/Add.1, para. 97, and A/HRC/30/43/Add.3, para. 114.

⁸⁵ Pacific Disability Forum, "Disability and climate change in the Pacific: findings from Kiribati, Solomon Islands and Tuvalu", August 2022, p. 27.

⁸⁶ Madrid International Plan of Action on Ageing, issue 8, para. 55.

⁸⁷ Ibid.

⁸⁸ HelpAge International, "Malawi cyclone Freddy: 'Death toll will rise to at least 300 and possibly 400 in next few days'", 16 March 2023 (available at www.helpage.org/newsroom/latest-news/malawi-cyclone-freddy/).

⁸⁹ A/HRC/36/48/Add.2, para. 99, A/HRC/39/50/Add.1, para. 106, and A/HRC/39/50/Add.2, para. 98; see also A/HRC/54/26/Add.1 and A/HRC/54/26/Add.2 (forthcoming).

⁹⁰ A/HRC/36/48/Add.2 para. 99, A/HRC/39/50/Add.1, para. 106, and A/HRC/39/50/Add.2, para. 98.

⁹¹ A/HRC/48/53, para. 71.

⁹² Javeria Afzal, "The hidden victims of Pakistan's floods – the elderly", *Al Jazeera*, 5 October 2022.

health and rehabilitation services.⁹³ Older persons in caregiving roles may also require tailored aid and support.⁹⁴

51. Many climate-related disasters require affected communities to evacuate or relocate to prevent or minimize harm. Older persons with limited mobility may have difficulty reaching safety. Minor physical impairments that ordinarily cause minimal day-to-day disturbances may become serious impediments during a disaster, limiting the adaptive capacity of older persons.⁹⁵ This is important, as some States prioritize evacuation or assistance only for those with zero mobility, thereby overlooking older persons with limited mobility who require support. Older persons also encounter challenges in accessing transport to evacuate before or during an extreme weather event. Giving explicit priority to older persons is a good practice in the context of evacuations, put in place for example in the Dominican Republic.⁹⁶

52. Furthermore, long-term care and assisted living facilities for older persons must have appropriate evacuation plans. In Chile, for instance, long-term care facilities are required by law to have evacuation plans in place for various types of emergencies and to include evacuation routes, procedures, responsibilities and functions.⁹⁷

53. In some instances, older persons may choose to stay behind to protect their property and land or remain near familiar surroundings and traditional land.⁹⁸ This is particularly true during slow-onset climate disasters such as sea level rise or droughts.⁹⁹ Older persons also stay behind in disasters because they fear burdening family members who are migrating. When they depend on farming for their livelihoods, older persons in rural areas could be reluctant to leave their animals behind and provision for animal shelters may be needed.

54. The provision of essential supplies to meet basic needs is a fundamental part of disaster response. Older persons need adequate water, food, medicine and other essential goods during a climate-related disaster. The means of delivery and distribution must be accessible and non-discriminatory and take the particular and diverse circumstances of older persons into account. Many older persons cannot access aid through the same means as the broader population. They may not be able to stand in long queues or travel long distances. In some cases, aid may be provided in exchange for labour¹⁰⁰ or simply dropped from an aeroplane¹⁰¹ and these approaches tend to exclude older persons, especially those with mobility issues. Rather than adopting a one-size-fits-all approach, it is crucial that humanitarian agencies, where possible, start by finding those in need in affected areas, registering them and then delivering aid accordingly. In Florida, for example, geographic mapping and census data are used to identify and set up distribution pods for food and water in areas where older persons live. These dedicated distribution pods reduce distribution time, allow additional time to contact older persons and identify their needs and prevent older persons from standing in long queues or traveling far during a disaster.¹⁰²

⁹³ A/74/186, para. 28.

⁹⁴ See <https://manepo.org/stories/margret-banda-cyclone-freddy-survivor/>.

⁹⁵ A/HRC/47/46, para. 15.

⁹⁶ A/HRC/54/26/Add.3, para. 57 (forthcoming).

⁹⁷ Submission by Chile.

⁹⁸ A/77/239, para. 45, and A/HRC/47/46, para. 19.

⁹⁹ A/HRC/47/46, para. 19.

¹⁰⁰ E/2012/51 and E/2012/51/Corr.1, para. 43.

¹⁰¹ Afzal, "The hidden victims of Pakistan's floods".

¹⁰² United States, Centers for Disease Control and Prevention, "CDC's disaster planning goal: protect vulnerable older adults", p. 13.

55. The humanitarian aid provided should be appropriate for the particular needs and conditions of older persons. Food should be nutritious, sufficient in quantity, easy to digest and to prepare and appropriate for various health conditions, including diabetes and hypertension.¹⁰³ Older persons also have particular needs for personal care items and are, for example, more likely to experience incontinence during disasters, requiring adult diapers in aid packages. Medicines distributed during disasters should also take older persons needs into account. During disasters, medicines for chronic illnesses are usually excluded, which is particularly problematic when there has been insufficient warning before the disaster for older persons to stock up on their medication.¹⁰⁴ One possible solution is providing cash to give older persons “the dignity and independence to make their own choices and buy what they need”.¹⁰⁵ The efficacy of this approach would depend on the nature of the disaster, as well as the availability and accessibility of supplies that can be purchased.¹⁰⁶

56. The design and conditions of temporary shelters after evacuation often fail to consider the needs of older persons.¹⁰⁷ Sufficient shelters should be provided in both urban and rural areas. Shelters must consider proximity to toilet facilities or the need to be closer to family.¹⁰⁸ The presence of steps to enter the shelter or to access the toilets can be a significant barrier to older persons. Lack of access to safe drinkable water following a disaster may increase the likelihood of older persons to contract water-borne diseases, including cholera.¹⁰⁹ Older persons may lose assistive devices during a disaster and will require additional support and accommodations at their shelters. For example, older persons who lose their glasses should be provided with torches to help them navigate in the dark. Shelters should be designed with older persons and persons with disabilities in mind by including, for example, necessary access ramps and hand railings and keeping toilets, water and shelter on the same level.¹¹⁰ Safety may also be a concern for older persons in temporary shelters, particularly for older women. Older persons may be concerned about their personal belongings being stolen. Providing private gender- and age-segregated spaces is one way to address some of these concerns.¹¹¹

57. States must also provide appropriate shelter during a disaster for older persons who are homeless. In the case of heatwaves, the Department of Homeless Services in New York City requires hospitals to have dedicated waiting areas for those experiencing homelessness to escape the heat, even if they do not need medical attention.¹¹² This measure provides critical support for homeless older persons who are disproportionately at risk during heatwaves.

¹⁰³ E/2012/51 and E/2012/51/Corr.1, para. 43, and A/HRC/47/46, para. 24; see also Afzal, “The hidden victims of Pakistan’s floods” and the national disaster response plans of the Philippines, 2014, and Kenya, 2009 (see footnote 71).

¹⁰⁴ Submission by Human Rights Watch.

¹⁰⁵ Afzal, “The hidden victims of Pakistan’s floods”.

¹⁰⁶ Submission by Cambodia.

¹⁰⁷ For guidelines on temporary shelters, see Pan American Health Organization, *Guidelines for Mainstreaming the Needs of Older Persons*, pp. 29–34.

¹⁰⁸ A/HRC/47/46, para. 22, and A/HRC/42/43, para. 51.

¹⁰⁹ HelpAge International, “Older people are ‘worst affected but last to be helped’ following Cyclone Freddy”, 22 March 2023 (available at <https://helpageusa.org/older-people-in-malawi-are-worst-affected-but-last-to-be-helped-following-cyclone-freddy>). See also Philippines, Commission on Human Rights, *National Inquiry on Climate Change Report* (2022), p. 57 (www.ciel.org/wp-content/uploads/2023/02/CHRP-NICC-Report-2022.pdf).

¹¹⁰ Dhruva Raj Gautam, “Community-based disaster risk reduction: good practice”, Mercy Corps Nepal, 2009, p. 16.

¹¹¹ See national disaster response plan of Kenya, 2009.

¹¹² Lisa Patel and others, “Climate change and extreme heat events: how health systems should prepare”, *NEJM Catalyst*, vol. 3, No. 7 (Massachusetts Medical Society, July 2022), p. 13.

58. Climate-related disasters can disrupt necessary health care and services for older persons. Vital medicine may be in short supply or unavailable. Such situations become life-threatening for some older persons.¹¹³ Health services operating during a disaster should follow a human rights-based approach based on the rights to autonomy, privacy, confidentiality, informed consent and non-discrimination.¹¹⁴ The continuation of adequate health care should be guaranteed, including HIV treatments and gender-affirming care of older transgender and gender diverse persons. Where older persons are evacuated, necessary medical equipment, supplies and records may need to be transferred along with older persons, complicating their evacuation.¹¹⁵ Therefore in Florida, patients in care facilities that require electric devices, such as dialysis or ventilators, are among the first to be evacuated during a disaster to other nursing homes outside the danger zone.¹¹⁶ Medical interventions during disasters should seek to relieve the suffering of older persons, whether through life-saving interventions or palliative care.¹¹⁷

59. Older persons' mental health can be deeply affected by climate-related disasters. Research shows that those in areas at greater risk of climate change impacts and extreme weather events are "at higher risk of negative mental health impacts".¹¹⁸ Older persons may experience trauma during a disaster owing to the emergency situation itself or as a result of displacement, separation from loved ones, injury, loss of life or loss of their home.¹¹⁹ Older persons with mental health conditions are particularly susceptible to violence, exploitation, neglect and abuse. They may receive limited social support owing to stigmas that weaken social connection and are more likely to be living in poverty.¹²⁰ Older persons with mental health conditions are prone to being left behind in climate-related disasters, and it is vital that their particular needs are considered in disaster preparedness and response. Health-care interventions must also take the mental health of older persons into account.

C. After: the rights of older persons in disaster recovery

60. Once the acute phase of a climate-related disaster has passed, adverse impacts on older persons continue. Where homes have been destroyed, reconstruction or relocation may be required. Strong social protection systems are essential for low-income individuals and those in poverty to recover from the various losses incurred. Injuries and other health conditions caused by the disaster may require ongoing care, including mental health support. Older persons need to be taken into account in terms of their specific needs as well as their particular contributions to post-disaster recovery. The Madrid International Plan of Action on Ageing contains various recommended actions for post-disaster recovery for older persons, both in the context of access to humanitarian aid, as well as the contributions older persons make to rebuilding the social fabric of communities.¹²¹

¹¹³ See www.helpage.org/what-we-do/humanitarian-action/.

¹¹⁴ Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018), para. 68 (f).

¹¹⁵ [A/HRC/47/46](#), para. 11.

¹¹⁶ United States, "CDC's disaster planning goal", p. 13.

¹¹⁷ PallCHASE, "Principles of humanitarian palliative care", 2021.

¹¹⁸ Submission by Human Rights Watch.

¹¹⁹ [A/77/239](#), para. 44; see also Mia A. Benevolenza and LeaAnne DeRigne, "The impact of climate change and natural disasters on vulnerable populations: a systematic review of literature", *Journal of Human Behavior in the Social Environment*, vol. 29, No. 2 (2019), p. 266.

¹²⁰ Liat Ayalon and others, "Climate change and mental health of older persons: a human rights imperative", *American Journal of Geriatric Psychiatry*, vol. 29, No. 10 (2021), p. 2.

¹²¹ Madrid International Plan of Action on Ageing, issue 8, paras. 55–56.

61. In countries exposed to multiple and repeated hazards, climate-induced disasters place a particularly severe strain on the ability of communities – and public finances – to recover.¹²² For the developing and least developed countries that are hardest hit by climate change, the ability of the State to provide the appropriate and necessary support for the recovery of older persons from these disasters is limited. International assistance and cooperation for recovery from climate-induced disasters is particularly important in such instances.

62. Despite their particular needs and challenges, older persons can, and do, make important contributions to post-disaster management and recovery, as well as to climate adaptation.¹²³ For example, the fact that older persons may have survived similar disasters in the past and have successfully rebuilt their lives can be a source of resilience for other members of the community. Many older persons also care for family members, neighbours and animals during and after disasters.¹²⁴ Others use their time to volunteer and provide assistance in rebuilding communities and preparing for future disasters.¹²⁵ Older Indigenous persons typically hold traditional knowledge, including regarding disaster management.¹²⁶

63. While many factors contribute to migration and displacement, the incidence of climate-related disasters is increasingly important in this context.¹²⁷ It is not only short-term disasters that contribute to this phenomenon, but also the slow-onset climate disasters of drought, coastal erosion and sea level rise. It is telling that 90 per cent of refugees, and most internally displaced persons, come from highly climate-vulnerable countries.¹²⁸ Climate-related migration also affects those left behind and for whom such migration is less available as a climate adaptation strategy.¹²⁹ Older persons left behind as a result of migration are left to face the impacts of climate change with even less community support and fewer resources than before.

64. Climate-induced disasters may result in the partial or complete destruction of homes and the particular housing needs of older persons must be considered in recovery efforts. Some older persons face disproportionate barriers in returning to their land or homes and physical limitations may make it difficult to rebuild and repair damaged homes.¹³⁰ Lack of adequate housing, including living in temporary shelters, exposes older persons to cold, damp, heat, limited access to drinkable water and overcrowding, all of which negatively affect their health.¹³¹ In addition, access to opportunities for the livelihoods of older persons may be limited after a disaster, because of either damaged infrastructure or population displacement. Older subsistence farmers may face the loss of crops or livestock, making it particularly difficult for them to rebuild their lives.

65. Given the importance of housing for disaster recovery, many governments establish programmes and schemes for affected persons to access aid and support for rebuilding their homes or securing new housing. Older persons often experience financial obstacles in this context owing to a lack of insurance, limited finances or poor creditworthiness. These disproportionate barriers to accessing formal support

¹²² [A/HRC/42/43/Add.2](#), para. 34.

¹²³ [A/HRC/42/43](#), para. 35.

¹²⁴ Pan American Health Organization, *Guidelines for Mainstreaming the Needs of Older Persons*, p. 9.

¹²⁵ United Nations Office for Disaster Risk Reduction, *Regional Assessment Report*, p. 94.

¹²⁶ United Nations Office for Disaster Risk Reduction, “Words into action: using traditional and Indigenous knowledges for disaster risk reduction”, 2022.

¹²⁷ [A/HRC/47/46](#), para. 14.

¹²⁸ [A/77/549](#), para. 35.

¹²⁹ OHCHR, “Human rights, climate change and migration in the Sahel”, 2021, p. 10.

¹³⁰ [A/HRC/47/46](#), paras. 16 and 22, and [A/77/239](#), para. 40.

¹³¹ [A/77/239](#), para. 44; see also ECE, “Older persons in emergency situations”, p. 17.

are sometimes the result of ageist exclusion from aid.¹³² For example, older persons may remain in temporary shelters and camps after a disaster has passed, as they are not seen as eligible for loans that would assist them to rebuild their homes and lives. This is partly owing to the ageist assumption that they are not productive and therefore cannot pay the loans back, despite evidence that older persons are in fact less likely to default on loans.¹³³ Good practices in this regard include financial aid and housing assistance programmes that prioritize older persons.¹³⁴ When it comes to restoring damaged public infrastructure and disruptions to basic services, the needs of older persons must be considered. In Florida, long-term care facilities are prioritized in the restoration of basic services following a disaster.¹³⁵

66. The increased frequency and severity of climate-related disasters place a strain on the resources and capacity of social services. In addition to financial aid for housing-related needs, older persons may require additional financial assistance and support following a climate-induced disaster. This may detract from formal care and support for older persons. Informal care and support may also be diminished owing to the migration of younger generations away from climate-affected areas.¹³⁶ Disasters often affect the delivery of social services for older persons, affecting older persons' access to vital social grants and pensions to which they are entitled. This could happen because of lost identity documents or social security cards that are required by the government. Mobility challenges also contribute to older persons being unable to access pensions or social protection.

67. Whatever form social assistance and disaster relief aid may take, information regarding the available assistance (financial or otherwise) should be adapted to the needs of older persons and should include clear instructions on eligibility and access.¹³⁷

68. After a disaster, many older persons continue to require care for their physical and mental health. Pre-existing health conditions may worsen as a result of the disaster and older persons often take longer to recover physically, while disasters may also have negative effects on cognition and memory in older persons.¹³⁸ Medical care should continue through the post-disaster stage until older persons have recovered.

69. The occurrence of a climate-induced disaster may cause new mental health conditions including, for example, shock, trauma, anxiety, depression and post-traumatic stress.¹³⁹ Older persons who have lost children or grandchildren may battle with survivor's guilt. Yet, older persons may also be more reluctant to seek mental health support.¹⁴⁰ Health-care responses must address these mental health challenges of older persons during the disaster recovery phase.

¹³² [A/HRC/47/46](#), paras. 16 and 22.

¹³³ American Association of Retired Persons, "Aging readiness and competitiveness (ARC) 4.0: Malawi".

¹³⁴ United States, Department of Homeland Security, climate action plan, September 2021, priority action 3; ECE, "Older persons in emergency situations", p. 17; and [A/HRC/47/46](#), para. 61.

¹³⁵ United States, "CDC's disaster planning goal", p. 13.

¹³⁶ [A/HRC/47/46](#), para. 26.

¹³⁷ [A/HRC/42/43/Add.2](#), para. 89.

¹³⁸ [A/HRC/47/46](#), para. 11.

¹³⁹ Ayalon and others, "Climate change and mental health of older persons", p. 2.

¹⁴⁰ [A/HRC/47/46](#), para. 12.

VI. Conclusions and recommendations

70. In paragraph 7 of its resolution 48/3, the Human Rights Council recognized the need to identify and integrate the needs and meaningful participation of older persons and their organizations in the preparedness, response and recovery stages of emergencies, including pandemics, climate change and disaster risk reduction and resilience measures, and to ensure that emergency plans and responses do not include ageist stereotypes and biases. In the present report, the Independent Expert considered the rights of older persons in the context of climate-induced disasters and how to build forward more equally to uphold the rights of older persons in disaster preparedness, response and recovery, as well as climate mitigation and adaptation.

71. However, the current international human rights framework fails to provide sufficient protection for the rights of older persons in the context of climate-induced disasters. The lack of a comprehensive international legally binding instrument on the rights of older persons leaves significant gaps, including in the context of the disproportionate risks older persons face owing to climate change and climate-induced disasters. Furthermore, the absence of sufficient clear and binding obligations for the human rights of older persons, including non-discrimination based on age, results in limited access to justice.

A. Recommendations to States

International legally binding instrument

72. States should adopt an international legally binding instrument on the human rights of older persons that would fill protection gaps in the context of climate-induced disasters. This would offer the best protection for the human rights of older persons. The drafting of such a convention must involve the meaningful participation of older persons in their diversity, their representative organizations, civil society organizations and national human rights institutions.

73. Furthermore, States should better implement the current human rights framework and take into account older persons as a non-homogenous group in vulnerable situations, as well as include older persons in their monitoring and reporting procedures.

Laws and policy frameworks

74. Laws and policies for disaster preparedness, response and recovery must be consistent with human rights, including the principles of equality and non-discrimination, and take the particular needs of older persons in all their diversity into account.

75. States must prepare for climate-induced disasters by developing and implementing legislation and policy that is age-sensitive and gender-responsive and draws on existing best practices, guidelines and standards for disaster risk reduction, as well as for climate mitigation and adaptation. These measures should be appropriately flexible to account for various types of climate-related disasters, as well as their inherent uncertainty and unpredictability.

76. In addition to taking all necessary measures to protect the rights of older persons in accordance with their human rights obligations, States should facilitate and promote the efforts of local communities and civil society organizations to support older persons before, during and after climate-induced disasters.

Data

77. **Data on older persons is a prerequisite for effective disaster risk reduction and must be disaggregated by age, sex and other sociodemographic variables. Needs assessments should be conducted prior to the occurrence of a disaster, particularly in disaster-prone areas, and should include information such as age, sex, race, ethnicity, housing circumstances, health needs, disability status and socioeconomic status.**

78. **The exchange of critical data on older persons, climate change and disaster risk reduction should be promoted and facilitated.**

Participation

79. **Older persons must be given meaningful opportunities to participate in all facets of disaster preparedness, response and recovery. They should be consulted and involved in the gathering of data and the development of relevant law and policy frameworks, as well as related decision-making processes. The Independent Expert notes that, based on their knowledge and experience, older persons – particularly older Indigenous persons – should have an important role to play in building capacity for climate adaptation and mitigation and disaster risk reduction.**

Communication

80. **All older persons should be provided with information that is accessible and easy to understand and read, including in Indigenous and minority languages, on climate change and related disasters. Any awareness-raising campaigns on these issues should be age inclusive. Where older persons may be directly affected by a disaster, they must receive accessible information regarding the disaster, associated risks and recommended action to reduce harm, as well as where and how to access any help they may need.**

81. **Early warning systems, in particular, should make use of cost-effective and accessible technology as well as diverse methods of communication, including the use of civil society networks, to ensure that all older persons are reached, including those without access to technology and those who may have impaired sight or hearing.**

Housing and infrastructure

82. **States must ensure that older persons have access to affordable or social housing in a location that is not unduly prone to disasters and that includes adequate heating and cooling systems, adequate insulation and affordable access to safe, clean, healthy and sustainable energy.**

83. **Long-term care facilities must be designed and equipped for climate-induced disasters, including through appropriate emergency and evacuation plans, staff training, emergency supplies and access to generators where necessary.**

84. **States must adapt public services and infrastructure to withstand severe weather events and extreme temperatures to avoid disruptions that disproportionately affect older persons.**

85. **Planned relocation should carefully consider the distinct needs of older persons and should draw upon existing standards, guidelines and best practices, such as the Operational Guidelines on the Protection of Persons in Situations of Natural Disasters of the Inter-Agency Standing Committee, the Peninsula**

Principles on Climate Displacement within States and the Guiding Principles on Internal Displacement.

Disaster response

86. Disaster response activities from State and non-State actors should be appropriately tailored to the specific needs and conditions of older persons. This includes prioritizing older persons wherever necessary and ensuring that the support and relief provided is appropriate and accessible for older persons.

87. Relief workers must receive training to ensure that they respect the human rights of older persons and protect them from the increased risk of violence, exploitation and abuse occurring during a climate-induced disaster, particularly older women, who are disproportionately at risk.

Evacuation and temporary housing

88. Older persons must be prioritized in evacuation efforts, regardless of their degree of mobility. Long-term housing and care facilities for older persons must have plans in place for evacuation and should be appropriately prioritized.

89. Temporary shelters must be appropriate, accessible and safe for older persons, particularly older persons with disabilities, taking their specific needs into account.

Humanitarian aid

90. Older persons should receive food, medicines and other supplies that are adequate for their particular needs and conditions. Furthermore, the delivery and distribution of this aid must be accessible and appropriate for older persons.

91. Humanitarian workers administering such aid should receive training to ensure that their decisions are not influenced by ageism and age-related discrimination and that older persons are treated with dignity and respect.

Health care

92. Health care provided during a disaster should be accessible and age-responsive, and should include care for chronic illnesses, palliative care and mental health support. The human rights of older persons must be promoted, including their autonomy, privacy, confidentiality, informed consent and choice at any stage of a climate-induced disaster. It is therefore recommended that caregivers receive training on disasters and disaster risk reduction and are provided with the necessary support to meet their own needs.

Disaster recovery

93. The Independent Expert recommends developing targeted measures to ensure that older persons receive post-disaster assistance and that displaced older persons receive the necessary support to access essential goods and services. In particular, States should ensure that older persons belonging to ethnic and racial groups are not discriminated against in the context of disaster recovery assistance, including financial aid.

94. States should facilitate access to recovery-related aid, loans and schemes, including by providing clear and accessible information on where and how to access relevant government or private assistance.

95. States must support older persons' economic activities and take measures to ensure that they are still able to access pension benefits and any other social assistance they are entitled to, both during and after a disaster.

Climate change mitigation

96. States must take action to mitigate harm caused by climate change through reducing their reliance on fossil fuels, limiting the emission of greenhouse gases, including by holding corporate actors accountable, meeting their commitments under international climate agreements and providing international assistance and cooperation in the context of climate mitigation, adaptation and loss and damage.

B. Recommendations to United Nations entities

97. United Nations programmes, funds and agencies should include the rights of older persons in their workplans, paying particular attention to older persons in the context of climate-induced disasters. In particular, those working in the areas of climate change or disaster risk reduction must take specific measures to include older persons in their work through, inter alia, a human rights-based and age-friendly approach.

C. Recommendations to national human rights institutions, civil society organizations and academia

98. The Independent Expert encourages national human rights institutions, civil society organizations and academia to address matters related to the enjoyment of all human rights by older persons in the context of climate change-induced disasters.

99. Older persons should be recognized as a resource in community-building and fostering resilience against climate-induced disasters. Their participation in civil society organizations and older persons' associations should be promoted and facilitated.
