

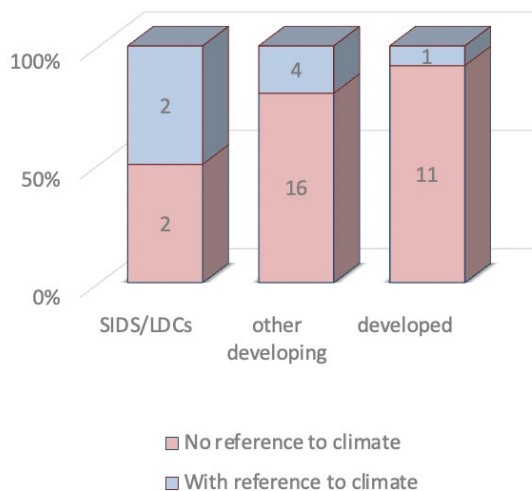
# Committee on the Elimination of Racial Discrimination (CERD)



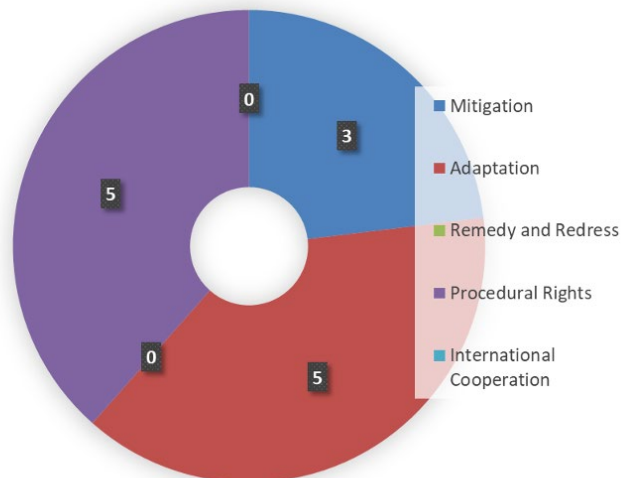
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This note reviews the outputs of the CERD related to climate change in 2023 and complements previous notes dedicated to such outputs up to 2022.

**Outputs of the CERD in 2023, by country category**



**Themes addressed by the CERD in the State review procedure in 2023**



The CERD started looking at climate change in 2019. In 2023, the Committee slightly increased the number of climate-related outputs (seven compared to three in 2022) out of thirty-six total outputs. Additionally, other issues related to the protection of the environment were addressed in four COBs and three Lists of Themes (LOTs). The Committee addressed the impacts of climate change and climate policies on vulnerable populations, including most affected ethnic groups, ethno-religious minorities, and Indigenous peoples in Niger, the Philippines, the Russian Federation, Senegal, and Bolivia.

In the COBs to Niger, the Russian Federation, and Senegal, the Committee noted the disproportionate impact climate change has on the rights of minorities. In that sense, the CERD noted that climate change could imply a denial of “Indigenous Peoples’ right to use and enjoy their traditionally owned lands and natural resources, and thus their rights to food and to a clean, healthy and sustainable environment” (e.g., COB to the Russian Federation).

In the COB to Niger, the Committee touched on the issue of mitigation measures against climate change. In that regard, the CERD underlined the importance of “[e]nsur[ing] that climate change adaptation measures ... take into account the specific needs of the most affected ethnic groups.” Furthermore, in the COB to the Russian Federation, the Committee called on the State to “[a]dopt measures to prevent, mitigate and redress the impact ... climate change, on the lands, territories, and resources of Indigenous Peoples, with a view to protecting their customs and traditional ways of life and the right to a clean, healthy, and sustainable environment.” The CERD also inquired about mitigation measures adopted by States in the LOTs to Senegal and Vietnam.

The Committee also showed its concern in relation to the “risk of displacement resulting from conflict, natural disasters, and climate change-related disasters and forced displacement in the context of large-scale extractive and development projects” (e.g., COB to the Philippines). In that sense, the Committee noted how such phenomena particularly affect minority groups and called on the Philippines to take preventive measures.

There also appear to be a few missed opportunities. For example, when examining States like Argentina or the Russian Federation, the Committee mentioned in its COBs the extraction of natural resources, but not of fossil fuels, despite evidence on ongoing oil and gas extraction in Indigenous territories and of the impacts on communities.

More broadly, concerning the protection of the environment, the CERD also noted the importance of consultation processes and obtaining free, prior, and informed consent from communities prior to authorizing extractive and development projects (e.g., COBs to Argentina, Bolivia, Niger, and the Philippines). In 2023, the Committee published its [First draft of... General recommendation No. 37 \(2023\) on Racial discrimination in the enjoyment of the right to health](#) under Article 5 (e)(iv) of the ICERD. The General Comment devotes a paragraph to climate change, stating that it “results in several negative heat-related health outcomes, along with increase in air-pollution, extreme weather events and natural disasters,” and that it also expands disease vectors “by destroying infrastructure and by reducing access to underlying determinants of health, such as water and nutrition.” The General Comment adds that climate change also affects mental health, “both directly and indirectly due to its impact on social networks and cultural traditions,” noting that racial and ethnic minorities are disproportionately affected due to a number of geographical, socioeconomic, cultural, and psychological factors. When discussing international assistance and cooperation, the General Comments specify that, guided by the principle of international solidarity, “States should take all necessary national and multilateral measures, including temporary waivers of intellectual property protections on healthcare technologies, to mitigate the disparate impact of global challenges, such as pandemics, climate change and disasters, and their socioeconomic consequences on groups and minorities protected under the Convention.”