

CarbonCare InnoLab's Submission in Response to:

Title: Call for input "Promotion and protection of human rights in the context of mitigation, adaptation, and financial actions to address climate change, with particular emphasis on loss and damage"

CarbonCare InnoLab (CCIL) welcomes the opportunity to submit our views on the questionnaire issued by the Special Rapporteur on the promotion and protection of human rights in the context of climate change, and on the study that complements the review undertaken by the Special Rapporteur on human rights and the environment in 2019 on "safe climate" (A/74/161).

1. What experiences and examples are you aware of that are being faced by particularly individuals and communities in vulnerable situations (as identified above) that have suffered loss and damage due to the adverse impacts of climate change?

The heat stress among all other extreme weather events have the biggest impacts on the vulnerable groups of people in Hong Kong, including the elderly, the residents of sub-divided, sub-standard housing, the persons with physical and mental disabilities and outdoor workers. The heat stress hit hard on the elderly people, who are receiving little support for relief and comfort. The other related issues include food poisoning, skin allergy, respiratory problems, and in some cases, heart attack and cardiovascular diseases, and mental illness under the hot, humid weather condition. The growing population of mosquitoes and parasites due to the increased precipitation and moisture pose serious hygiene risks.

Meanwhile, more than 200,000 people are living in sub-divided housing.¹ The hot and humid weather coupled with the threat of increasingly serious climate impacts and the recent global outbreak of coronavirus exacerbates the pre-existing housing problems. In addition, whenever there is a storm or extremely hot weather, the persons with physical and mental disabilities usually feel more deeply distressful than ordinary people. A research by Professor Emily Chan Ying-yang and her research team found that the higher the temperature in Hong Kong, the more people with mental illness needed to be hospitalized.² Many of them are in poorer economic conditions and often lack sufficient social protection. In the face of unexpected weather conditions, they are prone to fall into trouble.

2. What legislation, policies and practices do you think are necessary to provide redress for particularly individuals and communities in vulnerable situations that have suffered

¹ "Report of the Task Force for the Study on Tenancy Control of Subdivided Units (March 2021)," Secretariat for the Task Force for the Study on Tenancy Control of Subdivided Units Transport and Housing Bureau. https://www.thb.gov.hk/eng/contact/housing/studyOnTenancyControl_Report.pdf (Accessed on 21 June 2022)

² Chan EYY, Lam HCY, So SHW, Goggins WB, Ho JY, Liu S, Chung PPW. Association between Ambient Temperatures and Mental Disorder Hospitalizations in a Subtropical City: A Time-Series Study of Hong Kong Special Administrative Region. *International Journal of Environmental Research and Public Health*. 2018; 15(4):754. <https://doi.org/10.3390/ijerph15040754>

and will continue to suffer loss and damage due to the adverse impacts of climate change?

In terms of regulating sub-standard housing, the per capita living area needs to be at least 50 square feet, and the bed space should be long enough to lie flat and straighten the feet. Sufficient storage space, dining space, activity space and sleeping space, and an independent kitchen and toilet are also seen as basic minimum needs. In addition, the residence should also have a certain degree of privacy and private space. Accommodation should be equipped with sound insulation measures, a good ventilation system, sufficient sources of light, and whatever measures are needed to ensure a safe, hygienic environment. The Hong Kong SAR government should revise policies that improve and retrofit the structure of buildings, make better use of social space and land, reduce energy poverty in partnership with power companies, and support research to improve environmental hygiene and heat control.

The persons with disabilities called on the Commissioner for Rehabilitation of the Hong Kong SAR's Labour and Welfare Bureau, who is in charge of policies related to the disabled, that they are also stakeholders in measures to combat climate change and are eager to participate in the formulation of relevant policies. And their needs must also be taken into account.

In terms of outdoor working, the government does not have legally binding regulations, but only rely on the basic protection of work-related injuries in accordance with the Hong Kong SAR's Employees' Compensation Ordinance. However, the Employees' Compensation Ordinance neither prevents employees from being injured at work under extreme weather, nor does it clearly define the scope of protection for work-related injuries under extreme weather, such as heat stroke. Therefore, enhancing legislation is the most direct and effective approach, which can trigger support measures, such as providing and improving equipment for workers, improving the work processes of the related sectors, clarifying the scope of work-related injury protection, increasing relevant training and benefits, enacting laws and improving related work guidelines. These are all helpful to deal with extreme weather.

3. What international, regional and national policies and legal approaches are necessary to protect current and future generations and achieve intergenerational justice for particularly for individuals and communities, from the adverse impacts of climate change?

According to the first paragraph of Article 11 of the International Covenant on Economic, Social and Cultural Rights of the United Nations, everyone has the right to "an adequate standard of living for himself and his family, including adequate food, clothing, housing and to the continuous improvement of living conditions."³ The Hong Kong SAR follows the People's Republic of China as a party to the United Nations Convention, and has

³ "International Covenant on Economic, Social and Cultural Rights", United Nations Treaty Collection. https://treaties.un.org/doc/Treaties/1976/01/19760103%2009-57%20PM/Ch_IV_03.pdf. Accessed on 21 June 2022.

responsibility and an obligation to fulfil relevant requirements in the spirit and text of the Convention with regard to decent housing conditions.

Meanwhile, the United Nations Convention on the Rights of Persons with Disabilities⁴ provides a guiding framework for climate actions related to persons with disabilities, including establishing a set of climate change response measures that take into account the needs of vulnerable groups, while the guiding principles of the Sendai Framework for Disaster Risk Reduction (2015-2030),⁵ which is promoted by the United Nations Office for Disaster Risk Reduction (UNDRR), also propose to incorporate their needs into all policies and implementation modalities for accessible disaster prevention and mitigation strategies. In addition, the Office of the United Nations High Commissioner for Human Rights proposed a series of key principles⁶ for addressing climate change by taking into account the human rights of persons with disabilities.

4. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisation to increase efforts to ensure that actions to adapt to the impacts of climate change contribute to reducing, and not exacerbating, the vulnerabilities of individuals and communities in vulnerable situations to the adverse impacts of climate change?

The recently released “Hong Kong Climate Action Plan 2050” did not include the voices and cater the needs of vulnerable groups of people, such as the subdivided flat residents, the elderly, outdoor workers, the persons with physical and mental disabilities. The Hong Kong SAR government should make reference to the Sendai Framework for Disaster Risk Reduction and its guiding principles put forward by the Office of the United Nations High Commissioner for Human Rights, so that these vulnerable groups of people can participate in the formulation of climate adaptation, disaster preparedness, relief and recovery policies that take into account their needs.

In the case of subdivided housing residents, in order to meet the goal of adequate housing for all, the use of innovative technology, cross-sectoral cooperation, and innovation in improving regulations are all worth exploring in addition to establishing the minimum standards as stipulated in part 2. In addition, the following specific suggestions were made below:

- Use idle spaces such as rooftops or unused hotels as transitional residential houses.

⁴ “Convention on the Rights of Persons with Disabilities (CRPD),” United Nations Department of Economic and Social Affairs, <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>. Accessed on 21 June 2022.

⁵ “What is the Sendai Framework for Disaster Risk Reduction?” United Nations Office for Disaster Risk Reduction. <https://www.undrr.org/implementing-sendai-framework/what-sendai-framework>. Accessed on 21 June 2022.

⁶ “Analytical study on the promotion and protection of the rights of persons with disabilities in the context of climate change,” United Nations General Assembly. <https://undocs.org/A/HRC/44/30>. Accessed on 21 June 2022.

- Learn from co-accommodation models used in other countries in terms of the benefits of shared common space to lessen the problem of small private living spaces.
- Consider the outcome of the coronavirus pandemic on increased opportunities for employees to work from home and the resulting reduced demand for commercial office space. Explore the possible potential this brings for planning more low-cost residential housing development.
- Solve energy poverty. Currently, sub-divided households suffer from high electricity bills because they do not have independent electric meters, and therefore they could not benefit from the current Electricity Charges Subsidy Scheme. Independent meters can make the subsidy scheme more effective. Installation of smart meters for sub-divided households would provide better opportunities for the provision of more energy-efficient appliances as well as incentives for energy-saving behaviour.
- Cross-sectoral civil society action and better use of community resources. Non-profit organizations can also provide a platform for cross-sectoral partnership to promote collective action, help residents of sub-divided houses cope with climate change and increase social dialogue and cohesion. Examples of cross-sectoral cooperation include the establishment of community-level waste collection and recycling stations. Here, social workers, environmental organisations and the recycling industry collaborate to benefit the community.

In the case of people with mental illness, in addition to the provision of mental health first aid courses, online and offline counselling services, teaching them how to use mobile phones to obtain weather information, and even replicating the local Care-on-Call Service⁷ for them, district-level mutual support networks should also be organized to focus on emergency response plans under extreme weather, and to strengthen the training of relevant service providers. Increasing the support of mental health professionals can also solve the urgent need. Scientific research also plays an important role in, including the collection of district-level data and research on action-based intervention. There are existing mental health-focused social service platforms that we can leverage to enhance awareness of climate change impacts and related services.

In the case of people with physical disabilities, the Hong Kong SAR's Labour Department and the Fire Services Department should take lead in educating and supporting employers and disabled employees on how to jointly cope with climate disasters, providing them with disaster preparedness training and related guidance, distributing information in a timely manner, and teaching how to receive disaster alerts, how to use tools for emergency help, and etc. All disaster drills should take into account their needs, and the government should educate the public not only to take care of their own safety, but also to help the disabled

⁷ Care-on-Call Service is a comprehensive 24/7 support service consisting of emergency aid, integrated care, around-the-clock vigilance service, health management, and day-to-day living assistance.

evacuate safely. The Hospital Authority should also set up sign language interpreters in the emergency rooms of hospitals and train relevant staff to assist the hearing-impaired.

More and more listed and private companies that are focusing on environmental, social and governance information disclosure should strengthen linkages between the environment and social components. We also need to educate employers about the difficulties the disabled face in extreme weather, by improving the companies' operating guidelines, including work arrangements that take into account the disability situation in extreme weather.

Education activities should also be conducted to raise the public awareness of climate change impacts on the vulnerable groups of people.

There is also an urgent need to better understand the climate impacts on welfare sector and therefore their role and capacity in providing necessary support, particularly for those frontline welfare and health care workers who are taking care of the vulnerable groups of people every day. However, with the emerging climate impacts, both welfare and community health care workers are facing a much bigger workload and pressure. They are also highly exposed to the same imminent threats. Under the Just Transition principle, the welfare and health care workers should be included and their voices should be heard in the transition process. Sufficient knowledge, training and equipment should be provided to the welfare and health care workers so that they can handle the requests from the communities. Equipment could range from fans and hygiene packs, food relief, cash and coupons, to the provision of energy-saving ventilation equipment. They should receive trainings on Occupation, Safety and Health (OSH), First Aid and even Disaster Relief and Reduction. Additional budget and resources from the government is needed to support all these equipment, training and services. Besides, much stronger protection for the welfare and health care workers should be considered, including counselling services, additional human resources and other fringe benefits.

Note:

The responses are written based on the reports of Paris Watch Climate Community Dialogue. The reports can be accessed in CarbonCare InnoLab's website [here](#).

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