

The girl child and climate justice in South Africa and Zimbabwe: A comparative legal and policy perspective

*Lydia T Chibwe**

Post-doctoral Research Fellow, Women's Rights Unit, Centre for Human Rights, Faculty of Law,
University of Pretoria, South Africa
<https://orcid.org/0000-0003-3802-262X>

*Olayinka O Adeniyi***

Researcher, Institute of Social and Economic Research (ISER), Rhodes University, South Africa
<https://orcid.org/0000-0002-9686-3614>

*Asbiella Musindo****

Research Fellow, Department of Anthropology, Archaeology and Development Studies,
University of Pretoria, South Africa
<https://orcid.org/0009-0003-4628-6577>

Abstract: Climate change disproportionately impacts vulnerable populations, with girls facing unique challenges that exacerbate existing inequalities. This article examines the intersection of climate justice and the rights of the girl child through a comparative legal and policy analysis of South Africa and Zimbabwe. Drawing on international human rights frameworks and national climate policies, the article investigates how the legal and policy landscapes in South Africa and

* MSC (Midlands) PhD (Pretoria); lydiateechibwe@gmail.com

** BL (Abuja) LLM (Ifé) LLD (Pretoria); lawcom7@yahoo.com

*** MSC (Midlands) PhD (Pretoria); musindoashiella@yahoo.com

Zimbabwe address the rights of the girl child in the context of climate change. The article uses primary and secondary sources ranging from constitutional provisions on climate-related legislation to publications, government reports, legal documents and policy papers relevant to South Africa and Zimbabwe. It provides a descriptive figure of the girl child as the intersectionality of being female and a child, as a vulnerable person, in the context of climate change. It found that key issues exist with the existing legal and policy framework that expose the vulnerability of the girl child to climate injustice. Responding to these issues will help improve gender inclusion in policy making and protect girls from climate change impacts in South Africa and Zimbabwe.

Key words: climate justice; girl child; climate law and policy; South Africa; Zimbabwe

1 Introduction

Climate change has emerged as a significant global challenge in recent times and is affecting different sectors of communities differently.¹ The impact of climate change on vulnerable populations has contributed to exacerbating existing inequalities and creating new challenges for those already marginalised.² Women, children and persons with disabilities fall into this category. The Intergovernmental Panel on Climate Change (IPCC) highlights that climate-related disasters such as droughts, floods and extreme temperatures are more likely to impact low-income communities, women and children, particularly in developing countries.³ Even among these vulnerable citizens, the intersectionality reveals the vulnerability of the girl child as intensified by socio-economic, cultural and gender-based factors.⁴ The girl child is disproportionately affected because she belongs simultaneously to both the female and child categories.

Before now, the girl child, occupying the dual status of female and child, has been disproportionately and adversely affected by societal issues – particularly socio-economic challenges – compared to others.⁵ For example, the lack of water or its scarcity, inadequate or underdeveloped infrastructures, would mean that she lags in opportunities to access health, education, and so forth, and experiences a higher incidence of poverty than any other age or gender group in society. This

1 K Abbass and others 'A review of the climate change impacts, adaptation, and sustainable mitigation measures' (2022) 29 *Environmental Science and Pollution Research* 42539.

2 K Thomas and others 'Explaining differential vulnerability to climate change: A social science review' (2019) 10 *Wiley Interdisciplinary Reviews: Climate Change* e565.

3 Intergovernmental Panel on Climate Change *Global warming of 1.5°C: IPCC Special Report* (2018), <https://www.ipcc.ch/sr15/> (accessed 17 January 2025).

4 S Shekhar & A Dwivedi 'Gendered disparities in water and sanitation through an intersectional lens: Emphasising women's perspectives' (2024) 11 *Space and Culture, India* 20.

5 A Guedes and others 'Bridging the gaps: A global review of intersections of violence against women and violence against children' (2016) 9 *Global Health Action* 31516.

is besides the cultural practices, such as early or forced marriage, to which she may be subjected.⁶

Specifically, climate change has led to increased food insecurity, water scarcity and health risks, all of which disproportionately affect women and children. Girls in most regions, and especially in Africa, often bear the brunt of these challenges, as they, like women and other females, are often tasked with the responsibility of collecting water, care giving and food preparation, roles that become increasingly difficult in the face of environmental stressors.⁷ At the same time, as children, they are also affected. In fact, in recent times, research provides that forced migration as a result of climate change impact can be linked to the surge in forced marriages for the girl child, disruption of education, rape/sexual assault and other related issues. These challenges, which had previously shown signs of decline due to various societal interventions, appear to resurface in the wake of climate-induced displacement.⁸

Climate justice refers to the ethical and political concept that addresses the social, economic and environmental impacts of climate change, focusing on fairness and equity.⁹ It underscores that those least responsible for causing climate change – often the poorest and most marginalised communities – bear a disproportionate share of its impacts. Climate justice advocates for the rights of these vulnerable populations, demanding that they receive adequate support and representation in climate policies and decision-making processes. For the girl child in Africa, particularly in South Africa and Zimbabwe, climate justice will connote addressing her immediate and long-term needs. This encompasses guaranteeing access to education and health care, safeguarding against exploitation, and promoting participation in decision-making processes. This would mean providing opportunities through legal frameworks, policies, systems, strategies and mechanisms to access these or other ways to promote a more just and equitable response to climate change that empowers girls and upholds their rights.

Elsewhere, critics argue that legal frameworks have failed the girl child by providing insufficient protection, as she appears to have consistently been an afterthought in their provisions.¹⁰ Hence, this article seeks to examine whether the girl child is included as a subject for protection in climate change or

6 Shekhar & Dwivedi (n 4).

7 N Seddon 'Ecosystem-based adaptation: A win-win formula for sustainability and resilience' (2019) 573(7775) *Nature* 36.

8 R Black and others 'Migration and climate change: Toward an integrated assessment of sensitivity' in T Faist & J Schade (eds) *Disentangling migration and climate change: Methodologies, political discourses and human rights* (2013) 29-53.

9 D Krause 'Transformative approaches to address climate change and achieve climate justice' in T Jafray (ed) *Routledge handbook of climate justice* (2018) 509-520.

10 BE Hernández-Trujol 'International organisations and gender discrimination: Supersexing gender mainstreaming' in M Ragazzi (ed) *Evolutions in the law of international organizations* (2015) 423-450.

environmental-related legal frameworks, whether systems and mechanisms are in place, and their sufficiency to promote an equitable response to climate change for the girl child. It then seeks to recommend relevant solutions. Considering that the discourse falls within an intersection of climate change, gender, children and the environment, the applicable legal framework will include specific climate change laws, environmental laws, human rights provisions, gender policies or laws relating to children.

The article focuses on South Africa and Zimbabwe. The rationale stems from the fact that the gendered impacts of climate change in South Africa and Zimbabwe are evident in the way climate-related challenges exacerbate pre-existing gender inequalities. South Africa is known for its robust provision for and recognition of gender and children's rights, and it will be interesting to check its provision about the emerging discourse of climate change, especially as it relates to the girl child. Both countries have climate-related provisions that presuppose inclusive provisions, especially in the case of South Africa, which has robust provisions and respect for the rights of children. In South Africa, for example, the National Climate Change Adaptation Strategy (NCCAS) acknowledges the differential impacts of climate change on women and girls, noting that they are more vulnerable to climate-related health issues, economic instability and social disruption.¹¹ Similarly, in Zimbabwe, the National Climate Change Response Strategy (NCCRS) highlights the gendered nature of climate change impact, how girls are more likely to be affected by droughts and food shortages.¹² Recognising that females are disproportionately affected, this highlights the unique challenges – particularly socio-economic impacts – that leave many girls in rural areas without sufficient support,¹³ one would expect the consideration of provisions for the protection of girls. The article analyses relevant laws and policies and provides a descriptive narrative of the girl child as an intersectionality of being both female and a child, as a vulnerable person, within the impact of climate change and the analysis of the existing laws and policies in both countries. It also undertakes a comparative analysis of the legal framework in the two countries on the discourse and checks the level of their protection for the girl child from the impact of climate change.

The article is structured in six parts. The first part introduces the article. The second part discusses the contextual framework, examining the ways in which and the factors by which the girl child is uniquely vulnerable to the effects of climate change compared to other community members. The third part discusses

-
- 11 Department of Environment, Forestry and Fisheries 'National Climate Change Adaptation Strategy' (2020) Government of South Africa, <https://www.environment.gov.za> (accessed 27 May 2025).
 - 12 Government of Zimbabwe *National Climate Change Response Strategy* (2015) Ministry of Environment, Water and Climate.
 - 13 AN Nyathi 'Exploring socio-economic challenges faced by female headed households in rural districts: The case of Manama Village, Matebeleland south province in Zimbabwe' (2018) MA Gender Studies, University of Venda, <https://univendspace.univen.ac.za/server/api/core/bitstreams/43cd0b46-3669-4736-be7c-cb9e84c17b38/content> (accessed 28 May 2025).

a gender and child-inclusive analysis of the legal and policy framework on climate change in South Africa and Zimbabwe. The fourth part details the comparative analysis of legislative frameworks for climate justice in South Africa and Zimbabwe. The fifth part provides the policy recommendation for climate justice for the girl child. The sixth part concludes the article.

2 Contextualising the girl child and vulnerability

The girl child is particularly vulnerable to the impacts of climate change due to a combination of socio-economic and cultural factors. In South Africa and Zimbabwe, girls are often tasked with household responsibilities directly impacted by environmental changes, such as water collection and food preparation. These responsibilities and limited access to education and health services increase their vulnerability to climate-related shocks.¹⁴ Moreover, climate change can exacerbate gender-based violence, as resource scarcity and displacement lead to increased tensions within communities. Girls have been proven to be at a higher risk of experiencing violence, exploitation and abuse during climate-related disasters, particularly in settings where traditional gender roles are strongly enforced.¹⁵ While performing gender ascribed roles or chores, such as fetching water in distant places, girls may be raped, kidnapped or abducted, wounded by animals or men, or even disabled.¹⁶ Girls may be compelled to leave school, placing them on a trajectory toward lifelong poverty.

The girl child in Africa, particularly in countries such as South Africa and Zimbabwe, is uniquely and disproportionately affected by climate change due to a combination of social, economic and cultural vulnerabilities.¹⁷ Unlike adult women or boys, girls are more likely to face disrupted education when climate-induced disasters (such as droughts or floods) compel families to focus on household survival or to arrange early marriages for their daughters.¹⁸ Gender norms often assign girls the roles of fetching water and firewood, tasks made more difficult by environmental degradation,¹⁹ thereby exposing them to greater physical and psychological risks, including gender-based violence.²⁰

¹⁴ M Alston 'Gender mainstreaming and climate change' (2014) 47 *Women's Studies International Forum* 287.

¹⁵ S Bradshaw & M Fordham 'Double disaster: Disaster through a gender lens' in S Fothergill & SL Peck (eds) *Women and disasters in the 21st century* (2015) 236.

¹⁶ E Boshoff & S Damtew 'The potential of litigating children's rights in the climate crisis before the African Committee of Experts on the Rights and Welfare of the Child' (2022) 22 *African Human Rights Law Journal* 1.

¹⁷ L Kahomwe & T Muzingili, 'Impact of climate change disasters on access to education and coping mechanisms for rural learners in Zimbabwe' (2025) 12 *Cogent Education* (see also UNICEF South Africa *Exploring the impact of climate change on children in South Africa* (Pretoria: UNICEF South Africa 2011)).

¹⁸ Kahomwe & Muzingili (n 17).

¹⁹ As above.

²⁰ UN Women 'How gender inequality and climate change are interconnected' *UN Women* 21 April 2025, <https://www.unwomen.org/en/articles/explainer/how-gender-inequality-and-climate-change-are-interconnected> (accessed 28 May 2025).

Poverty and food insecurity, which are intensified by climate change, can lead to malnutrition and poor health among girls, especially in rural areas with limited access to healthcare services and clean water.²¹ These intersecting vulnerabilities, compounded by limited political voice, legal protection and access to social services, necessitate targeted, gender-sensitive policies that address not only the environment but also the structural inequalities that make girls more susceptible to the adverse effects of climate change in South Africa and Zimbabwe.²²

Research provides that addressing the vulnerabilities of the girl child in the context of climate change will require a multi-faceted approach, including policy interventions, community-based adaptation strategies, and the empowerment of girls through education and economic opportunities.²³ Such recommendations suggest that the existing legal framework, or related policies, may be non-inclusive and, therefore, insufficient for the protection of the girl child.²⁴ In South Africa, initiatives such as the National Youth Resilience Framework aim to engage young people, including girls, in climate adaptation efforts, thereby building resilience at the community level.²⁵ In Zimbabwe, community-based adaptation projects that involve women and girls in sustainable agricultural practices and water management have shown promise in reducing vulnerability and enhancing resilience.²⁶ These initiatives underscore the importance of localised, participatory approaches that involve girls in designing and implementing adaptation strategies.

2.1 Climate-related challenges

South Africa and Zimbabwe face multiple climate-related obstacles, including environmental degradation, socio-economic vulnerability and governance issues. The two countries are highly vulnerable to the effects of climate change,²⁷ with profound implications for agriculture, water resources, public health and overall economic security.²⁸

Climate change severely impacts South Africa's agricultural industry, which is critical to the country's economy and food security. The government has seen a significant increase in temperatures and a decrease in yearly rainfall, notably in the west and south. The Western Cape, for example, experienced a severe drought from 2015 to 2018, culminating in the 'Day Zero' disaster, during which

21 Kahomwe & Muzingili (n 17).

22 Kahomwe & Muzingili and UNICEF South Africa (n 17).

23 S Balabantaray 'Gendered vulnerabilities and resilience in the face of climate change: An analysis of women's experiences and adaptation strategies' (2023) 4 *International Journal of Multidisciplinary Research and Growth Evaluation* 323.

24 FN Masinga 'Women's perspectives and experiences of climate change with specific focus on drought in Kwa-Ngwanase, KwaZulu-Natal, South Africa' PhD thesis, University of KwaZulu-Natal, Howard College, 2018.

25 Department of Environment, Forestry and Fisheries 'National Youth Resilience Framework' (2020) Government of South Africa.

26 Nyathi (n 13).

27 Kahomwe & Muzingili and UNICEF South Africa (n 17).

28 As above.

water levels in the primary reservoirs declined to critically low levels.²⁹ This occurrence emphasised the sensitivity of South Africa's water supply systems to climate variability and the importance of integrated water resource management methods that consider both short and long-term climate forecasts.

Zimbabwe encounters identical issues but with additional complications owing to its socio-economic situation.³⁰ Droughts have been a recurring issue in the nation, particularly during the 2015-2016 agricultural season, aggravated by El Niño.³¹ These climate trends have resulted in lower agricultural yields, endangering food security and livelihoods, particularly in rural regions.³² Furthermore, Zimbabwe's political instability and economic issues increase the effects of climate change, making it more difficult to execute effective adaptation strategies.³³ Zimbabwe and South Africa are witnessing climate change and its impacts on public health. For example, higher temperatures relate to increased vector-borne illnesses, such as malaria, in formerly unaffected areas.³⁴ Furthermore, the shortage of water supplies has resulted in inadequate sanitation and hygiene, increasing the prevalence of waterborne diseases such as cholera.³⁵

Moreover, climate change worsens socio-economic disparities across both countries. Climate-related concerns disproportionately affect vulnerable people, especially women and children.³⁶ In rural regions where agriculture is the primary source of income, women suffer the brunt of climate impacts from their participation in food production and water collection.³⁷ The issue is intensified by limited access to resources and information, and participation in decision-making processes, which impedes these communities' ability to adapt to climate change.³⁸ South Africa and Zimbabwe face substantial climate-related problems

29 G Ziervogel and others 'Climate change impacts and adaptation in South Africa' (2014) 5 *Wiley Interdisciplinary Reviews: Climate Change* 605; see also P Wolski 'How severe is Cape Town's "Day Zero" drought? A quantitative analysis of the city's vulnerability to water scarcity' (2018) 564 *Journal of Hydrology* 455.

30 The Heritage Foundation 'Index of Economic Freedom: Zimbabwe' (2023), <https://www.heritage.org/index/pages/country-pages/zimbabwe> (accessed 24 November 2024).

31 YT Bahta and others 'Assessing the economic impacts of climate change on agriculture in Zimbabwe: A Ricardian approach' (2016) 8 *Journal of Disaster Risk Studies* 1; see also T Chagutah *Climate change vulnerability and adaptation preparedness in Southern Africa: Zimbabwe country report* (2010).

32 Kahomwe & Muzingili (n 17).

33 G Nhamo & D Chikodzi *Climate change adaptation, policy, and governance in Zimbabwe: A comprehensive analysis* (2015).

34 MP Mutowo and others 'Climate change and malaria trends in rural and urban Zimbabwe: Implications for adaptation policy and practice' (2018) 11 *Global Health Action* 1.

35 T Dube and others 'Drought-induced food insecurity in Zimbabwe: A call for resilience building' (2016) 8 *Sustainability* 1.

36 MM Khine & U Langkulen 'The implications of climate change on health among vulnerable populations in South Africa: A systematic review' (2023) 20 *International Journal of Environmental Research and Public Health* 3425.

37 B Mpofu and others 'Gender and climate change in Africa: A review of impact and gender-responsive solutions' (2020) 8 *Climate* 1.

38 UN Women 'Explainer: How gender inequality and climate change are interconnected' (2022), <https://www.unwomen.org/en/news-stories/explainer/2022/02/explainer-how-gender-inequality-and-climate-change-are-interconnected> (accessed 20 November 2024).

linked to their socio-economic and political situations.³⁹ Comprehensive and context-specific plans are necessary to address these strains, considering each country's particular vulnerabilities.

2.2 Gender and climate justice: Normative standards

Gender and climate justice are emerging as significant areas in the larger discussions on climate change.⁴⁰ Globally, it is becoming clear that climate change is not gender-neutral, with women and girls typically paying a disproportionate part of the price.⁴¹ This is especially true for the girl child who has additional vulnerabilities owing to her age, gender and socio-economic situation.⁴² Globally, the United Nations Framework Convention on Climate Change (UNFCCC)⁴³ has made progress in recognising the importance of gender in climate action, particularly with the 2017 adoption of the Gender Action Plan (GAP),⁴⁴ which aims to increase women's participation in climate-related decision making and ensure that climate policies are gender-responsive.⁴⁵ Despite these efforts, considerable gaps persist in the implementation of gender-sensitive climate policies, particularly in poor countries where women are frequently excluded from decision-making processes.⁴⁶

Gender and climate justice have a particularly strong nexus in Africa. African women, particularly girls, are among the most susceptible to climate change because they rely on natural resources for a living and have limited access to land, education and financial resources.⁴⁷ This vulnerability is exacerbated by discriminatory cultural practices and legislative frameworks that hinder women's capacity to own property or obtain credit.⁴⁸ Climate change has a gendered influence in many South African and Zimbabwean areas. For example, in agriculture, women are frequently responsible for subsistence farming and food production, rendering them more vulnerable to the effects of droughts

39 Kahomwe & Muzingili and UNICEF South Africa (n 17).

40 UN Women (n 20).

41 World Meteorological Organisation 'The climate crisis is not gender neutral' (2024), <https://wmo.int/media/news/climate-crisis-not-gender-neutral> (accessed 22 November 2024).

42 UN Women (n 20).

43 United Nations Framework Convention on Climate Change (UNFCCC) *Gender Action Plan under the Lima Work Programme on Gender* (2019), <https://unfccc.int/topics/gender/workstreams/the-gender-action-plan> (accessed 21 May 2025).

44 As above.

45 As above.

46 A Hernández Martínez 'Climate change on rural women in East Africa: analysis of consequences and recommendations from a gendered approach' End of degree thesis, Degree in International Relations, Law Faculty, Universidad de Alicante, 2023.

47 ISS Africa 'African women bear the brunt of climate change' (2023), <https://issafrica.org/pscreport/psc-insights/african-women-bear-the-brunt-of-climate-change> (accessed 23 May 2025).

48 EL Ampaire and others 'Institutional challenges to climate change adaptation: A case study on policy action gaps in Uganda' (2017) 75 *Environmental Science and Policy* 81; see also AM Tripp *Women and power in post-conflict Africa* (2019).

and shifting rainfall patterns.⁴⁹ Despite their critical role in food security, women face restricted access to agricultural extension services, technology and markets, limiting their capacity to adapt to climate change.⁵⁰ Legal and policy frameworks in both nations have made progress in addressing gender inequality,⁵¹ but considerable disparities persist. South Africa's National Climate Change Adaptation Strategy (2019) acknowledges the need for gender-responsive climate action but fails to discuss specific measures to protect women's and girls' rights.⁵² Zimbabwe's climate policies, such as the National Climate Policy (2016),⁵³ recognise gender problems but lack effective implementation and monitoring systems.⁵⁴

Furthermore, climate justice goes beyond the immediate effects of climate change to address questions of representation and decision making. Women, particularly those from marginalised areas, frequently have little representation in climate-related decisions, whether at the local or global level.⁵⁵ This lack of representation impedes the creation of inclusive and equitable climate policies that meet the interests of all people.⁵⁶ Attaining gender and climate justice necessitates a comprehensive strategy that addresses the systemic inequities that increase women and girls' susceptibility to climate change. This involves improving legal and regulatory frameworks, advocating gender-responsive climate action and guaranteeing women's meaningful involvement in climate decision making.

Comparative studies on climate justice in South Africa and Zimbabwe highlight essential differences in climate policy provisions, implementation and impact. South Africa's more structured approach, as described by Sowman and Rebelo,⁵⁷ contrasts with Zimbabwe's fragmented efforts.⁵⁸ Both countries face resource allocation and institutional capacity challenges, but South Africa's policies benefit from more robust frameworks and greater integration with national development strategies.⁵⁹ A significant gap in the literature is the need

49 T Gumucio and others 'Gender-responsive rural climate services: A review of the literature' (2017) 10 *Climate and Development* 1.

50 Mpofo and others (n 37).

51 L Mhuru 'Gender justice, law and religion in Zimbabwe: An evaluation of the role of sacred texts' (2023) 79 *Theological Studies/Teologiese Studies*; see also UN Women *South Africa's Report on the Progress Made on the Implementation of the Beijing Platform for Action* (2019), https://www.unwomen.org/sites/default/files/202501/south_africa_b30_report_en.pdf (accessed 23 May 2025).

52 Republic of South Africa *National Climate Change Adaptation Strategy* (2019).

53 Ministry of Environment, Water and Climate *National climate policy* (2016) Government of Zimbabwe.

54 L Nyahunda and others 'Analysis of gender responsiveness of climate change response strategies in the Southern African Development Community (SADC) region' (2020) 16 *Asian Journal of Social Sciences and Humanities* 1823-1884.

55 UN Women 'Explainer: Why women need to be at the heart of climate action' (2022), <https://www.unwomen.org/en/news-stories/explainer/2022/03/explainer-why-women-need-to-be-at-the-heart-of-climate-action> (accessed 21 May 2025).

56 As above.

57 As above.

58 Nyathi (n 13).

59 National Planning Commission 'Our future – Make it work: Executive summary' (2012), <https://www.gov.za/sites/default/files/Executive%20SummaryNDP%202030%20%20>

for more in-depth analyses of how gender-specific vulnerabilities are addressed in these frameworks. While existing studies acknowledge the impact of climate change on women and girls, there is limited research on the specific mechanisms through which policies address these vulnerabilities. There is a need for more comparative research that evaluates the effectiveness of different adaptation strategies across various contexts within these countries.

3 Child inclusivity: South Africa and Zimbabwe

International or global instruments that may be applicable include the Convention on the Elimination of All Discrimination Against Women (CEDAW);⁶⁰ the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Women's Protocol);⁶¹ the Convention on the Rights of the Child (CRC);⁶² the African Charter on the Rights and Welfare of the Child (African Children's Charter);⁶³ the United Nations Framework Convention on Climate Change (UNFCCC);⁶⁴ the Kyoto Protocol;⁶⁵ and the Paris Agreement.⁶⁶ Some of these are global and regional human rights instruments. In contrast, the others are climate change-specific instruments applicable in South Africa and Zimbabwe by virtue of signatory, domestication and/or inclusion in national legislation.

CEDAW and the African Women's Protocol are specific frameworks with similar provisions of non-discrimination,⁶⁷ education,⁶⁸ health care,⁶⁹ economic

Our%20future%20-%20make%20it%20work.pdf (accessed 21 May 2025).

60 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted 18 December 1979, entered into force 3 September 1981 1249 UNTS 13 (South Africa ratified in 1995; Zimbabwe ratified in 1991), <https://digitalcommons.maine.edu/mlr/vol54/iss2/4/> (accessed 9 August 2025).

61 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Women's Protocol) OAU Doc CAB/LEG. 66.6 (2003) (South Africa ratified in 2004; Zimbabwe ratified in 2008), <https://www.maputoprotocol.up.ac.za/countries/countries-table> (accessed 7 August 2025).

62 United Nations Convention on the Rights of the Child adopted 20 November 1989, entered into force 2 September 1990 1577 UNTS 3 (South Africa ratified in 1995; Zimbabwe ratified in 1990), <https://treaties.un.org/pages/showDetails.aspx?objid=08000002800007fe&clang=en> (accessed 9 August 2025).

63 African Charter on the Rights and Welfare of the Child OAU Doc. CAB/LEG/24.9/49 (1990) (South Africa ratified in 2000; Zimbabwe ratified in 1995), <https://www.acerwc.africa/en/member-states/ratifications> (accessed 9 August 2025).

64 United Nations Framework Convention on Climate Change adopted 9 May 1992, entered into force 21 March 1994 1771 UNTS (South Africa ratified in 1997; Zimbabwe ratified in 1992), https://treaties.un.org/pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XXVII-7&chapter=27&Temp=mtdsg3 (accessed 9 August 2025).

65 Kyoto Protocol to the United Nations Framework Convention on Climate Change adopted 11 December 1997, entered into force 16 February 2005 2303 UNTS 162 (South Africa ratified in 2002; Zimbabwe ratified in 2009), https://unfccc.int/kyoto_protocol/items/3145.php (accessed 9 August 2025).

66 Paris Agreement adopted 12 December 2015, entered into force 4 November 2016 3156 UNTS 3 (South Africa ratified in 2016; Zimbabwe ratified in 2017), <https://unfccc.int/process/the-paris-agreement/status-of-ratification> (accessed 9 August 2025).

67 Arts 1, 2 & 3 CEDAW (n 60); arts 2 & 8 African Women's Protocol.

68 Art 10 CEDAW; art 12 African Women's Protocol.

69 Art 12 CEDAW; art 14 African Women's Protocol.

empowerment,⁷⁰ and the right to environmental protection⁷¹ for the rights of women and the girl child. Added to this, a general recommendation of CEDAW addresses the intersection of gender and climate change, calling on states to adopt gender-responsive strategies that safeguard the rights of women and girls in the face of environmental challenges.⁷² The recognition of the intersectionality of discrimination against women that affects the girl child is provided in the recommendation.⁷³ The instruments mention the girl child as their specific subject, but do not explicitly provide for climate change. Yet, as it can be interpreted and applied to address the intersection of gender equality, the rights of the girl child, and the listed rights can be reasoned to include protection within the context of the impact of climate change.

Although the original UNFCCC text does not mention gender, women or gender equality, it recognises the necessity of safeguarding vulnerable groups, among which women are frequently included, especially regarding the impacts of climate change. Also, the continuous evolution of climate governance under the UNFCCC umbrella has made progress in including the critical aspects of gender in the global climate action. The Kyoto Protocol did not explicitly incorporate gender or women's protection in its framework. The integration of gender considerations in international climate policy evolved significantly in later years, particularly with the development of the Paris Agreement and the UNFCCC's Gender Action Plan.

The Paris Agreement marks significant progress around gender inclusion in global climate policy by its explicit acknowledgment of the importance of gender equality and promoting gender-responsive approaches. Gender is included in adaptation, capacity building and finance in the document, which is a notable consideration. These instruments are applicable in South Africa and Zimbabwe as they serve as a basis and guideline for legislation and policies on climate change.

3.1 South African legal and policy framework

The Constitution of South Africa protects the rights of children, including the right to basic nutrition, shelter, basic healthcare services and social services, which can be easily impacted by climate change. The Constitution also guarantees the right to a healthy environment.⁷⁴ It contains a provision foundational for addressing gender disparities, including those exacerbated by climate change, by

70 Arts 11, 13 & 14(2)(g) CEDAW; arts 13 & 19 African Women's Protocol.

71 Art 14(2)(h) CEDAW; art 18 African Women's Protocol.

72 CEDAW Committee General Recommendation 37 on gender-related dimensions of disaster risk reduction in the context of climate change (2018) UN Doc CEDAW/C/GC/37.

73 CEDAW Committee General Recommendation 28 on the core obligations of state parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (2010) UN Doc CEDAW/C/GC/28.

74 Constitution of the Republic of South Africa, 1996 (Constitution).

providing the right to equality.⁷⁵ It prohibits discrimination on various grounds, including gender, age and social status.⁷⁶ Climate change can impact human dignity. The Constitution provides for the right to dignity,⁷⁷ guarantees the right to health care, food, water and social security, which are critical for the well-being of children, especially the girl child, and are exacerbated by climate change impacts. The right to education is guaranteed.⁷⁸ However, the Constitution does not explicitly mention climate change or gender-specific vulnerabilities, although the protection of the girl child in the context of climate change may be read into the provisions.

The Children's Act emphasises the best interests of the child.⁷⁹ Climate change can exacerbate the risks of abuse, neglect and degradation, especially in the case of the girl child. The Children's Act provides for protection against these occurrences.⁸⁰ The right to education, which can be disrupted by climate change, especially for the girl child, is protected in this Act.⁸¹ The right to participation is provided and can be implied to provide that children have a right to participate in the issues and discourse of climate change, as it will affect them.⁸² The Act neither explicitly addresses climate change nor recognises the intersectional vulnerabilities of the girl child, nor does it provide specific provisions for her, focusing instead on children in general. The lack of specific reference to the 'girl child' means that her gender-specific issues and vulnerabilities are not directly addressed in the Act. The omission of climate change and the specific needs of the girl child renders the provisions inadequate.

The Climate Change Act is subject-specific legislation, unlike general legislation such as the Constitution. It mandates the development of national adaptation and mitigation strategies to enhance resilience and reduce vulnerability to climate impacts across all sectors of society. It mentions vulnerabilities and risks,⁸³ public participation and consultation,⁸⁴ education, awareness, capacity building⁸⁵ and integration of climate considerations into development plans,⁸⁶ all of which are likely to target the vulnerabilities of the girl child more directly than those of other citizens. However, it is not gender specific and does not explicitly mention the girl child. Its lack of gender sensitivity may prevent it from addressing the specific needs of girls, as it may exacerbate existing gender inequalities and leave the girl child more vulnerable to the adverse effects of climate change.

75 Sec 9 Constitution (n 74).

76 Sec 9(3) Constitution.

77 Sec 10 Constitution.

78 Sec 29(1)(a) Constitution.

79 Children's Act 38 of 2005.

80 As above.

81 Sec 7(1)(h) Children's Act.

82 Sec 10 Children's Act.

83 Climate Change Act 22 of 2024.

84 Clause 7(1)(a) Climate Change Act.

85 Clause 3(k) Climate Change Act.

86 As above.

The National Environmental Management Act (NEMA)⁸⁷ provides the framework for environmental governance and management in South Africa. It offers environmental rights and sustainable development,⁸⁸ and imposes a duty of care on all persons to prevent environmental harm and to take remedial actions should such damage occur.⁸⁹ Provision is made for public participation and access to information.⁹⁰ It provides an opportunity to assess how proposed developments might impact vulnerable groups, including the girl child.⁹¹ It promotes the principle of environmental justice, which seeks to ensure that the adverse effects of environmental degradation do not disproportionately impact marginalised and vulnerable communities.⁹² The Act is a broad provision on environmental protection, and neither explicitly mentions the girl child nor is it gender specific. In this way, it fails to account for the distinct vulnerabilities and challenges that girls encounter in the context of climate change.

South Africa's National Policy Framework for Women's Empowerment and Gender Equality is called the Gender Policy Framework.⁹³ It emphasises the importance of gender equality in local government, ensuring that women and girls are well represented and protected. While the focus primarily is on gender equality in governance, the policy addresses broader issues such as the impact of climate change. Moreover, being a gender-specific provision, the girl child is included among the vulnerable subjects in the policy. The framework broadly addresses the protection of vulnerable groups in chapter 1 and section 1.5, but there is limited specific focus on the girl child in the context of climate change.

In summary, the South African government has taken steps to promote climate justice, focusing on the protection of vulnerable groups. The key measures include legislation and policy such as the Climate Change Act, which mandates climate adaptation plans that consider children's needs.⁹⁴ The National Environmental Health Policy prioritises safe environments to reduce child health risks.⁹⁵ Gender-responsive plans include the South African Youth Gender Action Plan SA (YGAP) and the South African Youth Climate Action Plan.⁹⁶ Furthermore, a cursory look into South Africa's legal framework and policies on climate change, while progressive in many respects, falls short in providing specific protections for the girl child. The failure to explicitly recognise and address the unique

87 National Environmental Management Act 107 of 1998 (NEMA).

88 Sec 2(3)(4) NEMA.

89 Secs 2(4)(p), 28(1)(3) & 28(7) NEMA.

90 Secs 2(4)(f) & 2(4)(k) NEMA.

91 Sec 2(4)(c) NEMA.

92 Secs 2(4)(c), (d), (f) & (q) NEMA.

93 The Office on the Status of Women 'South Africa's National Policy Framework for Women's Empowerment and Gender Equality', https://www.dffe.gov.za/sites/default/files/docs/national_policy_framework.pdf (accessed 9 August 2025).

94 Secs 17 & 21 Climate Change Act.

95 Sec 4(3)(3) National Environmental Health Policy 2019-2020.

96 The South African Youth Climate Action Plan 2021 South African Institute of International Affairs (2021), <https://saiaa.org.za/wp-content/uploads/2021/10/The-South-African-Youth-Climate-Action-Plan-2021.pdf> (accessed 23 May 2025).

vulnerabilities of girls in the context of climate change results in a significant protection gap.

3.2 Zimbabwean legal and policy framework

In Zimbabwe, the legal framework and policies relevant to the protection of the girl child in the context of climate change encompass laws focused on child protection, gender equality, environmental conservation and climate change adaptation. Zimbabwe does not yet have a comprehensive legislative framework on climate change adaptation,⁹⁷ although a national climate policy is in place.⁹⁸ Climate change issues are scattered in various legal instruments and sectors that cover environmental legislation, energy, water, local authorities, agriculture and the Constitution. The Constitution of Zimbabwe provides for children's rights, gender equality, environmental protection and social welfare.⁹⁹ Section 73 of the Constitution of Zimbabwe is vital in the context of climate change since it gives everyone the right to a healthy and safe environment and requires the state to avoid environmental deterioration and promote sustainable development. Sections 19 and 81 provide for the protection of children, who are particularly exposed to the consequences of climate change, such as food instability and health concerns. In line with sections 73, 19 and 81 of the Constitution, advancing climate justice for the girl child requires targeted safeguards and empowerment within climate mitigation strategies.

The Constitution of Zimbabwe¹⁰⁰ provides the right to gender equality and non-discrimination, including that based on sex and gender.¹⁰¹ It includes the rights of children,¹⁰² the right to education,¹⁰³ health care,¹⁰⁴ shelter, protection from abuse,¹⁰⁵ and the right to an environment that is not harmful to health or well-being. It mandates the state to take measures to prevent environmental harm.¹⁰⁶ The vulnerability of children is identified, and their protection is the responsibility of the government.¹⁰⁷ There is a provision for the empowerment and development of youth,¹⁰⁸ social welfare and economic rights.¹⁰⁹ However, it mentions neither the girl child nor climate change explicitly.

97 D Chidarara 'Climate change, the mining industry and the law in Zimbabwe' in M Mukhlani (ed) *Climate change law in Zimbabwe: Concepts and insights* (2019) 139.

98 MA Dzvimbo & others 'Understanding the politics of climate change in Zimbabwe' in E Moyo & B Kumwenda (eds) *Climate change strategies: Handling the challenges of adapting to a changing climate* (2023) 183-198.

99 Constitution of Zimbabwe Amendment (No 20) Act 2013 secs 19, 30, 56, 73, 75, 80-84.

100 Constitution of Zimbabwe (n 99).

101 Secs 17, 56 & 80 Constitution of Zimbabwe.

102 Sec 81 Constitution of Zimbabwe.

103 Sec 75 Constitution of Zimbabwe.

104 Sec 76 Constitution of Zimbabwe.

105 Sec 81 Constitution of Zimbabwe.

106 Sec 73 Constitution of Zimbabwe.

107 Sec 19 Constitution of Zimbabwe.

108 Sec 20 Constitution of Zimbabwe.

109 Secs 24(1), 30, 71, 75-77 Constitution of Zimbabwe.

The Children's Amendment Act, 2023,¹¹⁰ enhances the Children's Act but does not explicitly refer to the 'girl child' as a distinct group – it continues to cover all children under the age of 18 years, irrespective of gender. The amendment strengthens child protection by, for example, introducing criminal sanctions against corporal punishment at home and in schools, thereby advancing legal safeguards for children generally. However, even with this improvement, there is no specific mention of climate change or its impacts on children in the Act. Apart from these defects, the Act is designed to protect children, and, by extension, it can be argued that the girl child is encompassed within its provisions.

The National Climate Policy 2016 is argued to be comprehensive as it provides a framework for addressing the impacts of climate change through mitigation and adaptation strategies.¹¹¹ Its primary focus is on environmental and developmental issues, which have implications for protecting vulnerable groups. Children fall within this category and, by extension, the girl child. The policy also encourages the integration of gender-sensitive approaches in climate change policies and actions. It provides an understanding of the impact of climate change on women, children and the youth.¹¹² It contains specific measures for children.¹¹³ However, while it is a climate-specific legislation, which provides for vulnerable persons¹¹⁴ and mentions women and children, it does not explicitly mention the girl child. The National Climate Change Response Strategy (2014) contains gender provisions and the protection of vulnerable persons.¹¹⁵ It also mentions children.¹¹⁶ While these provisions can be interpreted to cover the girl child, the girl child is not explicitly mentioned.

The Criminal Laws Amendment (Protection of Children and Young Persons) Act 2024 enhances protections for children, including girls, by redefining a child as any individual under the age of 18 years,¹¹⁷ and criminalising certain abuses. While not exclusively focused on climate change, it strengthens the legal framework for safeguarding children in various contexts. The girl child is also not explicitly mentioned. Zimbabwe's legal framework and policies on climate change do not provide sufficient protection for the girl child. The lack of targeted measures within these frameworks leaves a significant gap in addressing the specific risks and vulnerabilities faced by girls due to climate change.

The Zimbabwean government has initiated several measures to promote climate justice, including enacting gender-responsive climate policies such as the

110 Children's Amendment Act [Chapter 5:06] of 2023.

111 Dzvimbo and others (n 98) 190.

112 Sec 2(3)(2) National Climate Policy of Zimbabwe (2016).

113 As above.

114 Sec 1(3)(3) National Climate Policy.

115 Government of Zimbabwe Ministry of Environment, Water and Climate 'Zimbabwe's National Climate Change Response Strategy' (2014), <https://faolex.fao.org/docs/pdf/Zim169511.Pdf> (accessed 9 August 2025).

116 As above.

117 Sec 4(c) Criminal Laws Amendment (Protection of Children and Young Persons) Act 2024.

Climate Change Gender Action Plan (ccGAP),¹¹⁸ which emphasises integrating gender considerations into climate strategies, recognising that women, children and the youth are disproportionately affected by climate change due to their reliance on natural resources for livelihoods.¹¹⁹ The ccGAP aligns with national policies such as the National Climate Change Response Strategy and the National Gender Policy. Both advocate integrating gender perspectives into environmental and climate change policies and strategies. The government has attempted empowerment through education in the form of collaborations with organisations such as Campaign for Female Education (CAMFED), which have supported girls' education, aiming to build resilience against climate-induced challenges. Also, initiatives such as the National Gender and Climate Change Task Force have been launched to empower young people to participate actively in climate-related decision making.¹²⁰

While these efforts signify progress, challenges remain in fully implementing and scaling these initiatives to ensure comprehensive protection and empowerment of the girl child in the face of climate change. Meanwhile, a cursory look at the primary relevant instruments applicable in both South Africa and Zimbabwe highlights the inadequate protection of the girl child due to the absence of explicit reference. Where protection is provided for vulnerable persons under the category into which she falls, the girl child is either subsumed under women or gender and youth or children without specifically being mentioned. As a result, it appears that the provision exists but is effectively invisible or obscured, requiring deliberate interpretation that may not reflect its true intent. The implementation of laws is also generally challenging in both countries.

4 Legal and policy frameworks: Commonalities and distinctions

The legislative frameworks for climate justice in South Africa and Zimbabwe have made significant strides in addressing the gendered impacts of climate change, particularly the vulnerability of girls. South Africa's National Climate Change Adaptation Strategy (NCCAS) stands out for its comprehensive integration of climate resilience into national disaster management frameworks. This strategy explicitly aims to protect vulnerable groups, including girls, from the adverse effects of climate change through coordinated efforts across various levels of government.¹²¹ The strong emphasis of NCCAS on data collection, monitoring

118 Government of Zimbabwe 'Zimbabwe Climate Change Gender Action Plan' (2023), https://www.undp.org/sites/g/files/zskgke326/files/202304/Zimbabwe%20Climate%20Change%20Gender%20Action%20Plan_0.pdf (accessed 9 August 2025).

119 As above.

120 T Tanner and others 'Youth, gender and climate resilience: Voices of adolescent and young women in Southern Africa' (2022) 14 *Sustainability* 8797.

121 M Sowman & X Rebelo 'Sustainability, disaster risk reduction and climate change adaptation: Building from the bottom up – A South African perspective from the small-scale fisheries sector' (2021) *Creating Resilient Futures* 151.

and evaluation provides a robust mechanism for informed decision making, ensuring that adaptive measures are effective and responsive to the needs of the most vulnerable populations.¹²²

In contrast, Zimbabwe's National Climate Change Response Strategy (NCCRS)¹²³ also incorporates gender considerations, targeting the reduction of vulnerability among women and girls through specific adaptation measures. However, the implementation of these measures has been inconsistent, primarily due to resource constraints and institutional challenges. Despite these difficulties, Zimbabwe has experienced success in community-based adaptation projects, which directly involve women and girls in sustainable agricultural practices and water management.¹²⁴ These initiatives have been crucial in building resilience among girls in rural areas, who are disproportionately affected by climate-related challenges such as droughts.

When comparing the effectiveness of these frameworks, South Africa's NCCAS is more comprehensive and better resourced, allowing for a coordinated and large-scale approach to reducing girls' vulnerability to climate change. Although the inclusion of gender-specific vulnerabilities in NCCAS is somewhat limited, it represents a more holistic approach than Zimbabwe's NCCRS, which has struggled with consistent implementation due to financial and structural limitations. This comparison suggests that while both countries are committed to gender-sensitive climate adaptation, South Africa's framework is more effective in practice, particularly regarding scalability and institutional support.¹²⁵

To enhance the effectiveness of Zimbabwe's climate justice framework, it is essential to improve resource allocation and strengthen institutional capacities to ensure the full implementation of gender-sensitive policies. Moreover, both countries could benefit from adopting best practices from other regions, such as the Scandinavian countries, where gender equality is a core component of climate adaptation strategies.¹²⁶ By learning from these successful models and

122 J Waslander 'Second informal dialogue on adaptation: How are countries bridging the gap between planning and implementation?' 21 November 2019 NDC Partnership, <https://countries.ndcpartnership.org/news/second-informal-dialogue-adaptation-how-are-countries-bridging-gap-between-planning-and> (accessed 23 May 2025).

123 Government of Zimbabwe Ministry of Environment, Water and Climate *Zimbabwe's National Climate Change Response Strategy* (2014), <https://faolex.fao.org/docs/pdf/zim169511.pdf> (accessed 23 May 2025).

124 UNDP 'Rural women rising: How climate-smart agriculture is empowering women farmers and bridging gender divides in Southern Zimbabwe climate change adaptation' (2024), <https://www.adaptation-undp.org/rural-women-rising-how-climate-smart-agriculture-empowering-women-farmers-and-bridging-gender> (accessed 23 May 2025).

125 Republic of South Africa 'National Climate Change Adaptation Strategy Republic of South Africa' (2019), https://www.dffe.gov.za/sites/default/files/docs/nationalclimatechange_adaptationstrategy_ue10november2019.pdf (accessed 23 May 2025).

126 C Remteng and others 'Gender in the nationally determined contributions of African countries: A way forward for effective implementation of adaptation and mitigation strategies' (2022) 3 *Ecofeminism and Climate Change* 2.

enhancing local capacity, both South Africa and Zimbabwe can further reduce the vulnerability of girls to the impacts of climate change.

5 Policy recommendations

To promote climate justice for girls in South Africa and Zimbabwe, gender issues need to be integrated into climate justice frameworks and solid recommendations for policy makers. This part presents extensive policy proposals to address the special problems girls experience due to climate change, promoting gender equality and strengthening the resilience of vulnerable groups. Climate policies must reflect a gender analysis. This includes incorporating gender-specific objectives, indicators and targets into national climate action plans and strategies. Policies should recognise the disproportionate impact of climate change on girls and women and work to solve these disparities.¹²⁷ For example, the South African National Climate Change Response White Paper should be modified to reflect gender-specific goals and measures. By doing so, policy makers may guarantee that climate change measures take into account and address the special needs of girls, resulting in fairer and effective outcomes.

It is essential to carry out gender impact assessments for all climate-related projects and programmes. These evaluations will examine how proposed changes would affect girls and women differently, ensuring that any negative consequences are addressed.¹²⁸ For example, while building a new irrigation project, it should be considered how it would affect the water gathering responsibilities traditionally carried out by girls. This approach will contribute to more inclusive and equitable climate policies by emphasising girls' special needs and vulnerabilities and ensuring that they are not disregarded throughout the planning and implementation stages.

There is a need to create and execute gender-sensitive climate education programmes that are critical for raising awareness about the impact of climate change on girls and equipping them with the information and skills required to adapt to and mitigate its consequences. Gender equality, climate science and sustainable development should all be addressed in the educational curriculum. For example, climate change education in South African and Zimbabwean school curricula may help girls understand their issues and provide them with the tools

127 UN Women 'Turning promises into action: Gender equality in the 2030 Agenda for Sustainable Development' (2018), <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2018/SDG-report-Gender-equality-in-the-2030-Agenda-for-Sustainable-Development-2018-en.pdf> (accessed 20 May 2025).

128 United Nations Development Programme (UNDP) 'Overview of linkages between gender and climate change' (2016), <https://www.undp.org/sites/g/files/zskgke326/files/publications/UNDP%20Linkages%20Gender%20and%20CC%20Policy%20Brief%201-WEB.pdf> (accessed 21 May 2025).

they need to fight for their rights and engage in climate action.¹²⁹ Also, there is a need to invest in capacity-building efforts aimed primarily at women and girls to improve their leadership abilities, climate awareness and ability to participate in decision-making processes. Programmes should include training in sustainable farming methods, renewable energy technology and catastrophe risk mitigation. Empowering girls through education and capacity building increases resilience and encourages active engagement in climate governance, ensuring that their voices are heard and their needs are met.¹³⁰

To implement gender-responsive climate action, there is a need to ensure girls' and women's active engagement in climate-related decision-making processes at all levels. This includes representation on national and local climate councils, policy-making bodies and community-based organisations. Policies should encourage gender equity in leadership and decision-making positions, resulting in a more inclusive approach to climate governance. For example, South Africa and Zimbabwe should set quotas for female representation on climate councils to ensure that women's perspectives are considered in policy development and implementation.¹³¹ Also, the countries should implement gender-responsive budgeting in climate financing, ensuring that resources are directed towards projects that explicitly address the needs and vulnerabilities of girls and women.¹³²

Policy makers should examine and alter existing legislative frameworks to ensure gender responsiveness and alignment with international norms and include gender considerations in national climate laws, policies, and action plans to advance climate justice for girls.¹³³ This entails openly recognising their rights and needs and providing legal safeguards and support channels to help them adapt to climate change. Additionally, policy makers must set up monitoring and evaluation procedures, including independent oversight organisations, to track progress, ensure compliance, and assess the efficacy of gender-responsive climate policies. For instance, South Africa and Zimbabwe should update their climate policies and put in place strict supervision to monitor and report on their impact.¹³⁴

129 United Nations Educational, Scientific and Cultural Organisation (UNESCO) *Education for sustainable development: Partners in action* (2019), <https://unesdoc.unesco.org/ark:/48223/pf0000368829> (accessed 21 May 2025).

130 UNDP *Gender Equality Strategy 2018-2021* (2018), <https://www.undp.org/publications/undp-gender-equality-strategy-2018-2021> (accessed 25 May 2025).

131 United Nations Framework Convention on Climate Change (UNFCCC) 'Enhanced Lima work programme on gender and its gender action plan' (2019), https://unfccc.int/sites/default/files/resource/cp2019_L03E.pdf (accessed 25 May 2025).

132 Organisation for Economic Co-operation and Development (OECD) 'Gender-responsive budgeting in OECD countries' (2017), <https://www.oecd-ilibrary.org/docserver/budget-16-5jfq80dq1zbn.pdf> (accessed 24 May 2025).

133 Committee on the Elimination of Discrimination against Women (CEDAW Committee) General recommendation 37 on the gender-related dimensions of disaster risk reduction in the context of climate change (2018), <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no37-2018-gender-related> (accessed 24 May 2025).

134 OECD 'Enabling women's economic empowerment: New approaches to unpaid care work in developing countries' (2019), <https://www.oecd-ilibrary.org/social-issues-migration-health/>

Policy makers can consider developing and executing social protection programmes for disadvantaged girls and women affected by climate change as critical to increasing their resilience. These initiatives should provide financial assistance, access to healthcare services and other essential services to help people cope with the effects of climate change. Conditional cash transfer programmes, for example, can assist families in keeping their daughters in school, thereby mitigating adverse effects on their education and overall well-being.¹³⁵ South Africa has existing social security measures that provide similar reliefs, such as the Social Relief of Distress (SRD) grant, which offers broad-based and temporary assistance, including for victims of natural disasters. Still, it may be argued that these measures are generally not explicitly designed for climate resilience or the unique needs of girls and women. In contrast, climate-focused social protection programmes would be long-term, gender-responsive initiatives that integrate adaptation goals and target those disproportionately affected by climate change. These could include conditional cash transfers tied to education and health, helping girls stay in school and reducing their vulnerability. Unlike the reactive nature of current grants, these programmes would proactively build resilience and human capital. Thus, they will serve a complementary but distinct role in addressing the more profound, gendered impacts of climate change. Furthermore, providing safe places and support services for girls affected by climate-related disasters is critical to their rehabilitation and empowerment. Such places should offer psychological assistance, health care, education and protection from gender-based violence, assisting girls in recovering from trauma and developing resilience. Setting up community centres with extensive support services in disaster-prone communities can succeed.¹³⁶

Policy makers can ensure that girls and women have equitable access to resources such as land, credit and technology, which is critical for climate change adaptation. Policies should prioritise economic empowerment by providing possibilities for skills development, entrepreneurship and sustainable livelihoods. Microfinance initiatives, for example, that offer low-interest loans to female entrepreneurs can assist them in starting and growing climate-resilient firms.¹³⁷ Furthermore, training in sustainable agricultural methods can help female farmers build resilience and contribute to food security.¹³⁸ Providing targeted assistance to female farmers, frequently disproportionately affected by climate change, is critical for increasing their resilience. This includes access to climate-resilient

enabling-women-s-economic-empowerment_ec90d1b1-en (accessed 27 May 2025).

135 United Nations Children's Fund (UNICEF) 'Cash transfer programme for children with disabilities' (2019), <https://www.unicef.org/syria/reports/cash-transfer-programme-children-disabilities-2019> (accessed 24 May 2025).

136 Plan International *Adolescent girls in crisis: Voices from the Sahel* (2020), <https://plan-international.org/publications/adolescent-girls-in-crisis-voices-from-the-sahel/> (accessed 24 May 2025).

137 Food and Agriculture Organisation of the United Nations (FAO) *The state of food and agriculture 2018: Migration, agriculture and rural development* (2018), <https://www.fao.org/family-farming/detail/en/c/1189078/> (accessed 26 May 2025).

138 As above.

seeds, sustainable farming practice training and market access. Supporting female farmers increases food security and encourages economic stability and equality.¹³⁹

Policy makers in both Zimbabwe and South Africa should promote community-based approaches to climate adaptation to create context-specific policies that address the specific needs of each country. By including community members, particularly girls and women, in the design and execution of climate projects, their viewpoints are recognised, assuring long-term solutions. Participatory rural appraisal is one technique that may include community members in identifying climate risks and designing adaptation plans, strengthening community ownership and improving the efficacy and sustainability of climate action.¹⁴⁰ Furthermore, public awareness efforts are critical in emphasising the link between climate change and gender equality, encouraging societal attitudes and behaviours to change. These efforts should focus on raising awareness about girls' issues and encouraging them to participate actively in climate change activities. For example, multimedia campaigns presenting tales of girls driving climate action may inspire others and emphasise the necessity of gender-responsive climate legislation, thereby empowering their active participation in climate activities.¹⁴¹

6 Conclusion

Everyone is prone to the effects of climate change. However, the girl child is disproportionately impacted by these effects. Gender-differentiated roles and responsibilities, in addition to cultural and religious beliefs at the household and community levels, make the girl child more susceptible to the impact of climate change. Legal frameworks exist to protect all citizens, as highlighted in the provisions in the constitutions, human rights and specific climate-related frameworks. These frameworks and their provisions, along with the comparative analysis, have been examined in the relevant part of this article. However, it cannot be concluded that the provisions cover the girl child. The analysis of existing frameworks and policies in South Africa and Zimbabwe, despite their robust gender and children's provisions, reveals inadequacies in the protection of the girl child in the context of climate change impact. This occurs regardless of the fact that, through intersectionality, she is more vulnerable to such events.

Given the impact of climate change, it is recommended to incorporate inclusive specific legislation and policy frameworks to address the issue and alleviate the girl child's plight. The reason for this is that the girl child, though not explicitly mentioned, appears to be overlooked or obscured within legal

139 International Fund for Agricultural Development (IFAD) *Gender equality and women's empowerment* (2019), <https://www.ifad.org/en/publications/ifad-policy-on-gender-equality-and-women-s-empowerment> (accessed 27 May 2025).

140 As above.

141 United Nations Population Fund (UNFPA) *Gender Equality Strategy 2019* (2019), <https://www.unfpa.org/publications/unfpa-gender-equality-strategy-2019> (accessed 27 May 2025).

provisions due to the intersection of her gender and age. In addition to inclusive legal frameworks, there is a need for capacity building in development plans and climate change awareness in communities and the education sector. Adaptation activities in community processes should be mainstreamed to reduce the burden on the girl child and increase sustainability opportunities.

In essence, the analysis underscores the importance of integrating gender-sensitive approaches and being proactive in ensuring equity in climate justice by looking out for inclusive measures to cater for the most vulnerable populations. This would also include promoting education and empowerment programmes for girls and ensuring that their voices are heard in decision-making processes. A combination of cooperative measures and efforts will be critical to achieving climate justice and protecting the girl child from the impacts of climate change in South Africa and Zimbabwe.