

**The National Council for Childhood & Motherhood comments on the concept note of the “General comment on children's rights and the environment with a special focus on climate change”.**

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* The National Council for Childhood & Motherhood (NCCM) welcomes the committee’s decision to draft general comment on children’s rights and the environment with a special focus on climate change especially that the general comment will promote the understanding of the relationship between children’s rights and the environment and will offer guidance about practical measures of implementation.
* The general comment should ensure that the four principles of the Convention on the Rights of the Child (CRC) are covered and fulfilled:
1. Non-Discrimination.
2. Best interests of the child.
3. The right to survival and development.
4. The views of the child.
* It is important to emphasize that a healthy environment is a precondition for children’s physical and mental health. Without it, they cannot grow up and become healthy members of society.
* **The general comment could indicate that:**
1. States must do more to respect, protect and fulfill the rights of children in relation to environmental harm.
2. States have obligations to protect against the harmful effects of climate change on children’s rights and ensure that the measures they take in response to climate change respect children’s rights.
3. States, concerning children’s educational and procedural rights, should, among other things:
* Ensure that educational programs increase children’s understanding of environmental issues and strengthen their capacity to respond to environmental challenges;
* Ensure that the effects of proposed measures on children’s rights are assessed before the measures are taken or approved;
* Collect information about sources of environmental harm to children and make the information publicly available and accessible;
* Encourage, where possible, the participation of children in environmental decision-making processes, and protect them from reprisals for their participation or otherwise expressing their views on environmental matters;
* Remove barriers that children face to access to justice for environmental harm to the full enjoyment of their human rights.
1. States have a corresponding duty to protect children’s livelihoods by ensuring sustainable environments.
* The general comment must clarify the obligations of the business sector, regarding the rights of the child concerning a safe, clean, healthy, and sustainable environment, including access to justice when harm has been caused, and how to prevent harm in the long term.
* **The General Comment could refer and state (that):**
1. States Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the rights of children, and intergenerational equity.
2. Children and youth are agents of change in the environmental context and should be given the space and modalities to contribute to disaster risk reduction. Two articles of the CRC specifically mention the environment and provide important leverage to clarify States’ obligations, namely:

**Article 24 (2)** on the right of the child to the enjoyment of the highest attainable standard of health provides that:

“States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures: […] to combat disease and malnutrition […]taking into consideration the dangers and risks of environmental pollution”

**Article 29 (1)** on the aims of education provides that:

“States Parties agree that the education of the child shall be directed to: […] the development of respect for the natural environment.”

1. Legislation and policy must be effectively enforced to protect children from environmental health risks, including through monitoring and research, outreach and education, planning, and financial support. *(Laws and policies around the world should not permit children to be exposed to hazardous substances and should ensure that the child’s best interests are included in all decisions affecting the child).*
2. The lack of adequate monitoring mechanisms for exposures to environmental risk factors, even in areas with existing regulation.
3. The need to assess the national and international policies related to biodiversity, climate stability, ecosystems, etc. from a child rights perspective
4. Efforts and approaches to the protection of ecosystems and access to natural resources should further the realization of children’s rights – such as the rights to life and development, food, water, and culture, and positively impact the valuation and conservation of nature.

**References:**

1. UN Committee on the Rights of the Child, Report of the 2016 day of General Discussion. <https://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2016/DGDoutcomereport-May2017.pdf>
2. UN Committee on the Rights of the Child, 2016 Day of General Discussion, Children’s Rights and the Environment, Guidelines for participants on registration and submissions. Retrieve from: <https://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2016/ConceptNoteDGD2016.docx>
3. Children at the forefront of Climate Change. Brianna Fruean.

<https://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2016/3.BriannaFruean_ChildrenattheforefrontofClimateChange.pptx>

1. <https://www.ohchr.org/en/hrbodies/crc/pages/discussion2016.aspx>