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## **Human Rights Council**

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**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Relationship between climate change and the full and effective enjoyment of the rights of the child\***

### **Informal summary of inputs received**

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## **I. Introduction**

1. Human Rights Council Resolution A/HRC/32/33 of 1 July 2016, entitled “Human Rights and Climate Change”, requests the Office of the High Commissioner for Human Rights to consult member states and relevant agencies of the United Nations system in order to prepare a panel discussion and analytical study on the relationship between climate change and the full and effective enjoyment of the rights of the child.
2. In September 2016, OHCHR circulated a Note Verbale and Questionnaire to Member States requesting inputs in the form of written submissions for the study (see Annex 1). Additional communications were made to other stakeholders including civil society organizations, international organizations and National Human Rights Institutions. As of 24 February 2015, OHCHR had received responses from 28 stakeholders including Member States, Non-Member observing states, United Nations agencies, National Human Rights Institutions, and Non-Governmental Organizations.
3. This report contains a summary of the inputs and conclusions drawn from the respondents’ answers to the questionnaire. This summary of inputs received is intended to inform the Human Rights Council panel discussion which will take place on 2 March 2017 and the analytical study which will be submitted to the 35th Session of the Council. This is an informal document and conference room paper. The official inputs received from States and other stakeholders are available for further consideration on the website of the OHCHR: <http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/RightsChild.aspx>

## **II. Summary of Inputs Received**

### **A. Member States**

#### **1. Georgia**

4. The Government of Georgia highlighted the specific impact that natural disasters caused by climate change have on children including floods and heavy snow. During these disasters, children are often left homeless, attendance at school is markedly lower, and undue burdens are often placed on girls in the collection of firewood and water. Children who live in mountainous regions are particularly affected because of the increased impacts of climate change in these areas. Georgia highlighted that it had taken specific measures in the form of flood and flash flood prevention to address some of these negative impacts. Further, Nationally Determined Contribution (NDC) cycles could highlight the needs of specific vulnerable populations such as children on a disaggregated basis. Georgia described the critical policy process as involving vulnerability assessments of focus groups including children, identification of their critical adaptation needs and development of related laws and policies. Education would be critical to enhance understanding of climate actions and prepare children for the future. In order to engage children in climate-change related policies, Georgia created environmental education centers under the Ministry of Environment and Natural Resource Protection that focus on programs about energy efficiency, water resources, and waste management.

#### **2. Germany**

5. Germany highlighted that climate change impacted a number of specific rights protected by the Convention on the Rights of the Child including those to survival and development (Art. 6), nutrition and health (Art. 24) and education (Art. 28) and that obligations to act on climate adaptation and mitigation could be derived from threats to these rights. Given the unique physical and cognitive development of children, they were

more at risk from drought, floods, and weather-related disasters compounded by climate change. Climate change was projected to increase the risks of the top five causes of death for children under the age of five. In this context, children's participation and education was critical. Not only did children have a fundamental right to participate in relevant policy making they also had invaluable contributions to make. Children should be actively engaged in achieving long-term results in this area. Citing reports from UNICEF, the World Health Organization and other institutions, Germany noted clear evidence that climate change was increasing the risks that children were already susceptible to including separation from the family unit, disease, and exploitation. Even more evidence was needed to clear gaps in the knowledge base of how and to what extent the enjoyment of the rights of the child have been impacted by climate change.

6. Germany employed a human rights based approach to development that requires protecting the best interests of the child in its decision-making. All climate change policies should protect the rights of the child and specifically analyze impacts on various demographics of children broken down by age, gender, and other relevant characteristics. By disaggregating data and improved research methodology, more nuanced policies and protection mechanisms can be made to protect children from the negative effects of climate change. Germany emphasized that such an approach was called for and should be guided by relevant commitments under the Paris Agreement, the 2030 Agenda and the Sendai Framework. Further objectives like increasing youth participation in international climate policy and improving education were also cost-effective methods to improve climate policies and safeguard future generations.

### **3. Hungary**

7. Hungary stated that the rights of the child are severely affected by climate change, therefore, their interests should be considered in decision making processes to the greatest extent possible. Citing Article 29 of the Convention on the Rights of the Child, Hungary emphasized that adequate education, including on the natural environment, was a rights and was also critical to safeguard children's interests and facilitate their participation. The Constitution of Hungary specifically protected the rights of the child and in conjunction with the Paris Agreement, requires that relevant legislation and policy development expressly account for all human rights including those of children.

8. Hungary affirmed its obligation and commitment to integrate children's rights within climate mitigation and adaptation policy. More specifically, as a member of the European Union, Hungary also committed to this goal within the framework of EU climate change policies and advocated for collaboration between climate change and human rights experts. Although Hungary had yet to formally integrate climate change in its school curricula, practices like the use of open-air school allowed children to engage with environmental decision making and climate change. Information shared on the government website was also accessible to younger generations and the government expressed its desire to engage younger generations through social media in order to disseminate information more effectively. In concluding, Hungary recommended that measures be taken to address a lack of knowledge related to human rights obligations amongst climate experts.

### **4. Italy**

9. Italy stated that climate change was undermining children's basic rights and posed an immediate and far-reaching threat to the enjoyment of many, if not all, of the rights protected by the Convention of the Rights of Child. Climate change threatened progress in enjoyment of these rights and accentuated inequality. Children, for example, were particularly vulnerable to the effects of natural disasters such as heat waves, floods, and storms and children from the poorest families or children with disabilities were even more

vulnerable. Additionally, most of the countries vulnerable to natural disasters as a result of climate change were also the countries that have the highest proportion of children as their population. Diseases such as malaria, dengue, meningitis, malnutrition, and diarrhea were all leading killers of children and were also all more prevalent as a result of climate change and its effects. Following natural disasters, children were also often exposed to a heightened risk of exploitation, violence, and separation from their family unit or community.

10. Italy recommended that “green education” should play an essential role to raise the awareness of environmental issues including environmental good governance. In 2015, the Italian Ministries of Environment and Education had launched new guidelines for environmental education to promote an active role for younger generations. Children should also be given the opportunity to participate in climate change discussion, including girls and children with disabilities, who were often underrepresented in these discussions. Analyses should also be conducted on the risks to and resilience of children in order to include these results in national policies on climate change adaptation and inform budget allocations. It was indisputable that future generations will have to deal with a changing and more extreme climate and must be capacitated to do so. Taking the needs of children into account in investments on climate change adaptation and in sustainable energy would contribute to reduced child mortality, better early childhood development, improved maternal health, and better education for children.

#### **5. Kyrgyzstan**

11. The Kyrgyz Republic had not specifically examined the links between climate change and the impacts of the rights of the child. However, they have a strategic policy on climate change which includes a gender analysis and calls for the design and implementation of gender-responsive adaptation and mitigation strategies including with regard to labor, access to resources, participation in planning, and decision making.

#### **6. Lithuania**

12. Lithuania asserted that the rights of children in the country are protected by the Law on the Fundamentals of Protection of the Rights of the Child of the Republic of Lithuania, Article 8 of which protects the right to health and to a healthy and safe environment. The Constitution of the Republic of Lithuania, the 1959 UN Declaration on the Rights of the Child, and the 1989 Convention on the Rights of the Child also served to protect these rights. As an EU member, Lithuania has express mitigation commitments and has developed long-term goals for climate change mitigation and adaptation in all sectors including, healthcare, and education. This strategy was inter-institutional, coordinated and sector wide, but not focused specifically on any one group or sector of society. Lithuania’s policy on heat stress, however, does single out children as particularly sensitive to heat.

13. Lithuania sought to improve social engagement with climate change and environmental responsibility through the organization of public awareness and education initiatives, the dissemination of information on climate change adaptation, and incorporating environmental education into the school system. Current climate change legislation included crisis management policies to improve forecasting of natural disasters, sharing of information with residents on emergency protocols and preparedness of emergency response teams. Lithuania also recommended that young people be included in climate change policy-drafting by instituting platforms like its National Platform of Environment and Health of Youth that allow young persons to contribute to efforts to preserve a safe and stable environment.

## 7. Montenegro

14. Montenegro stated that climate change has a larger impact on the vulnerable populations within society and therefore, children are more susceptible to the effects of climate change. The government also asserted that the human rights considerations of climate change, specifically the impacts of the rights of the child, should be placed at the center of national and international agreements on environmental policy. The National Plan of Action for Children is the country's strategic document on the protection and promotion of the rights of the child and mobilizes various sectors to support the quality of life for children. Montenegro had not designed any specific measure on climate adaptation or mitigation with reference to human rights but stated that human rights and the rights of the child were considered a part of all actions in this field.

15. Montenegro had commissioned a study on climate awareness in schools and emphasized that further integration of environmental awareness in education system would increase engagement in the climate change discussion and promote action to protect the environment, for example, improved consumer choices. Montenegro also highlighted that special attention should be paid to vulnerable child populations such as children with disabilities, children who are victims of violence, and children who have no access to parental care.

## 8. Namibia

16. Namibia emphasized that climate change disproportionately impacts children. For example, in the case of drought, children often suffered from malnutrition. The education system should be tailored to include climate change and environmental education in order to increase awareness and responsiveness to climate change, thereby reducing its impacts. Special legislation and policies were also important to address climate impacts. Namibia's Disaster Risk Management Act established coordinated approaches to reduce the risk of disasters, mitigate their effects, increase preparedness, and implement effective post-disaster recovery. The National Climate Change Committee and the National Climate Change Policy increased the integration and coordination of governmental and non-governmental institutions and integrated a human-rights based approach to sustainable development. Moreover, with support from the Green Climate Fund, Namibia has implemented national projects to scale up community resilience to climate change, focusing on vulnerable populations such as women and children.

17. Namibia also stated that child-centered approaches to adaptation are effective and should be employed; existing policies should be reviewed to ensure children are visible, their rights are respected and the root causes of their vulnerability are addressed; child rights should be integrated in new plans and their implementation; gender and climate change should be integrated in education; specific risks faced by children should be focused on in climate policy; and the voice and agency of children was critical. In this regard, the Namibian Children's Parliament was one way for young people to voice their concerns on climate change. Further efforts to center planning and implementation of environmental policies on children and increase awareness were needed including in education.

## 9. Serbia

18. Serbia observed that children have the right to grow up in a safe and healthy environment and called for protection of this right, for all children and particularly for those most vulnerable such as children with disabilities, migrant children, and children separated from their families. Serbia highlighted the dangers posed by natural disasters which were addressed by national laws and policies on disaster preparedness and emergency response. These measures paid special attention to vulnerable populations, such as children, and the institutions that serve these populations. Serbia also committed to working with

Red Cross and civil society organizations to ensure that the health needs of evacuees and children are met. Child rights monitoring was critical during environmental disasters in order to improve health outcomes and humanitarian interventions. The importance of child participation and of measures to protect child health was highlighted.

**10. Slovakia**

19. Slovakia emphasized that climate change affected the enjoyment of a broad array of children's rights including those to participation, information, food, water and sanitation and health among others. Natural disasters, increased temperatures, changes in rainfall patterns, the increasing contamination of water sources, and food insecurity related to climate change all threatened children's rights and health. Education was just as important. Children had a right to education, including with regard to the natural environment and they should be informed and able to participate in climate change mitigation and adaptation policies. Problematically, climate change could also exacerbate existing inequalities and vulnerabilities, which were consequences of discrimination. There was a real need to advance adaptation and mitigation measures that addressed discrimination, including gender-based discrimination and unequal access to assistance allowing everyone to live in dignity.

20. In the respective ambits of its National Action Plan for Children that seeks to implement the Convention on the Rights of the Child at the national level and the Adaptation Strategy of the Slovak Republic on Adverse Impacts of Climate Change, Slovakia addressed many issues related to the rights of children and climate change. Slovakia also highlighted the importance of climate education. In this regard, collaboration between the Ministries of Education, Science, Research and Sport, and of Environment had raised public awareness of climate change. Further, the Global Education National Strategy approved by the government in 2012 included multiple points of emphasis on climate change and the environment.

**11. Slovenia**

21. Slovenia acknowledged the clear links between the enjoyment of human rights, including the rights of the child, and a safe and healthy environment, links which were also reflected in the Rio Declaration on Environment and Development and the 2030 Agenda for Sustainable Development. A clean, safe, healthy and secure environment was fundamentally important to the implementation of all human rights. Slovenia's Constitution defines the right to a healthy living environment (Article 72) which is further elaborated in its Environment Protection Act and related legislation. In this way, Slovenia had assumed responsibility for protecting a healthy living environment for children. Specific policies on the Environmental Health of Children and Youth 2012-2020 and the Resolution on the Slovenian food and nutrition action plan 2015-2025 required access to safe drinking water, safe food and basic nutrition. Slovenia had taken concrete actions to protect human rights endangered by climate change related to emergency preparedness; access to information; multi-sectoral cooperation; climate change mitigation and adaptation measures to protect and promote human health, including healthier ways of living (active transport, consumption of locally produced food, sustainable and moderate use of consumers products); epidemiological surveillance, toxicological risk assessment and exposure assessment due to events related to climate change; planning environmental solutions; and integration of migrants, especially children.

22. Moreover, Slovenia had integrated sustainable development and climate change in its education system. In the wake of numerous natural disasters caused by climate change, Slovenia also created the Administration of Civil Protection and Disaster Relief which among other things trains and educates young people about natural disasters using material



accessibly to young children and those with disabilities. Slovenia prioritized education, training, and awareness raising on the effects of climate change and drafting and implementation of appropriate climate change adaptation and mitigation policies. Both required engagement and collaboration between governmental and non-governmental institutions so as to promote community participation in the discussion of the policies that may affect them. Implementation of Paris Agreement and the 2030 Agenda for Sustainable Development through a human rights based approach was of particular importance. As a signatory of the Geneva Pledge for Human Rights in Climate Action, Slovenia stressed the importance of efforts to include human rights in climate negotiations as well as to include climate aspects in the work of the UN Human Rights Council and human rights field in general.

## **12. Switzerland**

23. Switzerland emphasized that climate change has impacts on human health and children were among those most vulnerable to these impacts which included heat stress, respiratory problems, and increased risk of food poisoning. Climate change had implications for international security including the spread of epidemic diseases, food security, economic stability, and migration. Switzerland emphasized that the Paris Agreement to the UNFCCC explicitly called for the protection of the rights of the child and Switzerland aimed to take into account both emissions reduction and protection of human health in its foreign assistance. This could be done, for example, by supporting measures to reduce the effects of climate change and its causes such as greenhouse emissions by promoting “clean cook-stoves” instead of burning wood.

24. The Swiss Constitution established that the Swiss people and cantons have responsibilities towards future generations and that children have the right to special protection of their integrity and development. Switzerland further noted that it has advocated for strengthening of gender considerations at the UNFCCC and is in the process of adopting the third Optional Protocol to the CRC. Switzerland’s climate change adaptation strategy called for mitigation and adaptation policies that are sensitive to vulnerable populations such as children and take into account the interests of future generations. In the context of their international cooperation, Switzerland launched a series of Youth Climate Dialogues and other partnerships that connected stake-holders in the field of climate change policy and supported a youth space at COP22. They also participated in a youth conference on the environment in November of 2016 where participants were able to submit their recommendations and perspectives on how to best integrate the needs of vulnerable populations into climate change policy. Switzerland emphasized that improved education was key and also highlighted its domestic efforts in this regard.

## **13. Tunisia**

25. Tunisia observed that climate change directly affected the enjoyment of a number of rights protected by the Convention on the Rights of Child. Child rights were particularly impacted by desertification, cyclones, lack of potable water, and malnutrition resulting from climate change. The effects of climate change also infringed on achievement of development objectives and contributed to the cycle of poverty experienced by the most vulnerable. Tunisia recommended a number of measures to protect the rights of the child from the impacts of climate change and air pollution. Tunisia, for example, had policies to deter the construction of industrial complexes near urban areas, site institutions for children away from areas of high pollution, and increase education and awareness of families on the causes and dangers of global warming. In order to include children in climate action, Tunisia suggested taking into account the views and opinions of young persons on climate change and increasing participation in policy and decision-making. Cooperation among

environmental, educational, and health departments to manage the effects of climate change and promote a culture of sustainable development was also critical.

**14. United Republic of Tanzania**

26. Tanzania asserted that fundamental rights to health and life were violated by climate change which among other things threatened food security, particularly access to traditional foods and contributed to life-threatening accidents. Climate change also acted as a threat multiplier for multiple sources of harm to children such as forced migration, conflict, stress, food and water insecurity, and poor health. Children from marginalized groups such as indigenous communities and groups that face caste-based discrimination were disproportionately affected as were girls who face risks related to gender discrimination and gendered roles which often include gathering water and firewood. Millions of children around the world suffered violations of their rights because of problematic government responses to environmental degradation and climate change. Tanzania called for monitoring child rights in the context of climate change and human rights risk assessments to identify children and communities subject to increased vulnerability. Youth engagement supported community-building and improved mental health, positive relationships, and self-confidence. In concluding, Tanzania highlighted several observations from the CRC day of general discussion on the environment related to the importance of business responsibilities, recognition of the right to a healthy environment and integration of climate and environmental issues in the periodic reviews of the CRC.

**B. Non-Member Observer States**

**Palestine**

27. The State of Palestine's Environmental Quality Authority identified children and women as particularly vulnerable to the effects of climate change including increased incidence of extreme weather events and communicable diseases. Palestine further noted that children are acutely affected because they are physiologically less able to adapt to the effects of climate change and therefore children's rights should be acknowledged and incorporated into climate change policy. The Palestinian Authority cited figures from the Palestinian Hydrology Group that found water-related health problems, diarrhea, and water-borne diseases as among the most common climate-related issues affecting children in the area.

28. As a party to the United Nations Framework Convention on Climate Change, Palestine had submitted both an initial communication report and a national adaptation plan which posits various adaptation policies to combat climate change. Efforts had also been made to increase resilience amongst those most vulnerable to the impacts of climate change including through cash transfers, food packages, social care, and healthcare. Education was also critical. While health and the environment were already part of the curriculum for multiple school levels a more comprehensive approach was needed to better integrate climate change. The Environmental Quality Authority also noted that agriculture and water management were the main sectors of female employment which were also sectors disproportionately affected by climate change. Therefore, climate change tended to have an acute effect on women whose work remained unrecognized and contributions remained invisible which, in turn, impacted children. Additional resources were needed to address these impacts

## C. United Nations

### United Nations Children's Fund (UNICEF)

29. UNICEF stated that children's vulnerability to climate change impacts posed an immediate and far-reaching threat to the enjoyment of many, if not all, rights enshrined in the Convention on the Rights of the Child, and notably the right to life, survival and development (Article 6). Children, particularly the most disadvantaged, faced more acute risks from climate-related disasters and slow onset events than the population as a whole, due to their less developed physiology and immune systems, psychological vulnerabilities and specific needs. Threats climate change posed to children included: increased transmission rates for vector-borne diseases; increased incidence of diarrheal disease and malnutrition; displacement and migration contributed to by climate change and its effects on war, conflict, and poverty. Children were also more at risk to suffer physical and psychological trauma during severe weather events brought on by climate change and at a higher risk of exploitation and separation from the family unit. Climate change affected girls, children from poor families, children with disabilities, and indigenous children the most because of their increased exposure to the effects of climate change and / or reliance on the environment. UNICEF shared a variety of statistics related to the specific impacts of climate change on children.

30. The submission also outlined procedural obligations of the State related to climate change which included: assessing the impacts of climate-related harm on children, ensuring access to information, guaranteeing the right to participate in decision-making and providing access to remedy. They highlighted that State duties relative to climate change extended to the regulation of the private sector and emphasized the importance of a child rights based approach to climate action. Such an approach safeguarded against situations in which climate action itself violates child rights, placed children's rights at the centre of climate change adaptation and mitigation strategies, and effectively included children in relevant planning. Inclusion of children's rights in climate change adaptation would limit the adverse impacts of climate change on children and positively contribute to achieving children's rights.

31. UNICEF provided several examples of countries that had begun to draft climate policies reflecting their human rights obligations including Vietnam, which had adopted a law on environmental protection that incorporates principles of child rights, and Zimbabwe that had a developed a child-sensitive climate change mitigation and adaptation framework. UNICEF provided a number of concrete recommendations for better integration of human rights in climate policies. For example, recommending measures to, *inter alia*, give future generations a voice, invest in child-centered carbon mitigation strategies, integrate climate change in CRC reporting, collect better data on the impacts of climate change on children, facilitate child participation, and advocate for the right to a healthy environment in national constitutions. UNICEF concluded by sharing a number of good practices related to participation and further inputs from its Indonesia country office

## D. National Human Rights Institutions

### 1. Azerbaijan – Ombudsman

32. The Ombudsman of Azerbaijan stated that changes in rainfall patterns, extreme weather events, droughts and floods contributed to the the spread of diseases, poor sanitation, and malnutrition, all of which disproportionately impact children. However, because of its state policies and economic development, the effects of climate change on children in Azerbaijan were limited. During floods of the Kur and Araz rivers, disaster and

emergency strategies were implemented that included rescue operations, resettlement of evacuated peoples, and health and education services. Azerbaijan's Ministry of Ecology and Natural Resources regularly monitored and evaluated weather conditions. Moreover, the Ministry of Emergencies was established in 2005 not only to respond to man-made or natural disasters but also to raise awareness and preparedness for both adults and children. Azerbaijan had established a Child Rights Hotline to address violations of the rights of the child and subsequently conduct investigations on the complaints received.

33. Furthermore, Azerbaijan had ratified the UN Framework Convention on Climate Change and the Kyoto Protocol. Its Constitution also included specific provision on climate change and the environment. For example, Article 39 guaranteed all people a right to receive information about the current state of the environment and to redress for damages caused by environmental rights violations. Articles 30 and 38 ensured protection and emergency support to children in the context of natural disasters. Azerbaijan also established a partnership with UNDP to study methods of water and flood management in vulnerable mountainous communities, and had incorporated ecological rights and duties into the education process for children. In order to adequately integrate children's rights in climate policies, the Ombudsman recommended developing partnerships with communities and empowering children to face the complex challenges of climate change. Moreover, the government recommended promoting awareness through education and skills-development and through conducting research into the impacts of climate change on children at the global level. They emphasized the need to mobilize maximum available resources for ensuring sustainable, human rights-based development in preventing impacts of climate-related accidents; to strengthen human rights reporting on climate change; to integrate human rights and climate in domestic policies; and to promote resilience through social welfare.

## **2. Chile – National Human Rights Institute**

34. Chile's NHRI stated that child rights affected by climate change fall within two categories of rights: "substantive rights" and "procedural rights". Substantive rights included the right to life, health and property while procedural rights included the right to information, participation and effective remedies. The Institute urged that children should be considered the subject of special protection needs because of their increased vulnerability to the effects of pollution, ultraviolet radiation and natural disasters. Chile's INDC to the UN Framework Convention on Climate Change included points on mitigation, adaptation, capacity building, technology development, and funding. The INDC did not address the specific effects of climate change on children but it did underline the particular effects of environmental degradation on vulnerable populations while explicitly calling for the promotion and protection of human rights. Further, the Environment Ministry of Chile has proposed integration of climate change into the formal education system. Increased public awareness of this issue has taken place through engagement of children using animated series to discuss environmental care and calculators to estimate individual carbon footprints.

35. In its recommendations, Chile's NHRI urged duty-bearers and policy-makers to consider children as agents of change in their own communities and empower them through education. Though the Institute had not yet analyzed the relationship between childhood and climate change, it had conducted studies on the impact of natural disasters on the child after the 2010 earthquake in Chile. Recommendations from this work included prioritization of vulnerable groups in particular women, elderly persons, children and unaccompanied minors. Moreover, the study recommended participation of affected communities in health delivery and service design, and monitoring and evaluation as well as special measures related to protection of these groups and access and suitability of assistance.

### **3. India – National Human Rights Commission**

36. The National Human Rights Commission of India stated that children are more susceptible to environmental hazards such as UV radiation and air pollution. Further, the incidence of illnesses that frequently affect children such as malnutrition, respiratory infections, diarrhea, and malaria were increased by climate impacts. The Human Rights Commission identified some of the rights of the child most at risk from climate change as the right to survival and development, the right to water, and nutrition, the right to an education and the right to be protected from exploitation. Though the effects of climate change on children had not been the subject of a specific analysis by the Commission other work, for example, on the implementation of the Millennium Development Goals had shown that many of the poorest households were still being left behind and these were not coincidentally, also the most vulnerable households to climate change. Inequality in resources such as sanitation facilities and access to water played a key role in preventing poverty reduction and increased vulnerability to climate change.

37. In India, though climate-change legislation does not specifically focus on child well-being, numerous policies addressed child rights. Moreover, legislation and plans of action had been introduced that aimed to vaccinate all children and pregnant women in the country, reduce open defecation, and improve the handling of drinking water especially for vulnerable populations such as children and women. The Commission also highlighted that business had human rights responsibilities with regard to climate change; recommended involving children in formulation of community policies; and stated that greater resources needed to be dedicated to the problems caused by climate change.

### **4. Nicaragua – Procuraduría para la Defensa de los Derechos Humanos**

38. Due to climate change, the right to physical and mental health, education, food, housing, and drinking water may be compromised especially for children. The Government for Reconciliation and National Unity (GRUN) has committed itself since the 2006 election to counteract the effects of climate change and protect human rights especially for those it has identified as most vulnerable including children, women, the elderly, and people with disabilities. To this end GRUN has maintained national institutes that study climate change, regulate environmental resources, and reduce pollution among other contributors to climate change. The Constitution of Nicaragua has been amended to underscore the importance of environmental protection and enshrine the right to live in a healthy environment as well as document the citizen's obligation to protect their environment. In parallel to these rights and obligations, action plans were created for environmental education, defense and environmental protection, forestry development, conservation, and mitigation and adaptation policies that seek to bridge the resources of private institutions with the reach of governmental organizations. Finally, the Guardabarranco Environmental Movement which is made up of young people from around the country was established to center the conversation of climate change around children and youth. The movement and brigades like it worked in schools to educate and empower young people to take actions such as cleaning campaigns, hosting days of reforestation and painting school gardens in coordination with the Ministry of Education.

## **E. Non-Governmental Organizations**

### **1. American Psychological Association**

39. The American Psychological Association (APA) urged parties to address the issue of climate change taking into consideration their obligations under the Convention on the Rights of the Child. APA highlighted that Article 4 of the CRC calls for States to take all available measures to fulfill children's rights under the Convention and Article 6 protects

children's right to survival and development. The APA emphasized the importance of child-accessible culturally appropriate education on the effects of climate change including but not limited to greenhouse gases, war, disease, food and water insecurity. Moreover, the APA called for children and youth to be included in the conversation surrounding policies on climate change mitigation and adaptation.

40. In its submission, APA referred to a publication the Future of Children that documented the science behind climate change and its link to war and conflict, natural disasters, child well-being, and intergenerational climate justice as well as several other resources. The APA recommended partnerships and memorandums of understandings between businesses and other parties to provide a platform for youth to work on climate change policies impacting their own communities. These opportunities for participation should be available to children and youths that reflect the race, class, and gender breakdown of the communities involved. Finally, the APA recommended the establishment of a task-force including NGO's and other relevant stakeholders to hold States parties and other duty-bearers accountable to ensure that child rights were not neglected when drafting and implementing climate change policy.

## **2. Child Rights International Network (CRIN)**

41. Child Rights International Network stated that nearly all of the rights of children were impacted by climate change in some way. Climate change posed one of the biggest threats to children's health and special emphasis should be placed on mitigating climate change and its impact on vulnerable populations. CRIN emphasized the obligations of States to protect the rights of the child under international human rights treaties and, citing examples such as the Constitution of Bolivia which protects the right to a healthy environment for this and future generations, called for greater protection through national laws. It also highlighted the importance of guaranteeing access to remedy. Because climate change was a global problem, and one where the cause and effect were often found in different countries, CRIN highlighted the need to hold multinational corporations accountable for their environmental impacts in line with the UN Guiding Principles on Business and Human Rights. Extraterritorial jurisdiction was important as were intergenerational equity and strategic litigation.

42. In order to facilitate participation of children in climate action, CRIN proposed increasing their access to judicial processes and decision-making bodies. Child accessible legal systems were needed to solve disputes, prevent abuses of power, and increase transparency in their outcomes. CRIN cited the Philippines as an example of a country where children were the first to file important environmental protection cases in their country. It was important that children were able to partake in political expression and protest, and participate in the policies surrounding climate change law as they will be the ones most impacted by those policies in their adult lives.

## **3. Human Rights Watch (HRW)**

43. HRW stated that millions of children around the world suffer violations of their rights because of the effects of climate change. Children from marginalized groups such as indigenous communities and girls disproportionately experienced the negative impacts of climate change. Problematically, climate change laws and policies often did not address the specific effects of climate change on the child. HRW highlighted, however, that the Paris Agreement, recent work by the Committee on the Rights of the Child, UNICEF, the Special Rapporteur on human rights and the environment, and civil society organizations have highlighted the links between environment and the enjoyment of the rights of the child. The CRC, for example, in its concluding observations to the UK called for interventions to

address air pollution that would improve child health outcomes and reduce greenhouse gas emissions.

44. HRW also highlighted its research which had identified violations of child rights due in part, or in whole, to climate change. In the Turkana region of Kenya, HRW identified the negative impact of climate change on indigenous communities' access to food and water. In Bangladesh, HRW documented cases of arranged child marriages due to extreme poverty caused by natural disasters that were compounded by climate change. In Malawi, HRW identified coal mining as a threat to the rights of children to health, food, water, housing and information. Water contamination also threatened the physical security and access to education of girls who often assumed the responsibility of fetching water over great distances.

45. In order to both assess the impact of climate change on the rights of the child and form more inclusive climate change policies, HRW recommended incorporating child rights analysis in all climate change mitigation and adaptation strategies, consulting with children's rights organizations in policy formation, monitoring risks to child rights and environmental health, and identifying communities that are particularly vulnerable. HRW further recommended that risk assessments should be available and accessible to the public including children so as to include affected communities in the conversation on how to better protect children in the face of climate change. Finally, HRW suggested that the UNFCCC secretariat work with UN Women, UNICEF, and the UN Population Fund to ensure that special attention is paid to vulnerable populations.

#### **4. Our Lady of Charity of the Good Shepherd**

46. The Congregation of Our Lady of Charity of the Good Shepherd stated that children were particularly vulnerable to the effects of climate change such as heavy floods, rising temperatures, UV radiation, and water insecurity. The Congregation cited World Health Organization statistics on climate change and preventable deaths of children who were particularly vulnerable to diseases that thrive under new climactic conditions. In order to monitor the impact of climate change, the Congregation recommended conducting nutritional surveys of children in affected areas, monitoring school attendance, and conducting social research in communities to better understand the impact of climate change on their cultural practices and lifestyles. The Congregation also cited some examples of documented cases in which climate change infringed on the rights of the child, such as the palm oil industry's employment of child labor, and the dangers of agricultural insecticides on pregnant mothers. They also noted the ways in which climate change infringed on the right to an education such as when children are forced to flee or when children stay and education in the climate change affected area became impossible. The Congregation recommended that governments make it mandatory that children are made aware of their rights and that the rights of communities, specifically ethnic communities, are protected. Furthermore, it was suggested that investments be made in the social sectors to advocate for grassroots democracy and empower communities, especially poor and vulnerable children. The submission concluded with reference to a number of specific country situations.

#### **5. Plan International**

47. Plan International on behalf of the Children in a Changing Climate Coalition, (Plan International, UNICEF, Save the Children, the ChildFund Alliance and Save the Children) submitted three documents relevant to the study for consideration. These were: 1) a report on child-centered climate change adaptation including case studies from several countries

and a call for children to be a focus of and active participants in efforts to address climate change;<sup>1</sup> 2) a paper evaluating recent global negotiations on sustainable development, child-centered disaster risk reduction (DRR) and climate change adaptation (CCA);<sup>2</sup> and the submission of the Children in a Changing Climate Coalition to the CRC Day of General Discussion on children and the environment.<sup>3</sup>

## 6. Soroptomist International of the South West Pacific

48. Soroptomist International stated that it is difficult for children to exercise their full rights under the UN Convention on the Rights of the Child as a result of the impacts of climate change which included increased severity of natural disasters. Tropical Cyclone Winston in Fiji, for example, had contributed to malnutrition, severe drops in school attendance, disruption of access to clean water, and compromise of protection from exploitation. Similar cases of climate-related impacts on children were documented and cited in the Solomon Islands, Kiribati, Vanuatu, Papua New Guinea, and Samoa. Climate change was contributing to rising sea temperatures, food insecurity and coastal erosion that led to the displacement of children and separation from the family unit. Most Pacific nations had committed to Climate Conventions, international human rights instruments, and the Sustainable Development Goals as well as disaster risk reduction strategies, all of which called for meeting basic human rights and protecting vulnerable populations such as children. Soroptomist recommended national education curricula that focused on generational knowledge and change and collaboration with the media to underscore the impact climate change and its effects had on children.

49. Moreover, Soroptomist International recommended efforts to include the voice of youth to devise creative approaches to adaptation and mitigation strategies. National and international laws and policies should be made accessible to children and youth in order to increase the commitment of younger generations to climate justice and their awareness of climate issues. One potential good practice in this regard was the Child Centered Climate Change Adaptation Initiative which seeks to establish a voice for children, educate and inform youth, increase the power of children in the local community, and advocate for the incorporation of children's voices in UN processes. Finally, Soroptomist International argued for the gathering of reliable, appropriate and sex aggregated data in order to more effectively monitor progress on climate change within the context of the Sustainable Development Goals.

## 7. Yamasee Moors

50. The Yamasee Moors identified the prioritization of industrial development over the self-determination of indigenous peoples as a threat to the rights of the indigenous child. International corporations often did not clean up or pay attention to the ways in which their operations were polluting or damaging the environment. The influence of these corporations over State policies often took precedence over the the protection of the rights of the indigenous child. The submission cited numerous laws in the United States relevant to climate action including the American Recovery and Reinvestment Act, the Farm Bill, and the Energy Policy Act of 2005 all of which seek to promote the implementation of

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<sup>1</sup> Child-centred Climate Change Adaptation: Realising children's rights in a changing climate, (December 2015) available to download at <http://www.childreninachangingclimate.org/realising-childrens-rights-in-a-changing-climate.html>

<sup>2</sup> A View from 2016: Child-Centered Disaster Risk Reduction and Climate Change Adaptation in the 2030 Agenda for Sustainable Development (Oct 2016), available to download at <http://www.childreninachangingclimate.org/a-view-from-2016.html>

<sup>3</sup> <http://www.ohchr.org/EN/HRBodies/CRC/Pages/WSDiscussion2016.aspx>



clean and renewable energy and the reduction of non-renewable forms of energy. Finally, the submission addressed recommendation to the UN Human Rights Council to better protect the rights of indigenous people in the face of climate change and address concerns related to the treatment of indigenous peoples and afro-descendants.

## F. Academic Institutions

### **The Dignity Rights Project – Widener University Delaware Law School**

51. The Dignity Rights Project called for policy makers to allow children to play a significant role in terms of climate change policy formation, especially since climate change was going to most considerably affect the health and welfare of children. Specifically, children who experienced inequities may fail to reach their full potential, which was detrimental not only to them, their families, and their community but also to society in general. Health equity principles were essential for the development and advancement of the dignity rights of children and should be considered in depth in future contributions to the discussion of the dignity rights of children, particularly in the context of climate change policy and mitigation. The submission stated that: 1) all persons, including children, had equal rights to human dignity, 2) Climate change threatened children's dignity in discrete material, physical, psychological and emotional ways, and 3) there were demonstrable means to protect children's dignity in the face of climate change.

52. It was emphasized that children were guaranteed the same rights to dignity as autonomous adults through legal instruments such as the Universal Declaration of Human Rights and the Convention on the Rights of the Child. Climate change threatened the dignity of the child through environmental displacement, lack of access to food and water, disproportionate health impacts, and the disruption of access to information, participation, and justice. Emphasizing the importance of child participation, the Project cited studies that reinforced a child's capacity to understand information regarding climate change and its effects, but also to propose child-friendly solutions for risks to which they had been exposed. Finally, the Project cited court cases such as *Urgenda Foundation v. The State of the Netherlands* and *Gbemre v. Shell Petroleum* which provided a legal basis for the government's duty to protect its citizens from the consequences of climate change.

## III. Conclusions

53. **Respondents highlighted that climate change impacted the enjoyment of a broad array of children's rights including those to health, life, food, water, housing, culture, and development among others. They highlighted the disproportionate impact of climate change on children and even more so on children in vulnerable situations such as children with disabilities, displaced children, poor children, children separated from their families, girls, and indigenous children. Respondents agreed that the Convention on the Rights of the Child and the Paris Agreement required States and other duty-bearers to take action to protect the rights and best interests of the child from the impacts of climate change. Further, decisions should be made taking into consideration intergenerational equity and the needs of future generations**

54. **Inputs highlighted some of the most threatening effects of climate change which included the increased risk of natural disasters, unstable temperatures, food and water shortages, and the increased transmission of communicable diseases. They emphasized that children, due to their underdeveloped physiology, are exceptionally vulnerable to the impacts of climate change. They also emphasized the need to better**

understand these impacts through risk assessments, consultations and collection of disaggregated data.

55. Many State respondents shared examples of their own laws, policies and commitments related to the protection of children's rights, the preservation of a healthy environment, and climate change mitigation and adaptation. Respondents emphasized the importance of integrating children's rights in climate action and highlighted the value of children's education and participation. By incorporating human rights, environmental and climate issues in the national school systems, it was possible to prepare young persons to engage in climate change activism as they enter adulthood and to promote a more sustainable future.

56. Several respondents emphasized the importance of promoting accountability by all actors, including the private sector, and highlighted the importance of litigation as a vehicle for protecting the rights of children from climate change and promoting accountability. Access to justice, including for children, was critical.

57. In the context of disaster risk reduction, the importance of taking special measures to protect children was emphasized. It was recommended that community outreach programs target vulnerable populations such as those that live in regions of environmental risk so as to increase preparedness in the event of natural disasters.

58. Respondents emphasized that youth and children had a right to participate in climate policy-making and also had a valuable role to play in inspiring and informing more effective policies. Specific measures, like consultative mechanisms, increased accessibility and improved dissemination of information were recommended in order to more effectively engage children's participation in the conservation of their environment.

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## Annex

### Questionnaire

1. Please describe, in your view, the relationship between climate change and the enjoyment of the rights of the child, and any human rights obligations to mitigate and adapt to climate change that can be derived therefrom. Please also share any examples of how the realization of the rights of the child can contribute to more effective climate action.
  2. Please share a summary of any relevant data as well as any related mechanisms to measure and monitor the impacts of climate change on the enjoyment of the rights of the child, especially the rights of children in particularly vulnerable situations.
  3. The best interests of the child should be taken into consideration in all matters concerning the rights of the child, including environmental decision-making. Please describe existing commitments, legislation and other measures adopted by States and other duty-bearers, such as businesses, in climate change mitigation and adaptation which are designed to protect the best interests of the child. In particular, please share information related to implementation of commitments to address climate change while simultaneously contributing to the realization of human rights and the rights of the child, the promotion of gender equality, and the protection of future generations. Please also note any relevant mechanisms for ensuring accountability for these commitments.
  4. Please provide guidance on what further actions need to be taken to adequately integrate children's rights within climate change mitigation and adaptation policies, practices and decisions. In particular, please describe actions needed to:
    - Ensure the integration of children's rights, including the rights to family, health, nutrition, education, participation, gender equality, water and sanitation, among others, in climate action;
    - Prevent violence or conflict as it affects children and is connected with social, economic and political stressors aggravated by climate change; and
    - Promote intergenerational equity.
  5. Please share any commitments and best practices for effectively engaging children or youth in climate-related decision-making processes and climate action, particularly those most impacted by climate change, and with consideration for young people of different ages, gender and social backgrounds. Please share any examples of how empowering children and youth has contributed to more effective climate action.
  6. Please provide any additional information you believe would be useful to understand efforts made and challenges confronting States and other duty-bearers in their efforts to protect the rights of the child from the impacts of climate change.
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