**Questionnaire "Climate change and the enjoyment of child rights"**

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**Introduction**

1. This contribution is a submission of the Congregation of Our Lady of Charity of the Good Shepherd, a Non-Governmental Organization (NGO) with Special Consultative Status with the Economic and Social Council of the United Nations since 1996, to bring to the UN the concerns of the most vulnerable people especially girls, women and children in situations of human trafficking, prostitution, and migration. The organization is based in 73 countries around the world.

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.**

Climate Change have been demonstrated to have both a direct and indirect impact on a wide range of human rights including the rights of the child, and more so in developing countries where citizens are still struggling with acquisition of basic necessities, food, decent shelter, clothing etc... Children are particularly vulnerable to the impact of climate change than other groups of the population. Children’s rights are severely at risk due to climate change.

The effect of a changing climate on the right to life of children can be detrimental consequences in the case of unanticipated negative calamities, for example: when children are drown during heavy floods, when children's health deteriorates due to rising temperature, sun exposure or insufficient safe drinking water. The air pressure that change unpredictable sometimes influence the children health condition or resistance. It is easy for them to get cold, cough.

Other impact of the floods is that children are cut off from accessing schools as they cannot just walk to school. Another right of the children that is curtailed is the right to play and associate with their friends. They do not have a playground to play due to the flood waters. Another negative impact occasioned by flooding is lack of food as most of the food crops are washed away by the waters leading to food scarcity in the affected regions leading to sharp increase in food prices. This increase makes it even harder for children from poor families to get food and they have to do with what the parents and relief agencies/Government can supply them with. This lack of essential food also has a direct bearing on the health status of the children.

Health is a precondition for other human rights, In the case of children, the lack of health interferes with the right to education, to study, to belong to a group, the right to play and many other rights.

States are obligated to respect, protect, promote, and fulfill all human rights for all people. This includes an affirmative obligation to prevent foreseeable harms including those caused by climate change.

1. **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.**

Reliable data is not always available. We can say that the most vulnerable social groups are also the most sensitive to the effects of climate change: population from developing countries, people living in poverty in developing countries, indigenous people who depend on close contact with the earth to survive, and, of course, the youngest members of society: our children.

The WHO (World Health organization) estimates that climate change is responsible for millions of deaths each year caused by preventable diseases. Children under the age of 5 years represent 80% of malaria deaths. Nearly 5000 children die every day from diarrhea alone. One-Third of deaths due to malnutrition worldwide occur in children under the age of 5 yrs.

Situation is becoming worst when natural forests are converted into agricultural crops including oil palm, the water is diminishing and the river is drying. Many people and specially children are not able fishing, swimming, and in the rain season water become dirty, flood and chemical particles are in the water and it causes that children get some skin diseases.

Some mechanisms of Measuring and Monitoring Impacts of Climate Change could be:

• Conducting nutritional surveys among children in areas affected by droughts/famine so that relevant nutritional supplements can be availed to children in emergency situations.

• Monitoring School Attendance of pupils in the affected areas. Mostly when there is flooding, children tend not to go to school for fear of drowning. During drought/famine, parents migrate to other areas in search of food and water and they take with them their children thus contributing to low school turn out in the affected areas.

• Conducting surveys in homes/hospitals to ascertain number of children suffering from flood related diseases/water borne diseases (diarrhea, bilharzia, etc.) and also from drought related diseases (kwashiorkor etc.).

• Conducting social research among host communities on the impacts of climate change on their lifestyles and/or culture.

1. **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.**

We draw here the attention in the case of palm oil industries that allow child labor and the work of children on school time; poverty forces parents to allow this situation. Money becomes a temptation. The palm oil with large scale business used greedily the underground water which is the save for future year’s life of many people. Most of women are working to spray the antiseptic for palm oil plants causing in several cases to fail their pregnancy. Drinking water is also contaminated with some chemical.

In some areas where the mines industries - bauxite, steel or other metals-, are operating are causing the pollution of the air through dust from dry soil and mines. It causes also many problems in people lungs. Pollution from different sources has replaced the fresh air with the unhealthy air, develop the heat, and the climate change becomes unpredictably. Climate change is one of the most important causes that force people left some natural/cultural earn such gardening/farm for daily food. Children are not enjoying the connection with a healthy environment.

Some relevant mechanism should be focused in the consequences for the environment of the extractive industries and how to change the economic system and production, to have a more sustainable development in respecting human rights for all especially for children and youth.

1. **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:**
	1. **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;**
	2. **Prevent violence or conflict as it affects children and is connected with social, economic and political stressors aggravated by climate change; and**
	3. **Promote intergenerational equity.**
		* + 1. The child’s right to know and be cared for by his/her parents is set forth in Article 7 of the Convention on the Rights of the Child. Climate change is one of the reasons for the increasing number of children deprived of a family environment. When habitats become unsustainable, parents have to travel to earn their living abroad.

The right to education can be classified as an economic right, a social right and a cultural right. It is also, in many ways, a civil and political right as well, since it is central to the full realization of these types of rights. Education is for climate change as important as health. Well-educated children are better prepared to recognize threats.

Climate change affects the right to education in at least 2 ways: first, when children are forced to flee, alone or with their families, due to uninhabitable conditions, education may be interrupted until it can be continued in their new settlement. Second, for those who stay, education may become impossible.

Access to information is a critical component of the fight against climate change, especially for children. States must promote and facilitate the flow of information, because well-informed citizens and well informed children can cope better with the harmful consequences of climate change and can better address their risks. Well-informed children will be careful with sun exposure; they will learn basic lessons about how to behave in emergency situations or how to purify well water. There is a duty for States to disseminate information on climate change in a language and also by means that children can access and understand. Children have the right to be informed accurately about the origins of climate change and its symptoms, risks and consequences. Otherwise, they will not be able to adapt themselves. Information on how to handle and survive climate change is necessary for children, but it is very seldom provided at school. This is as important as providing health care. A well-informed child is better prepared to recognize in advance the threats posed by a changing climate.

Ensure the integration of other children’s rights is very important, for example including the rights to family, health, nutrition, participation, gender equality, water and sanitation, among others, in climate action; regulation and public learning/ practicing. 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.

* + - * 1. As parents perish during natural disasters or in the aftermath thereof, the chance for sons and daughters to be cared by their parents vanishes. Sometimes parents have to migrate with the intention of working abroad and sending money to the family. Sometimes they just abandon or sell their children when they feel the future to be hopeless. The children left behind risk falling into the hands of gangs and human trafficking organizations, to take national level strong measures against these scourges affecting children.

Local Government officials in areas where there are perennial conflicts pitting farmers and herders should be tasked to ensure that as soon as there are signs of an imminent conflict (e.g. when there is cattle raid) that the children are evacuated immediately before a counter raid (which in most cases leads to more deaths and destruction of property) happens or better still that the security agents create a buffer zone between the warring communities to protect mostly the women and children who more often than not are hardest hit when such violence situations occur.

Government should make it mandatory that children are taught/made aware of their rights and attendant responsibilities in as far as children rights are concerned. This would go a long way in ensuring children understand and are able to take preventive measures to avoid a conflict/violent situation be it at home, school or in their locality. In addition, to respect the child’s right to language by promoting all the languages equally.

To ensure Justice to ethnic communities. Respecting article 30 of CRC - right to Indigenous culture and language. Ethnic communities have been discriminated in culture, identity and resources violating Article 2 of the CRC. Rights to ethnic communities will safe guard the natural resources because traditionally ethnic communities have a community ownership and animistic spirituality protecting natural resources.

* + - * 1. The youth generations living in the resource areas feel betrayed by the companies and cronies who with the help of state and non-state actors destroy million years of resources in months.

Youth and children are abused by all – for fighting, in drugs, in human trafficking, in looting of the resources for foreign companies. Increase youth/children participation in natural resource management has to be a commitment.

Investing in social sectors, in considering health and education as basic rights. Community based natural resource management. Social rights of the communities has to be respected, repealing colonial land laws and to implement of Convention on Economic, Social and Cultural Rights.

To enhance an open and transparent economic system, ending crony capitalism. Propping up economic democracy, with resources and benefits reaching to all people especially the poor and vulnerable children. Include women in the decision making, allowing quotas for women in parliament and other decision making bodies. Grass roots democracy through village level political mobilization. Disaggregate data by age – children and adults, women etc. in natural disaster response.

To understand that resources such fossil fuel, gems, minerals etc. are volatile and finite connect them to community and customary rights to prevent looting.

1. **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.**
* The following can be best practices for effectively engaging children or youth in climate-related decision-making process and climate action:
* Provide awareness session on climate change especially to young people and motivate them.
* Reduce using plastic bags and burning the plastics.
* Plant native, drought-resistant trees and shrubs around your home and outdoor air conditioning unit.
* Stop excessive use of water.
* Minimum use of vehicles.
* Reduce, recycle and reuse.
* Replace incandescent light bulbs with compact fluorescent bulbs.
* Conserve energy at home and at work.
* Buy energy efficient product.
* Make wise transportation choices (like riding a bicycle instead of driving in a car)

Here is the example of how empowering children and youth have contributed to more effective climate action:

In India, the Club of Youth Working for the Environment created a mobile resource center — the Prakriti Environment Education Bus— is a one stop-shop for environment education led by young people, for young people. Partnering with local youth organizations, over 100 youth have been trained and are active in setting up exhibitions, activities, games, films, demonstrations, puppet-shows and group.

To teach children and youth how to take care of nature and environment. For example children grow some plants using recycle container in the school. It can influence all their families’ member in their home.

To be members of a club where young children are taught a lot of things concerning Agriculture and the environment in general. The can be inbuilt in the schools co-curricular activities and those interested are free to join. This will help bring about a generation of children who understand and respect the environment such that if and when they become adults,’ chances are that they will play their part in protecting our environment.

1. **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.**

Government is the primary duty bearer. Climate change issues have to be taken into account in national policies. Natural resources are major source of conflict as well as environmental degradation.

The impacts of Multinational Companies in accelerating negative impacts of climate change in poor countries should be looked into. There is anecdotal evidence that multinational companies like Monsanto and most oil companies are behind the collapse of entire eco systems in many developing countries. There is thus need for a multi sectorial global approach towards addressing this challenge as truth be told there are some countries especially in Africa that are too weak to resist the multinationals even when the cost benefit analysis of the company’s activities shows the country is the loser in the long run.

There is also need to depoliticize matters of conservation. Many politicians are ready to sacrifice national good at the altar of community/tribal interests. Sometimes people from certain ethnic groups move into forests and the Government of the day does nothing for fear of losing votes or being seen as an enemy of that group of people that have invaded the forests. This sacrificing of national good for tribal interests should be called out and stopped if we are to guarantee the next generation of their future.

People living in poverty, in many countries, are held as DUTY BEARERS, paying tax, producing food and accepting all laws made unilaterally by a small group of people. Even when there is democracy the economic rights are still with a small group of people. This affects communities and families ultimately having a disastrous consequence on the rights of the child.

**RESPONSES IN FRENCH:**

**1. Pouvez-vous décrire la relation entre les changements climatiques et la jouissance des droits de l'enfant, ainsi que les obligations relatives aux droits de l'homme en matière d’atténuation des changements climatiques et d’adaptation à ces changements qui peuvent en découler. Pouvez-vous également donner des exemples de la façon dont la réalisation des droits de l'enfant peut contribuer à une lutte plus efficace contre le changement climatique.**

Le changement climatique à des sérieuses conséquences sur l’humanité et tout particulièrement les plus vulnérables comme les enfants, en particulier dans les pays en voie de développement.

Dans plusieurs articles de La Convention relative aux droits de l'enfant, notamment les articles 4, 13, 24, 28, on parle de lutter contre la maladie et la malnutrition, y compris dans le cadre de soins de santé primaires, grâce notamment à l'utilisation de techniques aisément disponibles et à la fourniture d'aliments nutritifs et d'eau potable, compte tenu des dangers et des risques de pollution du milieu naturel; et de faire en sorte que tous les groupes de la société, en particulier les parents et les enfants, reçoivent une information sur la santé et la nutrition de l'enfant, les avantages de l'allaitement au sein, *l'hygiène et la salubrité de l'environnement* et la prévention des accidents, et bénéficient d'une aide leur permettant de mettre à profit cette information; font un appel a la coopération internationales pour assurer le respect des droits des enfants. Dans l’article 29, on parle *d’Inculquer à l'enfant le respect du milieu naturel.*

 Il faut faire la relation dans le sens de faire accomplir les obligations pour la mitigation et adaptation aux changements climatiques en allant vers la jouissance des droit des enfants. Quelques exemples que nous pouvons donner: le droit à la santé des enfants, la régulation des gaz toxiques dans certains quartiers des villes, le déboisement indiscriminé des forets et surtout l’éducation pour une meilleure sensibilisation aux questions environnementales.

Pour garantir les droits des enfants il faut veiller à l’élaboration de plans d’éducation depuis la première enfance et dans toutes les étapes de croissance, comment créer des bons comportements vis-à-vis de la consommation, manipulation des déchets, recyclage, etc.

**2. Pouvez-vous fournir un récapitulatif des données pertinentes des effets du changement climatique sur l’exercice des droits de l'enfant, en particulier des enfants en situation de vulnérabilité, ainsi que des mécanismes permettant de mesurer et surveiller ces effets.**

Les scientifiques avertissent que si la température va au-delà de 2 degrés ceci aura un grand impact sur le climat. La concentration de CO2 dans l’atmosphère a atteint les valeurs plus élevées en 2015, pas seulement du aux activités humaines comme la combustion de combustibles mais dû en général au gaz à effet de serre, responsable du réchauffement global. Les forêts qui doivent absorber le CO2, sont détruites. Les modèles des projections du changement climatique mondiale peuvent aujourd’hui mesurer l’impact du climat sur les cultures et en particulier sur les céréales en raison de l’importance pour la sécurité alimentaire mondiale, mais il reste beaucoup à faire pour partager cette connaissance à l’échelle mondiale et avec les pays les plus affectés par les changements climatiques.

La disponibilité d’eau dans plusieurs endroits de la planète est aussi un souci préoccupant surtout avec les phénomènes comme “el Niño” qui affecte dramatiquement certain régions. De plus en plus les gens sont exposés à des extrêmes sécheresses du au changement climatique dans le monde.

Depuis 1980, il est certes possible de prévoir l’arrivée du phénomène de “el Niño” mais il n’est pas possible de mesurer son impact dans l’agriculture, la diminution des périodes des pluies.

Il faut une réponse et coopération au niveau mondial basée dans le respect des droits humains, respecter les obligations et engament pris lors des conférences et signatures de pactes, pour assurer le respect des droits des enfants en situations de déplacement du aux changements climatiques, pertes de cultures, inondations, sécheresse, etc.

**3. L’intérêt supérieur de l'enfant doit être pris en considération dans toutes les questions relatives aux droits de l'enfant, y compris dans le cadre de la prise de décisions environnementales. Pouvez-vous décrire les engagements existants, la législation et les autres mesures adoptés par les États et d’autres acteurs, tels que les entreprises, en matière d’atténuation des changements climatiques et d'adaptation à ces changements, et qui sont conçus pour protéger les intérêts supérieurs de l'enfant. En particulier, pouvez-vous communiquer toutes informations relatives à la mise en œuvre d’engagements qui visent à lutter contre le changement climatique et, à la fois, contribuent à la réalisation des droits de l'homme et des droits de l'enfant, à la promotion de l'égalité entre les genres et à la protection des générations futures. Veuillez également mentionner les mécanismes pertinents garantissant une responsabilité pour ces engagements.**

S’assurer que toutes les personnes aient la capacité nécessaire pour s’adapter au changement climatique et mobiliser le maximum des ressources disponibles pour arriver à un développement durable basé dans le respect des droits des enfants.

Faire un appel à la coopération internationale et agences de l’ONU qui travaillent surtout avec l’enfance pour soutenir des projets dans les pays en voie de développement.

Veiller à ce que tous les pays puissent profiter des bienfaits de la science et leurs applications.

Respect des engagements de la déclaration signée par tous les chefs d’État à la Conférence des Nations Unies COP 21 en 2015 et prendre en compte dans les plans nationaux le programme de développement durable pour 2030, où sont définies les mesures et les orientations respectives pour chaque objectif de développement durable, en tenant compte du fait que la question de la préservation de l’environnement est présente dans chacun des objectifs et donner la priorité aux enfants dans ces plans de développement. L’enfant étant développé, formé et informé peut devenir agent de changement dans la préservation de l’environnement.

Fournir des ressources financières les pays moins développés et mettre l’accent sur le partage de technologie. Faire appel au respect des droits des enfants est très légitime, exiger que les États ait aussi l’obligation de coopérer dans le domaine International en tenant compte des pays en voie de développement.

**4. Pouvez-vous conseiller de nouvelles mesures qui devraient être prises pour inclure de manière adéquate les droits des enfants au sein des politiques, des pratiques et des décisions en matière d’atténuation des changements climatiques et d'adaptation à ces changements. En particulier, pouvez-vous décrire les mesures nécessaires pour:**

1. **Assurer l'intégration des droits de l'enfant dans la lutte contre le changement climatique, notamment le droit à la famille, à la santé, à la nutrition, à l'éducation, à la participation, à l'égalité des genres, à l'eau et à l'assainissement ;**
2. **Prévenir les conflits ou la violence puisqu’ils affectent les enfants et sont liés à des causes sociales, économiques et politiques aggravées par le changement climatique;**
3. **Promouvoir l'équité intergénérationnelle.**
	1. L’article 2 de la Convention-cadre sur les changements climatiques défini comme objectif central, d’une part, stabiliser la concentration de gaz a effet de serre dans l’atmosphère à un niveau qui empêcherait une perturbation dangereuse du climat et due à l’activité humaine. Il faut arriver à l’implémentation de cela. Un autre point important, il faut arrêter la destruction des ressources naturelles pour assurer la production alimentaire et que le développement économique ne se fasse pas en détriment de l’avenir pour les nouvelles générations, il faut que ce soit un développement durable.

Les mesures à prendre doivent être accompagnées de politiques nationales que veillent au respect des droits de l’enfant et leur adaptation aux changements climatiques.

L’éducation et la sensibilisation du public y compris les enfants est clé pour les impliquer comme acteurs et non comme simples spectateurs.

Utiliser tous les mécanismes des Droits de l’Homme aux Nations Unies, spécialement la mise en pratique de la Convention des Droits de l’Enfant pour que les enfants puissent jouir d’une bonne alimentation, logement, eau potable, assainissement et un environnement sain.

L’interaction de tous les droits politiques, civiles, économiques, sociaux et culturels est aussi fondamentale pour assurer un développement durable.

**5.Pouvez-vous communiquer les engagements et les meilleures pratiques qui permettent la participation effective des enfants ou des jeunes dans les processus de prise de décisions relatives au climat ainsi que dans la lutte contre le changement climatique, en particulier des enfants qui sont les plus touchés par le changement climatique, et qui incluent des jeunes de différents âges, sexes et milieux sociaux. Pouvez-vous donner des exemples de la façon dont la responsabilisation des enfants et des jeunes a contribué à une lutte plus efficace contre le changement climatique.**

Il faut noter que la population des jeunes et enfants à une croissance partout dans le monde entier. Cette nouvelle génération a une prise de conscience sociale et environnementale qui grandit. Les jeunes génération ont une volonté de s’engager activement dans des actions au niveau local, national et mondial autant profiter cet élan pour leur donner un leadership et mener des programmes et campagnes de sensibilisation, éducatifs et la promotion des énergies renouvelables et en adoptant des pratiques respectueuses avec l’environnement et la mise en œuvre de projets d’adaptation et d’atténuation. Le travail effectué avec et par les jeune est crucial au moment de l’influence sur les gouvernements pour parvenir à un accord sur des nouvelles politiques au niveau du changement climatique.

Agences, comme UNICEF, qui ont pour objectif de promouvoir la jouissance des droits des enfants et qui sont présentes dans beaucoup des pays dans le monde entier, doivent travailler de la main avec les gouvernements au niveau national et les organisations locales pour développer les programmes qui vont intégrer les enfants et les jeunes générations comme acteurs et comme agents de changement dans leur contexte, dans leurs communautés de base dans les questions liées à l’environnement. La participation des jeunes et des enfants est fondamental pour faire possible le développement durable, le soin de l’environnement et l’adaptation aux changements climatiques.

**APPENDIX**

We report here some contributions by country.

**MYANMAR**

Following rectification in HR regime is an urgent need to win back Child rights in Myanmar.

Corruption and impunity in many Government agencies is a serious threat to the future generation’s ability to enjoy natural resources. The rate at which forests, water catchment areas are being desecrated despite the existence of tough laws prohibiting the same, is proof that there are corrupt elements in Government looking the other way when some few selfish individuals are destroying the future of children. There is need for the media and civil society to highlight issues of impunity and corruption within Government so that the Government is forced to act and stop the hemorrhage.

Government: Understanding that peace with justice is the only way to protect nature and climate, he is involved in peace talks, but he has not stopped any resource looting and he has not come out with clear guidelines on child rights.

Military government: Sees all the resources as owned by the state and military.

Need for greater advocacy with these groups. Need for greater training for government and bureaucracy and the army.

Business (Secondary Duty Bearer): A crony economy which saw resources as a means of enrichment – main reason for looting of resources and environmental destruction. It considers itself as right holders rather than duty bearers.

27 percent of the Myanmar population is below the age of 18. It has faced many socio economic challenges for the last sixty years. Democracy is trying to bring greater rights to the children. Children faced the following challenges EVEN before climate impact:

• Highest infant mortality rate in the South East Asia.

• Lack of proper education (high rate of drop out in the primary school)

• One language policy hindering the language rights of indigenous communities

• Exposure to extreme climate events in the last two decades

• War and displacement

• Extreme poverty (Least Developed nation)

• Neglect of child rights (survival, development, protection and participation during climate change triggered events)

• Nearly 300,000 IDPs and thousands of refugees and thousands of migrant workers many of them went as ‘children’ even before they were 18 years old to Malaysia and Thailand.

**Climate change in Myanmar** ( measured in the last six decades)

• Increase in Temperatures: (~0.08C per decade) notably in northern and central region

• Increase in total rainfall but decreases in Central Areas (e.g. Bago Region)

• Decrease in the duration of monsoon season (three weeks) as a result of late onset and early departure of monsoon

• Increase in the occurrence and severity of extreme weather events (cyclones, flood/storm surges, intense rain and drought)

**MYANMAR -Climate Change and its impacts on Child Rights**

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| --- | --- | --- |
| **MAJOR CLIMATE HAZARD** | ***DIRECT IMPACT ON LIVES OF CHILD*** | ***CHILD RIGHTS impact***  |
| Cyclones and strong winds  | *Loss of lives, livelihood of family, damage to crops and eco system**Loss of protection, child labor* | *CRC –survival rights CRC articles 6, 24,3 Right to life (UDHR, ICCPR) Right to Development* *Indigenous rights* |
| *Floods and storm surge* | *Storm surge, farming and fishing family children killed or displaced**Susceptible to diarrhea etc.* | *CRC – survival rights CRC articles 6, 27,24, 26**Right to health, livelihood (ICESCR) right to development* |
| *Intense rains*  | *Flash floods, death, infectious diseases, displacement, loss of school* | *CRC survival rights and development rights CRC - article 6, 24, 28, 27 26*  |
| *Extreme Heat*  | *Heart wave, less drinking water, loss of family income, dehydration, human trafficking vulnerable to risky life* | *CRC survival rights and protection rights CRC articles 24, 6,27, 30 34,35,36**UDHR ICCPR, ICESCR* *Right to development*  |
| *Drought* | *Decrease in agriculture yields, crop failure, decreased river flows, distress migration of the family, human trafficking of the poor children*  | *CRC survival rights, development and protection rights CRC articles 34,35, 36, UDHR, ICCPR and ICESCR* |

**HR Obligations to mitigate and adapt to Climate change in Myanmar**

*•* The impending catastrophe that has a major impact on the children is exploding partly because the children are not treated as THE MAIN STAKEHOLDER in the climate change policies by the government, the business and civil society in Myanmar

• Moving away from charity approach and even from the NGO development approach, the world needs to bring Child centered approach in climate change. CRC needs to be incorporated into development planning of the Myanmar nation

• Rights based approach needs to be mainstreamed in climate change talks. Children are the primary RIGHT HOLDERS and the governments and business are the primary DUTY BEARERS.

1. Two groups can initiate Rights Based Approach in Myanmar:

* + - * **Education System** ( both formal and non-formal, monasteries play a major role and also religious groups run children boarding schools)
			* **CSOs and CBOs**: Civil Society Organizations (CSO) and Community Based Organizations (CBO) are allowed after 2010 to impart knowledge and plan at the grassroots level.
1. Based on the experience these groups can pressurize the government to implement CRC at all levels, forcing the business to bring Child rights into the discussion.

3. As the next step RBA – Rights based approach needs to be incorporated into the planning of NGO community, business and the Government

4. RBA as the HR Obligation - PANEL PRINCIPLE - To government the primary DUTY BEARER

* **P = Participation** : Active and informed participation of children in climate related policy formulations. Child participation need to be the first participation when nations and the global community decides on environmental issues (UDHR) CRC Article 3 (Best Interests of the child) Article 12 (Right to Voice).
* **A = Accountability**: CRC Article 4 (Protection of Rights) demands that children’s right to information and accountability. National and business decisions made are to be transparent, with the positive and negative impacts articulated in languages understood by children.
* **Non Discrimination:** CRC Article 2 (Right to Non Discrimination) Right to be treated equally, special attention to vulnerable sections, ICCPR and ICESCR and special attention to Right to Development. Special attention to Indigenous people, their culture and rights (CRC article 30- Right to Indigenous rights)
* **Empowerment:** CRC article 3 and article 6: All processes must empower the children. The best interests of the child should over ride other considerations and the child needs to be empowered to take informed decisions
* **Linkages to child rights:** CRC Article 4 (Right to protection of Rights) all activities concerned with the child needs to be seen not as a charity or elders kindness. Myanmar society is very patriarchal and obedience is a virtue/ Rights may be forgotten in the traditional society. Government also never considered child rights as a priority. Education budget is one of the lowest in the world.

**C. Examples of Realization of Child rights and its impact on Effective Climate Action**

a. After Nargis Cyclone

NGOs after the super Cyclone Nargis which killed more than 150,000 people (mostly child and women), initiated CHILD LED DRR training programs. This training program mainstreamed the child right to protection and life. DRR training involved understanding the local natural defense mechanics. This has helped in the realization of maintaining Mangrove jungles in the delta. Previously the coastal communities used to destroy mangrove bushes.

b. Myitsone Dam

Myanmar Government was committed to the dam to Chinese Government. The dam was to be built in Myitsone dam, the starting point of Irrawaddy river. Hundreds of people were displaced. Children lost education and were vulnerable to human trafficking and drugs. Sustained campaign on behalf this community including children helped in forcing the government to stop the construction of the dam.

The Myanmar Government with the discussion of the INGOs (UNHABITAT and EU) has arrived at a framework of Economic activity be channeled through the prism of Sustainable development that would promote equitable and just development of Environment and Social sectors. It has adopted a NAPA (National Adaptation Plan of Action)

Though *child centered approach was not followed* by the Myanmar Government the existing regulatory Frame work can be used for fortifying Child rights.

 **EXISTING ENVIRONMENT REGULATORY FRAMEWORKs IN MYANMAR**

1. *Constitution 2008*
2. *Environmental Policy 1994*
3. *Myanmar Agenda 21 -1997*
4. *National Sustainable Development Strategy – NSDS (2012)*
5. *National Adaptation Plan of Action (NAPA)2012*
6. *Environmental Conservation Law (2012)*
7. *Environmental Conservation Rules (2014)*
8. *Environmental Quality guidelines (2015)*
9. *Relevant Sectorial laws and Rules*

Myanmar Government is a signatory to the following International HR conventions:

1. CRC
2. CEDAW
3. UN Rights of the indigenous people
4. Paris Climate agreement 2015

These available mechanisms can be a good starting point for advocacy and implementation by the CSOs and Business. Lots of work remains undone in mainstreaming child rights. Myanmar has entered into democracy only recently after 60 years of dictatorship. Child rights are slow to be mainstreamed in the government programs. So the great need for NGOs to campaign

Myanmar environmental problems are also the result of the international community. Myanmar is not the major polluter. But Myanmar is paying the price for the rich and industrialized countries inhumanity.

Myanmar seeks environmental justice, climate justice. The countries that pollute and throw greenhouse gases must compensate Myanmar since it has become the second most risky country for climate change

**KENYA**

In Kenya for instance climate change has resulted in Kenya experiencing prolonged drought like it happened in 9 counties of Kenya this year. The affected counties (Kilifi, Tanariver, Taita Taveta, Kitui, Makueni, Samburu, Wajir, Mandera and Marsabit) experienced crop failure due to prolonged drought which also affected cattle kept by pastoral communities in the affected areas and it is estimated that close to 1000 cows died due to famine between June - November this year. Most children in the affected counties could not go to school regularly as the drought wore on. This is because they and their families were engaged in valiant efforts to fetch water for their sustenance. As such even though our constitution, the SDG’S and even the UN Declaration of Human Rights list food and education as some of the inalienable rights, many children in the affected counties could not enjoy those rights.

On the flipside Kenya also experienced prolonged floods in Turkana and Baringo Counties to the extent that many parts of the two counties experienced floods; a phenomenon that has not been witnessed for a very long time.

In my opinion the two emergencies (floods and drought/famine) brought about by climate change do happen in Kenya because there is a lack of/delay in implementation of mitigation measures from the early warning mechanisms data we receive. The challenge is that many stakeholders especially Government take too long to act on information received only to spring to action when the floods and/or drought has reached or is nearing emergency levels. There is also need to involve local communities, CSOs in collection of data that could help stem negative impacts of climate change. Currently Government relies on experts from Nairobi in almost everything forgetting that the people who give the information to the experts also know a thing or two about their situation. (Check: <https://youtu.be/HQCGFUekB8M> and <https://youtu.be/2yhT9JkZgto> for videos)

Current Government of Kenya policies, plans, strategies and initiatives that provide a supportive framework for implementing climate change responses some of which are child friendly include but are not limited to:

**1. The Constitution of Kenya (2010)**

The constitution provides ground for the formulation of adaptation and mitigation legislation, policies and strategies by guaranteeing the right to a clean and healthy environment under the Bill of Rights.

**2. Kenya Vision 2030 Blue Print.**

It is the national development blue print for Kenya and encapsulates flagship programs and projects with aspects of adaptation and mitigation. This include among others: Integrated National Transport Policy (2010) which provides for transport solutions that have relevance to climate change mitigation. For instance emphasis is placed on the use of clean fuel (fuel with minimal carbon emissions) that is said to be less harmful to the environment than the conventional petrol/diesel we use. The policy also outlines rules governing speed limits in areas such as schools and neighborhoods where children are likely to be playing and can cross the road anytime. As such, speed limits of 5KPH have been set to protect children from motor vehicle accidents all road contractors are required to erect appropriate signage when constructing roads that are near schools and/or churches.

**3. Environmental Management and Coordination Act (EMCA, 1999)**

The Act is the principle instrument of Government for the management of the environment and provides for the relevant institutional framework for the coordination of environment management including Kenya's National Climate Change Action Plan. The Act contains a section where noise pollution is criminalized, this is mainly to protect children learning in schools, from businesses and other activities that create unnecessary noise for instance roadshow promotions by companies are prohibited from using roads that pass near schools and if they have to pass near schools, then the PA system have to be switched off. The EMCA Act also operationalizes the National Environment Management Authority which is the authority mandated by Government to offer licenses that ensures that due diligence has been followed especially when coming up with grand projects that may have adverse impacts on the environment both flora and fauna including social impacts on different segments of the society especially children.

**4. The National Policy for the Sustainable Development of Northern Kenya and other Arid Lands.**

The policy focuses on climate resilience requiring Government to find solutions to address climate challenges and to come up with measures to manage drought and strengthen livelihoods in the Northern Region of Kenya. The policy also focuses on an enabling environment for accelerated investments in “foundations” to reduce poverty and build resilience and growth. Most drought incidences occur in the dry parts of Kenya and one of the mitigating actions taken by the Government in so far as this policy is concerned is irrigation of dry areas for food production so as to stem/control the effects of drought upon the citizens living in those areas. Also the Government has embarked on drilling of boreholes and creation of water pans to increase water accessibility in the dry north.

**5. The Basic Education Act of 2013**

This law was passed by the Government of Kenya mainly to ensure alignment of the education sector with the constitution that was passed in 2010. The Act among other things gives guidelines on how to handle children in an education institution apart from also giving guidelines on requirements for setting up a school for instance, the size of a classroom, teacher to student ratio, the size of playground to allow for each child to have time to play and have fun. However the most fa reaching impact of this new act is the new Government subsidy for each child in Primary school. The Government now contributes Kshs 3,060 for each child in a public primary school and there are special arrangements with donors to provide food for children who attend school in areas that are considered ‘hardship areas’ so as to encourage consistent school attendance. With regards to issues of climate change and children, the Act gives school administrators leeway to decide how to effect learning in the schools for instance schools in normally hot regions do not have afternoon classes like schools from other regions.

**6. The National Disaster Management Policy 2012**.

This policy institutionalizes disaster management and mainstreams disaster risk reduction in the country’s development initiatives. The policy aims to increase and sustain resilience of vulnerable communities to hazards. The establishment of the National Drought Management Authority (NDMA), the National Disaster Contingency Fund and the Council for Pastoralists education are provided for in the policy.

In Kenya we have the Children Parliament a body chosen by children all over the country to champion their interests at the national level. This body needs to be given adequate support and resources to enable them articulate their issues on matters affecting them. So far it is only when the Government presents the National Budget that the Children Parliament seems to be consulted. It is my view that they should be presented with a simplified version of (all) bills that have a direct impact on them including climate change so that they too can give their opinion on such matters though care should be taken to ensure they are not distracted from their normal school work because of policy issues.

From the Policy legislations shared above, Kenya as a country has enough laws that should ideally effectively safeguard future generations from negative impacts of climate change. What is missing in many cases is the implementation of the policies in the letter and spirit of the constitution. Our Government should be put to task to ensure implementation of all action plans developed in the various policy legislations aimed at ensuring that we mitigate the effects of climate change in our homes, schools, industries etc.

The church too has a golden opportunity to integrate their lessons on religions and link it with issues affecting children like violence; drug abuse and climate change so that at a very young age we begin molding them to become effective stewards of our natural resources. Both Christians and Moslems have religious lessons/catechism classes which can be expanded to include current issues affecting today’s child.

**NEPAL**

According to climate change budget code of Nepal, there are 11 guidelines considered as climate change related activities:

1. Sustainable management of natural resource and greenery promotion.

2. Land use planning and climate resilient infrastructures.

3. Prevention and control of climate change-induced health hazards.

4. Prevention and control of climate change-induced hazards to endangered species and biodiversity.

5. Management of landfill sites and sewage treatment for GHG emissions reduction.

6. Sustainable use of water resource for energy, fishery, irrigation and safe drinking water.

7. Plan/programmes supporting food safety and security.

8. Promotion of renewable and alternative energy; technology development for emission reduction and low carbon energy use.

9. Preparedness for climate induced disaster risk reduction.

10. Information generation, education, communication, research and development, and creation of data base.

11. Preparation of policy, legislation and plan of action related to climate change.

 **COLOMBIE**

Dans la course mondiale pour sauver la planète d’une augmentation accélérée de sa température, la Colombie a pris ses engagements lors de la COP 21 à Paris et surtout dans la réduction de 20% des émissions de gaz à effet de serre, cela fait partie de la décision globale qui vise à empêcher le réchauffement de la terre au-delà de 2 degrés Celsius d’ici 2050.

Que peut apporter la Colombie, dans sa condition actuelle et dans le contexte d’un conflit armé de plus de cinq décennies, dans les questions du changement climatique a l’échelle mondiale ?. C’était la question initiale d’un groupe de 12 experts de l’Université des Andes et d’autres dix personnes responsables de la Stratégie Colombienne du Développement Faible en Carbone (ECDBC). Depuis 2012, les experts avaient déjà commencé à travailler à des accords sectoriels avec huit ministères afin qu’ils commencent à exécuter plusieurs actions durables qui réduisent les émissions de six types de gaz qui provoquent l’effet de serre : le dioxyde de carbone, méthane, oxyde nitreux et les produits chimiques réfrigérants.

Un autre sujet sur lequel le pays doit se pencher sérieusement est celui du traitement des déchets qui sont produits chaque jour. Proposer certaines actions, par exemple, faire du compostage, le recyclage et la réutilisation. Choisir toujours les méthodes le plus avantageuses pour la sauvegarde de l’environnement et investir pour que les programmes puissent être réalisé.

Il faut organiser une politique de financement du climat qui prenne en compte le changement climatique et ses conséquences, en faisant des lois que puissent être appliquées le plus vite possible.