**Committee on the Rights of the Child Draft General Comment No. 26 (202x) Children’s rights and the environment with a special focus on climate change**

## Given the premise that the future of our world depends on the children of today, and children’s ability to thrive and protect the natural world is dependent on their holistic wellbeing, we strongly suggest an addition to Item 2 of the proposed General Comment 26 to include “*goals of eliminating all forms of violent traditions & practices against animals, which may be witnessed by a child*’. This proposed addition is based on numerous documented empirical evidence showing that exposure to all forms of violence against animals significantly harms children’s “physical, mental, spiritual, moral, psychological and social development”. These changes are also based upon a number of recommendations by the UN Committee on the Rights of the Child recognising these ‘Harmful Effects’ caused to children witnessing violence against animals.Effects include violence normalization and empathy erosion. Implicit in these recommendations concerning children’s exposure to violence against different species & in different cultures is the recognition that a child empathetically connects with the sentience of an animal. Exposure to violence in all its forms can affect the mental health of a child. Article 2.18 states that laws and policies should ensure that these facets of children’s wellbeing and development are protected:

2. Right to survival and development

18. States should implement laws and policies that ensure children’s survival and physical, mental, spiritual, moral, psychological and social development. The development of children is intertwined with the environment in which they live. Developmental benefits of a clean, healthy, and sustainable environment for children include opportunities to play outdoors and to experience, interact with and play in natural environments and the animal world.

Further, these changes are based upon a number of existing recommendations made by UN CRC various States Parties about these ‘Harmful Effects’ caused to children experiencing 1. the violence of bullfighting. 2. violent homeless animal management programs.

Here are the recommendations made by the UN Committee about ‘Harmful Effects’ to children exposed to violence against animals, as well as key Articles that either independently or collectively refer to the prioritization of a child’s needs and protection from *all forms* of violence. :-

The Committee recommends that the State party set the minimum age for participation in and assisting at bullfighting and bull-running events, including in bullfighting schools, at 18 years, without exception, and raise awareness among State officials, the media

and the general population about the negative effects on children, including as spectators, of the violence associated with bullfighting and bull-running.CRC/C/PRT/CO/5-6 Portugal

The physical and mental well-being of children involved in training for bullfighting, and performances associated with it, as well as the mental and emotional well-being of child spectators who are exposed to the violence of bullfighting; CRC/C/COL/CO/4-5 Columbia

The physical and mental well-being of children involved in training for bullfighting, and performances associated with it, as well as the mental and emotional wellbeing of child spectators who are exposed to the violence of bullfighting.CRC/MEX/CO/C/4-5 Mexico

Prohibit the participation of children in bullfighting training and associated performances as a worst form of child labour, ensure the protection of child spectators and raise awareness of the physical and mental violence associated with bullfighting and its impact on children. CRC/C/PER/CO/4-5 Peru

Increase efforts to change violent traditions and practices that negatively affect the well-being of children, including by prohibiting children’s access to bullfighting and associated performances. CRC/C/FRA/CO/5 France

The Committee recommends that the age limit for watching and participating in bullfighting be raised from 16 to 18 years and made statutory. CRC/C/ECU/CO/5-6 Ecuador

In order to prevent the harmful effects of bullfighting on children, the Committee recommends that the State party prohibit the participation of children under 18 years of age as bullfighters and as spectators in bullfighting events.CRC/C/ESP/CO/5-6 Spain

Recalling its General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration and its previous recommendations, the Committee recommends that the State party: (a) Ensure that the principle of the best interests of the child is consistently applied in all administrative and judicial proceedings, as well as in policies, programmes and projects that are relevant to, and have an impact on, children; (b) Finalize the procedure, with a clear set of criteria, to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration; Evaluate and eliminate, on the basis of the procedure and criteria described above, practices, policies and services that may not be in the best interests of the child, including those relating to societal violence against animals. CRC/C/TUN/CO/4-6 Tunisia

Attention must also be drawn to Article 19 of the UN Convention on the Rights of the Child and General Comment 13 which provides clarity to Article 19.

Article 19 of the UN Convention on the Rights of the Child states the following:

“1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence....

UN General Comment 13 ‘The Right of the Child to Freedom from all forms of Violence’ states :

Legal analysis of article 19, paragraph 1

1. “… all forms of ...” No exceptions. The Committee has consistently maintained the position that all forms of violence against children, however light, are unacceptable. “All forms of physical or mental violence” does not leave room for any level of legalized violence against children. Frequency, severity of harm and intent to harm are not prerequisites for the definitions of violence. States parties may refer to such factors in intervention strategies in order to allow proportional responses in the best interests of the child, but definitions must in no way erode the child’s absolute right to human dignity and physical and psychological integrity by describing some forms of violence as legally and/or socially acceptable.

3. “shall take …” 37. “Shall take” is a term which leaves no leeway for the discretion of States parties. Accordingly, States parties are under strict obligation to undertake “all appropriate measures” to fully implement this right for all children

We would therefore respectfully suggest that Article 2.18. of General Comment 26 be modified to include the words ‘eliminate all forms of violent traditions & practices against animals, which may be witnessed by a child’ in order to be consistent with UN Convention on the Rights of the Child Article 19 and General Comment 13.