**Maat for Peace’s comments on the draft general comment on children’s rights and the environment with a special focus on climate change**

**Introduction**

Children and young people are the key agents of change who can stand in the face of climate crisis and environmental hazards that threaten to undo decade-long progress in the fight for children's basic rights. There is no space where children and youth can effectively participate in decision-making processes related to their environment. However, children and youth are still increasingly speaking out because they understand that environmental emergencies are issues of intergenerational justice and that the needs and priorities of these groups cannot be ignored nor downsized when approaching climate change and environmental crises. Children are the most vulnerable and marginalized groups, and are disproportionately more exposed and affected by all kinds of environmental harm than any other group, despite being the least contributor to it.

Almost every child on Earth is exposed to at least one form of climate and environmental hazard or shock, which undermines their ability to fully enjoy their rights. Therefore, the climate crisis and the loss of biodiversity threaten childhood and undermine all efforts for building a sustainable future for them. It is critically important that these children enjoy a safe, clean, healthy and sustainable environment.

**First: Commenting on the Final** **Draft of the General Comment on Children’s Rights and the Environment with a Special Focus on Climate Change**

1. **1st Part of the Draft of the General Comment: Children's Rights and the Environment**

In this part of the Draft of the General Comment, there are a number of children's rights are closely linked to the environment, especially climate change. In this part, these rights are going to be reviewed and analyzed.

* 1. **The right to life**

Starting with this right is of symbolic significance. States are committed, under it, to remove all threats caused by environmental changes that would affect or undermine their access to a decent life. Commenting on this, forms of climate change-related violations against children must be elaborated on. The text of the article must make it clear that climate-related disasters put pressure on the protection systems for children and increase the rates of violence, abuse and exploitation to which they are exposed, which is inconsistent with the state’s commitment to ensuring a decent life.

* 1. **Right to development**

In this article, specifically after Paragraph 19, which affirms that environmental hazards endanger the full and comprehensive development of children, and has implications for a wide range of other rights under the Convention. An example of this is the right of children to play, study, and mental health. However, we would like to point out that the impact of natural disasters on children in already affected areas in terms of development is very significant. Climate change associated with extreme weather and high temperatures has increased the frequency of droughts and floods around the world, which has given rise to various indirect consequences such as economic struggle, child labor, acute malnutrition, lack of access to clean water and sanitation facilities, child marriage and low rates of school enrollment. The consequences are being felt today and will continue to undermine child protection for years to come. We need to invest more in preventive actions including proactive actions with a specific child protection perspective.

Therefore, speaking of development and the right of the child to it, it must be emphasized that extreme climatic disasters have forced children to work forcibly in hazardous jobs and deprived them of having access to the basic elements of development such as clean water, sanitation and quality education.

* 1. **The right to enjoy the highest attainable standard of health**

Climate change can affect health by giving rise to the emergence of new diseases and health problems. Pre-existing health conditions, socio-economic status, and age all contribute to exposure to climate and weather-related health effects.

Paragraph 27 of the article mentioned briefly the mental and psychological problems that children may be exposed to due to environmental consequences, and that the link between children’s mental health and environmental harm must be recognized. However, this paragraph must be elaborated on and more emphasis must be put on the fact that children’s mental health can be affected by the climate consequences whether on the long or the short term. Instability and separation from family can exacerbate the stress and trauma of the experience, and we stress that psychosocial support is essential to the emotional well-being, mental health, and development of children.

**How does climate change affect children?**

Rising temperatures, increasing precipitation, and atmospheric carbon dioxide are expected to increase levels of airborne allergens and allergic diseases as well as asthma attacks.

Rising temperatures and increased precipitation are already affecting infectious diseases transmitted by insects and through polluted water.

Besides, extreme weather events, such as floods, can contaminate water with minerals, chemicals and toxic substances released into the environment (such as Hurricane Harvey) which increases concern about long-term health effects, especially on children.[[1]](#footnote-1)

* 1. **The right to education**

Under this right, we would like to point out that half of the world's children, an estimated 2.2 billion, are at "extremely high risk" of climate change, which impacts their access to education, directly and indirectly. The impacts can be so heavy and destructive. In some cases, extreme weather events such as tropical cyclones may destroy or damage school buildings. In other cases, schools may be used to shelter people who have been displaced from their homes, leaving children temporarily unable to go to school, and some children may dropout.

In addition, **environmental education** has become an integral part of children’s right to education. Children have the right to study climate changes and environmental disasters and participate in developing environmental solutions for them.

Environmental education is integrated using a whole-of-society approach; at the personal level of children including their peers and families, at the community level including school and other community settings, at the organizational level including NGOs and CSOs, and at the policy level including advocacy and government institutions.

Climatic conditions can also affect the results of education in indirect ways; harsh weather events can indirectly affect the education of children who couldn’t receive the necessary care and nutrition as babies, the critical stage when their brains are shaped and cognitive abilities are developed. So, adequate nutrition during this early period is crucial for the well-being of the babies.

Low weight at birth and undernutrition in early childhood are associated with poor cognitive development and lower educational attainment later in life.[[2]](#footnote-2)

* 1. **The right to an adequate standard of living**

In accordance with Paragraph No. 42, which affirms that children must have access to adequate housing that complies with international human rights standards, including sustainable and flexible infrastructure that is not built on polluted sites or near sources of pollution or radiation, and homes that have safe and sustainable energy sources for cooking, heating, lighting, proper ventilation, mold that are toxic free.

However, the paragraph did not emphasize the rights of displaced children fleeing climate disasters who left their homes and schools to live in camps. Children make up 42% of the world's displaced, with millions forced to flee their homes each year, leaving many unable to go to school, without enough food and with little access to health care, and at risk of abuse, violence, and trauma from events they witnessed.

Therefore, the article must include a detailed paragraph on the rights of displaced children due to drought and floods, and that adequate shelter must be provided in which at least basic services are available, as one of the forms of remedying the violation of children's rights due to the environment.[[3]](#footnote-3)

* 1. **The right to rest, leisure, play, recreational activities and free and full participation in the cultural and artistic life**

Paragraph 1 of Article 31 affirmed that play and recreation are essential to the health and well-being of children and to encourage creativity, imagination, self-confidence and self-efficacy, as well as physical, social, cognitive and emotional strength and skills.

Besides, climate change is making heat waves hotter and longer - and potentially dangerous for kids playing outside. This is a critical issue because the number one health challenge facing children today is obesity. And when they spend time outdoors, it can lead to heat stress and increased exposure to disease-carrying insects like ticks and mosquitoes.

* 1. **The right to non-discrimination**

In this article, it was mentioned that there is are certain groups of children, such as girls, are exposed to additional barriers that prevent access to their rights in light of the environmental disasters resulting from climate change. However, we would like to add a detailed paragraph to talk about the rights of girls in regions affected by climate change, where gender inequality coupled with the climate crisis is one of the greatest challenges of our time. It poses threats to the lifestyles, livelihoods, health, safety and security of girls around the world.

The climate crisis is not “gender neutral” and girls are exposed to the greatest impacts of climate change, which magnifies existing gender inequalities and poses unprecedented threats to their livelihoods, health and safety.

Across the world, women depend more on natural resources but have less access to them. In many areas, girls bear a disproportionate responsibility for securing food, water and fuel. During periods of drought and erratic rains, the girls, as agricultural workers, work harder to secure income and resources for their families. This places additional pressure on girls, who often have to drop out of school to support their families.[[4]](#footnote-4)

* 1. **Freedom of expression, association, and peaceful assembly**

In draft of the General Comment, it was stated that children who express their opinions or participate in public protests about environmental degradation, climate change and climate-related projects may face threats, intimidation, harassment or other serious reprisals. We add, however, that the Convention must stress the need to protect the rights of all children, **especially those living under vulnerable conditions**, to freedom of expression and peaceful assembly on environmental matters, including protection from threats, reprisals and harassment for participating or expressing their views.

Under this article, we would like to add that it is imperative to allow access to age-appropriate, gender-sensitive, localized and contextual information on environmental issues and children's rights through various means, such as radio, audio-visual, online and offline sources.

Besides, youth- and community-led environmental initiatives and environmental participation at the family level, the participation of environmental child rights advocates in solution-oriented actions must be respected by authorities at all levels, and the existence of mechanisms to ensure the institutionalization of community-led initiatives.[[5]](#footnote-5)

* 1. **Access to justice and remedies**

In Paragraph No. 64 of the article, which states, in sum, that states should ensure that children have access to appropriate and effective judicial and non-judicial mechanisms in a timely manner, including national human rights institutions, in relation to violations of their environmental rights. Child-friendly procedures should be available for claims of imminent or anticipated harm, as well as past or current violations of children's rights.

Promoting justice and non-discrimination must also be stressed with a special focus on equity for children in both rural and urban areas and children in vulnerable situations. These priority issues must be reflected in political principles and directives.[[6]](#footnote-6)

* 1. **The right to a clean, healthy and sustainable environment**

Under this right and as a complement to the paragraphs of the article, we would like to add some guiding points that countries should adhere to in order to provide a clean, healthy and sustainable environment:

1. Taking all appropriate measures and allocate resources to protect children of all groups and backgrounds from physical, psychological, social and economic harm resulting from conflict, displacement, loss and damage associated with climate-related hazards, environmental pollution and unsustainable land management practices, and provide appropriate support services for child victims of environmental harm.
2. Ensuring that all businesses have a legally binding responsibility to respect the rights of children of all groups and backgrounds to a safe, clean, healthy and sustainable environment throughout the entire cycle of business activities.
3. Ensuring the protection of children of all groups and backgrounds who participate in the informal sector, particularly children exposed to chemicals, toxic materials, waste and processes that cause or could cause environmental harm or harm to children’s health.

**Second: the third Part of the** **Draft of the General Comment regarding the obligations of states towards children in the issue of climate change**

In this part of the Draft of the General Comment, we would like to add, under the first paragraph, entitled **State Obligations, Implementation and Accountability**, some of the principles that would help states limiting the impact of climate change and the environment on children and to provide them with a clean, healthy and sustainable environment:

1. Ensuring strict and effective enforcement of actions against public and private actors, including through criminal, civil and administrative procedures for any violation of children's rights to a safe, clean, healthy and sustainable environment.
2. Adopting and implementing appropriate measures to prohibit discrimination of any kind against children of all groups and backgrounds, and ensuring equal and effective protection for children of all groups and backgrounds against discrimination that prevents them from fully exercising and enjoying their rights to safety.
3. Developing and applying a set of appropriate criteria and indicators to assess the state of protection of children's rights in a safe, clean, healthy and sustainable environment, with periodic participatory monitoring, evaluation and public reporting of the results.
4. Giving priority to the allocation of appropriate human, technical and financial resources to enable the effective and participatory implementation, monitoring and enforcement of laws, regulations and all other legal instruments related to the environment that are critical to the realization of the rights of the child in a safe, clean, healthy and sustainable environment, and to ensure that these resources are used effectively, efficiently, equitably, transparently and sustainably.
5. Ensuring adequate public investment in environmental and climate education, give priority to environmental education in public finances, and attract innovative funding for environmental education.
6. Integrating and implementing approaches and actions centered on the best interests of the child as an integral part of policies, strategies and plans related to climate change, pollution control, waste management, biodiversity conservation, urban planning, energy, transportation, industry, trade, agriculture, forestry and land use.

**Conclusion**

In this Contribution, we have presented a number of proposals that help establish the rights of the child in light of the extreme environmental and climatic changes, which is a global issue.

We would like to stress finally that the Convention on the Rights of the Child and the Environment must include all classes and backgrounds of society, and that all children are equal in their rights and have the legal and legislative capacity that enables them to claim these rights completely and freely, and that children's environmental awareness must be increased so that they can participate in the international vision for resolving climate crises because they are the future generation that will bear the consequences of the current environmental degradation and the exacerbation of the climate crisis.

1. Laura Anderko, Climate changes reproductive and children’s health: a review of risks, exposures, and impacts, November 2020, <https://bit.ly/3K9rxwD> [↑](#footnote-ref-1)
2. CLIMATE CHANGE IS ONE OF THE BIGGEST THREATS TO EDUCATION — AND GROWING, concernusa, August 3, 2022, <http://bit.ly/3jRlqCC> [↑](#footnote-ref-2)
3. Conflict, climate disasters drive number of internally displaced children to record 25 million in 2021, reliefweb, 20 May 2022, <https://bit.ly/3xlG68Y> [↑](#footnote-ref-3)
4. Education is under threat from climate change - especially for women and girls, Oxford University, 8 November 2021, <http://bit.ly/3RVHTL4> [↑](#footnote-ref-4)
5. The climate crisis is a child rights crisis Introducing the Children’s Climate Risk Index, reliefweb, 20 Aug 2021, <https://bit.ly/3E7DPSp> [↑](#footnote-ref-5)
6. Children’s Rights and Climate Justice”, European Network of Ombudspersons for Children, 2022 Annual Theme, <http://bit.ly/3XvVObU> [↑](#footnote-ref-6)