



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

**TO
HONORABLE MEMBERS
COMMITTEE ON THE RIGHTS
OF THE CHILD
OHCHR-UNOG
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10, Switzerland
Email: ohchr-crc@un.org**

Sofia, 15th of February 2023

DEAR MEMBERS OF THE COMMITTEE ON THE RIGHTS OF THE CHILD,

I would like to bring to your attention my Comment on the Draft General Comment on children's rights and the environment with a special focus on climate change (Comment Number 26) of the Committee on the Rights of the Child (hereby attached)

Yours sincerely,

**PROF. DR. DIANA KOVACHEVA
OMBUDSMAN OF
THE REPUBLIC OF BULGARIA**



**Comment on the Draft General Comment on children's rights and the environment with a special focus on climate change (Comment Number 26) of the Committee on the Rights of the Child
Ombudsman of the Republic of Bulgaria**

1. As Ombudsman of the Republic of Bulgaria I do appreciate the work of the Committee on the Rights of the Child in monitoring States Parties' implementation of the Convention on the Rights of the Child (the "Convention") and the work on the present Draft General Comment Number 26. As an A status NHRI under the Paris Principles, the Ombudsman of the Republic of Bulgaria thanks for the opportunity to comment on the Draft General Comment Number 26.
2. As the national human rights body of the Republic of Bulgaria with Statute A under the Paris Principles, the Ombudsman institution has a broad mandate for action - from promoting the ratification of international human rights acts to the daily monitoring of their implementation. In my capacity as an independent monitoring body for the protection of children's rights, I advocate for the promotion of institutional and public environment, which is sensitive to and able to respect children's rights.
3. The issues addressed by the Draft General Comment Number 26 are of utmost importance for the Ombudsman institution of Bulgaria. In my Annual Report, addressed to the attention of the National Assembly of Bulgaria, I devote a special review on the Right to a healthy and favorable environment. In 2022 alone, over 380 complaints and signals were received from citizens and civic organizations on environmental issues, including also from children. After the inspections being carried out, violations were found in 328 of the cases, and recommendations were made to the responsible public authorities at national and municipal level.
4. Complaint from citizens and children point out to the following major issues of concern that directly affect children's rights to a clean, healthy and sustainable environment - air pollution and air quality in urban settlements; toxic pollutants; extraction industries that release significant harmful



emissions into the air; poor water supply and limited access to quality water especially in the context of unexpected critical events; lack of sewage systems; restrained access to healthy and nutritious food, etc.

5. My actions as a National Human Rights Defender are based on consultations with children, meetings with pupils and school ombudsmen. For the last five years, I have been carrying out special monitoring to supervise the implementation of the UN Convention on the Rights of the Child in Bulgaria with the assistance of children themselves.
6. All the experience that the Ombudsman institution of Bulgaria has acquired gives me the confidence to fully support the Committee's proposed Draft General Comment Number 26 on Children's rights and the environment with a focus on climate change.
7. Children's contribution to the process of developing strategic international leadership is particularly important to me. Especially today, in a world where it is increasingly difficult to hear and distinguish the voice of children, on issues that affect their lives, their right to growth and development.
8. I value much the proposed approach that all environmental actions must be based on a child rights perspective. Such an approach will have a major impact on national governments policies and I believe will give new impetus to national strategic development.
9. Bulgaria is a country where child poverty is significant and this is an important challenge to the exercise of children's rights. Significant groups of the population live in harsh housing conditions, without sanitation and clean drinking water, which puts children at high risk, which is why I fully support the measures outlined in the Right to an Adequate Standard of Living (Article 27). Furthermore, I would like to point out that countries should be encouraged to further strengthen child-oriented poverty reduction programs, and it would be useful for these programs to also have an environmental assessment of the impact on children. This implies the development of national indicators for monitoring and evaluation, as well as an obligation to map vulnerability in the country in relation to child right to a healthy and favorable environment.
10. In this important process of protecting the child's right to a clean, healthy and sustainable environment, governments and responsible institutions should be



encouraged to integrate data collection and its adequate use in the policy-formation process, based as well on the latest scientific evidence.

11. In § 64 Access to justice and legal remedies, I find that the role of national human rights institutions as well as the role of the mediation in environmental harm issues could be strengthened. In addition to the right of access to national human rights protection institutions, it is important to emphasize the role of the later as an independent monitoring body for the protection of child rights, their advocacy function, through the use of which NHRIs support the dialogue between children and public authorities.