

Children’s Rights Obligations of States in the Context of Climate Change

Synthesis of Statements on Climate Change by the Committee on the Rights of the Child (2019 Update)



The Convention on the Rights of the Child (CRC Convention) has been ratified by 196 States since its adoption in 1989. The CRC Convention prohibits discrimination against children and obliges States to give primary consideration to the best interests of the child (articles 2 and 3). The CRC Convention also protects many rights that implicitly relate to environmental protection and climate change, including the right to life (article 6), to food, water and sanitation, and housing (articles 24 and 27), and to freedom of expression (article 13). The right to the highest attainable standard of health (article 24(2)) and the right to education (article 28) explicitly mention the consideration of environmental matters in the protection of these rights.

The Committee on the Rights of the Child (CRC) monitors the implementation of the Convention through its three functions: the State reporting procedure, its general comments and thematic initiatives, and its communications procedure. To date, the CRC has not addressed climate change in any of its decisions on communications.

General Comments and Thematic Initiatives

The CRC has elaborated States’ obligations under the Convention in the context of climate change in two of its general comments: GC15 on health (2013) and GC20 on adolescence (2016). Moreover, in 2016 this issue was discussed

during the CRC’s Day of General Discussion on Children’s Rights and the Environment, which resulted in the endorsement by the CRC of a [series of recommendations](#) relating to climate change.

State Reporting Procedure

The CRC has increasingly referred to climate change in its State reporting procedure. In 2018, it made recommendations regarding climate change to 47% of the States it reviewed. Those climate recommendations were spread relatively evenly between the different country types (Small Island Developing States (SIDS), Least Developed Countries (LDCs), other developing countries, and developed countries) (relative to the spread

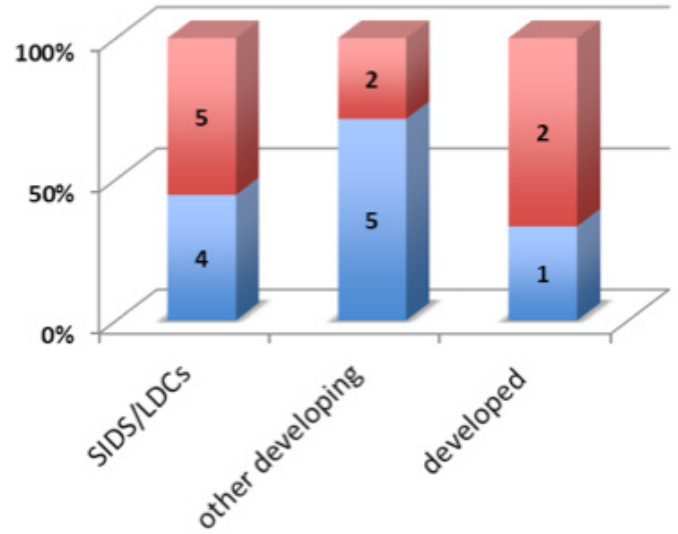
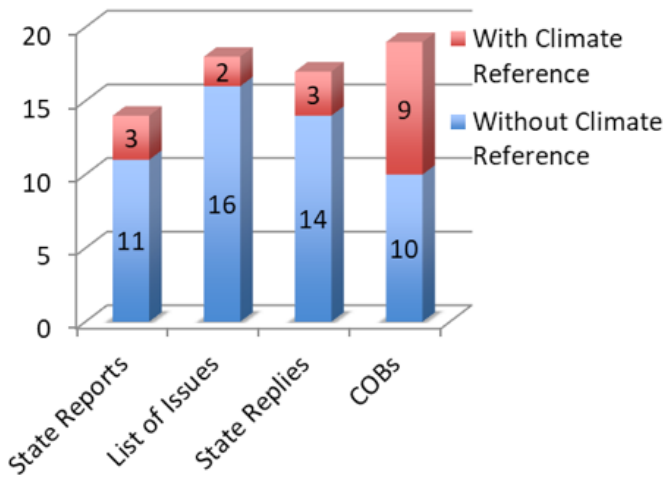


Figure A: Climate change references in the State Reporting Procedure of the CRC in 2018, by document type (left,) and climate change references in the COBs of the CRC in 2018, by country type (right)

of States reviewed by the CRC in 2018). The majority of the States that did not receive a recommendation on climate, were “other developing States.”

In 2018, the CRC continued to focus largely on procedural rights and international cooperation, frequently reminding States of the importance of incorporating children’s perspectives in climate and disaster risk reduction policy-making and planning. Education and empowerment also featured highly in its recommendations. Perhaps prompted by the explicit reference to environmental education in article 28 of the Convention, the Committee also regularly recommended that States increase children’s awareness and preparedness for climate change and natural disasters by including these topics in the school curriculum.



Figure B: References to climate change in COBs of the CRC in 2018, by categories

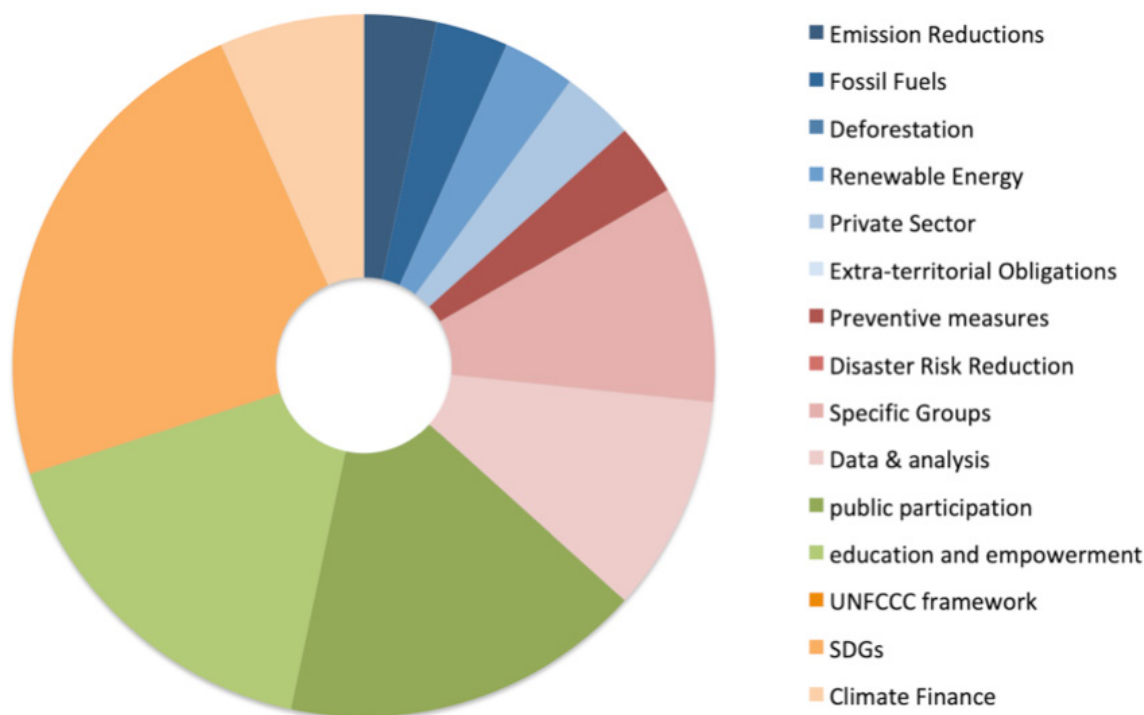


Figure C: References to climate change in COBs of the CRC in 2018, by sub-themes

The Committee emphasized the need for States to protect children from the adverse impacts of climate change and commonly recommended that States develop a comprehensive disaster-sensitive social protection system, which takes account of children’s special needs.

The Committee linked the majority of its climate recommendations to Goal 13 of the Sustainable Development Goals and specifically to target 13.b, which aims to promote mechanisms for raising capacity for climate-change-related planning and management. However, there were only two States that the Committee specifically recommended seek international cooperation to tackle climate change (Palau and Solomon Islands). For no States in 2018 did the CRC recommend that it contribute more to climate

finance or provide international assistance for climate activities.

Mitigation was addressed in 14% of the climate recommendations of the CRC in 2018 (see Figure B). The relevant States were Niger, Norway, and Spain. This lower figure is explicable by the fact that mitigation recommendations are far more commonly made to developed States, and the CRC only reviewed three developed States in 2018.

On mitigation, the Committee raised concerns about the exploitation of fossil fuels in Norway and about coal-fired power plants in Spain. For Spain, the Committee specifically directed the State to reduce emissions produced by private businesses.

The recommendation on mitigation of climate change to Niger was

particularly interesting, since across the human rights treaty bodies (HRTBs) there are few recommendations on mitigation to developing countries. Further, the recommendation to Niger addressed deforestation and land regeneration, which are topics that have received very little attention from any of the HRTBs to date.

In the context of the growing wave of children- or youth-based mobilizations calling for more ambitious climate action by national governments, the CRC might have the opportunity in 2019 and beyond to articulate more fully the importance for children’s rights of the implementation of adequate national climate mitigation policies and to reinforce the call for children’s voices to be heard in climate policy-making.

Compilation of CRC Statements on Climate in 2018

All concluding observations (COBs) adopted by the CRC can be accessed here: bit.ly/CRCcobs.

On **the reduction of emissions and fossil fuels (mitigation)**, the CRC has stated that States must:

- establish safeguards to protect children, both in the State party as well as abroad, from the negative impacts of fossil fuels (CRC COB to Norway);
- take measures to strengthen policies to address the issues of climate change, including through boosting solar energy, replanting trees, and regenerating land (CRC COB to Niger);
- strictly regulate maximum air pollutant emissions, including those produced by private businesses (CRC COB to Spain).

On **the protection of rights from the impacts of climate change (adaptation)**, the CRC requires States to:

- strengthen policies or programs to address the issues of climate change and disaster risk management, which must ensure the full and meaningful participation of communities at risk (CRC COB to Niger);
- develop a comprehensive disaster-sensitive social protection system, ensuring that the special vulnerabilities and needs of children are taken into account (CRC COB to Palau, Solomon Islands);

- improve data and assessments in order to have an evidence base for risk reduction and preparedness, taking into account in particular the distinct needs and priorities of preschool children and children with disabilities (CRC COB to Palau, Solomon Islands).

On **procedural rights**, the CRC affirmed that States are required to:

- include climate change adaptation and disaster risk reduction in the school curriculum so as to increase children's awareness and preparedness for climate change and natural disasters, establish school-based programs, such as early warning systems and training, and implement and increase physical safety of school infrastructure (CRC COB to Marshall Islands, Palau, Solomon Islands);
- undertake measures to increase knowledge of teachers and educators on environmental issues and climate change (CRC COB to Lesotho, Sri Lanka);

- ensure the full and meaningful participation of communities at risk, including children, at both the national and the regional levels in the development and implementation of a comprehensive disaster risk management strategy (CRC COB to Niger, Palau, Solomon Islands).

On **international cooperation**, the CRC has articulated that States must:

- consider their human rights obligations in light of the goals and targets provided by the Sustainable Development Goals, particularly in relation to Goal 4 related to ensuring quality education (CRC COB to Lesotho) and Goal 13 related to climate action (CRC COB to Guatemala, Palau, Sri Lanka);
- seek regional and international cooperation in implementing the recommendations of the COBs (CRC COB to Palau, Solomon Islands).



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List of Countries Coming Up for Review by CRC in 2019

Session	Dates	Countries under review
WG80	14 January - 1 February 2019	Bahrain, Belgium, Guinea, Italy, Japan, Syrian Arab Republic
PSWG82	4 – 8 February 2019	Australia, Bosnia and Herzegovina, Luxembourg, Mozambique, Portugal, Republic of Korea
WG81	13 – 31 May 2019	Botswana, Cabo Verde, Côte d'Ivoire, Malta, Singapore, Tonga
PSWG83	3 – 7 June 2019	Austria, Belarus, Cook Islands, Costa Rica, Micronesia (Federated States of), Rwanda, State of Palestine, Tuvalu
WG82	9 – 27 September 2019	Australia, Bosnia and Herzegovina, Mozambique, Portugal, Republic of Korea
PSWG84	30 September – 4 October 2019	Afghanistan, Cambodia, Netherlands, Switzerland



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