



CENTER for INTERNATIONAL  
ENVIRONMENTAL LAW



Global Initiative  
for Economic, Social  
& Cultural Rights

# Committee on the Rights of the Child (CRC)

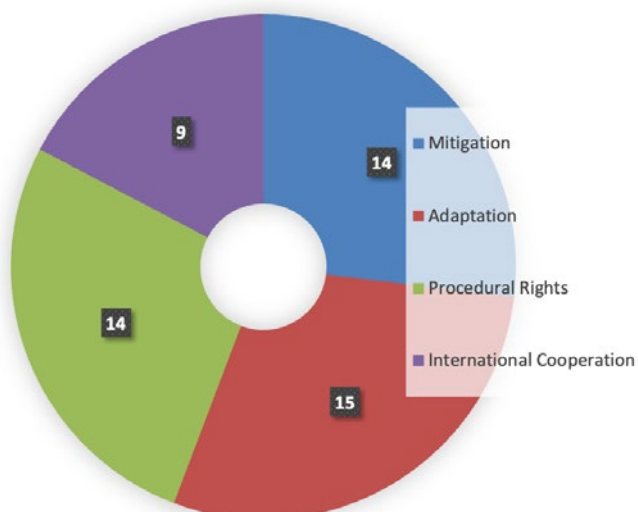
## Synthesis of Statements on Climate Change

2023 Update

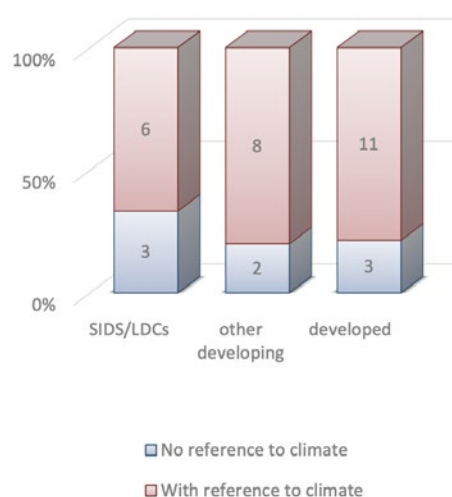


*This note reviews the outputs of the CRC related to climate change in 2022 and complements our [previous note](https://bit.ly/CRCclimate2022) dedicated to such outputs up to 2021 ([bit.ly/CRCclimate2022](https://bit.ly/CRCclimate2022)).*

Themes addressed by the CRC in the State review procedure in 2022



Outputs of the CRC in 2022, by country category



Over the years, the Committee on the Rights of the Child (CRC) has increasingly raised concerns about the impacts of climate change on children's rights in its State reporting procedure and its General Comments (GCs) and thematic work. Even in 2020 and 2021, during the COVID-19 pandemic and the move to virtual work, the Committee continued to highlight climate change concerns in its questions and recommendations to States. In 2022, it sustained its attention to various climate-related dimensions. In a [Joint Statement](#) with the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative of the Secretary-General on Violence against Children, UNICEF, and the United Nations Office on Drugs and Crime, it listed "extreme climate-related crisis" among the main challenges to the realization of children's rights and the main causes of the "increasing failure to uphold...human rights law obligations around the world."

In 2022, the CRC referred to climate change in twenty-five State review processes — in either Concluding Observations (COBs), Lists of Issues (LOIs), or Lists of Issues Prior to Reporting (LOIPRs) — out of a total of thirty-three outputs.

In line with 2020 and 2021, the CRC addressed climate change in reviews of developed States more frequently than in reviews of Small Islands Developing States (SIDS), Least Developed Countries (LDCs), and other developing countries.

The Committee followed the trend from previous years of paying great attention to issues of **adaptation**. Themes that were frequently addressed included participation and empowerment of children in climate change policymaking and initiatives (fourteen references) and mitigation (fourteen outputs). In a few instances, the Committee focused on specific groups of children, including Sami children (e.g., LOI to Finland) and Māori and Pasifika children (e.g., LOIPR to New Zealand). The Committee valued data collection as an important tool to identify specific needs and impacts. For instance, it recommended that Canada "[c]ollect data on the impact of climate change on children and provide information on the issue in its next periodic report," and recommended that Somalia and Djibouti "collect disaggregated data identifying the types of risk faced by children to the occurrence of a variety of disasters in order to formulate policies, frameworks and agreements accordingly."

The Committee continued to pay attention to States' obligations to mitigate climate change. In 2022,

**mitigation** was raised in thirteen COBs and one LOI/LOIPR. In its COB to Germany, the Committee noted with appreciation the adoption of the climate action law, but argued that plans for the reduction of emissions "are not ambitious enough" and measures to implement several sectoral carbon dioxide reduction plans are insufficient. The Committee recommended that the State party reduce its greenhouse gas (GHG) emissions in line with its international commitments, and that national policies and programs on climate change be implemented "in accordance with the principles of the Convention and taking into account children's needs and views."

The Committee continued to devote attention to **private actors'** contribution to environmental harm, often also in relation to fossil fuel production, although the number of relevant outputs in 2022 declined (four in 2022 versus eleven in 2021). In its COB to the Netherlands, the Committee recommended that the State party "[c]ontinue to examine and adapt its legislative framework (civil, criminal and administrative) to ensure the legal accountability of business enterprises and their subsidiaries operating in or managed from the State party's territory, including companies that deal with the extraction of oil...in relation to international and national human rights, labour, environmental and other standards." In its COB to Canada, the Committee recommended establishing "a clear regulatory framework for the industries operating in the State party and abroad to identify, prevent, mitigate and account for activities that negatively affect human rights or endanger children's rights, in particular risks posed by fossil fuel production."

Three COBs address the issue of **extraterritorial obligations** (ETOs). In its COB to Germany, the Committee recommended that the State party "[u]ndertake legislative and other measures to uphold its extraterritorial obligations concerning impacts on the environment, including in the context of international cooperation." In its COB to Canada, the Committee welcomed the creation of an "Ombudsperson for Responsible Enterprise," but recommended that the State party "[e]stablish a clear regulatory framework for the industries operating in the State party and abroad to identify, prevent, mitigate and account for activities that negatively affect human rights or endanger children's rights, in particular risks posed by fossil fuel production." In its COB to Greece, the Committee recommended "[h]armoniz[ing] its current climate mitigation policy...with its obligation to protect the rights of children, in particular the rights



to health, food and an adequate standard of living, both in Greece and abroad.” While not mentioning ETOs explicitly in its COB to the Philippines, the Committee recommended implementing the [recommendations](#) of the Commission on Human Rights regarding the “Carbon Majors” inquiry, which addressed the responsibility for climate-induced harms of the forty-seven biggest fossil fuel and cement companies.

Six outputs mentioned **fossil fuels**. In its COB to Greece, the Committee recommended that the State party “[c]onsider the impact of climate change on the rights of the child in its energy policy, including in relation to fossil fuel extraction and fossil fuels subsidies.” Similarly, in its COB to Canada, the Committee expressed its concern about the State party’s “disproportionately high carbon footprint,” “in particular through investments made in fossil fuels.”

The Committee’s Working Group on children’s rights and the environment, which was revived in 2021, continued to work in 2022. This is an internal group of five members of the Committee focusing on this topic to ensure that it receives the appropriate attention in the Committee’s work.

The Committee also continued to work toward its **upcoming [General Comment No. 26 on children’s rights and the environment with a special focus on climate change](#)**, conducting a series of consultations with children, State parties, and experts from relevant fields throughout 2022. In December 2022, the Committee issued the draft of this GC. The draft identifies four key concepts — sustainable development, intergenerational equity and future generations, best available science, and the precautionary principle — and unpacks the rights under the Convention that relate to the environment, including climate change. The draft GC then addresses the right to a clean, healthy, and sustainable environment, stating that this is “implicit in, and directly linked to, in particular, the rights to life, survival and development (art. 6), the highest

attainable standard of health, including ‘taking into consideration the dangers and risks of environmental pollution’ (art. 24), an adequate standard of living (art. 27) and education, including the development of respect for the natural environment (art. 29).” It further states that a safe climate is one of the substantive elements of the right to a clean, healthy, and sustainable environment. In this regard, the draft GC outlines a series of concrete actions that States should take immediately, including “[p]has[ing] out the use of coal, oil and natural gas by investing in renewable energy, energy storage and energy efficiency to address the climate crisis.”

The draft GC then addresses general obligations of States — the obligation to respect, protect, and fulfill; heightened obligations; access to information; children’s rights impact assessments; children’s rights and the business sector; and international cooperation — addressing the climate dimension across all of them. A specific section is devoted to climate change, where the Committee unpacks States’ obligations in more detail, including in relation to mitigation, adaptation, and climate finance, as well as the duty to adequately regulate private actors. In this section, the draft GC reiterates that, under the Convention, States have extraterritorial obligations and identifies measures that States shall take to respect children’s rights across all the above areas.

The Committee invited additional input through written submissions in order to finalize this GC during the course of 2023. The GC will provide a timely opportunity for a UN human rights mechanism to provide States with guidance about the scope of their obligations to protect human rights from environment-related threats. This GC offers a chance for the Committee to build upon its many recommendations issued to States with regards to the rights of children and the environment and to develop a comprehensive interpretative statement on the implementation of the Convention.