

Intersessional Event on Realizing the rights of the child through a healthy environment

Summary report

12 February 2020, 13.15h to 15h, Palais des Nations - Room XXII

Organized by the European Union, the Permanent Mission of Uruguay, UNICEF, OHCHR and Child Rights Connect

Introduction and background

In its resolution 40/14, the Human Rights Council (HRC) decided to focus the 2020 Annual full-day meeting on the rights of the child (ADRC), to take place in June, on the theme “Realizing the rights of the child through a healthy environment”. The aim of the Intersessional Event was to (1) raise awareness about the topic of the next ADRC, (2) create a platform to exchange on priorities to be raised and addressed during the ADRC and (3) inform the related annual Resolution on the Rights of the Child.

There is increasing momentum to address the issue of children’s rights and the environment in the international and domestic spaces. In recent years, there has been a series of initiatives to shed light on the relationship between children’s rights and a safe and healthy environment, as well as to provide recommendations on the way forward.¹ At the same time, children human right defenders around the globe are calling for more urgent and stronger action to tackle the root causes of the global environmental crisis, and recently a group of children have filed a petition to the Committee on the Rights of the Child against several countries alleging their failure to take adequate action to mitigate climate change-related violations of their rights. This state of affairs shows the need for further efforts and concrete steps towards realizing the rights of the child through a healthy environment.

Introductory remarks from Solal, child environmental human rights defender

The child human rights defender pointed out that younger generations are afraid of not having the possibility to hope for a better future. He underlined the importance of ensuring children’s right to survival and development. He regretted the lack of concrete actions from the international community despite the widespread awareness on the threat that climate change represents. He encouraged everyone to act for a transformative change, put aside individualism, and start fighting together to achieve social and ecological change in order to reduce inequalities and ensure a better future for everyone, especially for younger generations.

Panel discussion

David R. Boyd, Special Rapporteur on human rights and the environment

Mr. Boyd stressed that the world is failing to provide a safe, clean, sustainable and healthy environment for children. He stated that human rights are a powerful catalyst to protect the environment and highlighted the importance of social movements to achieve changes in society. As the UN Special Rapporteur on the environment, he works with children and youth all over the world to amplify their voice globally. His main objective is working toward the recognition that everyone,

¹ *Inter alia*, the [2016 Day of General Discussion on children's rights and environment](#) of the Committee on the Rights of the Child, the [2016 report of the Special Rapporteur on toxic wastes](#) on the impacts of toxics and pollution on children’s rights, the [2017 OHCHR Analytical study on children's rights and climate change](#), the [2018 report of the Special Rapporteur on human rights and the environment](#), the efforts of the [Global Initiative on Advancing Children’s Right to a Healthy Environment](#) (recently renamed the Children’s Environmental Rights Initiative) and the recent [OHCHR report](#) to inform the ADRC.

everywhere, has the right to live in a safe, clean, healthy and sustainable environment, which is key to accelerating progress in this field.

H.E Sabina Stadler Repnik, Ambassador, Permanent Mission of Slovenia to the United Nations

The Ambassador emphasized that children's rights should be at the forefront of States' engagement and focus. Ms. Stadler shared a number of good practices, including their 2012-2020 strategy on children's health in relation to the environment, as well as the related action plan with four main objectives in line with the World Health Organisation (WHO) Parma Declaration on Environment and Health. Ms. Stadler recognized that, despite the efforts, Slovenia is facing challenges relating to soil and air pollution. One of the measures in place is the publication of data on air pollution in real-time for the public's information. Having in mind that pollution knows no borders, she strongly encouraged States to work together and called for support for the [Global Initiative on Advancing Children's Right to a Healthy Environment](#) (Children's Environmental Rights Initiative) and the [Intergovernmental Declaration on Children, Youth and Climate Change](#) made at the 25th UN Climate Change Conference.

Minister Maria Alejandra Costa, Deputy Permanent Representative of Uruguay to the United Nations

Minister Costa provided good examples from Uruguay in protecting the environment, such as the 2019 National Plan for Sustainable Development that has a transversal human-rights-based approach, recognising not only the right of urban and rural populations to enjoy a healthy environment but also the intergenerational equity principle of satisfying present needs without endangering future generations. She also shared that Uruguay has signed the Escazú Agreement to ensure access to information, public participation and justice in environmental matters. Uruguay also welcomes children's cause in acting on environmental matters. In this regard, Uruguay has several processes in place for child participation and they are supporting the workshop organised by Child Rights Connect in Uruguay on the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure for civil society and children. The ADRC and the HRC substantive resolution on child rights led by the European Union will contribute to the advancement of children's right in relation to the environment.

Clarence Nelson, Member of the United Nations Committee on the Rights of the Child (CRC Committee)

The CRC Committee Member explained that in the Convention of the Rights of the Child (UNCRC) there is no specific right to a healthy environment. However, the Convention provides for article 24 on the right to the highest attainable standard of health, article 6 on the right to life, survival and development, as well as other articles, that interpreted in conjunction provide for the right of children to a healthy environment. The importance of climate change led the CRC Committee to organise the 2016 Day of General Discussion (DGD) on children's rights and environment, a platform with children to discuss the environment and their vision for the future. One of the primary recommendations from the 2016 DGD was for the Committee to develop a General Comment on child rights and the environment, and Mr. Nelson expressed his hope that this recommendation was implemented. Mr. Nelson also shared that when engaging with children through the reporting cycle, climate change was one of the primary concerns for children. He concluded by saying that the CRC extraordinary session in Samoa was also another way for the Committee to advance the environmental agenda.

Marie-Noel Brune Drisse, Children's Environmental Health department of Public Health and the Environment, WHO

WHO has recently developed [some publications](#) on the urgency to act on environmental issues. These publications aim to share information on environmental factors that affect children's health as well as solutions. The publications also recommend policies that should be put in place to protect children

and to involve children in the process of achieving the sustainable development goals. Ms. Brune Drisse stressed that air pollution and many other factors have multiple and long-lasting impacts on children's health. In her concluding remarks, she highlighted that by taking concrete environmental actions today, many diseases killing children and young people can be avoided, being the political will of States key to ensure proper implementation.

Jonas Schubert, Human Rights Officer, Terre des hommes

Mr. Schubert began by stating the importance of identifying how the ADRC and the related HRC resolution can contribute to transformative change and clarified key steps to be taken and the synergies between the different stakeholders' agendas in this field. He expressed the importance of building on the recent UN reports and research, HRC resolutions (such as the 2019 resolution on environmental human rights defenders), the work from the child rights community and the CRC Committee, which, since 2016, has increasingly included in its Concluding observations recommendations on the environmental issues. The environmental community has also taken an interest in children's issues, through e.g. Rio Principle 21 and the Agenda 21 on empowering children and youth on environmental issues. Mr. Schubert reminded that we should take account of relevant contextual factors, such as the environmental crisis, which especially affects children; growing child and youth activism; and the processes in place to implement international environmental frameworks, such as those on biodiversity and climate change, which all have the potential to mainstream children's rights. Despite some positive signs, there are still many challenges, such as the lack of awareness and information on the link between children's rights and the environment, the lack of capacity in this area, the lack of coordination and cooperation between all relevant stakeholders and the need for more normative and practical guidelines on this issue.

Interactive discussion

Following the panel's presentations, issues raised by the public addressed the proclamation of the right to a healthy environment, the importance of the Intersessional Event as a meaningful step for the preparations of the ADRC and drafting of the related HRC resolution, as well as the importance of these processes to establish synergies among stakeholders working on children's rights and environment. An intervention noted the lack of disaggregated data on the environmental factors affecting children's health at the national level, and Ms. Brune Drisse argued that disaggregated data is a critical tool that facilitates the monitoring and evaluation of the impact of the actions taken.

A question was raised on the issue of States that provide development assistance that is inconsistent with their domestic environmental protection policies. One of the panellists suggested to urge responsible State actors that are bound by national human rights policies to apply them when providing development financing.

The usefulness of a General Comment from the CRC Committee, and other forms of guidance, was also discussed. A CRC Committee member inquired about how they could contribute to the campaign for the right to a healthy environment and what immediate actions could be taken to better articulate the normative principles related to children's rights and environment, given that the development of a General Comment could take a few years. The panel highlighted some concrete actions, such as the possibility for the Committee to provide guidance to those responsible for developing environmental frameworks on how to integrate child rights and ensure child participation in decision-making processes, how to produce child-friendly information on, and versions of, the main environmental treaties and documents in order to empower children human rights defenders, and continuing to participate in the Children's Environmental Rights Initiative.

A last question was raised on the feasibility of the full legal recognition of the human right to a healthy environment at the General Assembly and the links with other legal instruments.

Final remarks

Solal highlighted the importance of rethinking the economic system, the inequality between the North and South, and the need to achieve environmental justice. H.E. Stadler highlighted the importance of ensuring that young and future generations will be able to live on this planet. On the proclamation of the right to a healthy environment, she mentioned that the fastest way to adopt this would be by getting the support of Members States first at the Human Rights Council and after at the UN General Assembly, which was what was done for the recognition of the right to clean water. She noted that it was promising that 80% of UN Member States have some provisions that recognize the right to a healthy environment, but work remains to convince the other 20% to join this recognition. The CRC Committee member encouraged everyone to think outside the box, as the CRC Committee had done with the organisation of its session in Samoa. Finally, the representative from WHO underlined the importance of putting children's rights at the centre of policy- and decision-making at the domestic level to achieve environmental change.

KEY OUTCOMES

- The ADRC and the related HRC resolution should:
 - contribute to achieving transformative change by clarifying key steps to be taken to strengthen children's environmental rights;
 - identify synergies between the different stakeholders' agendas in this field;
 - build on the recent UN reports and research, HRC resolutions, the work from the CRC Committee, the child rights community and the environmental community, in order to ensure a coherent approach to child rights in the environmental context;
 - identify concrete measures to acknowledge and support environmental initiatives by children and youth; and
 - encourage States to mainstream children's rights when adopting and implementing environmental frameworks.
- There is a need to provide clear and authoritative guidance on the heightened obligations arising under the UNCRC in relation to environmental harm, ideally through a General Comment of the CRC Committee. Nevertheless, given the long timeframe needed for the development of a General Comment, other concrete actions can be taken in the meantime, such as the production of guidance on child participation in environmental decision-making processes and child-friendly information on, and versions of, the main environmental treaties and documents.
- Key to achieving concrete results is the cooperation among States and in between States and different stakeholders. States are encouraged to support the [Global Initiative on Advancing Children's Right to a Healthy Environment](#) (recently renamed the Children's Environmental Rights Initiative) and the [Intergovernmental Declaration on Children, Youth and Climate Change](#) made at the 25th UN Climate Change Conference.
- The global recognition of the right to live in a safe, clean, healthy and sustainable environment will be key to accelerate progress in realising children's rights.