

ENOC SYNTHESIS REPORT -CHILDREN'S RIGHTS AND CLIMATE JUSTICE

Dr Aoife Daly & Prof Laura Lundy



School of Law
Scoil an Dlí

RIGHT TO A
HEALTHY
ENVIRONMENT
(HRC
RESOLUTION
48/13 (JULY
2022)





Unite for children's environmental rights

***Protect children's rights and our
planet***



DRAFT GENERAL COMMENT NO. 26 ON CHILDREN'S
RIGHTS AND THE ENVIRONMENT WITH A SPECIAL
FOCUS ON CLIMATE CHANGE



CHILDREN'S RIGHTS AND THE CLIMATE CRISIS

- Receiving increased attention by UN, regional and national bodies
- Impetus on climate action driven largely by children
- Children's rights were often neglected in that, particularly their right to take action for climate justice

Children's Rights and the Environment

Report of the United Nations Special Rapporteur



WHAT IS THE UNITED NATIONS?

The United Nations – UN – is made up of 193 countries from across the world. Its role is to support these countries to keep their human rights promises.



WHO IS THE SPECIAL RAPPORTEUR?

Special Rapporteurs – SRs – are experts who advise governments and others on human rights. The SR on Human Rights and the Environment is John H. Knox.



WHAT ARE CHILDREN'S RIGHTS?

Children's rights are the promises that the world's governments have made to children. Children have a special set of rights in the United Nations Convention on the Rights of the Child – UNCRC.



WHY IS THE SR WRITING ABOUT CHILDREN'S RIGHTS & THE ENVIRONMENT?

Children are more at risk from environmental problems than adults but their views and interests are often left out of decisions.



WHO IS THIS REPORT FOR?

The SR thought it was important to provide people with advice on this topic.
He wants it to be used by governments, children, parents, businesses and others.

WHAT CAN CHILDREN DO?

HERE ARE SOME SUGGESTIONS FROM OTHER YOUNG PEOPLE



GET INFORMED

You could...

Get books on the environment, check the internet.



SPREAD THE WORD

You could...

Speak about it at your school, share on social media.



TAKE THE LEAD

You could...

Reduce, reuse, recycle; walk or cycle instead of using a car.



CAMPAIGN

You could...


Join an environmental group in your school or community or raise issues in a youth parliament.



MAKE A COMPLAINT

You could...

Contact your local authority or speak to a responsible adult about taking legal action.



CLIMATE JUSTICE &
CHILDREN'S RIGHTS:
THE SYNTHESIS
REPORT

- Aim to capture what was happening across the ENOC membership.
- Data was collected via a scoping survey -based on the CRC
- Presented under core CRC rights.



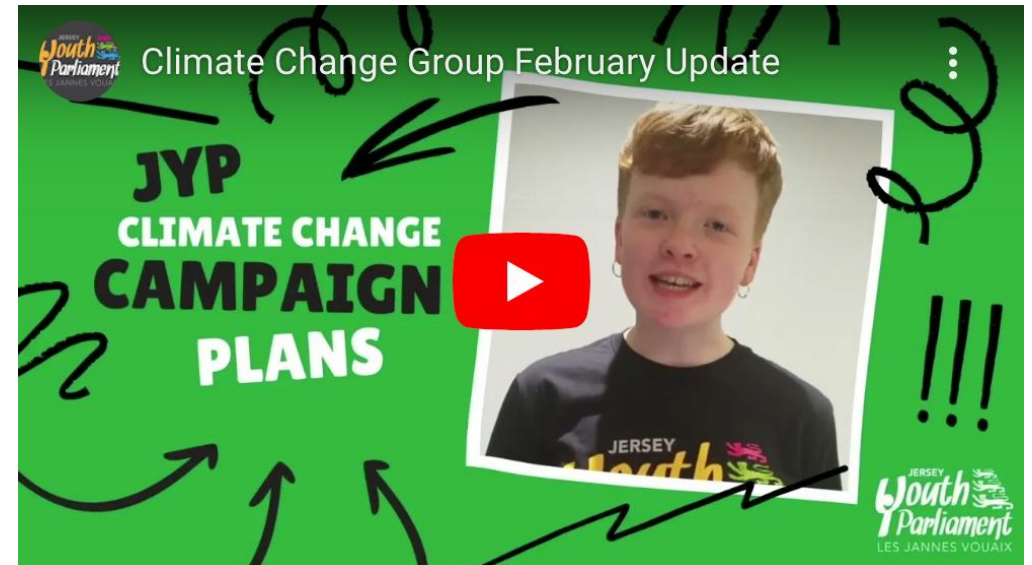
OMBUDSPERSONS UPHOLDING CHILDREN'S RIGHTS IN THE CLIMATE CRISIS

- Many working on children's rights in the context of the environment.
- Many inspired to be more active in this field during 2022,
- A strong theme amongst those surveyed was consultation with children
- **Flanders:** Event in 2021 with the Flemish Parliament. Children presented and discussed topics with the members of the Parliament.

THE BEST INTERESTS OF CHILDREN (ARTICLE 3)

- Most said **no public assessment/ diagnosis** of the impact of the Climate Crisis on children in their jurisdiction.
- BUT general acceptance by various countries that **children are amongst the worst affected** by the climate crisis.

Jersey: In 2019, a States Assembly declared a climate emergency and suggested to the government that they create a Carbon Neutral Strategy. Children's rights have been prominent. Some extensive consultation with children in the formation of climate plans and policies were outlined.



THE RIGHT TO LEARN ABOUT HUMAN RIGHTS (ARTICLE 29(1)(B))

- Most members reported that children are receiving education about human rights, although it is not consistent across all levels and does not always include learning about how to take action and to claim and defend human rights
- **Wales** is introducing a new national curriculum which has a focus on ethical action, including in the context of climate change



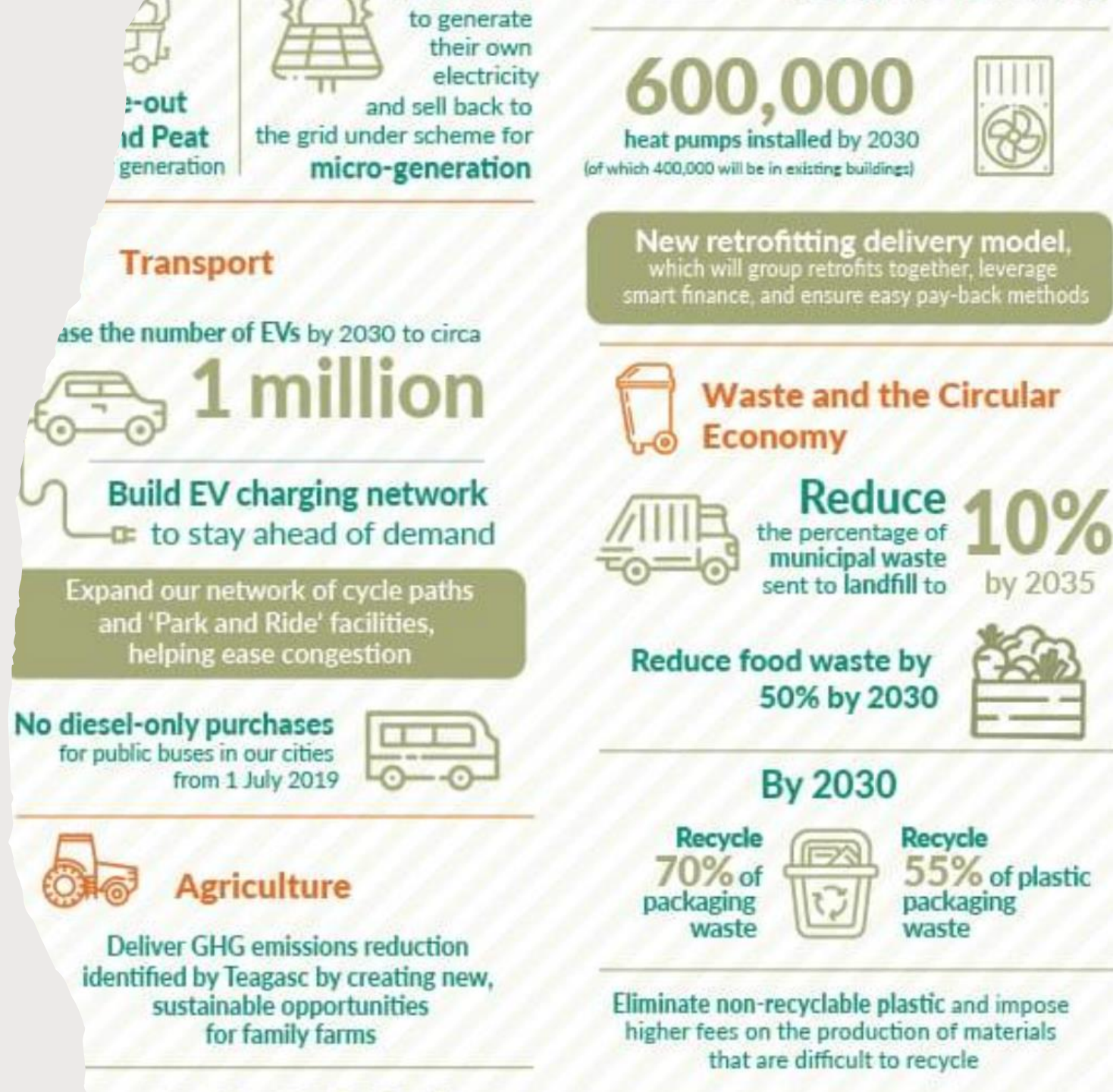
**THE RIGHT TO LEARN ABOUT
RESPECT FOR THE NATURAL
ENVIRONMENT (ARTICLE 29)(1) (E)**

- Almost all members reported that children receive education in relation to environmental issues
- A lot of that is conducted by environmental NGOs
- **Albania:** One of the seven key competencies in the new curriculum is: Competence for life, environment and entrepreneurship.



THE RIGHT TO SEEK, RECEIVE AND IMPART INFORMATION (ARTICLE 13, CRC)

- Many states have provided children with child-friendly information about the environment.
- All respondents indicated that children were able to share information freely
- **Ireland:** The Climate Action Plan 2021 is also published in an infographic





THE RIGHT TO BE HEARD (ARTICLE 12, CRC)

- Most respondents indicated that children had not been consulted on climate policy
- Many provided examples of NGOs and other working with children to lobby government on issues related to the environment and climate change.
- In Scotland, the Children's Parliament established climate change makers for ongoing work after children took part in the Climate Assembly



FREEDOM OF
ASSOCIATION
(ARTICLE 15, CRC)

- Minimum age restriction on forming/ joining association a barrier
- **Basque Country:** The Organic Law on the Legal Protection of Minors includes the right to participation, association and assembly.

#Climatestrike: Schools not supporting this are not doing justice to the young people, say teacher

Students went on strike and protested in Cork and Dublin to highlight climate change.



FREEDOM OF PEACEFUL ASSEMBLY (ARTICLE 15, CRC)

- Respondents reported that children had been actively involved in climate protests
- many noted that children would need the permission of their families
- some schools were supportive and some were not.

An illustration showing several stylized human figures interacting with a large, white document that resembles a book or a report. One figure stands on a ladder on the left, pointing at the text. Another figure is at the bottom left, also near the ladder. A third figure is at the bottom right, holding up a smaller version of the document. The background is a solid reddish-pink color.

Creating child-friendly versions of written documents: *A guide*

ACCESS TO JUSTICE AND REDRESS

- Lack of access to complaint and redress
- Lack of information
- Too slow
- Many offices had received complaints about the environment
- Some uncertainty about the ability of children to take cases related to environmental damage
- **The Office of the Ombudsperson for Children in Croatia** has adapted accessible complaint forms, as well as an email to which a complaint can be sent

CONCLUDING
THOUGHTS

