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Steering Committee for the Rights of the Child (CDENF)

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Opinion by the Steering Committee for the Rights of the Child (CDENF) on PACE Recommendation 2219 (2022) on "Inaction on climate change – a violation of children's rights"

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Opinion by the Steering Committee for the Rights of the Child (CDENF)

on Recommendation 2219 (2022) of the Parliamentary Assembly of the Council of Europe (PACE) on the "Inaction on climate change – a violation of children's rights"

1. Following the adoption on 24 January 2022 of Recommendation 2219 (2022) on "Inaction on climate change – a violation of children's rights" by the Parliamentary Assembly of the Council of Europe ("PACE"), the Committee of Ministers adopted the decision, at its 1424th meeting on 9-10 February 2022, "*to communicate it […] to the Steering Committee for the Rights of the Child (CDENF), for information and possible comments by 25 March 2022*".

2. The Bureau of the CDENF examined the Recommendation during its meeting on 21 March 2022, and approved the following comments concerning those aspects which are of particular relevance to the CDENF's Terms of Reference and shared them with the CDENF for tacit approval, following the procedure set out in Article 13 b) of Appendix 1 to Resolution CM/Res(2021)3.

3. The CDENF warmly welcomes the initiative taken by the PACE to instigate work on the crucial issue of climate change from a children's rights perspective. It recalls that the environmental crisis puts children at particular risk of harm, given the consequences climate change and environmental degradation will have on children's enjoyment of the highest attainable standard of physical and mental health, as rightly laid out by the relevant explanatory memorandum prepared in the run-up to Recommendation 2219.

4. The CDENF takes note of the specific invitation by the PACE to ensure that "the Council of Europe Strategy on the Rights of the Child 2022-2027 contains a reference to the impact of climate change and environmental threats on children's rights, and that the connected Action Plan promotes child participation in addressing these challenges at various levels of governance across Europe". Indeed, the new Strategy on the Rights of the Child (2022-2027), adopted by the Committee of Ministers on 23 February 2022, includes a new, sixth strategic objective on "children's rights in crisis and emergency situations" which aims to recognise the human rights obligations in the field and to facilitate children's rights of access to justice against environmental harm. The biennial Action Plans are currently under preparation and will be a tool to follow close collaboration with internal and external partners, notably Council of Europe bodies and other international organisations, in the years to come.

5. The CDENF acknowledges the importance of children's participation when anchoring the right to a safe, clean, healthy and sustainable environment. Accordingly, the fifth strategic objective of the new Strategy foresees the protection and empowerment of children as human rights and environment defenders, whose participation is needed for the co-design of environmental policies. Under its Terms of Reference, the CDENF is committed to deliver a report on children as defenders of human rights by the end of 2023.

6. The CDENF recalls that the High-level Launching Conference for the new Strategy, which will take place in Rome on 7-8 April 2022, will include two dedicated *deep dive conversations* on "recognising and enforcing children's environmental rights" and on "understanding the challenges faced by children as defenders of human rights". The CDENF takes due note of the importance that the PACE attaches to the impact of climate change and environmental threats on the rights of the child and will bear this in mind in view of its future activities, including by exploring and activating collaboration with PACE itself as appropriate.

Annex

Recommendation 2219 (2022) Provisional version[1]

Inaction on climate change – a violation of children's rights

Parliamentary Assembly

1. The Parliamentary Assembly refers to its Resolution 2415 (2022) "Inaction on climate change – a violation of children's rights" and Resolution 2414 (2022) "The right to be heard: child participation, a foundation for democratic societies". It welcomes the growing attention of various Council of Europe bodies to challenges linked to climate change, environmental threats and the new generation of human rights, including the right to a safe, clean, healthy and sustainable environment, which call for comprehensive, co-ordinated and inclusive strategies at international, European and national levels.

2. The Assembly believes that the Council of Europe should support a cross-sector approach to dealing with climate change, environmental threats and the right to a healthy environment, and should involve children whenever possible in its work on these issues. It therefore recommends to the Committee of Ministers to ensure that:

2.1 the Council of Europe Strategy on the Rights of the Child 2022-2027 contains a reference to the impact of climate change and environmental threats on children's rights, and that the connected Action Plan promotes child participation in addressing these challenges at various levels of governance across Europe;

2.2 meaningful child participation is mainstreamed into all Council of Europe work on countering climate change and environmental threats, and on anchoring the right to a safe, clean, healthy and sustainable environment in Council of Europe instruments and action;

2.3 in the absence of a legally binding definition of climate or environmental refugees, member States collaborate towards establishing such a legal status at international and European levels and adequately protect the victims of forced migration due to climate change and environmental degradation, in particular children;

2.4 member States are reminded of their common but differentiated responsibilities in addressing climate change and seek ambitious action to honour their international commitments – including assistance to the poorest and most climate-vulnerable countries to help them adapt to climate change, reduce its adverse effects on children and cope with the ecological crisis – under the 2030 Agenda for Sustainable Development 2030, the Paris Agreement and the United Nations Convention on the Rights of the Child.

[1] Assembly debate on 24 January 2022 (2nd sitting) (see Doc. 15436, report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Ms Jennifer De Temmerman). Text adopted by the Assembly on 24 January 2022 (2nd sitting).