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COUNCIL OF EUROPE



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Steering Committee for the Rights of the Child (CDENF)

Concept note for a thematic exchange on children's rights and the environment during the 8th CDENF plenary meeting

Prepared by the Secretariat

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Introduction/General Context

The interdependence between the environment and human rights has gained full recognition in today's human rights discourse. The adverse impact of environmental degradation and climate change on our ability to lead safe, healthy and dignified lives has been increasingly addressed both at the international¹ and the European level, including by several bodies of the Council of Europe,² in particular through the extensive case-law and practice developed by the European Court of Human Rights³ and the European Committee of Social Rights.⁴ Most recently, the right to a healthy environment has been pronounced as integral to the full enjoyment of human rights by present and future generations and included among one of the main outcomes of the Fourth Summit of Heads of State and Government of the Council of Europe that took place in Reykjavík in May this year. This is a political commitment at its highest, and entails important avenues for future work, as set forward in the Reykjavík Declaration.⁵

Children are among the groups finding themselves in the most vulnerable situations with regard to the short-, mid-, and long-term effects of environmental change. A broad range of children's rights, including their right to life, survival and development and their right to the enjoyment of the highest attainable standard of physical and mental health, is at risk by the increased dynamic and magnitude of environmental crisis. Recognising and enforcing children's rights in relation to this peril is therefore at the heart of the [Council of Europe Strategy for the Rights of the Child \(2022-2027\)](#). Defining children's rights in crisis and emergency situations as one of its strategic objectives, the Strategy covers issues such as action against climate change and children's access to a healthy environment, while also underlining their vulnerability to inequality and poverty due to the exposure to climate-related extreme events and to the long-term consequences of climate change as well as other environmental shocks and disasters.

Recent years have also seen the impressive dedication of children as human rights defenders leading the fight for environmental protection and against climate change, including through seeking justice before national courts and the European Court of Human Rights.⁶ In its recent [General Comment No. 26](#) on children's rights and the environment with a special focus on climate change⁷ the UN Committee on the Rights of Child (CRC) acknowledged that "children's voices are a powerful global force for environmental protection, and their views add relevant perspectives and experience with respect to decision-making on environmental matters at all levels." This ground-breaking document, which was carried out through consultations with more than sixteen thousand children across the globe, has not only recognised the positive contribution of children to environmental sustainability and climate justice but also reaffirmed, among others, that the right of every child to a clean, healthy and sustainable environment must be protected as a matter of legal obligations under the UN Convention on the rights of the child (UNCRC).

¹ United Nations (UN) Human Rights Council (HRC) [Resolution 48/13](#) of 8 October 2021 and UN General Assembly (GA) [Resolution 76/300](#) of 28 July 2022.

² Recommendation [CM/Rec\(2022\)20](#) of the Committee of Ministers to member States on human rights and the protection of the environment

³ Factsheet on [environment](#) ; Factsheet on [climate change](#) ; [Manual on Human Rights and the Environment](#) (2022)

⁴ [Manual on Human Rights and the Environment](#) (2022)

⁵ Appendix V of the [Reykjavík Declaration](#)

⁶ The Case of [Duarte Agostinho and Others v. Portugal and 32 Other States](#) (no. 39371/20) has been heard by the Grand Chamber on 27 September 2023. A recording of the hearing is available on the Court's [Internet site](#)

⁷ See the [child-friendly version of the General Comment No 26](#).

Aim of the thematic exchange

Against this background, during its upcoming 8th Plenary meeting (14-16 November 2023), the **Steering Committee for the Rights of the Child (CDENF)** will dedicate a thematic session on children's rights and the environment to keep abreast of these important international and regional developments and explore ways and means of putting children's rights in the agenda when reviewing legal and policy frameworks. This exchange will allow for discussions on the significant potential for employing the main international human rights instruments such as the European Convention on Human Rights and the European Social Charter for work around children and the environment in the Council of Europe context. It will also offer an opportunity to exchange information on relevant national activities and to have a common reflection for future possible CDENF actions, such as a guidance note for member States to implement the UNCRC General Comment No. 26 at the European level.

Speakers

- Velina Todorova, Member of the UN Committee on the Rights of the Child
- Aoife Nolan, President of the European Committee of Social Rights
- Nicola Wenzel, Rapporteur of the Drafting Group on Human Rights and Environment (CDDH-ENV) of the Steering Committee for Human Rights (CDDH)
- Natalia Kobylarz, Senior Lawyer at the Registry of the European Court of Human Rights
- Member of a Children's Advisory Team for the UN General Comment No. 26 (tbc)