

Child Rights and the Environment: A taste of the UN Committee on the Rights of the Child's approach

Philip D. Jaffé
Université de Genève

Member UNCRC

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**CoE conference
on the launch of its
child rights strategy**

Rome, Italy

DAYS OF GENERAL DISCUSSION DGD

2016 day of general discussion: Children's rights and the environment

Overall objective of the 2016 DGD

To promote understanding of the relationship between children's rights and the environment; identify what needs to be done for child rights-related laws, policies and practices to take adequate account of environmental issues; and for environment-related laws, policies and practices to be child-sensitive.

DATE

23 September 2016



COMMUNICATION TO THE COMMITTEE ON THE RIGHTS OF THE CHILD

In the case of

CHIARA SACCHI (Argentina); CATARINA LORENZO (Brazil); IRIS
DUQUESNE (France); RAINA IVANOVA (Germany); RIDHIMA
PANDEY (India); DAVID ACKLEY, III, RANTON ANJAIN, AND
LITOKNE KABUA (Marshall Islands); DEBORAH ADEGBILE
(Nigeria); CARLOS MANUEL (Palau); AYAKHA MELITHAFA (South
Africa); GRETA THUNBERG AND ELLEN-ANNE (Sweden); RASLEN
JBEILI (Tunisia); & CARL SMITH AND ALEXANDRIA VILLASEÑOR
(USA);

Petitioners,

v.

ARGENTINA, BRAZIL, FRANCE, GERMANY & TURKEY,

Respondents.

*Submitted under Article 5 of the Third Optional Protocol to the
United Nations Convention on the Rights of the Child*

23 September 2019

Countries violate rights over climate change, argue youth
activists in landmark UN complaint



Emmanuel Rouy/Lycée Français Students of the primary section of the Lycée français de New York (French School) protest climate change in the city's Upper East Side neighborhood.



16 children – including Greta Thunberg and Alexandria Villaseñor – file a landmark complaint on the climate crisis to the UN child rights committee. The 16 child petitioners, aged 8-17 years old, are from Argentina, Brazil, France, Germany, India, Marshall Islands, Nigeria, Palau, South Africa, Sweden, Tunisia and the US. “Change needs to happen now if we are to avoid the worst consequences. The climate crisis is not just the weather. It means also, lack of food and lack of water, places that are unliveable and refugees because of it. It is scary.” Greta Thunberg.

Committee on the Rights of the Child

Decision adopted by the Committee on the Rights of the Child under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure in respect of Communication No. 104/2019^{*, **}

<i>Submitted by:</i>	Chiara Sacchi et al (represented by counsels Scott Gilmore et al (Hausfeld LLP) and Ramin Pejan et al (Earthjustice))
<i>Alleged victims:</i>	The authors
<i>State party:</i>	Argentina
<i>Date of communication:</i>	23 September 2019
<i>Date of adoption of the decision:</i>	22 September 2021
<i>Subject matter:</i>	Failure to prevent and mitigate the consequences of climate change
<i>Procedural issues:</i>	Jurisdiction; victim status; failure to exhaust domestic remedies; substantiation of claims; inadmissibility ratione temporis
<i>Substantive issues:</i>	Right to life; right of the child to the enjoyment of the highest attainable standard of health; right of the child to enjoy his or her own culture; best interests of the child
<i>Articles of the Convention:</i>	3, 6 (1-2), 24 and 30
<i>Articles of the Optional Protocol:</i>	5 (1), 7 (e), (f) and (g)

In fine, not admissible because authors did not exhaust domestic remedies

States Parties have extraterritorial jurisdiction or transnational responsibility for their carbon emissions such that **climate change has an adverse effect over the enjoyment of rights by children both within as well as beyond the territory of the State party.**

The UN Committee on the Rights of the Child commits to a new General Comment on Children's Rights and the Environment with a Special Focus on Climate Change

04 June 2021

General Comment No. 26

Building universal standards for governments to uphold children's rights impacted by the environmental and climate crisis

It's time for governments to listen to young people

Consultations

From December 2021 – 2023, the United Nations Committee on the Rights of the Child is hosting a series of offline and online consultations and workshops with the global community, including specific consultations with children and young people, to inform the General Comment No. 26 launching in 2023.

[Learn More](#)

The Committee is creating a General Comment on Children's Rights and the Environment with a Special Focus on Climate Change (General Comment No. 26) – authoritative guidance on how children's rights are impacted by the environmental crisis and what governments must do to uphold these rights.

The General Comment is being informed by the collective, from human rights institutions, Indigenous People organizations to United Nations agencies.

Most importantly, it is being shaped by children and young people, especially from communities most impacted by the environmental crisis.





General Assembly

Distr.: Limited

5 October 2021

Original: English

Human Rights Council
Forty-eighth session
13 September–8 October 2021

1. *Recognizes* the right to a safe, clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights;
2. *Notes* that the right to a safe, clean, healthy and sustainable environment is related to other rights that are in accordance with existing international law;
3. *Encourages* States:



Merci de votre attention!

12th International Conference
Code red, the planet is burning!
**Children's rights to a healthy, safe and sustainable
environment in the midst of a climate crisis?**
5-6 May 2022
Online event
With simultaneous interpretation French & English



Organisers

University of Teacher Education (HEP-VS), St-Maurice & Brig
Centre for Children's Rights Studies (CIDE), University of Geneva (Valais Campus)
University of Applied Sciences, HES-SO Valais//Wallis
International Institute for the Rights of the Child (IDE), Sion
Cantonal Youth Services, Valais
Terre des Hommes, International Federation

In collaboration with

UN Committee on the Rights of the Child (CRC)
Swiss Center of Expertise in Human Rights (SCHR)