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Presidency Event
Technical Briefing: Climate Change
and the Rights of the Child



Statement by Benjamin Schachter
Focal Point, Climate Change and Environment, Office of the United
Nations High Commissioner for Human Rights

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Mr. Chair, Excellencies, distinguished guests, fellow panelists,

It is a privilege to be with you this afternoon for the first ever technical briefing on climate change and the rights of the child at the UNFCCC.

On behalf of the Office of the United Nations High Commissioner for Human Rights (OHCHR), I would like to extend my sincere thanks to Morocco, the Presidency of the 22d Conference of the Parties to the UNFCCC, the speakers who preceded me, and everybody else who made this special event possible.

It is by now an oft-repeated truism that the objective of every parent is a better life for their children, that of each generation to leave the world a better place for the next. Ultimately, this could be described as the overarching goal of development.

Yet, climate change poses an existential threat to this goal, to children and to future generations. Human rights law, including the Convention on the Rights of the Child, which has been ratified by nearly every State party to the UNFCCC require that States take action to address this threat.

The Committee on the Rights of the Child, from whom we heard earlier about the legal obligations of States in the context of climate change, has called upon States to “put children’s health concerns at the centre of their climate change adaptation and mitigation strategies,” noting that climate change “is one of the biggest threats to children’s health and exacerbates health disparities”.

In its unanimously passed resolution 32/33, the Human Rights Council described children as “among the most vulnerable to climate change” noting that it “may have a serious impact on their enjoyment of the highest attainable standard of physical and mental health, access to education, adequate food, adequate housing, safe drinking water and sanitation.”

The resolution called upon OHCHR to prepare a panel discussion on climate change and its impacts on the rights of the child during the 34th session of the Human Rights Council this March. During that discussion, a sixteen year-old girl named Kehkashan Basu called out the international community for its insufficient climate action to date.

I'd like to share with you some of her words. Kehkashan said:

We are running the most dangerous experiment in history right now, which is to see how much carbon dioxide the atmosphere can handle before there is an environmental meltdown... Climate change is the harshest reality of our times, yet we continue to underestimate or even trivialise its importance. Polar icecaps are melting, sea levels are rising, typhoons and hurricanes are wreaking havoc, forest fires are choking our skies and fossil fuel driven economies are turning our cities into veritable gas chambers.

Ladies and gentlemen,

There can be no doubt that climate change endangers children. Kehkashan knows it. I know it, and so do all of you.

And the children climate change threatens the most are those who can least afford it. Right now, poor children, children with disabilities, indigenous children, and girls, among others are disproportionately affected by the negative impacts of climate change.

As we heard from UNICEF, these impacts are more likely to lead to diminished quality of life and even death amongst children than adults. But beyond just threatening children's lives and physical health, climate change also poses a threat to their cultures, their livelihoods and their relationship with the natural environment.

It may be difficult for us to imagine a world without coral reefs, rainforests and mountain glaciers but without prompt climate action such a world will become a reality for today's children and future generations. The international community continues to struggle to address this harsh truth, neglecting the only solution that can really help, rights-based, ambitious climate action that benefits all persons, particularly children.

A course change is needed and OHCHR's recent analytical study on climate change and its impacts on the rights of the child can offer guidance. The study which was called for in Human Rights Council resolution 32/33 was informed by the panel discussion and broad consultations with diverse stakeholders. I am happy to share with you a one-page version of this study, A/HRC/35/13.

The study itself will be submitted to the Council next month and is available on OHCHR's website.

Excellencies,

OHCHR's study clearly found that human rights obligations are triggered by the negative impacts of climate change on the enjoyment of the rights of the child.

And, the Paris Agreement under the UNFCCC highlights the importance of taking urgent, rights-based action. It specifically calls for States to take into consideration their respective obligations related to the rights of the child and intergenerational equity and hold warming well below 2°C above pre-industrial levels while pursuing efforts to limit the temperature increase to 1.5°C.

We remain far from reaching either objective but a rights-based approach to climate action can help get us there. It is also a legal and ethical obligation that will produce more effective climate action. Inputs to OHCHR's study revealed that some States and other actors were already addressing the impacts of climate change on children's rights.

Good practices highlighted in submissions to OHCHR's study included:

- Educational and consultative policies that engage children with issues related to climate change, the environment and disaster risk reduction.
- Disaster risk reduction policies that protect children and ensure their participation in the context of emergency response.
- Litigation aimed at promoting accountability for the negative impacts of climate change on the rights of children and future generations.
- Engagement by human rights mechanisms on the issue of climate change and its impacts on children's rights.

There was a clear consensus that urgent climate action was needed to address the negative impacts of climate change and fulfil corresponding human rights obligations to protect the rights and best interests of the child from these impacts. Failure to take adequate steps to prevent children from suffering foreseeable climate-related human rights harms clearly breaches these obligations.

The study found that more needed to be done to ensure climate mitigation and adaptation measures respected, protected and fulfilled human rights; that these measures should be the product of participatory, evidence-based

decision-making processes taking into account the ideas and best interests of children as expressed by children themselves; that higher ambition was needed to minimize the impacts of climate change on children by limiting warming to no more than 1.5 degrees Celsius above pre-industrial levels; and that there must be an enhanced focus on protecting those children most vulnerable to climate harms.

In this regard, the study produced five overarching recommendations. These were to:

1. Ensure children's rights considerations are integrated in climate, disaster risk reduction and development activities by linking actions, positions and processes related to the UNFCCC, the Human Rights Council, the 2030 Agenda for Sustainable Development and the Sendai Framework for Disaster Risk Reduction in order to establish a coherent approach to development that benefits all persons, particularly children. This briefing is a positive step in that direction.
2. Empower children to participate in climate policymaking including through climate change education and consultative mechanisms.
3. Guarantee that children have access to effective remedies when they suffer harm from climate actions and inactions including by businesses.
4. Improve understanding of the relationship between climate change and children's rights including by collecting disaggregated data, conducting impact assessments, promoting intersectoral cooperation, and establishing consultative and reporting mechanisms focussed on the rights of children.
5. Mobilise adequate resources domestically and through international cooperation for effective climate action that benefits children, particularly those most affected by climate change.

Colleagues and friends,

I would like to close by focussing on just one of these recommendations and urging you to not simply view children as a legacy to be protected but rather to empower them as agents of change, ensure them an education adequate to cope with the challenges of the future, and hear their voices in your deliberations.

Because children are entitled to participate, according to their age and maturity, in all decisions that have a direct and indirect impact upon their well-being. This participation is their right but it also can and should inform more effective decision-making. When given the chance, children such as Kehkashan can lead through their advocacy, through strategic litigation and in many other ways.

Ladies and Gentlemen,

It is the children of today and those of many tomorrows who will suffer the worst consequences of our continually warming planet. Therefore, I ask you to consider that it is their voices and needs that must guide us when making decisions that will affect their futures.

Thank you.