**RAPORT A**

1. How is the realisation of the right to development impacted by both economic and non-economic loss and damage from climate change? How is the impact experienced differently and/or disproportionately by different individuals (e.g., children and women), groups (e.g., Indigenous Peoples) and States (e.g., Small Island Developing States)?
2. What are the obligations of States and other actors such as development finance institutions and businesses to prevent, mitigate and remediate the impacts of climate change-related loss and damage on human rights, including the right to development?

Openness to dialogue with stakeholders seems to be the most important thing in order to mitigate and remediate the impacts of climate change-related loss and damage on human rights, including the right to development. It is crucial to engage various stakeholders, including businesses, non-governmental organizations, government and civil society, in the development and implementation of emission reduction strategies to ensure their acceptance and support. Through a sustainable approach that takes into account both ecological and economic goals, it is possible to reduce industrial emissions without without harming the development of individuals and the entire economy. However, this process may require some effort and commitment from all stakeholders.

States:

1. Protecting human rights, including the fundamental right to life, by taking actions to minimize the effects of climate change on people.
2. Ensuring fair and equitable access to resources and services needed to survive and adapt to climate change, especially for the most vulnerable communities.

It should be emphasized, however, that imposing such obligations on the state may result in restrictions on economic freedoms. According to the Institute, it would be necessary to balance the goods and take into account the interests for example such groups as business representatives or farmers. It also seems necessary to take into account local specificity, as we see a certain threat in the possibility of obliging countries to achieve such goals in terms of reducing greenhouse gas emissions that would be impossible to achieve in the short term or could even harm some state’s economies. One can easily, perhaps unintentionally, fall into a vicious circle: assuming that richer countries should finance and support in various ways activities to improve the quality of the environment in developing countries and at the same time imposing costly obligations on them to reduce emissions it is highly probable that such a country will not be able to meet the expectations placed on it.

1. What is the legal and/or moral basis for States and other actors including businesses to contribute to the Fund for climate change-related loss and damage?
2. In addition to making a financial contribution to the Fund, what non-financial components may be relevant from a climate justice perspective (e.g., transfer of green technologies, building of capacity and relocation pathways for climate-induced migrants)?

For developing countries, the transition to clean energy and adaptation to the impacts of climate change - some of which are already irreversible - cannot occur without support from richer countries. However, when providing such support, governments must take into account the long-term effects of their decisions and appropriately select the form of assistance provided to the developing countries.

As for the transfer of green technologies, it should be recognized that this is also an important element, apart from contributing to the Fund. Sharing reliable knowledge and experience with developing countries seems to result in mutual benefits: the developed country thus becomes involved in climate protection activities at the international level without prejudice to its own economic development, and at the same time enables developing countries to implement certain technologies enabling business activities with greater respect for the environment. To give an instance, the Greenevo Project [[1]](#footnote-1) which provides Polish entrepreneurs with the necessary knowledge and tools for efficient operations on the international market (especially in developing countries that struglle with climate problems) but at the same time it supports small and medium-sized entrepreneurs in Poland.

1. How should a human rights-based approach to operationalise and administer the Fund look like (e.g., integration of considerations such as accessibility, non-discrimination, fair representation in decision making, gender responsiveness, and accommodation for marginalised communities and countries especially vulnerable to the adverse effects of climate change)?

Overall, a human rights-based approach to managing the Fund in the context of climate change must be holistic, taking into account the diversity of needs, perspectives and social situations and ensuring fair, equitable and effective action. In terms of accessibility, it is worth noting that the Fund must be accessible to all communities affected by climate change, both in developed and developing countries. Ensuring equitable access to financial resources and technical support is central to this approach. Scientists are also increasingly dealing with this topic. An international research team coordinated by the University of Leeds has published an extensive article in the journal Nature Sustainability on how an effective and fair remuneration system based on scientific evidence could work. [[2]](#footnote-2) The fact is that, for example, Poland, as a country with comparably colder winters and therefore a greater demand for heating this season but also as a country undergoing political transformation after years of communist rule (which undoubtedly also had an impact on the Polish economy and the level of emissions), it should have the opportunity to speak up in the discussion about what the Fund should look like. In this context, the need to ensure fair representation in the decision-making process also comes to mind. The management of the Fund must take into account the diverse perspectives and needs of different social groups. Ensuring that decisions are made by a representative group of people (or States), taking into account cultural, economic and social diversity, is essential.

1. How to ensure that the Fund and/or climate finance (including for mitigation and adaptation) does not result in a debt trap for developing countries?

Creating mechanisms for the efficiency of spending funds seems necessary to enable these countries to actually fight the climate, and not just conduct facade actions and left at that. For this purpose, developing countries should publish regular reports on the use of funds obtained through the support of developed countries and other information on public expenditure, which will be available to citizens and interested parties.

RAPORT B

1. What does the right to development mean for children in line with the relevant policy frameworks and normative instruments? What about the right to development of future generations?

First thing that is worth marking is the fact that the right to development has no one precise definition. Intuitively, the right to development encompasses the principle that every person, including children has the right to participate in and enjoy economic, social and cultural development. In the absence of legal definition and assuming that the right to development is in fact a synthetic of all, this right for children could mean in particular: a) access to education b) healthcare c) protection from violence d) the right to be raised in a family e) participation in decision-making processes according to their age. The right to development for children could mean providing the child with favorable growing conditions from an early age in such a way that will enable him, thanks to the acquired comprehensive skills to become a conscious, responsible citizen of his country in the future.

One of the fundamental issues in a child's development is to provide the right conditions for it. And this leads - directly - to the conclusion that countries should constantly take care of an effective pro-family policy that will affirm the value of the family, parenthood, motherhood, fatherhood both culturally and economically.

1. How are the human rights of children and future generations impacted by development-related decisions (e.g., related to economic development or new technologies) made by the present adult generation? Please provide examples from your country or area of work.

Currently made development decisions are quite often characterized by strong individualism and lack of focus on the family and community dimension, which in the future may result in these children being in a minority compared to the rest of society, and this is the perspective that we as an Institute see as a kind of threat. Each time we make a decision that will have a long-term consequences on child's life, we need to consider such a decision carefully.

When it comes to the example, the current government in Poland proposes the abolition of homework in schools. If a given solution is implemented, which is planned for April this year, a school-age child will actually have almost no motivation to work on their own, which is the basis for further levels of education but also, most importantly, shapes the child as a future citizen of his own country, who will be able to make independent decisions, deal with current problems, cooperate with others and build social bonds.

This is by no means an invented theory, but a relationship confirmed by research: the Journal of Research in Personality, in one of the articles based on research conducted by German scientists, notes that the effort associated with doing homework leads to increased conscientiousness of students. According to researchers, the criterion of conscientiousness is important because in the future this feature translates into the ability to self-control, being responsible for others and diligence. (Roberts, Lejuez, Krueger, Richards, & Hill, 2014). „The TESSERA framework posits that long-term personality development occurs as a result of repeated short-term situational processes, which can be described as a sequence of Triggering situations, Expectancy, States /State Expressions, and Reactions (TESSERA). Repeatedly experiencing TESSERA sequences can lead to long-term personality development. In the case of homework, teachers assigning homework at the end of one lesson presumably triggers students' expectancy of how well the homework needs to be done, which in turn results in momentary thoughts (e.g., surface or deep processing of homework), feelings (curiosity or boredom), and behaviors (e.g., persistent or non-persistent) while completing the homework at home (states/state expressions). Repeatedly experiencing the need to change one's homework effort can then lead to long-lasting changes in personality traits such as consistentness, of which self-control, planning, and effort are key components” [[3]](#footnote-3). It remains only to guess what the real consequences of this seemingly innocuous decision may be if, from an early age, the child is "freed" from such an important part of the responsibilities at this stage of life, which are those resulting from the educational process.

The XXI century is a time of significant technological progress, which has brought many benefits to the development of children and adolescents, but also new challenges and threats that they face. UNICEF in the report from February 2024 “The State of Children in European Union” [[4]](#footnote-4) points out that the young people must be protected against all threats and dangers related to the use of new technologies, including exploitation, violence and invasion of privacy. Technology should also support the implementation of children's rights to participation, freedom of expression and access to reliable information. Which is also worth mentioning when considerng this issue, the present adult generation should set an example for its descendants by using gadgets wisely and responsibly. To give an example from Poland, since February 2024 The Empowering Children Foundation has launched a social campaign promoting digital hygiene and safe development of children[[5]](#footnote-5). “Excessive screens (…) reduce the actual amount of time the parent devotes to the child, which also has long-term consequences - it affects the child's developing self-image, (…) the sense that he or she is or is not important enough to take care of him or her” – says a therapist from the Empowering Children Foundation.

1. How to ensure a meaningful participation of children and future generations in development-related decisions at all levels (e.g., in policy formulation or impact assessment)? Are there any existing good practices or models?

Among the good practices, the following initiatives are worth highlighting:

1. creating safe spaces for discussion (e.g. clubs, online platforms) - to provide children and young people with the opportunity to express their views on topics related to their vision of the future, as well as current social, political or economic problems
2. providing unrestricted and effective opportunities for the activities of youth political organizations - these could be, for example, simulation games, workshops, interactive training. This enables involvement in matters of state policy already at a relatively young age, directs the young people by showing possible development paths in the future, shapes their interpersonal and persuasive skills, which also gives a greater sense of confidence during discussions among family and friends and courage to express their own views.
3. engaging children, of course using methods adapted to their maturity and needs (even at the level of an educational institution or at the level of a local community) in decision-making and consultation processes.
4. How to integrate an intersectional approach to the participation of children to ensure that differentiated impacts on children due to various discriminations, exclusions or vulnerabilities are considered? Kindly share any good practices.
5. What measures should be taken to protect and empower child human rights defenders?

1. The first thing that comes to mind is the introduction of regulations to guarantee the freedom of expression, association and activities of child rights defenders. At this point, it should also be noted that care must be taken to ensure that measures to empower children's rights defenders at the international level are effective, while not leading to a reduction in parental control. The right of parents to raise their children in accordance with their will is paramount and must be given primacy.
2. Supporting the creation and operation of independent institutions gathering defenders of children's rights and dealing exclusively with their protection, as well as larger organizations whose areas of activity include, among others, the protection of children's rights.
3. Pro-family policy. For the reason that an effective support system for families, especially young ones in the initial stages of functioning will contribute to the overall reduction of the risk of violence against children, their exploitation, taking advantage of their naivety and trust, etc. “Families are thought to influence child health through three primary mechanisms: biological and genetic endowments, financial investments (goods and services purchased), and behavioral investments (caregiving quantity and quality) “[[6]](#footnote-6). Therefore, we can risk saying that while leading programs that may influence child health and development by for example improving family investments and encouraging parents to take up parenting and health insurance programs (for which they are eligible) we could in some way empower children’s right defenders by assuring them, that more and more children are brought up in healthy families so they can focus on the most serious violations and be more effective in eliminating them.[[7]](#footnote-7)
4. Enable child rights advocates to conduct information campaigns to promote in society the value of the family as the foundation for the proper development of the child and family relations.
5. How to create child-friendly judicial and non-judicial remedial mechanisms to address violations of children’s rights in the context of development policies, projects or programmes?

The implementation of effective judicial and non-judicial remedial mechanisms in this area would have to be preceded by in-depth analyzes and consultations, primarily with experts in the field of children's rights, child psychology, but also broadly understood international law.

When considering the right to development, which is generally associated with something positive, one should also take into account the potential violations of children's rights resulting from the implementation of certain development programs. Hence, it is crucial to provide education and raise awareness of children's rights among public sector employees, non-governmental organizations, judicial institutions and children themselves and their families.

Giving the example of a judicial mechanism, it seems important to provide access to effective complaint and reporting mechanisms that are accessible and child-friendly, can enable children and their guardians to report violations of children's rights. One non-judicial mechanism may simply be to allow parents or guardians to effectively control the content provided to their child at school through appropriate reporting procedures. A good example would be the issue of sex education for children in schools. Parents should be able to speak up and object when the right to raise their child in accordance with their own beliefs is attempted to be restricted - for example, when sex education lessons are organized in their children's schools in the form of so-called permissive education and imposing the recognition of certain ideological assumptions as axioms.

Returning to the issue of the development of new technologies (raised when answering the question no. 2) and related issues, it is worth emphasazing that parents, communities and governments are facing new challenges in keeping children safe online. The rapid development of digital technologies leaves a gap in regulations, services and safety education in this area. As a result, children may be exposed to serious harm such as exploitation, cyberbullying and invasions of their privacy. In the current situation, children's safety online should be one of the priority actions focusing on improving the quality of their lives. It seems necessary to maintain an appropriate legal framework regulating the safety of children on the Internet, including provisions on the protection of children's personal data, counteracting cyberbullying and punishing people committing sexual crimes on the Internet.

1. <https://greenevo.gov.pl> [↑](#footnote-ref-1)
2. Fanning, A.L., Hickel, J. Compensation for atmospheric appropriation. Nat Sustain 6, 1077–1086 (2023). https://doi.org/10.1038/s41893-023-01130-8 [↑](#footnote-ref-2)
3. The Journal of Research in Personality [Volume 71](https://www.sciencedirect.com/journal/journal-of-research-in-personality/vol/71/suppl/C), December 2017, Pages 1-12 [↑](#footnote-ref-3)
4. <https://www.unicef.org/eu/reports> - *“The State of Children in European Union”* [↑](#footnote-ref-4)
5. https://fdds.pl – *“How the use of phones by parents affects children - the "Close to the phone - far from the child" campaign”* [↑](#footnote-ref-5)
6. (Carlson Marcia J. and Magnuson Katherine A., “Low-Income Fathers’ Influence on Children,” Annals of the American Academy of Political and Social Science 635 (2011): 95–116) [↑](#footnote-ref-6)
7. Berger LM, Font SA. The Role of the Family and Family-Centered Programs and Policies. Future Child. 2015 Spring;25(1):155-176. PMID: 30679897; PMCID: PMC6342196. [↑](#footnote-ref-7)