

**POSITION PAPER FOR COP 27
BY CHILDREN'S ENVIRONMENTAL
RIGHTS INITIATIVE**

INCORPORATING

CHILD RIGHTS

INTO CLIMATE ACTION

Designing climate action that protects children's rights will ensure a safe future for all.



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ABOUT THE CHILDREN'S

ENVIRONMENTAL

RIGHTS INITIATIVE

The Children's Environmental Rights Initiative (CERI) is a coalition of children and young people, activists, child rights organisations, experts, governmental actors and policy-makers from around the world, working together to ensure that children's fundamental right to a safe, clean, healthy and sustainable environment is recognized and fulfilled. CERI enables coalition members to collaborate in elevating the voices of children and young people most impacted by environmental harm and climate change while also building the capacity of national decision-makers to implement child-focused environmental policy and inform new standards and practices in multilateral processes. The work of the coalition is facilitated by a dedicated secretariat.

This Position Paper was produced by the CERI Secretariat Team in conjunction with CERI members and the broader child rights community. It represents an unprecedented collaboration seeking to bring child rights into the heart of the UNFCCC negotiations.

The paper has been endorsed by:



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1. INTRODUCTION

THE CLIMATE CRISIS IS A CHILD RIGHTS CRISIS.

Children represent almost one-third of the world's population. They have the right to live in a clean, healthy, and sustainable environment.¹ They should be able to attend school, have access to nutritious food and clean water, enjoy good health and development, and grow and play in a safe world.²

Yet the climate crisis poses an immense and unprecedented threat to the realisation of children's rights, and climate disruption will roll back hard-won development gains that improve their lives. Indeed, evidence that progress on the Sustainable Development Goals has been hindered by disruption due to COVID-19 underscores the need to protect gains that have been made and greatly enhance and accelerate development action as communities adapt to the impacts of climate change. Not only are children already experiencing the impacts of the climate crisis today, but they will also suffer the longest due to the uncertainty that climate change casts over their future.

In recent years children have demonstrated their capacity as changemakers by drawing the eyes of the world to the climate crisis through their protests, social media activity and community and civic engagement. However, children are frequently forgotten when developing legislation, policies, and programmes to counteract climate change.³ This is perhaps likely due to a lack of understanding of why it is essential to consider the voices and specific needs of children in the face of climate change and the potential benefits of doing so for enhanced climate action.

Due to their unique physical and developmental characteristics, children are acutely vulnerable to the impacts of climate change. Drought, flooding, extreme weather events, heat waves, and chaotic seasonality directly undermine a broad spectrum of children's rights, including their right to survival and de-

¹ UNGA Resolution A/76/L.75 The human right to a clean, healthy, and sustainable environment. Available at: <https://digitallibrary.un.org/record/3982508?ln=en>

² UNGA Resolution A/44/25 Convention on the Rights of the Child. Available at: <https://www.ohchr.org/sites/default/files/crc.pdf>

³ UNICEF. (2021) UNICEF analysis finds just 34 per cent of national climate policies are child-sensitive. Available at: <https://www.unicef.org/press-releases/unicef-analysis-finds-just-34-cent-national-climate-policies-are-child-sensitive>

velopment. This is particularly true when children are members of marginalised communities or communities in vulnerable situations where intersecting inequalities exacerbate the harm of climate impacts and vice versa.

The Intergovernmental Panel on Climate Change (IPCC), the most important source of scientific, technical, and socioeconomic information on climate change for the UNFCCC, highlighted the severe and negative impacts of climate change on the food security, health, and nutrition of children in their 2022 AR6 report.⁴ This does not need to be the future of children around the world. However, to change course, States must put children's rights and voices at the heart of climate action, both to motivate urgent mitigation, adaptation and financing actions that are commensurate with the protection of children's rights today and into the future and to ensure that climate action upholds rather than undermines the rights and priorities of children.

This year marks the 30th anniversary of the United Nations Framework Convention on Climate Change (UNFCCC) signing. In the intervening years, the Parties have never taken a decision that focused on providing guidance for implementing child rights-based climate action.

This policy brief argues that, for child rights-based climate action to become a reality, the Parties to the UNFCCC must take advantage of a unique moment in time to bring coherence between the climate agenda, the work of the UN Committee on the Rights of the Child and the UN Secretary General's renewed focus on children, youth, and intergenerational equity to embed a greater focus on children's rights within the UNFCCC process.

The following section discusses the rationale for action and explores the linkages between children's rights, climate change and climate action. The third section discusses the growing momentum behind child rights-based climate action, which the Parties to the UNFCCC could build upon. The final section discusses concrete steps that could be taken under the UNFCCC at COP27 and COP28 to address children's rights more robustly within the process while building greater coherence between the climate regime and other UN processes.

⁴ IPCC (2022) Sixth Assessment Report, Working Group II (SPM.B.1.3 and SPM.B.4.4)

2. WHY ACT?

BY INCORPORATING CHILDREN’S RIGHTS INTO CLIMATE ACTION, DECISION-MAKERS CAN ACCELERATE CLIMATE ACTION WHILE REACHING “THE FURTHEST BEHIND FIRST”.

While children and young people have the same general human rights as adults, the Convention on the Rights of the Child provides for these, as well as additional rights that are specific to children, considering their unique vulnerabilities and evolving capacities.

In the face of climate change, the need to respect and protect human rights, including children’s rights, is particularly acute – owing to the existential threat posed by the crisis and the depth of the societal transformation required to avert it. The Paris Agreement on climate change and the 2030 Agenda for Sustainable Development both adopted a more integrated approach to human rights and environmental issues than had been witnessed in multilateral agreements up to that point. However, there is still insufficient evidence of the adoption of child rights-based approaches in climate action. This lack of evidence is likely due, at least in part, to a lack of understanding on the part of decision-makers as to the specific and heightened impacts that climate change has on children - particularly those below the age of 5 - and the role that children’s rights can and should play in shaping climate change response measures. This section briefly explores the importance of integrating child rights into climate action.

The intersection between children’s rights and climate change has three inter-related dimensions:

- A. Climate change has stark, immediate and long-term implications for the full range of children’s rights, particularly for young children, those living in poverty, children on the move, and other children experiencing marginalisation, inequality, forced displacement and other intersectional vulnerabilities.
- B. A failure to integrate children’s rights (and human rights more broadly) into climate action can lead to those rights being undermined.
- C. Integrating children’s rights into climate change policies and action can improve effectiveness and benefit people and the planet.

A) CLIMATE CHANGE IMPACTS ON CHILDREN'S RIGHTS

Today, climate change fundamentally threatens the realisation of the rights of children. Writing on the relationship between climate change and children's rights, the Office of the High Commissioner for Human Rights states:⁵

“Children are disproportionately impacted by climate change due to their unique metabolism, physiology and developmental needs. The negative impacts of climate change, including the increasing frequency and intensity of natural disasters, changing precipitation patterns, food and water shortages, and the increased transmission of communicable diseases, threaten the enjoyment by children of their rights to health, life, food, water and sanitation, education, housing, culture, and development, among others. Climate change heightens existing social and economic inequalities, intensifies poverty and reverses progress towards improvement in children's well-being. All children are exceptionally vulnerable to the negative impacts of climate change, with the youngest children being most at risk.

Climate change also has a disproportionate impact on children with disabilities, children on the move, poor children, children separated from their families, and indigenous children. And girls may face heightened risks due to climate change.”

A recent comprehensive study conducted by UNICEF found that one billion children are at 'extremely high risk' of the impacts of the climate crisis.⁶ The study provided the first comprehensive view of children's exposure and vulnerability to multiple climate and environmental shocks and stresses, using a multilayer structure, where the Index is built by bringing together a set of indicators across two pillars:

- 1) Pillar 1 measures exposure to a range of climate and environmental shocks and stresses.

⁵ Climate change and the full and effective enjoyment of the rights of the child (A/HRC/35/13)

⁶ UNICEF (2021), The Climate Crisis Is a Child Rights Crisis: Introducing the Children's Climate Risk Index. Available at: <https://www.unicef.org/media/105376/file/UNICEF-climate-crisis-child-rights-crisis.pdf>

- 2) Pillar 2 examines child vulnerability and coping capacity. It captures child-specific dimensions that make children particularly susceptible to shock or stress. It includes four components that capture 'child health and nutrition', 'education', 'WASH', and 'poverty, communication assets, and social protection'.

Ending violence against children while addressing the global climate crisis¹

A 2020 report by the Overseas Development Institute and World Vision exposed how violence against children and climate change reinforce one another. As climate change effects continue to increase, so will violence against children without concerted and focused action to stop it.

The report identified a vicious circle, where some industries contributing to greenhouse gas emissions exploit children and use some of the worst forms of child labour. Dangerous working conditions in textiles, forced labour and clearing of land for cocoa or palm oil and child sexual exploitation tourism are all contributing to climate change and some of the worst forms of child abuse. According to an FAO report, about 60 per cent of all children engaged in child labour are active in fisheries, aquaculture, forestry, and livestock.

Dwindling resources driven by climate change can destabilise regions or entire countries, increasing the risk of conflict and violence – which inevitably involve children, robbing them of their futures and their potential through exploitation such as increased child marriage, forced labour or recruitment into armed groups. Further, the aftermath of climate-related disasters, such as hurricanes, can lead to child trafficking and sexual exploitation – especially for girls. The US Department of State has highlighted the contribution of climate change to the trafficking of children, women, displaced people, LGBT+ and indigenous peoples.²

The Special Representative of the Secretary-General on Violence against Children, Najat Maalla M'jid, has repeatedly pointed to the nexus between climate change and the grave violations against children as an issue requiring increased attention from states.³

¹ ODI and World Vision (2020) To read the full report, visit: https://www.wvi.org/sites/default/files/2020-10/Ending%20violence%20against%20children_ODI%20WP_FINAL.pdf

² US Department of State (2022) Trafficking in Persons Report. Available at: <https://www.state.gov/reports/2022-trafficking-in-persons-report/>

³ For example, see news report: <https://www.ohchr.org/en/taxonomy/term/1346>

Climate change will not affect all children equally. Resilience to the impacts of climate change has many determinants grounded in levels of development and access to wealth. When ranked by income, the top 50% of states are responsible for 86% of cumulative global CO2 emissions, while the lower half is responsible for just 14%. Despite this, the children in low and middle-income countries bear the brunt of losses and damage to health and human capital, land, cultural heritage, Indigenous Peoples' and local knowledge, and biodiversity because of climate change.⁷ Unaddressed, climate change will harm the poorest and most vulnerable children first, hardest, and longest⁸.

Given their heightened vulnerability to climate impacts, the protection of children's rights must be centred in the global response to climate change.

B) WHEN CHILDREN ARE NOT CONSIDERED IN CLIMATE ACTION, THEIR RIGHTS WILL BE VIOLATED

When children are not considered in designing climate actions, not only is their right to participation being denied, but the measures themselves could negatively impact children's lives and violate other rights. While runaway climate change poses an existential threat to children worldwide, the rush to find solutions must not result in trampling on the rights of children in already vulnerable situations.

Between 2010 and 2020, the Business & Human Rights Resource Centre identified 197 allegations of human rights abuses related to renewable energy projects and asked 127 companies to respond to these allegations.⁹ Abuse allegations include killings, threats, and intimidation; land grabs; dangerous working conditions and poverty wages; and harm to indigenous peoples' lives and livelihoods. Allegations have been made in every region and across the five sub-sectors of renewable energy development: wind, solar, bioenergy, geothermal, and hydropower.

⁷ Save the Children (2021) Born into the Climate Crisis. Available at: <https://resourcecentre.savethechildren.net/pdf/born-into-the-climate-crisis.pdf>

⁸ This includes, but is not limited to, girls and children discriminated against on the basis of their race, sexual orientations, gender identities and expression (SOGIE), indigenous children, children with disabilities, displaced children, and those who experience intersecting and compounding forms of discrimination and marginalisation

⁹ Business & Human Rights Resource Centre (2020) Renewable Energy & Human Rights Benchmark. Available at: <https://www.business-humanrights.org/de/von-uns/briefings/renewable-energy-human-rights-benchmark/>

Some examples of the risks posed by poorly designed climate action that is blind to children's rights include:

- the exploitation of children in the supply chains of required technologies, such as the mining of cobalt to produce lithium-ion batteries,¹⁰
- the forced displacement of children, particularly in riparian communities, from the construction of hydroelectric power plants,¹¹
- the denial of rights to culture and self-determination due to conservation or offset projects that do not view Indigenous Peoples and local communities as rights-holders,¹²
- poor social, developmental and health outcomes from regressive economic policies that exacerbate economic and energy poverty.¹³

Climate action that is blind to children's rights will violate their right to participate in decisions that impact their lives and miss opportunities to improve the well-being of children through the transition. It also risks multiple adverse outcomes that will undermine children's rights and result in adverse social outcomes.

C) INCORPORATING CHILDREN'S RIGHTS WILL LEAD TO BETTER OUTCOMES FOR CHILDREN AND THE PLANET

While the previous two points elaborated on issues where children are victims of climate inaction or poorly planned climate action, it is important to stress that child rights provide a robust framework for effective and fair climate action and children themselves are powerful agents of change.

¹⁰ Amnesty International (2017) Democratic Republic of Congo: "This is what we die for": Human rights abuses in the Democratic Republic of the Congo power the global trade in cobalt.

¹¹ OHCHR (2021) Joint statement on the human rights of people affected by dams and other water infrastructure. Available at: <https://www.ohchr.org/en/statements/2021/11/joint-statement-human-rights-people-affected-dams-and-other-water-infrastructure>

¹² Rights and Resources Initiative (2022) Reconciling Conservation and Global Biodiversity Goals with Community Land Washington. Available at: <https://rightsandresources.org/wp-content/uploads/Asia-Conservation-Report.pdf>

¹³ European Environment Agency/Eurofound (2021) Exploring the social challenges of low-carbon energy policies in Europe. Available at: <https://www.eea.europa.eu/publications/exploring-the-social-challenges-of/download>

Furthermore, according to the Convention on the Rights of the Child – the most universally ratified human rights treaty - States must respect, fulfil, promote, and protect the child’s right to express their views in all matters affecting them freely, and for these views to be given due weight.¹⁴

By developing climate action that respects, protects, and promotes child rights, decision makers can mitigate against potential unintended harms to children from poorly planned policy and, moreover, can maximise the potential for climate action to enhance child rights and wellbeing.

Furthermore, by upholding their rights, including their right to meaningful participation, they can play a critical role in pushing for the rapid reduction of GHG emissions, helping to raise awareness about climate change, and preventing and reducing the impacts of climate-related disasters on them and their communities.

Children can identify problems, particularly human-induced and societal risks, that adults often overlook or underestimate.¹⁵ There are good examples of the consideration of children’s rights in climate action. For example, the Sendai Framework for Disaster Risk Reduction recognises the vital role of children in contributing to DRR, including climate change adaptation.¹⁶ By including children in the preparation of DRR plans, decision-makers can mitigate against harmful coping mechanisms that families may adopt, such as removing children from school to help parents or siblings during a disaster. Children have their own knowledge of risks and experiences of disasters, meaning that their coping mechanisms and priorities can differ from their adult counterparts.¹⁷ In Nepal, for example, children engaged in DRR planning requested adequate infrastructure to secure safe passage to school during flooding or landslides and livelihood support for their families to ensure that they could complete their studies.¹⁸

Children are also using their voices to call for greater recognition of the rights dimensions of climate action. In Brazil, for example, the Supreme Court passed judgment on seven cases dealing with climate issues in the country. Children

¹⁴ UN Committee on the Rights of the Child (2009) General Comment 12: The right of the child to be heard

¹⁵ Ibid, 5.

¹⁶ UNISDR (Office for Disaster Risk Reduction) and Plan International (2012) Children’s action for disaster risk reduction: views from children in Asia. Bangkok: UNISDR Asia Pacific and Plan International Asia Regional Office

¹⁷ ODI (2020), Ending violence against children while addressing the global climate crisis

¹⁸ Plush, T. (2009) ‘Amplifying children’s voices on climate change: the role of participatory video’ Participatory Learning and Action 60: 119–128.

mobilised in an extensive campaign during proceedings with more than 400 drawings and letters addressed to the court's Ministers, compelling them to understand how the judgments were related to their lives and future. Ultimately, the Brazilian Supreme Court determined that the Paris Agreement is a human rights treaty.

Similarly, in 2018 in the UK, the UNICEF youth campaign platform OutRight enabled children in schools across the UK to get involved in raising awareness among children and young people of air pollution and of the impact that exposure to air pollution has on both their health and their access to a safe and clean environment.¹⁹ Over 1,000 schools and youth groups in the UK took part. Children wrote to Members of Parliament asking them to improve local air quality, with approximately 3,000 submitting campaign postcards calling on the Secretary of State for Environment, Food and Rural Affairs to take urgent action. Subsequently, the Environment Act 2021 establishes a legally binding duty on the government to bring forward new air quality targets in secondary legislation.²⁰

In terms of mitigation, environmental education that enables children to form a strong connection with nature and provisions for their meaningful participation in climate-related policymaking facilitates the role of children as powerful agents of change in all sectors of society. They achieve this by engaging in politics, changing consumption practices, establishing more environmentally friendly policies in their schools and communities, and becoming local, national, and global activists.

This pattern is repeating throughout the world. At the forefront of the fight against climate change, child and youth environmental activists across the globe are holding their governments to account for failing to act on the climate crisis. Indigenous youth activists such as Nina Gualinga and Autumn Peltier have drawn international attention to the damage already inflicted on the environment and the disproportionate impact of climate change on Indigenous Peoples' communities.²¹ Protecting the rights of child activists and empowering them to act will help create the political space for enhanced ambition and urgency. Ensuring the right to environmental education will help to grow these movements.

¹⁹ UNICEF UK (2019) Healthy Air for Every Child: A Call for National Action. Available at: <https://www.unicef.org.uk/wp-content/uploads/2019/02/Healthy-Air-for-Every-Child-A-Call-for-National-Action-1.pdf>

²⁰ UK DEFRA (2021) Air Quality Targets in the Environment Act. Online. Available at: <https://uk-air.defra.gov.uk/library/air-quality-targets#:~:text=The%20Environment%20Act%202021%20establishes,legislation%20by%2031%20October%202022>

²¹ Ibid, 7.

By considering children in the design of climate action and enabling their participation, it is possible to bring about outcomes that improve the well-being of children, increase public support, and enhance and improve mitigation and resilience outcomes.

To conclude, it is essential to note that the risks posed to children's rights by runaway climate change are unimaginably severe. So, the rapid reduction of emissions must be prioritised while the capacity to adapt is radically enhanced and the measures are put in place to protect children's rights through the transition, including in the context of losses and damage, when the limits of children and communities' adaptive capacity are breached. By acting now, Parties to the UNFCCC can help put a framework in place for domestic action that can ensure sustainable development and climate action that is good for children and the planet.

3. WHY NOW?

A CONFLUENCE OF EVENTS OFFERS A UNIQUE OPPORTUNITY TO ROBUSTLY ADDRESS CHILDREN'S RIGHTS AND CLIMATE ACTION ACROSS THE UN SYSTEM.

2022 marks the 30th anniversary of the United Nations Framework Convention on Climate Change signing. From the speech given by 12-year-old Severn Cullis at the U.N. Conference on Environment and Development (the Rio Earth Summit) in 1992 to Greta Thunberg and her fellow protesters taking to the streets (and the courts) or Francisco Vera, taking brave stands for better environmental education, children have played a transformative role in driving changes in global mindsets and the promotion of climate action. And yet, under the UNFCCC, minimal attention has been paid to incorporating children's rights into climate action. Beyond the reference to children's rights in the preamble of the Paris Agreement, there has been no robust consideration by Parties as to how to operationalise the commitment to "respect, promote and consider" children's rights in the implementation of climate action. Similarly, as awareness grows of the limits of mitigation and adaptation and Parties consider how to address loss and damage, the non-economic impacts on children's rights must be considered.

Despite this gap, there is a clear appetite from States to do more, as evidenced, for example, by the more than thirty States that have signed the Declaration on Children, Youth and Climate Action, launched by YOUNGO and governments at COP25.²²

The coming months offer a unique window of opportunity to advance consideration of children's rights in the UNFCCC process by taking concrete steps to promote coherence with landmark processes seeking to enhance understanding and action regarding child rights and climate change. These are described in more detail below.

A) GENERAL COMMENT 26 OF THE UN COMMITTEE ON THE RIGHTS OF THE CHILD

In October 2021, the UN Committee on the Rights of the Child (CRC), responding to the calls from children around the world to create a more robust child rights framework from which to pursue ambitious climate action, committed to the development of General Comment 26 on children's rights and the environment with a special focus on climate change. The General Comment, when completed, will provide authoritative guidance to States on what is required to protect children's rights in the face of climate change. It is anticipated that the General Comment will be published in 2023.

The UN Convention on the Rights of the Child (UNCRC) offers a powerful avenue for leveraging effective climate action, complementary to the UNFCCC. One hundred and ninety-three countries have ratified the UNCRC. Consequently, they are obligated to uphold each child rights article, meaning that governments have a legally bound responsibility to take action on climate change to ensure it does not infringe on child rights nationally and abroad.

The UNCRC obliges governments to uphold children's rights in their country. Beyond the new General Comment currently in development, Articles 4, 24 and General Comment 5 also invoke the duty of international cooperation concerning the action developed countries must take to uphold child rights in developing countries. In practice, this means that developed countries must deliver on financial resources and political action to ensure that children can realise their rights in developing countries.

In the context of climate change, this could include mobilising resources to help vulnerable communities adapt to the impact of climate change and ensuring that emissions do not lead to climate change impacts that negatively affect children in developing countries. Finally, monitoring the implementation of the

²² <https://www.unicef.org/environment-and-climate-change/climate-declaration>

UNCRC through State Party reporting processes, including civil society engagement, provides an additional avenue for enhancing accountability regarding action to combat climate change.

B) INTERGENERATIONAL EQUITY IN THE UN SYSTEM

The 2021 publication of the UN Secretary General's report, Our Common Agenda, was noteworthy from the perspective of children's rights.²³ It signalled significant ambition regarding operationalising the concept of intergenerational equity within the UN System. The Agenda sets out three key actions under the theme of Future Generations. The first is the General Assembly summit – the Summit of the Future – to be held in 2023. The second is the creation of a United Nations Future Lab to ensure long-term thinking within the UN System. The final action had three elements – the repurposing of the Trusteeship Council to become a UN body for intergenerational equity, a Declaration on Future Generations, and the creation of a UN Special Envoy for Future Generations.

This commitment to intergenerational equity complements the Agenda's focus on "listening to and working with youth" through an expanded role for young people within the UN System, with the creation of a United Nations Youth Office and a concerted effort to remove barriers to political participation for young people and measure progress through a "youth in politics" index. Children's rights can and must play a central role in guiding commitments and action concerning youth, future generations, and intergenerational equity, recognising that children remain overlooked in climate action and require separate and distinct measures to ensure that needs and priorities are robustly considered.

C) UN RECOGNITION OF THE RIGHT TO A HEALTHY ENVIRONMENT

The processes outlined above take place against the backdrop of the historical recognition of the universal right to a healthy environment by the UN Human Rights Council in October 2021²⁴ and by the UN General Assembly in July 2022.²⁵ These resolutions built upon HRC resolution 45/30, calling for the realisation of

²³ United Nations (2021) Our Common Agenda. Available at: <https://www.un.org/en/content/common-agenda-report/>

²⁴ Human Rights Council (2021) The human right to a clean, healthy and sustainable environment. Available at: [A/HRC/RES/48/13](https://www.unhcr.org/refugees-and-migrants/2021/10/human-rights-council-res-48-13)

²⁵ United Nations (2021) The human right to a clean, healthy and sustainable environment. Available at: [A/76/L.75](https://www.un.org/press/en/2022/07/2022072101.shtml)

he rights of the child through a healthy environment.²⁶ With widespread support among States and extensive engagement from civil society worldwide, including children and youth, recognition of the right has enormous significance for children's rights, encompassing a safe climate, amongst other elements.

Parties to the UNFCCC that wish to support the child rights agenda under the global climate regime will also help to advance robust, implementable and monitorable coherence between climate action and child rights across the UN System. This would be in keeping with Resolution 18/22, adopted in 2011, in which the Human Rights Council detailed how human rights obligations and commitments should "inform and strengthen international and national policy-making in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes".²⁷

4. WHAT NEXT?

Having considered the linkages between children's rights, climate change and climate action, and the rationale for acting now to incorporate child rights more robustly into the implementation of the Paris Agreement, the following section offers some proposals on how Champion Parties may wish to achieve this. It is anticipated that these proposals will be built upon, improved, and finessed through discussions with supportive Parties.

The goal for the incorporation of children's rights under the UNFCCC process would be to have a mechanism to advance knowledge and understanding of child-responsive climate action and coherent mainstreaming of children's rights, needs and priorities in the implementation of the UNFCCC and Paris Agreement, through the work of Parties, the secretariat, United Nations entities and all stakeholders at all levels. This would require a holistic plan for child-sensitive climate action - a Children's Action Plan (CAP) - like the Gender Action Plan. The purpose of the CAP would be to provide a framework for consolidation and coordination of existing climate processes in order to strengthen consideration of child rights within these.

The section below highlights current entry points for child rights in negotiations which would advance the consideration of child rights under the UNFCCC, serving as critical initial steps towards mainstreaming. Asks are presented that can be pursued by Parties willing to champion child rights, as well as advocates

²⁶ Human Rights Council (2020) Rights of the child: realizing the rights of the child through a healthy environment. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/264/85/PDF/G2026485.pdf?OpenElement>

²⁷ Available at: Resolution 18/22

and other stakeholders. These provisions must be advanced before and during COP27 in Sharm el-Sheikh. Each entry point presented below is a modular strategy component that needs to be considered individually and in relation to the other components. The ambition should be to find the preferred balance between what is ambitious, what is practical and what is expedient.

OVERARCHING AVENUES TO ADVANCE CHILDREN'S RIGHTS IN THE PROCESS.

Capacity building workshop on the CRC General Comment 26

With General Comment 26 anticipated in early 2023, a capacity-building workshop could be held at the UNFCCC SBs in 2023. The Committee on the Rights of the Child could meet with Parties to discuss the requirements for implementing the General Comment. This could be held in conjunction with the Paris Committee on Capacity Building.

IPCC Special Report on climate change and children

With the focus on the links between children, future generations and climate change under other processes, parties could request the IPCC to produce a report on climate change and children, where children's right to a safe climate is considered fully, including in the context of the ocean-climate nexus.

Child-friendly explainers of COP decisions

To enhance children's participation in the UNFCCC process, Parties could mandate the UNFCCC Secretariat, perhaps in conjunction with UNICEF, to produce child-friendly explainers of all COP decisions. This is not necessarily an activity that would require a decision but developing a mandate for it would increase visibility and ensure long-term sustainability.



ENTRY POINT A: ACTION FOR CLIMATE EMPOWERMENT

Action for Climate Empowerment, or ACE, is a term adopted by the United Nations Framework Convention on Climate Change (UNFCCC) to denote work under Article 6 of the Convention (1992) and Article 12 of the Paris Agreement. This article aims to empower all members of society to engage in climate action through education, training, public awareness, public participation, public access to information, and international cooperation on these issues.

CURRENT STATE OF PLAY

At COP26 in November 2021, Parties advanced efforts to implement the provisions of ACE through the adoption of the Glasgow Work Programme on Action for Climate Empowerment. This is a 10-year flexible framework for country-driven action.

The Work Programme offers four priority areas to guide actions:

- Policy coherence to strengthen coordination at the international and national levels.
- Coordinated action to build partnerships that bring together diverse expertise, resources, and knowledge
- Tools and support to enhance the dissemination of effective means of building capacity and raising awareness on ACE among relevant stakeholders.
- Monitoring, evaluating, and reporting

During informal consultations under ACE, Parties considered how to identify immediate actions through short-term, clear, and time-bound activities that would substantiate the Glasgow work programme. Their work resulted in an [informal note](#) that sought to capture the ideas and suggestions brought forward by the Parties and contains the draft text for adoption at COP 27.

The draft text and annexe in the informal note provide a solid basis to advance key considerations on children's rights. The proposals contained in the annexe include three specific recommendations of value:

Map and collate existing guidelines and good practices concerning child education and empowerment in climate action with particular attention to gender equality and inclusion of persons with disabilities to produce a compilation report on child education and empowerment; and

Include the promotion of local networks and platforms that would support ACE activities at the national and sub-national levels and encourage the involvement of children among other stakeholders.

The informal note also references creating a national youth role to enhance the promotion of ACE at the local level, which would include children's participation.

While these proposals would all represent progress towards a more significant consideration of children's needs and priorities under the ACE agenda, they will need to be protected and built upon in negotiations at COP 27.

ASKS FOR PARTIES AT COP 27 UNDER ACE

- A. Defend the three existing provisions of relevance to children's rights contained within the draft text and presented above.
- B. Under Policy Coherence, insert a provision under Development of technical guidelines to support the implementation of General Comment 26. The UNFCCC, in cooperation with other relevant expert bodies, including the UN Committee on the Rights of the Child, should produce technical guidelines to help Parties incorporate the substance of the General Comment into their ACE activities, and through broader incorporation of ACE into NDCs and domestic climate strategies.
- C. Under Policy Coherence, insert a provision to organise an in-session workshop on intergenerational equity to align with the ongoing work under the UN General Assembly to create a Special Envoy for Future Generations and to link in with national offices created to support intergenerational equity.

CHILDREN'S PARTICIPATION

For more measures that stakeholders could undertake in order to make COP negotiations more accessible to children, please see [A COP Fit for Children](#).



ENTRY POINT B: CLIMATE FINANCE

(INCLUDING LOSS AND DAMAGE)

The UNFCCC, under Article 11, states that the operation of the Financial Mechanism is entrusted to one or more existing international entities. The operation of the Financial Mechanism is partly entrusted to the Global Environment Facility (GEF). At COP 17, the Parties decided to designate the Green Climate Fund (GCF) as an operating entity of the Financial Mechanism of the Convention, in accordance with Article 11 of the Convention.

In addition to the GEF and GCF, Parties have established three additional special funds: the Special Climate Change Fund (SCCF), the Least Developed Countries Fund (LDCF), both managed by the GEF, and the Adaptation Fund (AF) under the Kyoto Protocol. At COP 16 Parties decided to establish the Standing Committee on Finance to assist the COP in exercising its functions in relation to the Financial Mechanism of the Convention.

Article 9 of the Paris Agreement stipulates that developed country Parties shall provide financial resources to assist developing country Parties with respect to mitigation and adaptation in continuation of their existing obligations under the Convention.

CURRENT STATE OF PLAY

Negotiations on climate finance are extensive, and it does not serve the purposes of this document to explore the current state of **all facets of climate finance negotiations**.

However, consideration should be given to opportunities to quantify the financial needs for and measure existing financial flows going to the protection and promotion of children's rights in climate action. This includes consideration of the significant adaptation costs of social sectors on which children depend and which are not currently factored into estimates of adaptation costs.²⁸ In addition, steps should be taken to consider children's needs and priorities in

²⁸ UNICEF (2022), Monitoring the Social Costs of Climate Change for Low- and Middle-Income Countries, https://www.unicef-irc.org/publications/pdf/Social_spending_monitor_3.pdf

the policies of existing funds.²⁹ It is clear that across all funds the tracking of financial resources flowing towards the protection and empowerment of children can be significantly strengthened as no fund currently makes provision for this. In addition:

- The GCF has no specific policy or strategy focusing on children's needs and priorities, and its gender policy does not reference girls.³⁰
- The GEF (Policies govern the SCCF and the LDCF) includes consideration of the needs and priorities of children in policies related to Environmental and Social Safeguards, Gender Equality and Indigenous Peoples.
- The AF includes consideration of the needs and priorities of children in policies related to Environmental and Social Safeguards, Gender Equality and Indigenous Peoples.

The accompanying decision to the 2015 Paris Agreement stipulates setting a **new collective quantified goal for climate finance** before 2025. This new goal is to be built on the foundation of the unmet US\$100 billion per year by 2020 commitment and must consider the needs and priorities of developing countries. Consideration should be given to children's needs in the design and distribution of the collective quantified goal on climate finance.

In addition, provisions on ensuring the needs and priorities of children should be captured in work on loss and damage once the **Santiago Network for Averting, Minimizing, and Addressing Loss and Damage** and the Glasgow Dialogue on loss and damage advance sufficiently for such considerations.

ASKS OF PARTIES FOR COP 27 UNDER CLIMATE FINANCE

- A. Request the Standing Committee on Finance to consider a definition for child-responsive climate finance as part of its work on definitions of climate finance.³¹

²⁹ The information presented below is based on a forthcoming report by CERI members.

³⁰ It is worth noting the updated Environment and Social Safeguards policy of the GCF includes several references to girls (though none to children more broadly)

³¹ See, for example, UNICEF UK, Climate Proof Children: Putting the Child First in Climate Finance (2011), <https://www.unclearn.org/wp-content/uploads/library/unicef07.pdf>

- B. Request the Standing Committee on Finance to prepare a report on an overview of climate finance flows that respond to the needs and priorities of children and a review of how the policies and guidelines of the GCF, GEF and AF could better support the protection and promotion of child rights.
- C. Include provision for children's rights, needs and priorities in the new collective quantified goal on climate finance, including incorporating guidance from the forthcoming General Comment on child rights and the environment with a special focus on climate change, being prepared by the UNCRC.
- D. Ensure any decisions on developing a financing mechanism for loss and damage include provision for policies and guidance on protecting and promoting child rights.



ENTRY POINT C: THE GLOBAL GOAL ON ADAPTATION & THE NAIROBI WORK PROGRAMME

Recognising that adaptation is a globally relevant issue, the Paris Agreement aims to strengthen the global climate change response by increasing the ability of all to adapt to the adverse impacts of climate change and foster climate resilience. It defines a Global Goal on Adaptation (GGA), which aims to:

- enhance adaptive capacity and resilience;
- reduce vulnerability, with a view to contributing to sustainable development.

The Adaptation Committee, established COP 16 (2010) to promote the implementation of enhanced action on adaptation coherently under the Convention, is tasked with understanding how the review of the GGA can take place.

In addition, the long-running Nairobi work programme (NWP) strives to assist all Parties, particularly developing countries, including the least developed countries and small island developing states, to improve their understanding and assessment of impacts, vulnerability and adaptation and to make informed decisions on practical adaptation actions.

To date, adaptation in the negotiations has been essentially silent on the needs and priorities of children or child rights. An example here would be the technical guidelines for the national adaptation plan process. This guidance offered robust insight into gender-sensitive adaptation actions but did not discuss child-sensitive or child-centred adaptation.³²

³² Technical Guidance document can be found here: https://unfccc.int/files/adaptation/cancun_adaptation_framework/application/pdf/naptechguidelines_eng_high_res.pdf

CURRENT STATE OF PLAY

COP 26 established a comprehensive two-year Glasgow–Sharm el-Sheikh work programme on the global goal on adaptation (2022-2023). This is a series of events, [workshops](#), reports, and submission opportunities designed to enable Parties to collectively agree on what the GGA should comprise and how it will be measured and reported on. The GGA is intended to enhance national planning and implementation of adaptation actions, particularly in developing countries, and identify possible indicators, data and metrics, needs and support needed to assess progress. The synthesis report of consultations to date includes one mention of youth in a general reference to vulnerable groups but no mention of children.

In addition, the efforts to strengthen the role of the NWP include calls to scale up the Lima Adaptation Knowledge Initiative - an initiative to close adaptation knowledge gaps - and strengthen ties among communities of practice, presenting opportunities for the incorporation of a new focus on children's adaptation needs and developing guidance for child-centred adaptation.

ASKS OF PARTIES FOR COP 27 UNDER ADAPTATION

- A. Ensure that the Glasgow–Sharm el-Sheikh work programme on the global goal on adaptation:
 - Prioritizes a focus on social services that reach children and communities most at risk, including climate-resilient water and sanitation, health systems, education, nutrition, social and protection services, and develop guidelines on child-sensitive adaptation approaches across these sectors.
 - Is informed by age- and gender-disaggregated data on climate impacts and adaptation benefits.
 - Strengthens data and monitoring mechanisms to track/measure the resilience of essential services.
 - Is coherent with relevant SDG and Sendai Framework targets, indicators, and monitoring mechanisms.
- B. Request the NWP to consider, as part of their work to address adaptation knowledge gaps, work on children's needs and priorities in the context of climate adaptation.



ENTRY POINT D:

THE GLOBAL STOCKTAKE

The Global Stocktake (GST) is a process that takes place every five years to measure the progress of the Paris Agreement's long-term goals. The first GST is in progress and will run from 2021 to 2023. Notably, the GST must consider the social consequences of response measures and efforts to address loss and damage. The collective assessment also takes inputs on equity into consideration.

The GST is intended to increase the ambition of actions and support for collectively addressing climate change without focusing on individual countries or groups of countries. It will inform the next round of submissions by Parties of their NDCs in 2024-25.

The technical assessment component of the GST is built upon Technical Dialogues (TD) – a series of conversations among Parties, experts and Non-Party Stakeholders. The TD will aim to develop a shared understanding of the latest information on the implementation of the Paris Agreement and progress towards the purpose and its long-term goals.

CURRENT STATE OF PLAY

At SB56 in June 2022, the first meeting of the TD under the GST took place. Before the TD, the SB Chairs circulated [guiding questions on an informal note](#). These included a question on how climate action can respect human rights, including children's rights. The guiding questions also asked about integrated and holistic approaches to climate action.

The first TD was held in multiple formats, including plenary sessions, roundtables and world café events. The three roundtables were themed on issues of mitigation, adaptation and finance. Children's rights are currently significantly [under-represented in existing NDCs](#), are rarely consulted in the development of NDCs, and are omitted from consideration in terms of global climate finance, so utilising the global stocktake process to emphasise the importance of considering the needs of children, along with other social considerations, is essential.

In its [submission to the Global Stocktake](#), the Office of the High Commissioner for Human Rights highlighted the importance of a human rights-based approach. It included a reference to the analytical study on the relationship between climate change and the full and effective enjoyment of the rights of the child. It references the UN Committee on the Rights of the Child's General Comment 15 on the right of the child to the enjoyment of the highest attainable standard of health and the new General Comment 26 on child rights and the environment with a special focus on climate change. Similarly, a CIEL briefing paper on the stocktake published in February focused on intergenerational equity.

The [second technical dialogue](#) of the first global stocktake will take place at COP 27.

ASKS OF PARTIES FOR COP 27 UNDER THE GLOBAL STOCKTAKE

Ensure that due consideration is given in the global stocktake discussions to:

- A. Child rights and intergenerational equity as cross-cutting priorities, particularly guidance to states emerging from the UNCRC's General Comment 26.
- B. The responsibility of states to ensure that climate action addresses gender equality, with particular attention to the protection and promotion of girls' rights.
- C. The right of children to participate in decision-making processes related to local and national climate action, and noting the relevance of provisions contained in the Aarhus Convention and the Escazu Agreement in this regard.



ENTRY POINT E: GENDER

At COP 25 in 2019, Parties agreed on a 5-year enhanced Lima work programme on gender and its gender action plan (Decision 3/CP.25). This succeeded the prior Lima work programme agreed upon at COP 20.

- The [enhanced gender action plan](#) sets out objectives and activities under five priority areas:
- Capacity Building, knowledge management and communication
- Gender balance, participation and women’s leadership
- Coherence
- Gender-responsive implementation and means of implementation
- Monitoring and reporting.

The Gender Action Plan only contains one reference to girls, namely in relation to their “full participation and leadership in science, technology, research and development” (Activity D.3). Any review of the Gender Action Plan should seek to centre more consideration of the unique needs of girls.

STATE OF PLAY

The [negotiations on Gender and Climate Change](#) at SB56 in June 2022 primarily focused on initiating the intermediate review of the [gender action plan](#) (GAP), a framework supporting gender-based climate action as part of the enhanced Lima work program on gender, mandated to commence at the Bonn session.

Concerning children’s rights, there was a welcome push for a provision calling on Parties to engage girls, youth, and Indigenous Peoples in climate action. Concerningly, this provision did not make it into the final informal note by the co-facilitators. The only operative reference to girls in the informal note is in reference to engaging boys and men as strategic partners and allies in achieving gender equality and empowering all women and girls in the context of climate change.

Supporting champion countries in increasing the focus on girls under the gender action plan should be a priority in advance of COP 27.

ASKS OF PARTIES FOR COP 27 UNDER GENDER

Insert provisions on girls into updates to activities under the priority areas of the gender action plan:

- **Gender balance, participation and women's leadership:** Include specific reference to girls, in addition to children and youth, as groups that need to be included in decision-making processes.
- **Gender-responsive implementation and means of implementation:** Request the Green Climate Fund to update its gender policy to include a reference to girls in order to recognise their unique challenges in the face of climate change.
- **Monitoring and reporting:** Agree on a new output under priority area E to request submissions from Parties and other relevant stakeholders on effective local and national measures to mitigate against the risks to girls' education arising from climate change and develop a synthesis report.

We rely on a healthy ocean to satisfy the material conditions for the full range of children's rights—particularly the rights to life, survival and development, health, food, water and culture. The ocean produces over half the oxygen we breathe, contributes to the renewal of freshwater, provides nutritious food and livelihoods, and hosts unique biodiversity that produces multiple benefits for human health. Climate change is causing profound and rapid changes to the ocean, undermining the ocean's capacity to produce essential benefits for children. In turn, the ocean plays a vital role in regulating our global climate, as it absorbs over a quarter of global carbon dioxide (known as the ocean-climate nexus). The ocean should therefore be recognised as an essential element at the intersection of climate change and human rights, especially for children.

After over a decade of international efforts to include the ocean under the international climate change regime, at COP26, the 2021 Glasgow Climate Pact:

Referred to ensuring the integrity of marine ecosystems, their protection and restoration (1/CP.26 para. 21); Mandated relevant work programmes and constituted bodies under the UNFCCC to consider how to strengthen and integrate ocean-based action in their existing mandates and work plans and report these activities (1/CP.26, para. 60);

Mandated the chair of the SBSTA to hold an annual dialogue starting at the 56th session to strengthen ocean-based action and prepare an informal summary report for the Parties for COP27 (1/CP.26, para. 61).



ENTRY POINT F: OCEAN-BASED

ACTION AT THE UNFCCC

While the Glasgow Climate Pact officially integrates the ocean for the first time across all areas of work under the UNFCCC and the Paris Agreement, much remains to be clarified about what “ocean-based action” means and how it can be supported to also contribute to other relevant international objectives, including State’s obligations to respect, protect and fulfil children’s rights.

CURRENT STATE OF PLAY

The Ocean-Climate Dialogue at SB56 did include the participation of youth organisations. Still, more work is needed to amplify children’s voices in the context of climate change at the ocean-climate nexus. Moreover, during much of the discussion on ocean-based action in the context of mitigation, adaptation, loss and damage and finance, human rights did not feature particularly prominently in this context despite being discussed in other meetings at SB56.

There are critical opportunities for Parties to advance children’s rights in their contribution to implementing the UNFCCC and the Paris Agreement through ocean-based climate action. Actions built upon a mutually supportive interpretation of international biodiversity law, the law of the sea, and international human rights law can achieve co-benefits across different Sustainable Development Goals and reduce vulnerabilities.

ASKS OF PARTIES FOR COP27 UNDER OCEANS

- A. Require the explicit consideration of children’s rights in relation to the scoping, assessment, selection, implementation, and monitoring of ocean-based actions (including an assessment of blue carbon initiatives, adaptation and loss and damage), including incorporating guidance from the forthcoming General Comment on child rights and the environment with a special focus on climate change, being prepared by the UNCRC.

- B. Develop guidelines on ocean-based adaptation approaches through the Glasgow-Sharm El-Sheikh Work Programme for the Global Goal on Adaptation, notably on fisheries and climate change, in partnership with the Food and Agriculture Organization of the United Nations (FAO) and relevant stakeholders, including regional fisheries bodies to strengthen resilience, limit losses and protect and uphold children's rights.

- C. Explore how action and support with respect to adaptation and loss and damage can be operationalised to limit the ecological and human rights impacts of ocean acidification on children's rights.

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