

Committee on the Rights of the Child

Draft General comment No. 26 (202x)

**Children's rights and the environment with a special focus on
climate change**

I. Introduction

1. The extent and magnitude of the environmental harm is an urgent and systemic threat to children’s rights globally. Unsustainable extraction and use of natural resources, combined with widespread contamination through pollution and waste, have had a profound impact on the natural environment, fuelling climate change, intensifying toxic pollution of water, air and soil, causing ocean acidification, and devastating biodiversity and the very ecosystems that support and sustain all life.

2. The efforts of children to transform the environmental and climate justice movement are the inspiration for the present general comment. The present general comment has benefited immeasurably from the contribution of children in the Committee’s 2016 day of general discussion on children’s rights and the environment. A diverse and dedicated Child Advisory Team led an unprecedented international consultation process with 7,416 children from 103 countries, conducted via an online survey, focus groups and in-person national and regional consultations.

3. The children consulted reported on the negative effects of environmental degradation and climate change on their lives and communities: “We can’t live happily because of dirty environments and pollution;” “Please demand our freedom, freedom of life and health. We can’t enjoy [life] like you [adults] used to do when you were little;” “Adults! The real victims of environmental destruction are us, children;” “What will happen to the earth if we keep going like this?;” “I would like to tell them [adults] that we are the future generations and if you destroy the planet, where will we live?!”¹

4. Children, as agents of change, have made historical contributions to human rights and environmental protection. Their status as human rights defenders should be recognized, and their demands for urgent and decisive measures to tackle the global environmental harm should be met and realized to the maximum extent.

5. The application of the present general comment, while it focuses on climate change, is not limited to any particular environmental issue. A clean, healthy and sustainable environment forms the basis for the full enjoyment of a vast range of children’s rights, while its degradation poses risks of sweeping child rights violations. All types of environmental harm can have adverse, direct and indirect effects on children, which often interact. New environmental challenges may arise in the future, for example linked to technological and economic development and social changes. The present general comment should be read in conjunction with other relevant general comments of the Committee.

A. A child rights-based approach to the environment

6. The application of a child rights-based approach in the environmental context requires the full consideration of all children’s rights under the Convention on the Rights of the Child.

7. In a child rights-based approach, the process of realizing children’s rights is as important as the end result. As rights-holders, children are entitled to protection from infringements of their rights stemming from environmental harm and to be recognized and fully respected as active environmental citizens. The child rights-based approach pays particular attention to the multiple barriers faced by groups of children in disadvantaged or marginalized situations in enjoying their rights related to the environment.

8. A clean, healthy and sustainable environment is necessary for the full enjoyment of a broad range of children’s rights, including to life, survival and development, health, education, adequate standard of living, housing, food, water and sanitation, rest, play, leisure and cultural life, enjoyment of their own cultures, and protection from violence and exploitation. Conversely, environmental degradation adversely affects the enjoyment of these rights, in particular for specific groups of children including children with disabilities,

¹ Report of the first children and young people’s consultation: <https://childrightsenvironment.org/wp-content/uploads/2022/09/Report-of-the-first-Children-and-Young-Peoples-Consultation.pdf>. All references to children’s views refer to that report.

indigenous children, and children working in hazardous conditions. The exercise of children's rights to freedom of expression and association, to information and education, to be heard and to effective remedies can result in more rights-compliant environmental policies. In this way, child rights and environmental protection form a virtuous circle.

B. The evolution of international human rights law and the environment

9. The Convention explicitly addresses environmental issues in article 24, paragraph 2(c), which obliges States to take measures to combat disease and malnutrition, "taking into consideration the dangers and risks of environmental pollution", and under article 29, paragraph 1(e) which requires States to direct the education of children to "the development of respect for the natural environment". Since the adoption of the Convention, growing acceptance has emerged for the wide-ranging interconnections between children's rights and environmental protection. Unprecedented environmental crises and the resulting challenges for the realization of children's rights require a dynamic interpretation of the Convention.

10. The Committee is mindful of the relevance to its interpretation efforts of: (a) the Framework Principles on Human Rights and the Environment, which represent a summary of the main human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;² (b) a vast majority of States who have recognized some form of the right to a clean, healthy and sustainable environment through international agreements, national constitutions, laws or policies; (c) the global recognition of the human right to a clean, healthy and sustainable environment by the General Assembly,³ which complements and reinforces the application of generally-stated human rights in the environmental context; and (d) existing and evolving norms, principles, standards and obligations under international environmental law, such as the United Nations Framework Convention on Climate Change and the Paris Agreement.

C. Objectives

11. In the present general comment, the Committee aims to:

(a) Emphasize the urgent need to address the adverse effects of environmental harm and climate change on children;

(b) Promote a holistic understanding of children's rights as they apply to environmental protection;

(c) Clarify the obligations of States parties to the Convention and provide authoritative guidance on legislative, administrative and other appropriate measures to be undertaken with respect to environmental issues, with a special focus on climate change.

II. Key concepts

A. Sustainable development

12. The sustainable development articulated in various international agreements as the concept premised on three interlinked pillars of economic development, social development and environmental protection is inextricably linked to the realization of children's rights. These three pillars are understood as harmonizing the priorities of both developing and developed countries and implying both an intragenerational and intergenerational equity to meet the needs of present and future generations.

² A/HRC/37/59.

³ A/RES/76/300.

B. Intergenerational equity and future generations

13. The Committee recognizes the principle of intergenerational equity and the interests of future generations. Nearly all (88 per cent) of children consulted affirmed that climate change and environmental damage were threatening future generations, and 63 per cent believed children were affected more than adults. Discussions of future generations should take into account the rights of children who are already present on this planet and those constantly arriving. Securing the realization of the right of each child to development to the maximum extent in the optimal environment necessarily requires States to implement their obligations under the Convention, taking into consideration short-, medium- and long-term effects of actions related to the development of the child over time. Such effects include the foreseeable environment-related threats arising as a result of acts or omissions of States now, the full implications of which may not manifest for years or even decades.⁴

C. The best available science

14. The present general comment draws on the best available and accepted science to describe the ways in which climate-related and other environmental harm interferes with children's rights, to set out environmental protection standards required by international children's rights law, and to assess the adequacy of response measures.⁵ As scientific knowledge about the environment evolves, the precautionary principle is required for the most advanced risk management.

D. Precautionary principle

15. Precautionary approaches to environmental decision-making protect children's rights through ensuring that decision-makers bear responsibility for their (in)actions and prioritise children who are particularly vulnerable to environmental risks or harm. The gravity and probability of environmental harm to children are often complex, unpredictable and irreversible. The precautionary principle requires States to take effective and proportionate action to prevent environmental harm to children, especially when there are threats of serious or irreversible damage, even if the scientific evidence is inconclusive. This can include assessing whether a harmful activity is necessary for achieving broader goals and replacing the activity with suitable alternatives. States should develop policies, action plans and other measures to achieve goals that prevent environmental harm, such as eliminating childhood exposure to pollution and toxic substances and achieving climate neutrality.

III. Specific rights of the Convention as they relate to the environment

A. The right to life, survival and development (art. 6)

1. Right to life

16. The right to life is threatened by avoidable environmental impacts including climate change, pollution and biodiversity degradation. These impacts are closely linked to other fundamental challenges impeding the realization of this right, including poverty, inequality and conflict. States should take positive action to ensure that children are free from acts and omissions intended or expected to cause their premature or unnatural death. This includes tackling structural and long-term challenges and taking all appropriate measures to address environmental conditions that may lead to direct threats to the right to life.⁶ States should adopt environmental standards that are protective of children's right to life, for example

⁴ CRC/C/GC/14, paras. 16 (e), 74; *Saachi et al v. Argentina et al*, CRC/C/88/D/104/2019, para. 10.13.

⁵ E/C.12/GC/25, para. 18.

⁶ CCPR/C/GC/36, para. 26.

related to air quality, lead exposure and greenhouse gas emissions, and adopt special measures of protection of children, especially young children, and those in disadvantaged situations.

17. The obligation of States to respect and ensure the right to life extends to protection of children from the harm caused by reasonably foreseeable threats and situations that can result in loss of life with dignity. This requires taking precautionary measures to protect children against environmental harm which would impact their enjoyment of life with dignity.⁷

2. Right to survival and development

18. States should implement laws and policies that ensure children's survival and physical, mental, spiritual, moral, psychological and social development. The development of children is intertwined with the environment in which they live. Developmental benefits of a clean, healthy and sustainable environment for children include opportunities to play outdoors and to experience, interact with and play in natural environments and the animal world.

19. Environmental actions can jeopardise children's full and holistic development, with implications for a wide range of other rights under the Convention. Examples include denial of access to nature, exposure to toxic substances and pollution in the places where children live, study, play and work, and detrimental mental health effects linked to climate change.

20. States should recognize each period of childhood, its unfolding importance for subsequent stages and children's varying needs at different stages of their maturation and development. Because of this life-course perspective and the need of measures to create an optimal "environment" for the right to development, States should consider, in their environmental decisions, all factors required for children of different ages to survive, grow and develop to the fullest potential in order to design and implement evidence-informed interventions that address a wide range of determinants during the life-course.

21. Younger children are remarkably susceptible to environmental hazards due to unique activity patterns, behaviours and biology. Exposure to toxic pollutants even at low levels during developmental windows of increased vulnerability can easily disrupt maturational processes of brains, organs and immune systems and cause permanent disease, disabilities including behavioural impairments during and beyond childhood, sometimes after a substantial latency period. Effects of environmental contaminants may even persist in future generations. States should consistently and explicitly consider the impact of exposure to toxic substances and pollution in early life.

22. As children mature, they increasingly act as agents of change with the potential to contribute positively to their families, communities and countries. Globally, children make significant contributions towards environmental sustainability and climate justice. They should have access to adequate environmental information and education focusing on respect for the natural environment, sustainable lifestyles and leading a responsible life in a free society.

B. The right to the highest attainable standard of health (art. 24)

23. The right to health includes access to timely and appropriate health-care services and to the underlying determinants of health, such as a healthy environment, and the facilities, goods, services and conditions necessary for the realization of the highest attainable standard of health. This right is dependent on and is indispensable for the enjoyment of many other rights of the Convention relating to a healthy environment.

24. Environmental pollution is a major threat to children's health, as explicitly recognized in article 24 (2) (c) of the Convention. However, in many countries, pollution is often overlooked and its impact, underestimated. Unsafe drinking water, inadequate sanitation and household air pollution pose serious challenges to children's health. Pollution associated with

⁷ Ibid., para. 62.

industrialization, including exposure to toxic substances and hazardous waste, present more complex and uncertain threats to health, often resulting in effects long after exposure.

25. Climate change, biodiversity loss and the degradation of ecosystems create new obstacles for the realization of children's right to health. These environmental factors often interact, exacerbating existing health disparities. For example, rising temperatures caused by climate change increase the risk of vector-borne diseases and concentrations of air pollutants that stunt brain and lung development and exacerbate respiratory conditions. Climate change, pollution and toxic substances all represent key drivers of the alarming loss in biodiversity and degradation of ecosystems on which human health depends. Specific impacts include reductions in microbial diversity, critical to the development of children's immune systems and to the increasing prevalence of autoimmune diseases, with long term effects.

26. Under-five mortality and disease can be prevented through the reduction of air pollution, water pollution, exposure to toxic substances, and other types of environmental harm. The effects of climate change, including water scarcity, food insecurity, vector- and water-borne diseases, intensification of air pollution and physical and psychological trauma linked to both sudden and slow onset events, are disproportionately borne by children.

27. Another concern is children's current and anticipated psychosocial, emotional and mental health problems and suffering caused by environmental harm. The link between children's mental health and environmental harm is increasingly recognized, such as the increasing prevalence of eco-anxiety, and needs further emphasis.

28. States should adopt a comprehensive process for identifying and addressing environmental health concerns relevant to children within their national plan, policy or strategy. Legislative and institutional frameworks, including regulation dealing with the business sector, should effectively protect children's environmental health in all relevant settings, including where they live, study, play and work; be consistent with the best available science and all relevant international environmental health and safety standards; and be strictly enforced. States' obligations under article 24 of the Convention also apply when developing and implementing environmental agreements to address transboundary and global threats to children's health.

29. The right to health includes the access of children affected by environmental harm to functioning public health and health-care facilities, goods and services, and particular attention should be given to underserved and hard-to-reach populations and to delivering appropriate pre-natal maternal health care. Facilities, programmes and services should be equipped to respond to environmental health hazards. Health protection also applies to the conditions in which children can lead a healthy life, such as the provision of safe and clean drinking water and sanitation, adequate housing, access to nutritionally adequate and safe food, and healthy working conditions.

30. Availability of quality data is crucial for adequate protection against environmental health risks. States should assess local, national and transboundary health effects of environmental harm, including causes of mortality and morbidity, while taking into consideration the entire life course of children, vulnerabilities and disparities. Priority concerns and emerging environmental health issues should be identified. In addition to data collected through routine health information systems, research is required, for example, for longitudinal cohort studies and studies of pregnant women, infants and children that capture risks at critical windows and sensitive health endpoints.

C. The right to education (arts. 28 and 29 (1) (e))

31. Education is one of the cornerstones of a child rights-based approach to the environment. Children highlighted that education is instrumental in protecting children's rights and the environment and in increasing their awareness and preparedness for environmental damage, while the right to education is highly vulnerable to the impact of environmental harm, described by children as school closures and disruptions, dropouts from school, and destruction of schools and places to play.

32. Article 29(1) (e) of the Convention requiring that the education of a child be directed to the development of respect for the natural environment shall be read in conjunction with article 28 of the Convention to ensure that every child has the right to receive an education which reflects environmental values.⁸

33. A rights-based environmental education should be child-centred, child-friendly and empowering⁹ and pursue the development of the child's personality, talents and abilities, in line with article 29(1) (a) of the Convention. School curricula should be tailored to children's specific environmental, social, economic, and cultural contexts and promote understanding of the contexts of other children affected by environmental impacts. Curricula should reflect changing environments and new environmental science. Teaching materials should provide accurate, updated and age- and developmentally-appropriate environmental information. All children should be equipped with the skills necessary to face expected environmental challenges in life such as disaster risks, including the ability to critically reflect upon such challenges, solve problems, make well-balanced decisions and assume environmental responsibility in accordance with their evolving capacities.

34. Educational measures should acknowledge the close interrelationship between respect for the natural environment and other ethical values enshrined in article 29 (1) of the Convention, including respect for human rights and the preparation for responsible life in a free society, and promote the positive roles of girls and children with disabilities in environmental protection and respect for the values and traditional lifestyles of indigenous children. Moreover, they should link environmental with social, cultural and economic aspects, and have both a local and global orientation.¹⁰ Environmental education extends beyond formal schooling to embrace the broad range of lived experiences and learning.

35. Environmental values should be reflected in the education and training of all professionals involved in education, encompassing teaching methods, technologies, and approaches used in education, and school environments. Exploratory, non-formal and practical methods such as outdoor learning are an important way of delivering this aim of education.

36. States are obliged to build physically safe, healthy and resilient infrastructure for effective learning. This includes ensuring the availability of walking and biking routes and public transport to school; that schools are located at safe distances from sources of pollution and other environmental hazards, including contaminated sites; and the construction of buildings and classrooms with adequate heating and cooling, access to sufficient, safe, and acceptable drinking water¹¹ and sanitation facilities, especially for girls. Environmentally-friendly school facilities, such as lighting and heating sourced from rooftop photovoltaic systems, can benefit children and ensure compliance by States with their environmental obligations.

37. States should ensure physical access to schools during severe weather events, especially for children in remote or rural communities, or consider alternative teaching methods, such as mobile educational facilities and distance learning, and prioritize underserved communities for climate-proofing and renovation of schools.

38. States should also address the knock-on effects resulting from environmental impacts on children, such as the need for girls to leave school due to the additional domestic and economic burdens in households facing environment-related shocks and stress.

D. The right to adequate standard of living (art. 27)

39. Children have the right to a standard of living adequate for their physical, mental, spiritual, moral and social development. A clean, healthy and sustainable environment is a

⁸ CRC/GC/2001/1, para. 9.

⁹ Ibid., para. 2.

¹⁰ Ibid., paras. 12-13.

¹¹ E/C.12/2002/11, paras. 12(c)I, 16(b).

prerequisite for the realization of this right, including to adequate housing, food security and safe drinking water and sanitation.¹²

40. The Committee underlines that the rights to adequate housing, food, water and sanitation should be realized sustainably, including with respect to material consumption, resource and energy use, and appropriation of space and nature.

41. Exposure to environmental harms represent both direct and structural causes and effects of multi-dimensional child poverty. In the environmental context, social security as guaranteed under article 26 of the Convention is particularly relevant. States parties are urged to introduce features into social security policies and social protection floors that provide children and their families with protection against climate and environmental shocks and slow-onset harm. States should strengthen child-centred poverty alleviation programmes in areas that are most vulnerable to climate and environmental risks.

42. Children should have access to adequate housing that conforms with international human rights standards, including sustainable and resilient infrastructure that is not built on polluted sites nor in proximity to pollution sources or radiation, homes with safe and sustainable sources of energy for cooking, heating, lighting, appropriate ventilation, free from mould and toxic substances in a smoke-free environment. There should be effective management of waste and litter, protection from traffic, excessive noise and overcrowding, and access to safe and sustainable drinking water, sanitation and hygiene facilities. Such provisions equally apply to children displaced by climate- or environment-related harm.

43. Children should not be subject to forced evictions without prior provision of adequate alternative accommodation, including relocation linked to development and infrastructure projects addressing energy and/or climate action. Child rights impact assessments should be a prerequisite for such projects. Particular attention should be paid to the importance of traditional land to indigenous children and the quality of the natural environment for their enjoyment of their rights to an adequate standard of living and culture.¹³

44. In situations of cross-border displacement and migration linked to climate- and environment-related events, the Committee underlines the importance of international cooperation and the States' obligation to undertake all appropriate legislative, administrative and other measures to ensure the rights under the Convention to all children within their jurisdiction without discrimination.

E. The right to rest, play, leisure, recreation and cultural and artistic activities (art. 31)

45. Play and recreation are essential to the health and well-being of children and promote the development of creativity, imagination, self-confidence, self-efficacy, as well as physical, social, cognitive and emotional strength and skills. While play and recreation are of intrinsic value to children, they also contribute to all aspects of learning, are critical to children's holistic development¹⁴ and afford important opportunities to children to explore and experience the world around them. Exposure to the natural world and rich biodiversity, including through self-directed play and exploration, have beneficial effects on children's mental health, while contributing towards agility, balance, creativity, social cooperation and concentration. This right also develops understanding, appreciation and care for the natural environment.

46. Conversely, unsafe and hazardous environments undermine the realization of the rights under article 31(1) of the Convention, and are risk factors for children's health, development and safety. Children, particularly those living in poverty and in urban settings, need inclusive spaces to play that are close to their homes and free from environmental hazards. The impacts of climate change exacerbate these challenges, while climate-related

¹² Ibid., para. 3; CRC/C/GC/15, para. 48.

¹³ CRC/C/GC/11, paras. 34-35.

¹⁴ CRC/C/GC/17, paras. 9, 14 (c).

stress on households and family incomes may reduce children's time available for rest, leisure, recreation and play.

47. States shall take effective legislative, administrative and other measures to ensure that all children, without discrimination, are able to play and engage in recreational activities in safe, clean and healthy environments, including natural spaces, parks and playgrounds. Public planning in both rural and urban settings should prioritize the creation of environments which promote the well-being of children and take their views into account. Consideration should be given to provision of access to landscaped green areas, large open spaces and nature for play and recreation, with safe, affordable and accessible transport, creation of a safe local environment for free play, including freedom from pollution, hazardous chemicals and waste, and road traffic measures to reduce levels of pollution near households, schools and playgrounds, including design of zones in which players, pedestrians and bikers have priority.

48. States should introduce legislation, regulations and guidelines, together with the necessary budgetary allocation and effective monitoring and enforcement mechanisms, to ensure that third parties comply with article 31 of the Convention, including by establishing safety standards for all toys, play and recreational facilities, particularly concerning toxic substances, in urban and rural development projects. In situations of climate-related disasters, active measures should be taken to restore and protect children's rights under article 31 of the Convention, including through the creation or restoration of safe spaces, and by encouraging play and creative expression to promote resilience and psychological healing.

F. The right of indigenous children (art. 30)

49. Indigenous children are disproportionately affected as a result of environmental degradation, pollution and climate change. States parties should closely consider the impact of environmental harm for the significance of traditional land and the quality of the natural environment while ensuring the right to life, survival and development of indigenous children. States should also undertake measures to engage with indigenous children and their families in responding to climate change by integrating, as appropriate, indigenous cultures and knowledge in mitigation and adaptation measures.

G. The right to non-discrimination (art. 2)

50. Certain groups of children face heightened barriers to the enjoyment of their rights in relation to the environment due to multiple and intersecting forms of discrimination. They include girls, children with disabilities, indigenous children and children of minority groups, children of peasants, children in rural communities, children living or working in hazardous, contaminated, disaster-prone and/or climate-vulnerable environments, children living in poverty, children in street situations, children of nomadic groups, children in situations of conflict or humanitarian disaster, and refugee, migrant and internally displaced children.

51. States should collect disaggregated data in order to identify the differential impacts of environment-related harm on children, paying special attention to groups of children most at risk, and implement special measures as required. For example, States should review emergency protocols to include assistance and other support for children with disabilities during climate-related disasters.

H. The best interests of the child (art. 3)

52. Environmental decisions generally concern children and the best interests of the child shall be a primary consideration in the adoption and implementation of environmental decisions affecting children. These include laws, regulations, policies, standards and guidelines, plans and strategies, budgets, international agreements and development assistance. Where a decision may have a major environmental impact on children, a more detailed procedure to consider their best interests is appropriate.

53. Determining the best interests of the child should include an assessment of the specific circumstances that make children uniquely vulnerable in the environmental context. The purpose of assessing the best interests of the child shall be the full and effective enjoyment of all rights relating to a safe, healthy and sustainable environment. States should not only protect children against environmental harm but also ensure their well-being and development, taking into account the possibility of future risk and harm.¹⁵

54. The adoption of all measures of implementation should also follow a procedure that ensures that the best interests of the child are a primary consideration. The child rights impact assessment should be used to predict the environmental impact of any proposed policy, legislation, regulation, budget or other administrative decision which concern children and should complement ongoing monitoring and evaluation of the impact of measures on children's rights.

55. Potential conflicts of the best interests of the child with other interests or rights should be resolved on a case-by-case basis, carefully balancing the interests of all parties. Decision-makers should analyse and weigh the rights and interests of all those concerned, giving appropriate weight to the primacy of the best interests of the child. States should take into account the possibility that environmental actions which seem reasonable on a shorter scale can become unreasonable when considering the full harm they will cause to children throughout their childhoods and their lives.

I. The right of the child to be heard (art. 12)

56. Children identify environmental issues as highly relevant and important to their lives. Children's voices have become a powerful global force for environmental protection and their views add relevant perspectives and experience with respect to environmental matters at all levels. Even from an early age, children can enhance the quality of environmental solutions, for example by providing invaluable insights into issues such as the effectiveness of early warning systems for environmental hazards. Children's views should be considered in the design and implementation of measures aimed at addressing the significant and long-term environmental challenges that are fundamentally shaping their lives. Additional support and special strategies may be required to empower children in disadvantaged situations, such as children with disabilities, children belonging to minority groups and children living in geographically vulnerable areas, to exercise their right to be heard. The digital environment has potential for consulting with children and expanding their capacity and opportunities to effectively engage on environmental matters, including through collective advocacy.¹⁶

57. States should ensure that age-appropriate mechanisms are in place for children's views to be heard regularly and at all stages of the environmental decision-making process for legislation, policies, regulations, projects and activities that may affect them at sub-national, national and international levels. For voluntary, respectful and transparent participation, children should be provided with environmental and human rights education, age-appropriate information, adequate time and resources and a supportive and enabling environment. They should receive information about outcomes of environment-related consultations and feedback on how their views were considered and have access to complaints procedures and remedies when their right to be heard in the environmental context is disregarded.

58. At the international level, States and international organizations should facilitate the involvement of children's associations and child-led organizations or groups, in decision-making processes relating to the environment. States should also ensure that their obligations concerning children's right to be heard are reflected in instruments of international environmental law. Youth participation should be used to enhance child participation in environmental decision-making.

¹⁵ CRC/C/GC/14, paras. 16 (e), 71, 74.

¹⁶ CRC/C/GC/25, paras. 16, 18.

J. Freedom of expression, association and peaceful assembly (arts. 13 and 15)

59. Children's rights to freedom of expression, association and peaceful assembly should not be subjected to restrictions other than those that are lawful, necessary and proportionate.

60. Children who express their views or engage in public protests on environmental degradation, climate change and climate-related projects may face threats, intimidation, harassment or other serious reprisals. States are required to protect the rights of environmental child rights defenders, including through the provision of a safe and empowering context for initiatives organized by children to defend human rights. States should undertake all appropriate measures to ensure that laws relating to defamation and libel are not abused by third parties to repress those children's rights, including through adoption and implementation of laws to protect child rights defenders in accordance with international human rights standards, raise awareness against stigmatization of activities and provide effective remedies for violations of their rights to freedom of expression, peaceful assembly and association.

61. States should foster, recognize and support the positive contribution of children towards environmental sustainability and climate justice as an important means of civil and political engagement through which children can negotiate and advocate for the realization of their rights related to the environment, and hold States accountable.

K. Access to justice and remedies (art. 4)

62. Effective remedies should be available to redress violations.¹⁷ This requires States to provide pathways for children to access justice. Although children have been at the vanguard of several environmental and climate change cases, their status creates difficulties for them to pursue remedies. An initial barrier is legal standing, and restrictive requirements that individual children must be directly affected by or have a sufficient interest in the environmental harm. As a result, children often have limited means of asserting their rights in the environmental context.¹⁸

63. Cases involving environmental harm are complex due to transboundary effects, causation and cumulative impacts. This necessitates effective legal representation of children. Furthermore, litigation is often a lengthy process, and supranational bodies generally require the exhaustion of domestic remedies prior to filing a complaint.

64. States should ensure children's access to timely, appropriate and effective judicial and non-judicial mechanisms, including national human rights institutions, for violations of their rights relating to environmental harm. Child-sensitive procedures should be available for claims of imminent or foreseeable harms, as well as past or current violations of children's rights. States should ensure that these are readily available to all children under their jurisdiction without discrimination, including for child victims of transboundary harm resulting from States' acts or omissions within their territories.

65. Complaint mechanisms should be free of charge, safe, confidential, prompt, child-friendly and accessible. States should consider providing for collective complaints, such as class actions and public interest litigation¹⁹ and extending limitation periods for violations of children's rights due to environmental harm.

66. Children should have access to free legal and other appropriate assistance, including legal aid and effective legal representation, and be provided the opportunity to be heard directly in any judicial or administrative proceedings affecting them. States should consider additional measures to lower the costs for children seeking remedies, for example through protection from adverse cost orders to limit the financial risk to children bringing cases in the public interest concerning climate harm.

¹⁷ CRC/C/GC/2003/5, para. 24.

¹⁸ [Report of the Committee's 2016 Day of General Discussion](#), p. 21.

¹⁹ CRC/C/GC/16, para. 68; CRC/C/GC/25, para. 44

67. States should explore options to reduce the onerous burden of proof on child plaintiffs to establish causation in the face of numerous variables and information deficits, rather than on the State or private actors whose polluting activities and contribution to greenhouse gas emissions cause them harm²⁰ to enhance accountability and promote children's access to effective remedy.

68. Children may face particular difficulties in obtaining remedies in cases involving business enterprises causing violations of their rights, especially concerning transboundary and global impacts. States have obligations to provide effective remedies and reparations for violations of children's rights by business enterprises, including their extraterritorial activities and operations, provided that there is a reasonable link between the State and the conduct concerned. States should ensure that businesses provide effective grievance mechanisms for child victims, while they should have access to State-based remedies. States should also ensure the availability of regulatory agencies with oversight powers relevant to children's rights monitor abuses and provide adequate remedies for violations of children's rights related to the environment.

69. Appropriate reparation includes restitution, adequate compensation, satisfaction, and rehabilitation, both of the environment and of children affected, including access to medical and psychological assistance. Remedial mechanisms should take into account the specific vulnerabilities of children to the effects of climate change, and that the harm can be irreversible and lifelong. Reparation should be swift to limit ongoing and future violations. The application of novel forms of remedy is encouraged, such as orders to establish intergenerational committees to determine and oversee the expeditious implementation of measures to mitigate and adapt to the impacts of climate change, in which children are active participants.

70. Access to applicable international and regional human rights mechanisms should be available, including the ability to submit a complaint pursuant to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, information about which should be made widely known to children, parents, caregivers and professionals working with and for children.

IV. The right to a clean, healthy and sustainable environment

71. Children have the right to a clean, healthy and sustainable environment. This right is implicit in, and directly linked to, in particular, the rights to life, survival and development (art. 6), the highest attainable standard of health, including 'taking into consideration the dangers and risks of environmental pollution' (art. 24), an adequate standard of living (art. 27) and education, including the development of respect for the natural environment (art. 29).

72. Substantive elements of this right are profoundly important for children, as they include clean air, a safe climate, healthy ecosystems and biodiversity, safe and sufficient water, healthy and sustainable food, and non-toxic environments.²¹

73. Towards the realization of this right for children, the Committee considers that the following actions should be taken immediately:

- (a) Improve air quality by reducing both outdoor and household air pollution to prevent under-five mortality;
- (b) Ensure access to safe and sufficient water and healthy aquatic ecosystems to prevent the spread of waterborne illness among children;
- (c) Transform industrial agriculture to produce healthy and sustainable food aimed at preventing malnutrition and undernutrition;
- (d) Phase out the use of coal, oil and natural gas by investing in renewable energy, energy storage and energy efficiency to address the climate crisis;

²⁰ [Report of the Committee's 2016 Day of General Discussion](#), p. 22.

²¹ [A/HRC/40/55](#); [A/HRC/46/28](#); [A/HRC/49/53](#); [A/74/161](#); [A/75/161](#); [A/76/179](#).

(e) Conserve, protect and restore biodiversity for the current and future generations;

(f) Prevent marine pollution by banning the direct or indirect introduction of substances into the marine environment that are hazardous to children's health and marine ecosystems.²²

74. Procedural elements have similar importance, including access to information, participation in decision-making and access to justice with effective remedies, empowering children, including through education, to become agents of their own destiny, actively shaping their future rather than passively inheriting a clean, healthy and sustainable environment.

V. General obligations of States

A. The obligation to respect, protect and fulfil

75. States should ensure a clean, healthy and sustainable environment in order to respect, protect and fulfil children's rights. The obligation to respect requires States to refrain from violating children's rights by causing environmental harm, for example by subsidizing products or activities that produce toxic pollution or contribute to climate change. States shall protect children against harmful environmental interferences from other sources, including business enterprises, prevent and mitigate the impacts of environment-related disasters which might be life-threatening to children, even where they are beyond human control, for example by establishing early warning systems. As for the obligation to fulfil, States should take effective steps to facilitate, promote and provide for the enjoyment of children's rights related to the environment, including by ensuring the conservation and sustainable use of ecosystems and biological diversity.

76. States have a due diligence obligation to take appropriate measures to protect children against reasonably foreseeable environmental harm and violations of their rights. Examples include assessing the environmental impacts of policies and projects and paying due regard to the precautionary approach, reducing unpreventable harm, and providing for timely and effective remedies for both foreseeable and actual harm.

77. The obligation to respect requires States to refrain from actions limiting the right of children to express their views on climate protection, or imposing restrictions on their access to environmental information. States are also obliged to protect children from misinformation concerning environmental risks and from the risk of violence or other reprisals. The obligation to fulfil requires States to combat negative societal attitudes to children's right to be heard in relation to the environment, and to promote the meaningful and empowered participation of all children within the family, schools, communities and broader environmental decision-making.

78. States should take deliberate, concrete and targeted steps towards achieving the full and effective enjoyment of children's rights related to the environment, including through the development of legislation, policies, strategies or plans that are science-based and consistent with relevant international guidelines related to environmental health and safety, such as those established by the World Health Organization. States shall not take retrogressive measures that are less protective of children without convincing justification.

79. States are obligated to devote the maximum available financial, natural, human, technological, institutional and informational resources to realize children's rights in relation to the environment, including those available within the framework of international cooperation.

80. States have some discretion to arrive at a reasonable balance between environmental and other social goals in light of available resources, including by determining appropriate levels of environmental protection. However, the leeway of States is limited by their

²² Convention for the Protection of the Marine Environment of the North-East Atlantic, art. 2.2(a).

obligations under the Convention. Children are far more likely to suffer serious harm, including irreversible and lifelong consequences and even death, from environmental impacts. Therefore, States should set and enforce environmental standards that protect children from these disproportionate and long-term effects.

81. States should use platforms at all levels to collect and process data with respect to environment-related specifics on children's rights. States should ensure the collection of reliable and regularly updated and disaggregated data and research on environmental harms, including risks and actual impacts of climate-related harm on children's rights. They should include longitudinal data on the effects of environmental harm on children's health and development at different ages. Such data and research should inform the formulation and evaluation of environmental legislation, policies, programmes and plans at all levels, and should be made publicly available.

B. Heightened obligations

82. There is a heightened duty of care on the State in view of the special status of children, including recognition that violations of their rights arising from environmental harm may have a severe and long-lasting impact on their development.

83. States should effectively protect children, taking into consideration their specific needs and particular susceptibility in the environmental context. Environmental standards, policies or measures that may affect children's rights should be subjected to a child rights impact assessment.

C. Access to information

84. Access to information (arts 13 and 17) is essential for enabling children and their parents or caregivers to comprehend potential effects of environmental harm on children's rights. It is also a crucial prerequisite for realizing the rights of children to express their views, to be heard, and to effective remedy on environmental issues.

85. Children have the right to access relevant information, including the causes, effects and actual and potential sources of climate and environmental harm, adaptive responses, relevant climate and environmental legislation, regulations, findings from climate and environment impact assessments, policies and plans, and about appropriate lifestyle choices for sustainable development, for example, what children can do in their immediate environment related to waste management and consumption behaviours.

86. Information should be disseminated in a way appropriate to the age and capacities of children, overcoming obstacles such as illiteracy, disability, language, distance and limited access to information technology. States should encourage the mass media to disseminate information and materials regarding the environment, for example, measures that children and their families can take to manage risks in the context of climate-related disasters.

D. Child rights impact assessments

87. All proposed legislation, policy, regulations, budget or other administrative decisions related to the environment requires vigorous child rights impact assessments. States should require the prior assessment of the possible environmental and climate impacts, directly or indirectly, including transboundary and cumulative, and both production and consumption effects, on the enjoyment of children's rights.

88. Child rights impact assessments should have special regard for the differential impact of climate-related actions on children, especially the groups of children most at risk, necessarily including young children, as measured against all relevant rights under the Convention. This includes long-term impacts, interactive impacts and impacts on the different stages of childhood. For example, States that have substantial fossil fuel industries should assess the social and economic impact on children of their strategies for a just transition. Where a child rights impact assessment is not carried out, authorities should

clearly state the reasons, for example, a demonstration that children are not expected to be harmed by the actions under examination.

89. Child rights impact assessments should be undertaken as early as possible in the decision-making process, include the views of children and experts working at the interface of children's rights and the environment and make recommendations for alternatives and improvements. Findings of child rights impact assessments should be made available, including in child friendly language and in the languages children use.

F. Children's rights and the business sector

90. Businesses have responsibilities to respect children's rights and prevent and remedy violations of their rights in relation to the environment, and States have the obligation to ensure that businesses, including state-owned enterprises, meet those responsibilities.²³

91. Business activity is the source of significant environmental damage that contributes to child rights violations. They include production, use, release and disposal of hazardous and toxic substances, extraction of non-renewable resources, industrial air and water pollution, unsustainable agriculture and fishing practices, and many other activities that adversely affect the environment. However, businesses can contribute greatly to the improvement of environmental conditions and work towards strong sustainability. The business sector therefore should play a key role in addressing environmental harm that interferes with the enjoyment of children's rights.

92. States have obligations to provide a framework to ensure that businesses respect the rights of the child, through effective legislation, regulation and enforcement, as well as policy, remedial, monitoring, coordination, collaboration and awareness-raising measures. States should require businesses to undertake child-rights due diligence and identify, prevent and mitigate their impact on the environment and children's rights including across their business relationships and within global operations. A stricter process of due diligence is required where there is a high risk that certain groups of children such as those working in hazardous conditions are exposed to environmental risks through business activities across supply chains. Immediate steps should be taken in the event that children are identified as victims of environmental impacts to prevent further harm to their health and development, and to repair damage done in a timely manner.

93. The Committee recommends the development by businesses, in partnership with stakeholders including children, of methodologies that integrate children's rights and environmental impact in their operation. Marketing standards should ensure that business policies such as "green-washing" and "green-sheening" do not mislead consumers, particularly children, into believing that businesses are preventing or mitigating environmental harms when this is not the truth.

G. International cooperation

94. States have obligations to take actions, separately and jointly through international cooperation, to respect, promote and fulfil children's rights. Article 4 of the Convention emphasizes that implementation of the Convention is a cooperative exercise for the States of the world,²⁴ and the full realization of children's rights under the Convention is in part contingent on how States interact. Climate change clearly represents an archetypal example of a global threat to children's rights that requires States to work together, calling for "the widest possible cooperation by all countries and their participation in an effective and appropriate international response".²⁵ The obligations of international cooperation of each State depends in part on its situation. In the climate context, such responsibilities are appropriately tailored to take account of the historical emissions of greenhouse gas and

²³ CRC/C/GC/16, paras. 28, 42, 82.

²⁴ CRC/GC/2003/5, para. 60.

²⁵ UNFCCC preamble; A/HRC/RES/26/27; A/HRC/RES/29/15.

respective capabilities and challenges of States,²⁶ while requiring technical and financial assistance from high-income States to developing States, consistent with article 4 of the Convention.

95. In particular, high-income States should support adaptation and mitigation efforts in developing countries by facilitating the transfer of green technologies, and by contributing to financing climate mitigation and adaptation,²⁷ in line with their internationally agreed climate finance goals. The Convention should form the framework for States' international mitigation and adaptation strategies, cooperation and financial support. The climate-related programmes of donor States should be rights-based, while States that receive international climate finance and assistance should allocate a substantive part of that aid specifically to children. Implementation guidelines of the Paris Agreement with respect to both adaptation and mitigation action should be reviewed and updated to take into account the child rights obligations of States.

96. States should ensure that adaptation and mitigation measures supported by international climate finance mechanisms and international organizations respect and protect children's rights, including through the integration of standards and procedures to assess the risk of harm to children in conjunction with new climate-related projects, and to take measures to mitigate risks of such harm in compliance with the Convention and the Optional Protocols. States should furthermore cooperate to support the establishment and implementation of procedures and mechanisms to provide access to effective remedies for violations of children's rights in this context.

97. States should cooperate in good faith in the establishment of global responses addressing climate-related loss and damage suffered by the most vulnerable countries, paying particular attention to safeguarding the rights of children in light of their specific vulnerabilities to climate-related risks, and addressing the devastating impact of both sudden- and slow-onset forms of climate disruption on children and their communities.

VI. Climate change

A. State obligations, implementation and accountability

98. This section focuses on the climate crisis, which poses a massive risk to the enjoyment of children's rights in the Convention, and applies to other forms of environmental harms, where applicable.

99. The measures set out in this section should be understood as applying both to acts or omissions in relation to the causes and effects of climate change, as well as to the design and implementation of measures through which climate action is pursued.

100. Under the Convention, States have obligations, including extraterritorial obligations, to respect, protect and fulfil children's rights. The foreseeable adverse effects of climate change on the enjoyment of children's rights give rise to obligations of States to take actions to protect against those effects, and to mobilize the maximum available resources for the adoption of measures aimed at mitigating its cause and effect and preventing further harm.

101. States shall respect children's rights, including by refraining from the adoption of measures that could worsen the cause and effect of climate change; protect children's rights, by effectively regulating non-State actors, especially business sectors, to ensure that their actions do not worsen the impacts of climate change; and fulfil children's rights, by adopting measures that channel modes of production and consumption towards a more environmentally sustainable pathway, and foster the resilience of children and their communities.²⁸

²⁶ UNFCCC preamble, art. 3(1); Paris Agreement, Art 2(2); A/HRC/RES/26/27; A/HRC/RES/29/15.

²⁷ UNFCCC, art. 4(5); Paris Agreement, art. 9(1).

²⁸ *Ibid.*, para. 10.

102. States' obligations under the Convention should reflect their commitments under the international climate change regime and the best available climate science, namely their agreed objective to achieve the global goal to limit global warming to well below 2°C, while pursuing efforts to limit the temperature increase to 1.5°C.²⁹ Reports by the Intergovernmental Panel on Climate Change illustrate that complying with this limit is imperative. Furthermore, States' obligations should guide them in the design, implementation, monitoring and evaluation of measures to address climate change,³⁰ considering the disproportionate impacts of climate change on children's rights that are already occurring due to an increase in global warming of 1°C above pre-industrial levels.³¹

103. States should incorporate children's right to a clean, healthy and sustainable environment, which includes a safe climate as a substantive element, in their national legislation, and take adequate measures to implement it, in order to strengthen accountability and facilitate children's greater participation. States should also ensure a coherent approach in mainstreaming climate action across all decisions and measures concerning children, including policies related to education, leisure, play and access to green spaces, child protection and health, as well as national frameworks for implementation of the Convention.

B. Adaptation

104. Since climate-related impacts are intensifying, a sharp and urgent increase in the design and implementation of child-sensitive adaptation measures and associated resources is necessary. States should identify climate-related child vulnerabilities depending on the availability, quality, equity and sustainability of essential services for children, such as water and sanitation, health care, nutrition and education. States should enhance the climate resilience of their legal and institutional frameworks and ensure that their national adaptation plans and existing social, environmental and budgetary policies address climate-related vulnerabilities by assisting children within their jurisdiction to adapt to the unavoidable effects of climate change. Examples include strengthening child protection systems in risk-prone contexts, providing adequate access to water, sanitation and healthcare as well as safe school environments and strengthening social safety nets and social protection frameworks while giving priority to children's right to life, survival and development.

105. Adaptation measures, including disaster risk reduction, preparedness, response and recovery, should take into account the views of children. Children should be able to understand the effects of climate actions on their rights and have opportunities to meaningfully participate in decision-making processes. Neither the design nor the implementation of adaptation measures should discriminate against groups of children at heightened risk, such as young children, girls, children with disabilities, children on the move, indigenous children and children in situations of poverty. States should take additional measures to ensure that vulnerable children affected by climate change enjoy their rights, including by addressing the underlying causes of vulnerability.

106. Adaptation measures should target both short- and long-term impacts, such as those aimed at sustaining livelihoods and developing sustainable water management systems. Measures that are necessary to protect children's rights to life and health from imminent threats, such as extreme weather and floods, should include establishing early warning systems and risk notification and increasing the physical safety and resilience of infrastructure, including school, water and sanitation and health infrastructure, to reduce the risk of climate-related hazards. States should adopt emergency response plans such as provision of humanitarian assistance and access to food and water and sanitation. Adaptive measures should also take into account relevant national and international standards such as those contained in the Sendai Framework for Disaster Risk Reduction 2015-2030.

²⁹ Paris Agreement, art. 2(1)(a).

³⁰ Ibid., preamble.

³¹ [Special report of the Inter-governmental Panel on Climate Change on the impacts of global warming of 1.5°C above pre-industrial levels, 2018.](#)

Furthermore, adaptation frameworks should address climate-related migration and include provisions for ensuring a child rights-based approach to migration.

107. In the event of imminent threats of climate-related harm such as extreme weather events, States should ensure that all information that would enable children, their caregivers and communities to take protective measures is disseminated immediately. States should strengthen the awareness of children and communities on disaster risk reduction and prevention measures.

C. Mitigation

108. The Committee calls for collective accelerated actions to use the narrow temporal window of opportunities to mitigate the effects of climate change. In particular, historical and current major emitters have heightened obligations to take effective measures to contribute to mitigation efforts.

109. Insufficient progress in achieving international commitments to limit global warming to pre-industrial levels exposes children to the significant threats to their rights associated with greater concentrations of greenhouse gas emissions and correlative temperature increases. Greater risk in relation to children's rights and climate change represents the passing through so-called "tipping points", or thresholds beyond which certain impacts can no longer be avoided.

110. Mitigation measures should be based on the best available science, reflect the "highest possible ambition,"³² and be regularly reviewed to ensure a pathway towards low carbon emissions in a manner that prevents harm to children.

111. When determining the appropriateness of their mitigation measures in accordance with the Convention, States should take into account the following criteria:

(a) Mitigation measures should clearly indicate how they respect, protect and fulfil children's rights under the Convention. States should transparently and explicitly focus on children's rights when preparing, communicating and maintaining nationally determined contributions.³³ This obligation includes biennial update reports, international assessment and review, international consultation and analyses.³⁴

(b) Mitigation measures should be informed by the principles of equity and common but differentiated responsibilities and respective capabilities. States have an individual responsibility to mitigate climate change in order to fulfil their obligations under the Convention and international environmental law.³⁵ Mitigation measures should reflect each State party's "fair share" of the global effort to mitigate climate change, in light of the total reductions necessary to protect against reasonably foreseeable harm to children's rights. Developed States should continue to take the lead by undertaking economy-wide absolute emission reduction targets and other States should enhance their mitigation measures in the light of different national circumstances in a manner that realizes children's rights to the maximum possible extent.³⁶

(c) Short-term mitigation measures should take into consideration that delaying ambitious emissions reduction measures until after 2030 will result in higher cumulative emissions, and thus greater foreseeable harm to children's rights.

(d) Successive mitigation measures should represent a "progression over time",³⁷ keeping in mind that the timeframe for children is shorter and requires urgent actions.

(e) Mitigation measures should not rely only on negative emissions to remove carbon dioxide from the atmosphere. States should also take measures to reduce emissions

³² Paris Agreement, art. 4.3.

³³ *Ibid.*, art. 4.2.

³⁴ *Ibid.*, art. 14.4.

³⁵ *Sacchi et al v Argentina et al*, para. 10.6.

³⁶ Paris Agreement, art. 4.4.

³⁷ *Ibid.*, arts. 3 and, 4.3.

now in order to support children in full enjoyment of their environment-related rights in the shortest possible period of time.³⁸

112. States should consider discontinuing financial incentives or investments in activities and infrastructure that are not consistent with low greenhouse gas emission pathways, whether undertaken by public or private actors, as a mitigation measure to prevent further damage and risk.

113. Developed States should assist developing countries to plan and implement mitigation measures in order to help the most vulnerable children. The assistance could include providing information on financial, technology transfer and capacity-building measures that specifically contribute to the prevention of harm caused by climate change on children. The recipient country should provide information needed for providing such support.³⁹

D. Business and climate change

114. Businesses are a major contributor to greenhouse gas emissions, which adversely affect children's rights locally, while contributing to short- and long-term infringements of their rights linked to global climate change. The impacts of business activities and operations can also undermine the ability of children and their families to adapt to the impacts of climate change, for example through poor or unsustainable watershed management which exacerbate climate stress. States should incentivize business enterprises to mobilize vast financial resources, generate new technologies and exert influence throughout their operations and supply chains in ways that prevent, mitigate and adapt to climate change, and strengthen the realization of children's rights.

115. States should take all necessary, appropriate and reasonable measures to protect children from direct and indirect violations of their rights by business enterprises related to climate change and ensure that businesses rapidly reduce emissions and take other steps to prevent adverse climate-related impacts on children's rights. States should require businesses to conduct environmental and climate impact assessments and child rights due diligence, to ensure that they identify, prevent and mitigate negative climate-related effects of their actual and proposed actions on children's rights, including production- and consumption-related activities, and those linked to their supply chains and global operations.⁴⁰ Such impact assessments and due diligence should carefully consider the disproportionate and long-term impacts of climate-related harm on children.

116. Home States should adopt measures to address current harm and foreseeable climate-related risks to children's rights posed by business enterprises that have transboundary effects when there is a reasonable link between the State and the conduct concerned and should provide effective remedies for infringements.⁴¹ States should cooperate to ensure that business enterprises operating transnationally comply with applicable environmental standards aimed at protecting children's rights from climate-related harm. Home States should provide international assistance and cooperation with investigations and enforcement of proceedings in other States.⁴²

117. States should incentivize investment in and use of carbon-neutral technologies, particularly by those that are State-owned, or that receive public finances from State agencies, for example by discontinuing financial incentives for activities and infrastructure that are not consistent with low greenhouse gas emission pathways. States should enforce progressive taxation schemes and adopt strict sustainability requirements for public procurement contracts.⁴³ States can also encourage public-private partnerships that increase access and affordability of renewable technology and the provision of sustainable energy products and services, particularly at the community level.

³⁸ UNFCCC, arts. 4(1)(h)(i)(j), (2)(b); Paris Agreement, preamble, arts. 4.8, 12, 13.

³⁹ Paris Agreement, art. 13.9.

⁴⁰ CRC/C/GC/16, para. 62.

⁴¹ CRC/C/GC/16, para. 38.

⁴² *Ibid.*, para. 44.

⁴³ *Ibid.*, para. 27.

118. States should ensure that their obligations under trade or investment agreements place obligations on investors to conduct child rights due diligence, and ensure that such agreements promote rapid reductions in greenhouse gas emissions and other measures to mitigate the causes and effects of climate change, including through the facilitation of investment in renewable technologies.⁴⁴ The climate-related impacts of the implementation of the agreements on children's rights should be regularly assessed, allowing for corrective measures as appropriate.

E. Climate finance

119. Both international climate finance providers and recipient States should undertake to uphold that climate finance mechanisms are anchored on a child rights-based approach under the Convention and its Optional Protocols. In particular, States should ensure that any climate finance mechanisms uphold and not violate children's rights; increase policy coherence between child rights obligations and other objectives, such as economic development; and strengthen the demarcation of roles of various stakeholders in climate finance, such as governments, financial institutions, businesses and affected communities, especially children.

120. The principle of common but differentiated responsibilities indicates that developed States should cooperate with developing States and provide the necessary climate finance for climate action that upholds child rights. This is in line with the international climate commitments that developed States have undertaken. In particular, despite the link between various financing mechanisms including on sustainable development, climate finance provided by developed States should be new and additional to other financial flows that support children's rights. It should also be transparent and avoid tracking challenges such as double counting.

121. The current climate finance gap which is overly slanted towards mitigation at the cost of adaptation measures has discriminatory effects on children who live in settings where more adaptation measures are needed. States should bridge the global climate finance gap, with a view to equal distribution. Moreover, the determination by States of the total global climate finance needed should be informed by the documented needs of communities especially children and their rights.

122. States should facilitate access to information for affected communities, especially children, on activities supported by climate finance. Such information should include possibilities for lodging complaints about alleged violations of child rights. States should devolve decision-making on climate finance to strengthen participation of beneficiary communities especially children. States should subject the approval and execution of climate finance to a child rights impact assessment to prevent and address financed mitigation and adaptation measures that could lead to violation of children's rights.

123. Children are calling on the collective actions of States. According to one child consulted for the present general comment, "global warming and other problems cannot be solved unless there is global cooperation."

⁴⁴ E/C.12/GC/24, para. 13.