

44th session of the Human Rights Council
Annual full-day meeting on the rights of the child
Theme: Realizing the rights of the child through a healthy environment

Concept note (draft as of 29 June 2020)

Date and venue: 1 July 2020, 10 a.m. to 12 p.m. and 3 to 5 p.m., Assembly Hall, Palais des Nations, Geneva

(will be broadcast live and archived on <http://webtv.un.org>)

Objectives: To gather specific experts including States, United Nations entities, civil society organizations, environmental actors, national human rights institutions and children's ombudspersons and children to promote understanding of the relationship between children's rights and a safe, clean, healthy and sustainable environment and the relevant international legal frameworks, to strengthen commitments to adopt a child rights-based approach to environmental and climate-related initiatives, and to identify concrete measures for action. This will be done through:

- Highlighting the linkages between the rights of the child as they relate to a safe, clean, healthy and sustainable environment by examining how environmental harm and exposure to pollution and toxic substances affects children, including those most at risk, and how children of different ages, gender and backgrounds can participate in decisions and actions to prevent, respond and adapt to environmental harm. Environmental harm encompasses all forms of pollution and hazardous waste, climate change, biodiversity and ecosystem loss and other forms of environmental degradation;
- Providing guidance on how to integrate a comprehensive child rights-based approach into environment-related law, policy and practice, based on the outcomes and recommendations of the 2016 day of general discussion of the Committee on the Rights of the Child on the theme of children's rights and the environment and also based on relevant thematic reports of the special procedures of the Human Rights Council and of the Office of the United Nations High Commissioner for Human Rights;
- Identifying and learning from good practices and lessons learned to ensure children's rights through a healthy environment;
- Highlighting primary obligations of the State as the main duty bearer to respect, protect and fulfil children's rights through a healthy environment, including participation, access to information, justice and remedy, and prevention, and business responsibility to respect children's rights, including the right to a safe, clean, healthy and sustainable environment, in the context of their operations; and
- Promoting and strengthening collaboration between relevant actors dealing with children's rights and environmental protection, complementing developments related to human rights and the environment in other fora.
- A call to action: States, international organizations, the private sector, civil society organizations, academics and other participants are invited to identify and share concrete commitments to realize children's rights through a healthy environment.

Morning
10 a.m. to 12 p.m.

A healthy environment as a child rights concern: setting the scene

Chair: H.E. Ms. Elisabeth Tichy-Fisslberger, President of the Human Rights Council

Opening statement: Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights

Moderator: H.E. Mr. Walter Stevens, Ambassador and Head of the European Union Delegation to the United Nations Office and other international organizations in Geneva

Speakers and themes:	<ul style="list-style-type: none"> • Mr. Clarence Nelson, Member of the Committee on the Rights of the Child <i>Realizing children’s rights to a healthy environment and ensuring accountability</i> • Dr. Maria Neira, Director - Environment, Climate Change and Health, World Health Organization <i>Children’s environmental health: the effect of environmental degradation on children</i> • Junior, Child environmental human rights defender from Côte d’Ivoire (<i>video message</i>) <i>Children’s environmental rights in perspective</i>
Afternoon 3-5 p.m.	<i>Ensuring children’s rights through a healthy environment: a call to action</i>
Chair:	H.E. Ms. Socorro Flores Liera , Vice-President of the Human Rights Council
Moderator:	H.E. Mr. Ricardo González Arenas , Ambassador and Permanent Representative of Uruguay to the United Nations Office and other international organizations in Geneva
Speakers and themes:	<ul style="list-style-type: none"> • Mr. David R. Boyd, Special Rapporteur on human rights and the environment (<i>video message</i>) <i>The time for action is now: recognizing children’s right to live in a safe, clean healthy and sustainable environment</i> • Mr. Sanjay Wijesekera, Director of Programmes, United Nations Children’s Fund (UNICEF) (<i>video message</i>) and Ms. Henriette Ahrens, Deputy Director of Programmes, UNICEF (<i>concluding remarks</i>) <i>Empowering children to realize their rights through a healthy environment</i> • Carmen Juliana, Child environmental human rights defender from Colombia (<i>video message</i>) <i>Children’s views and concerns on their rights and the environment - The Children’s Environmental Rights Initiative</i>
Outcome:	The two panels will bridge gaps between human rights and environmental discussions on the rights of the child through a healthy environment, and strengthen cooperation between stakeholders at the international, regional, national and local levels on this topic. The exchange of expertise and experiences will promote understanding of the ways in which the right to a safe, clean, healthy and sustainable environment is critical to realizing children’s rights. It will serve to identify good practices to address the impacts of environmental harm and exposure to toxic substances and pollution on children and their rights, including the effects of pandemics such as the coronavirus disease 2019 (COVID-19). It will also provide concrete suggestions on how States, the international community and the private sector can be held accountable and fulfil their obligations to realize children’s rights through a healthy environment.
Mandate:	In its resolution 7/29 on the rights of the child adopted in March 2008, the Human Rights Council affirmed “its commitment to effectively integrate the rights of the child in its work and that of its mechanisms in a regular, systematic and transparent manner, taking into account specific needs of boys and girls” and “to incorporate into its programme of work sufficient time, at a minimum an annual full-day meeting, to discuss different specific themes on the rights of the child.” Pursuant to its resolution 40/14, the Human Rights Council will focus its annual full-day meeting on the rights of the child on the theme “Realizing the rights of the child through a healthy environment”, which will be informed by the report of the High Commissioner thereon (A/HRC/43/30).
Format:	The duration of the annual full-day meeting will be limited to two hours in the morning and two hours in the afternoon. For both segments, the opening statement and initial

presentations by the panellists, the latter guided by the moderator, will be followed by an interactive discussion divided into two slots and chaired, respectively, by the President and Vice-President of the Human Rights Council.

A maximum of one hour will be set aside for the podium, including the opening statement, moderator's introduction, panellists' presentations, responses to questions and concluding remarks. The remaining hour will be reserved for two slots of interventions from the floor for States and observers (2x12), national human rights institutions (2x1) and non-governmental organizations (2x2).

The list of speakers for the discussion will be established through the online registration system and, as per practice, statements by high-level dignitaries and groups of States will be moved to the beginning of the list. Each speaker will have two minutes to raise issues and to ask panellists questions. Delegates who have not been able to take the floor due to time constraints will be able to upload their statements on the online system to be posted on the HRC Extranet.

Background:

Environmental degradation, climate change and childhood exposure to pollution and toxic wastes present an urgent challenge affecting the range of children's rights now and for future generations. Children are the most vulnerable to the consequences of environmental harm due to their on-going physical and mental development. They are subject to immediate and long-term impacts of the effects of climate change and toxic and pollutant exposure, causing disease, impairment and mortality. These effects are often irreversible, violating children's rights to health, life, development, health, food, water, culture and livelihood, play and education, among others.

Environmental harm most severely affects the youngest children. According to the World Health Organization, the deaths of an estimated 1.7 million children under five each year can be attributed to environmental factors, notably air and water pollution and exposure to toxic substances.¹ Marginalized children, especially those from low-income, indigenous or otherwise excluded communities, are at greatest risk.

A safe, clean, healthy and sustainable environment is necessary for the full enjoyment of human rights. It combines the environmental dimensions of economic, social, cultural, civil, and political rights, and protects the core elements of the natural environment that enable humans to live in dignity. The quality of the environment is a determinant of health. Ensuring a safe, clean, healthy and sustainable environment is fundamental to realizing children's rights now and for future generations, and requires prioritizing children's best interests in all environmental management and climate action decisions and eliminating childhood exposure to pollution and toxic substances.

The emergence of the COVID-19 pandemic poses a risk to a safe, clean, healthy and sustainable environment and the realization of children's rights. At the same time, protecting a healthy environment is the best way to protect health and well-being, including from pandemics like COVID-19. Biodiversity loss and environmental degradation places everyone at risk, including by creating the conditions for the type of animal-to-human zoonosis that produces viral epidemics such as COVID-19. Environmental degradation, such as air pollution, also increases people's vulnerability to poor health outcomes when they are exposed to COVID-19 and other viral infections.

The response to COVID-19 must be an effective human rights-based response that protects and benefits those in most vulnerable situations while advancing efforts to fulfil human rights, achieve the 2030 Agenda for Sustainable Development and limits global warming to the greatest extent possible. The COVID-19 response must be internationally coordinated, cooperative, evidence-based, people-centred and mobilize the maximum

¹ WHO, *Don't Pollute My Future! The Impact of the Environment on Children's Health*, (Geneva, 2017), p. 1.

available resources for the prevention and remediation of human rights and child rights harms caused by the COVID-19 pandemic.

Much of the environmental burden of disease on children is completely preventable through decisive and urgent climate action, pollution mitigation, safe disposal of toxic substances and chemical waste, disclosure of information and improved water, sanitation and hygiene. States must also ensure that children can participate in and access information and justice in environmental matters. It is only in healthy environments that children can develop and grow into healthy adults and claim and enjoy their rights.

Children and young people worldwide, particularly girls, have become key advocates for environmental rights, taking to the streets and demanding to be heard. They are exercising their right to participate in defending their right to a safe, clean, healthy and sustainable environment by demanding immediate climate action and climate justice.

This global child- and youth-led movement has also resulted in a number of lawsuits, and sixteen children have also submitted a communication to the Committee on the Rights of the Child against five major emitters (Argentina, Brazil, France, Germany and Turkey) for their failure to protect children's health and well-being in their responses to climate change.

Background documents:

- [Human Rights Council resolution 40/14](#) of 22 March 2019, "Rights of the child: empowering children with disabilities for the enjoyment of their human rights, including through inclusive education"
- [Human Rights Council resolution 34/16](#) of 24 March 2017, "Rights of the child: protection of the rights of the child in the implementation of the 2030 Agenda for Sustainable Development"
- Report of the United Nations High Commissioner for Human Rights on realizing the rights of the child through a healthy environment (2020) ([A/HRC/43/30](#))
- Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment on children's rights and the environment (2018) ([A/HRC/37/58](#))
- Analytical study of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and the full and effective enjoyment of the rights of the child (2017) ([A/HRC/35/13](#))
- Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes on the impact of toxics and pollution on children's rights (2016) ([A/HRC/33/41](#))