



## NETWORK FOR THE IMPLEMENTATION OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD

NATIONAL COALITION GERMANY

### Global Online Questionnaire GC 26

(17 December 2021 - 15 February 2022)

#### Submission of the National Coalition Germany- Network for the Implementation of the UN-Convention on the Rights of the Child

Answering the questionnaire was supported by the following member organizations of the National Coalition Germany: Deutsches Kinderhilfswerk e.V., KinderRechteForum, SV-Bildungswerk (Bildungswerk für Schülervvertretung und Schülerbeteiligung e.V.), World Future Council

[https://childrightsenvironment.org/wp-content/uploads/2021/12/Global-Online-Questionnaire\\_December-2021\\_ENGLISH.pdf](https://childrightsenvironment.org/wp-content/uploads/2021/12/Global-Online-Questionnaire_December-2021_ENGLISH.pdf)

#### I. Environmental impacts on children

- *What are the main impacts of climate change, pollution and nature and biodiversity loss for children's lives? Please highlight any ways in which children are uniquely affected, including examples of injustice imposed on specific groups of children (e.g. girls, children with disabilities, Indigenous children) and differences or inequalities between countries.*

Climate change, pollution and environmental pressures not only threaten a wide range of children's rights, e.g. their right to education and protection. It also violates children's right to health and exposes them to deadly diseases. This is the result of UNICEF's first climate risk index for children, which was published together with Fridays for Future in August 2021. Germany ranks 142nd out of a total of 163 countries analyzed. In a world comparison, children in Germany are therefore less affected by the consequences of climate and environmental hazards, shocks and stresses as many children in the global south. But, as a recent study found out, children in Germany will suffer more often from heat waves and climate fluctuations than their parents. Crucial for growing up healthily and for children's and adolescent's positive development are a healthy physical and mental constitution,

minimizing health risks as well as adequate care for children with impaired health. Pollution and climate change are increasingly contributing to success in implementation of human and children's rights to be undone again.

Children and adolescents are due to their not yet fully developed immune and nervous systems particularly threatened by environmental pollution, climate change and the effects of disasters. In Germany, the increasing chronic, psychological and psychosomatic ailments as well as unhealthy lifestyles are a cause for concern. More and more children, especially the younger ones, are having longer and longer persistent chronic diseases. Progressive pollutant emissions, including in the food chain, lead to a weakening of the child's immune system. The consequences are allergies and diseases of the not yet fully grown organism. Children's bodies and their immune systems are still developing. Damage caused in childhood could lead to lifelong impairment.

But also consequences of climate change such as floods or extreme weather fluctuations cause children to leave their familiar surroundings like it happened in the flood disaster in mid-July 2021 in Germany. The situation is even worse for many countries in the global south. Therefore, development cooperation must be based on the principles of ethics, responsibility and international solidarity. All states that have ratified the UN CRC have also entered into international obligations and must contribute to the sustainable improvement of the global economic, social and ecological framework and to the achievement of political framework conditions.

Decreased harvests due to climate change and, as a result, malnutrition, also hit children the hardest. They suffer more from diarrhea and mosquito-borne diseases (such as dengue). The conditions for the cholera pathogen have also improved since the early 1980s. Which leads to a faster spread of the highly contagious disease. Contaminated drinking water and poor hygiene, for example as a result of floods, are breeding grounds for cholera bacteria.

Children who grow up in poor areas with a lot of manufacturing industry are more affected by the pollution caused by climate-damaging companies. At the same time, if climate and social policy do not collapse, they are less able to mitigate the consequences of the climate catastrophe (e.g. floods, but also more expensive food). In Germany children from poor families are more affected by environmental pollution than children from well-to-do households f.e. with a larger proportion of children suffering from respiratory diseases and allergies.

In the 2014 study "Room for Children's Play" the German Children's Fund demonstrated that playing outside is mainly done by children from the middle and upper classes who live in appropriately well-equipped, quiet areas surrounded by green spaces. The annual children's report (German Children's Fund) was dedicated in 2020 to the importance of outdoor play for children and explored what prevents children from playing outside and what measures are needed to make playing outside easier. In addition to a better accessibility of play areas, e.g. through green path connections, the establishment of nature experience rooms and outdoor games integrated into everyday school life was clearly advocated.

- *In which ways do responses to these environmental crises also have the ability to adversely affect children (e.g. forced displacement, increasing food or energy prices)?*

Climate change forces children to seek refuge in unfamiliar living environments (climate refugees). This negatively affects their mental and physical health. At the same time, child poverty increases due to a raise in food and energy pricing which affects children's nutrition adversely. Poverty forces families into relying on children for additional household income. Children take on jobs to support their families and might end up in hazardous working conditions while not being able to attend school and receive a quality education.

Children living in socio-economically weak districts of German cities are more often exposed to environmental pollution (f.e. air pollution or noise) and have less (public) space to exercise their right to play and leisure. Due to increasing energy costs in Germany and a higher inflation, families with less economic means are dependent on support from the government. Still, the situation makes their lives harder with children suffering most.

## **II. A child rights-based approach to environmental issues**

- *What is the value of a child rights-based approach in addressing the environmental (climate) crisis and achieving sustainable development? What does this mean practically for the adoption of related laws, policies, programmes and practices?*

A child rights-based approach in addressing environmental and climate crisis could support governments to ensure that their laws, policies, and actions on the environment, climate protection and beyond explicitly include measures relating to children, their health and their rights. Moreover,

laws, policies, and actions on children should also contain measures to protect them from environmental impairment.

Keeping children's rights in mind while developing and implementing measures for sustainable development means having children's best interests, intergenerational justice and their participation at the center. In practice, this means involving children and young people in decision-making, informing them about climate change and their rights and providing a space for them to be heard and partake in developing, implementing and evaluating climate measures. The term "sustainable development" in itself implies guaranteeing intergenerational justice by thinking ahead how actions nowadays affect coming generations and not exploiting resources (key word: renewable energy).

- *How should the "four general principles" (namely non-discrimination; best interests; the right to life, survival and development, and the views of the child) shape decisions related to children's rights and the environment? Please provide concrete examples.*

Actively involving children and young people from different backgrounds in transport projects would much more often lead to other decisions in the best interest of the child including the non discrimination principle. In residential areas with multiple loads, deliberate traffic calming measures (speed 30, temporary play streets, bicycle streets, neighborhood blocks, etc.) could be implemented in order to minimize pollutant emissions and thus increase the opportunities for the children to stay/living quality and safety.

In cases of extreme weather events, children need early support, for example to evacuate to appropriate shelters, to treat injuries and illnesses, and to provide food and drinking water. In case of humanitarian aid we see the challenge that humanitarian funding is only applied for and distributed when a disaster strikes, it is often too late. For this reason the so-called "anticipatory action" (predictive humanitarian aid) should be strengthened. Funds are made available as soon as certain early warning indicators are exceeded, for example certain amounts of rain or days of drought. These indicators and funds are determined in advance by the donor, for example the federal government. This means that local people can be reached much faster and long-term damage can be avoided.

### III. A safe, clean, healthy and sustainable environment as an integral part of the enjoyment of children's rights

- *To what extent does the right to health and its explicit reference to environmental pollution in this context (Art.24 2(c) of the UN CRC) serve to protect children's rights from environmental harm, including climate change?*

Art. 24 c calls on the State Parties to take appropriate measures in terms of children's health, nutritious food and clean drinking water and mentions to take the dangers and risks of environmental pollution into consideration. With the knowledge we have now, the impacts of climate change on life on earth including increasing environmental pollution and loss of biodiversity, the term is too weak to force governments to include environmental measures with regard to children's best interest in their policies.

Economic stakeholders that contribute to environmental pollution must be held accountable on the basis of violating children's rights to health. There is a direct connection between environmental pollution (CO<sub>2</sub>-emission, releasing waste water into nature, deforestation) and climate change. In reference to Art. 2(c), states must initiate legal policies that force the economy to reduce environmental pollution to zero and to develop climate sensitive strategies reversing (slowing down) climate change.

- *Given the scale and urgency of action needed, what implications are there for States to ensure they meet their obligations in relation to these children's rights in the context of responses to the climate crisis (e.g. mitigation, adaptation), pollution prevention, and the protection of ecosystems and biodiversity? What concrete legislative, policy, administrative and other appropriate measures are required for their implementation?*

Concrete measures would be a strengthening of the participation rights of children and young people with regard to measures in the area of urban, traffic and landscape planning and beyond. In addition, binding specifications for the introduction of corresponding responsibilities, guidelines, processes, etc., so that actual implementation also takes place at state and federal level (by default, not just project-related and left to chance or the commitment of individual people). Especially digital platforms could help to facilitate non-discriminatory child participation regardless of their place of residence, socio-economic status, etc., ref. to GC No 25

Examples are: Guideline process in “Weil am Rhein”, project planning form in Berlin-Pankow (cooperation between youth welfare office and urban planning office), full-time child and youth participation officer in the Munich urban planning office). Next to children and youth Commissions or parliamentaries on local and national level within policy making another worthwhile mentioning tool are children and youth’ checks for policies.

- *What are the main gaps and strategic priorities for strengthening international cooperation in the context of children’s rights and the environment, including international assistance that contributes to the creation of safer and healthier environments for children in other countries?*

Especially when it comes to international cooperation and cohesion in the context of children’s rights and the environment there are many inconsistencies. In a system where states cannot fully be held accountable for their actions, international cooperation is fundamental for the effective implementation of children’s rights.

When it comes to children’s rights violations or the postulation of children’s rights, one strategic priority could be to find a way of holding states accountable for their actions. In order to get closer to that difficult task, the dialogue between all the different actors needs to be strengthened in effective ways that will contribute to more acceptance and urgency for change.

- *Are there other Convention rights whose realization requires a safe, clean, healthy and sustainable environment (e.g. life, survival and development, an adequate standard of living, food, water, play)? Why is this the case? Should particular rights receive more attention (e.g. freedom from exploitation and all forms of violence, participation in cultural life)?*

According to Article 31 of the UN Convention on the Rights of the Child, every child has the right to play, rest, to have leisure time and recreation appropriate to their age.

Article 24 also guarantees the right to the highest possible level of health. Accordingly, the contracting states must take sufficient preventive measures in good time so that every child can grow up healthy and develop his or her full potential. One of the most important tasks of open space planning is therefore to enable the younger generation in particular to have access to the health-promoting

effects of urban greenery. It is therefore important to maintain or create sufficient green infrastructure such as parks, green paths or nature experience areas, even in densely populated neighborhoods that are repeatedly affected by noise, heat and air pollution, and thus provide places for people to meet and exercise. These green infrastructures can have a recreational function for the population as well as contribute to active nature conservation and ensure that the urgently needed adaptations to climate change succeed.

In addition to that the rights to education, recreation or participation are then massively restricted if, due to environmental consequences, children are needed to maintain the family's supply (for example repairs after floods, fetching water after droughts, queuing for food in the event of crop failures, etc.).

All rights are important and interconnected. Climate change, pollution and biodiversity loss have a heavy impact on the enjoyment of all rights. All rights require at the end *a safe, clean, healthy and sustainable environment*. This is related to health (e.g. water-borne diseases or respiratory diseases) to education (malnourished children can't adequately learn and follow the lecture), the right to identity and enjoyment of own cultural rights, the right to protection (in case of migration, fetching water or supporting families - with a special focus on girls) etc.

- *What are the concrete implications of the human right to a safe, clean, healthy and sustainable environment for the rights protected under the UN CRC? Could you provide (positive) examples of how the child's right to a healthy environment has been recognized and implemented at the international, regional or national levels?*

A Positive example at federal level (from "Deutscher Bundestag" printed paper 19/11220 on the urban nature master plan of June 21, 2019): The funding priority therefore also includes personal support for advice on the implementation of municipal open space and biodiversity concepts, the establishment of nature experience areas, natural inner-city community gardens, green places of learning and school gardens as well as near-natural schoolyards, kindergarten outdoor areas and sports facilities. The paper contains the declaration of intent to create more nature experience spaces, Initiatives to spread nature experience spaces will be taken. In order for nature experience spaces to become a natural and widespread offer of open space and play in our communities, their potential and services

must be communicated more widely. Furthermore concrete recommendations for action to facilitate the planning and management of nature experience areas are provided.

#### IV. The role of children's rights in environmental protection

- Please provide examples of laws, policies, practices and jurisprudence that enable or hinder the exercise of the child's rights to freedom of expression, assembly and association in relation to the environment and climate change. What further actions are needed to uphold and catalyze the implementation of these rights, taking into account additional risks and barriers that certain groups of children face in this respect? What actions should States take to support the activities of child environmental human rights defenders? Please provide existing examples where possible (e.g. funding schemes etc).

The federal government's sustainability strategy from 2002, the national strategy for biological diversity from 2007, the National Action Plan for education for sustainable development with a focus on biological diversity and much more - the list of action plans, programs and initiatives at federal, state and local level for the implementation of the sustainability goals is long.

In the context of social urban nature, however, the focus should be on the following activities in particular:

The federal initiative "Green in the City", in the context of which, among other things,

- the White Paper City Green with specific recommendations for more green in the city was created in 2017
- The urban development funding program "Future City Green", through which corresponding model projects could be funded until 2019;
- The master plan for urban nature from 2019, in which, among other things, the importance of urban greenery for the healthy growth of children is emphasized and corresponding activities to strengthen spaces for experiencing nature are announced;
- The implementation of the UN Decade on Biological Diversity, including through a national special competition and the 2020 nature conservation offensive of the Federal Environment Ministry;
- The Federal Biological Diversity Program with its new urban nature funding priority set up in 2021; The activities of the Federal Agency for Nature Conservation with its focus on "social issues", in particular through research projects on nature experience



space and various topic-specific publications; The merger of “Municipalities for Biological Diversity”.

- What specific measures should be taken to create more space for children, especially young children, in environmental and climate decision-making?

It is not enough to explain the principle of sustainability to children and young people. Education about sustainable development must be a lived principle in institutions. Everyone can experience in the sense of the Whole Institution Approach. In particular, the framework conditions set by the managers and the executing agency are central to this. That means e.g. to formulate education for sustainable development as a benchmark in the mission statements of institutions, to include it in quality management concepts, to deal with ESD and to promote further training for specialists as well. ESD could also benefit from use of online services and platforms for access to information on sustainable development and for educational purpose.

ESD should be anchored in the daycare education plans of the federal states and in the training of specialists in child and youth welfare. The child and youth welfare should see itself as part of a local educational landscape and actively shape cooperation. Participation should not only be implemented towards children and young people, but of course also towards all employees. As a rule, this is associated with an opening and a clear commitment to participatory processes in order to create room for maneuver for children and young people.

From April to June 2021, the nationwide Climate Council ran in Germany. 160 randomly selected people, whose composition should represent the best possible representation of the population, came together and discussed possible measures to deal with the climate crisis. They were informed by experts from science, business and civil society. The participants discussed how Germany can still achieve the goals of the Paris climate protection agreement. In the future, the participation of children and young people who do not belong to the people entitled to vote must also be guaranteed in these citizens' councils. Or similar children's councils must be set up.

- What should be legal, policy and practical priorities, including for non-State actors (e.g. media, business sector), for strengthening the availability, accessibility, adequateness and quality of environmental information in order to ensure that children understand how

environmental harm may undermine their rights and can participate in environmental protection? Please provide examples.

Child-friendly information about environmental compatibility on products (food, clothing and technical equipment, for example with the help of an “Environmental traffic light”). It is important to show the global connections between social and ecological exploitation. Supply chain law, fast fashion, etc., which is supported by Germany's massive consumption of raw materials and exploitative working conditions.

Information to children should pick them up where they are, i.e. the digital environment. Information should be provided online in ways that are accessible for children and in a language they understand. The aim is to transform the existing economy into a green economy. In the future, the economy will only continue to grow and develop as long as the necessary resources are available. Once the finite sources of raw materials have been used up, further economic progress is largely unthinkable. Further measures that companies can take to protect the environment: Appointing environmental protection officers: Their aim is to systematically take environmental and sustainability principles into account in the company. For example: Provide environmentally harmful products with a higher VAT. States can ensure that within their public procurement sustainable and safe products are ensured. This is especially the case for day care and schools.

- How can the right of all children to be heard and taken seriously in the context of decision-making on the environment, especially climate change, be better upheld and strengthened? Please provide examples of how children's right to participate in public and political affairs has been facilitated or restricted in relation to the development of laws, policies, regulations, projects and activities on the environment and climate change at all levels.

It is not enough to allow children and young people to have their own opinions and to listen to them; they must also be able to play a key role in decisions that affect their current and future lives. It is not about a generational conflict, but about an equal generational relationship. This also includes political equality. Childhood and adolescence are not just a preparatory stage for the supposed seriousness of life.

In a discussion paper 15 years ago, the German National Coalition therefore spoke out in favor of granting children universal suffrage without a minimum age limit. Children and young

people must be "included in all national, regional and international climate negotiations and decisions".

More than ever before the digital environment provides for means and opportunities for children to raise their voice and make them heard in decision making processes. Ref. to GC No 25.

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