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Committee on Social Affairs, Health and Sustainable Development

Inaction on climate change – a violation of children's rights

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Introductory memorandum

1. Introduction

1. In July 2019, a group of parliamentarians led by our former colleague and now European Commissioner, Ms Stella Kyriakides (Cyprus, EPP/CD), tabled a motion for a resolution on “Inaction on climate change – a violation of children’s rights” in order to alert the Assembly to the challenges we face as the planet overheats and to the impact on our children’s life chances. The climate crisis has shown that children are not passive victims of climate change but powerful agents of change, organising major grassroots protest movements and challenging us about the fate of future generations. The motion was referred to the Committee on Social Affairs, Health and Sustainable Development for report on 30 September 2019 and I was appointed rapporteur on 2 October 2019.

2. In Resolution 2210 (2018) on “Climate change and implementation of the Paris Agreement”, the Parliamentary Assembly highlighted the need for “cleaner” and more sustainable development to accommodate the needs of present and future generations. Calling for strong national measures at all levels of governance, it considers that the implementation of the Paris Agreement should go hand in hand with the Sustainable Development Goals (SDGs) adopted by the international community. My report was initially intended to lead into a joint debate in conjunction with the report by Ms Edite Estrela (Portugal, SOC)² on “Climate change and rule of law” and it is essential that it include a participatory aspect. As part of the consultation process initiated by Baroness Doreen E. Massey (United Kingdom, SOC) in preparation for the report on “Giving a voice to every child: promoting child participation as a foundation for democratic societies” (Doc. 14480), the Assembly sought to gather children’s opinions about inaction on climate change and how they saw the future; this included the activities conducted by our Sub-Committee on Children. It is now planned to hold an Assembly debate on these two reports in 2021 during the October part-session.

2. Consequences of inaction on climate change for children and future generations

3. Global warming affects the most vulnerable: future generations will be particularly hard hit. The Assembly has already taken the opportunity to sound the alarm and will continue to do so. As was observed by Laurent Fabius, former French Prime Minister and COP21 President,³ “the current period of dramatic climate change leaves us with a choice between war and peace”. According to the IPCC’s reports,⁴ failure to act may lead to the end of life on Earth.

4. Having not yet reached full physical and mental maturity, children are particularly vulnerable and will be the first affected by the consequences of global warming, putting their physical, mental and civic development at risk. If today’s society continues to ignore calls for change, the human rights of 2 billion children

¹ Introductory memorandum declassified by the Committee on Social Affairs, Health and Sustainable Development at its meeting held by videoconference on 1 December 2020.

² Scheduled for debate on a day dedicated to the theme of the environment during the April 2021 part-session.

³ In his testimony as special guest at the High-Level Conference on Environmental Protection and Human Rights on 27 February 2020 in Strasbourg (France), organised under the aegis of the Georgian Presidency of the Committee of Ministers of the Council of Europe.

⁴ The IPCC has published its sixth round of reports on its website: <https://www.ipcc.ch/>

could be irreversibly damaged within the next decade.⁵ The Parliamentary Assembly previously highlighted children's vulnerability in Resolution 2324 (2020) on "Missing refugee and migrant children in Europe".

5. Air pollution already has a detrimental effect on children's health and as such constitutes a violation of their right to life and to health, as the Assembly noted in Resolution 2286 (2019) on "Air pollution: a challenge for public health in Europe". Because of their high respiratory and heart rate, they breathe in more particles from air pollution or from exceptional natural phenomena such as forest fires.⁶ Unborn children are vulnerable to pollution while in the womb and during the first years of life. Global warming will deprive children of water, food, accommodation and education. Many will be forced into migration and will suffer the perils that this entails (situations of hardship, insecurity and violence). Resolution 2295 (2019) "Stop violence against, and exploitation of, migrant children", makes the point that children are already obliged to emigrate to escape from natural disasters, leaving them exposed to all kinds of violence along the way. Resolution 2307 (2019) on "A legal status for 'climate refugees'" addresses the issue of environmentally induced migration, particularly the situation of the most vulnerable groups, including children.

6. Climate change reinforces gender inequality. 80% of climate refugees are women.⁷ Those who stay behind are responsible for crops, families and communities while the men are at work. Water scarcity or flooding ruins harvests, leaving them unable to feed their families properly. Girls must take on the same essential tasks as women. The Assembly's motion for a resolution on the "Impact of labour migration on left-behind children" ([Doc. 14537](#)) highlights how girls are obliged to accept responsibility very early in life. Left to look after their siblings, they are often forced to drop out of school to take care of household chores. Our colleague Mr Viorel Badea (Romania, EPP/CD) is in the process of finalising his report on the issue.

7. The IPCC has warned of the risk of increased health crises caused by global warming. According to WHO, there are 50 million dengue fever infections around the world each year, including 500,000 cases of severe dengue, which primarily affects children.⁸ These figures are set to rise over the coming decade. Thawing permafrost is also bringing ancient bacteria back to life. In 2016, an outbreak of anthrax⁹ occurred in Russia after a herd of domestic reindeer became infected. No cases of the disease had been recorded in the region since 1941. A 12-year-old child, who had contact with the animals, lost his life.

8. The climate crisis has led to a resurgence of Malthusian attitudes and raises concerns of a renewed interest in eugenics. The "have one fewer child" movement¹⁰ is based on scientific opinions which discourage procreation. This could put replacement level fertility at risk, particularly in Europe where some member states already have a very low birth rate. In addition, scientific research seems to show a link between air pollution and women's fertility.¹¹ The dystopian nightmare portrayed in Margaret Atwood's novel, *The Handmaid's Tale*,¹² might not seem so unrealistic.

9. Children are aware of global warming. One of the slogans on display at the climate marches – "Unicorns may not be real, but climate change is!"¹³ – is testimony to this innocence lost too soon. A study published in 2020 of 2,000 children aged 8 to 16 in the United Kingdom found that 80% thought that the problem of climate change was important or very important. 73% said they were worried about the state of the planet; of these 22% said they were very worried. In addition, 58% of the children questioned said they were

⁵ Karen Savage, "Thunberg, 15 Kids Petition UN to Force Countries to Fight Climate Change", *The Climate Docket*, 23 September 2019 <https://www.climatedocket.com/2019/09/23/greta-thunberg-un-convention-child-rights/>

⁶ Kendra Pierre-Louis, "Climate Change Poses Threats to Children's Health Worldwide", *The New York Times*, 13 November 2019 <https://www.nytimes.com/2019/11/13/climate/climate-change-child-health.html>

⁷ Mary Halton, "Climate change 'impacts women more than men'", *BBC News*, 8 March 2018 <https://www.bbc.com/news/science-environment-43294221>

⁸ Alexandre-Reza Kobabi, "Le changement climatique va stimuler les pandémies et autres menaces sur la santé", *Reporterre*, 30 March 2020 <https://reporterre.net/Le-changement-climatique-va-stimuler-les-pandemies-et-autres-menaces-sur-la-sante>

⁹ At one time known as charbon or splenic fever.

¹⁰ Louise Wessbecher, "La meilleure solution contre le réchauffement climatique, c'est de faire moins d'enfants", *France24*, 12 July 2017 <https://www.france24.com/fr/20170712-meilleure-solution-contre-le-rechauffement-climatique-est-faire-moins-enfants>

¹¹ Olivier Monod, "L'impact de la pollution et du réchauffement sur les hormones féminines", *Libération*, 17 January 2020 https://www.liberation.fr/planete/2020/01/17/l-impact-de-la-pollution-et-du-rechauffement-sur-les-hormones-feminines_1772093

¹² Margaret Atwood, *The Handmaid's Tale*, first published in 1985.

¹³ Annamaria Lammel, "Les jeunes face au changement climatique, ce qu'en dit la psychologie", *The Conversation*, 24 May 2019, <https://theconversation.com/les-jeunes-face-au-changement-climatique-ce-que-n-dit-la-psychologie-117605>

worried about global warming's impact on their lives.¹⁴ This existential angst now has a name: "eco-anxiety"¹⁵ or "eco-depression". The mental health of children and young adults is being altered by a sense of helplessness and fatalism. Its impact on the stress of younger generations is underestimated and should be thoroughly analysed. It is the role of adults to find ways to discuss the situation with children.

10. The 1972 Stockholm Declaration stated that "Man [...] bears solemn responsibility to protect and improve the environment, for present and future generations." It establishes the responsibility of today's generations for today's decisions and the consequences further down the line. Albania, France, Poland and Sweden recognise this responsibility through constitutional provisions which lay down an obligation to ensure ecological security for future generations.

11. According to Hans Jonas, "the right of the individual to commit suicide (...) must at least for particular circumstances be conceded: under no circumstances has mankind that right."¹⁶ Nonetheless, children feel that the planet's destruction is underway; 18-year old Jamie Margolin told the US Congress exactly that. The current generation, Generation Z (following on from Generations X and Y, also known as the Millennials), symbolises the end of humanity as the last letter of the alphabet has been reached.¹⁷ This generation is up in arms over the lack of action since 1972.

3. Youth mobilisation for individual and collective responsibility

12. Every movement needs a spokesperson. When it comes to the environment, teenager Greta Thunberg is internationally renowned. Winner of Amnesty International's Ambassador of Conscience Award, she symbolises the ecological activism of the young generations. At the tender age of 15, she addressed the European Parliament in March 2019.¹⁸ She gave a speech at COP24 in December 2018¹⁹ and to the United Nations General Assembly in September 2019. In 2018, she started the school strike for climate (*Skolstrejk för klimatet*) with her "Fridays for Future" movement and encouraged children around the world to join her. Through her speeches and actions, she has criticised the criminal climate inaction of her elders. She is not alone in feeling this way because according to the BBC's survey, 41% of children do not trust adults to tackle the crisis.²⁰ Despite her youth, she has demonstrated an unflinching commitment to the planet which must be an example to us all.

13. Adults tend to ignore children and their opinions on the pretext of their lack of knowledge or wisdom. 59% of children do not think their voices are being heard on climate change.²¹ Thousands of European schoolchildren have attended school strikes to make adults listen. In particular, they call for political policies to be immediately aligned with scientific expertise. Owing to the lack of dialogue and reaction to the protests, they are challenging their governments before domestic and international courts. In September 2019, Greta Thunberg together with 15 children and adolescents submitted a complaint to the UN Committee on the Rights of the Child, seeking recognition that climate change endangers the rights of young generations. Five countries stand accused of having recklessly used fossil fuels and failing to take measures to reduce greenhouse gases. The Committee must first decide whether the case is admissible.²² In the case of *Matheur et. al v. Her Majesty in Right of Ontario*, seven young people aged 12 to 24 claimed that Canada's environmental policy had violated their fundamental rights. Children are determined to do whatever it takes to be heard.

14. The ideas put forward by children are inspiring. As of December 2019, 1,142 cases had been filed in courts around the world.²³ The number of cases has risen over the past few years and they are often organised

¹⁴ "Climate anxiety: Survey", *BBC Newsround*, 3 March 2020 <https://www.bbc.co.uk/newsround/51451737>

¹⁵ Marie-Adélaïde Scigacz, "Quand le changement climatique attaque la santé mentale : et si votre dépression était de l'éco-anxiété ?", *FranceInfo*, 15 March 2020, https://www.francetvinfo.fr/sante/environnement-et-sante/quand-le-changement-climatique-attaque-la-sante-mentale-et-si-votre-depression-etait-de-l-eco-anxiete_3220571.html,

¹⁶ Hans Jonas, *The Imperative of Responsibility: In Search of an Ethics for the Technological Age*, University of Chicago Press, 1985, page 37.

¹⁷ Jamie Margolin, founder of "Zero Hour", Congressional testimony, 2019 <https://docs.house.gov/meetings/FA/FA14/20190918/109951/HHRG-116-FA14-Wstate-MargolinJ-20190918.pdf>

¹⁸ European Parliament, 2 March 2020, "Greta Thunberg to MEPs: 'We will not allow you to surrender our future'" <https://www.europarl.europa.eu/news/en/press-room/20200304IPR73905/greta-thunberg-to-meps-we-will-not-allow-you-to-surrender-our-future>

¹⁹ A video of her COP24 speech is available here: https://youtu.be/CcQp_I7WqAk

²⁰ "Climate anxiety: Survey", *BBC Newsround*, 3 March 2020 <https://www.bbc.co.uk/newsround/51451737>

²¹ Ibid

²² Karen Savage, "Thunberg, 15 Kids Petition UN to Force Countries to Fight Climate Change", *The Climate Docket*, 23 September 2019 <https://www.climatedocket.com/2019/09/23/greta-thunberg-un-convention-child-rights/>

²³ Enrique Dans, "The Netherlands Show The Way In Tackling The Climate Emergency", *Forbes*, 10 January 2020 <https://www.forbes.com/sites/enriquedans/2020/01/10/the-netherlands-shows-the-way-in-tackling-the-climate-emergency/>

by youth movements²⁴ (such as “Fridays for future” in Germany,²⁵ *Natur og Ungdom* in Norway and others in Canada²⁶ and the United States). In 2019, the *Urgenda* case in the Netherlands culminated in a landmark verdict against the authorities for their inaction. Inspired by this legal precedent, in less than a fortnight, more than 2 million French people signed the petition in support of *L’affaire du siècle* [The Case of the Century], bringing it before the courts. The fact that environmental policy is now an issue that can be brought before the courts forces countries to take responsibility and opens up new avenues for citizen-led action.

15. Young people are more active on climate issues than adults care to admit. Stepping up their efforts, young people around the world are using modern technology to get together and organise online campaigns. Some have joined ambitious community-based advocacy groups, like the Zero Hour movement,²⁷ with the aim of achieving the goals set out in the Paris Agreement. Without any help from adults, they have triggered a wave of revolt calling for environmental action. Ready to sacrifice their own comfort to reduce their carbon footprint, these children are determined not to give up. It would be a wise move for adults to stand alongside them to work to achieve these ambitions together. Now is the time to grant them the most basic of democratic rights: the right to consultation and to participation. Their desire to participate is natural and should be taken on board.

16. Resolution 204 (2005) of the Congress of Local and Regional Authorities on “Youth education for sustainable development: the role of the regions”, encourages dialogue with young people on environmental issues and promotes participatory schemes such as children’s parliaments or councils. To meet young people’s desire for participation, the Parliamentary Assembly of the Council of Europe must also commit to dialogue with children – this is the intention of Baroness Massey’s report as well as my own. The Assembly is also organising a workshop on “Children leading the fight against climate change” as part of the World Forum for Democracy to be held in Strasbourg from 16 to 18 November 2020. This event will bring together political decision-makers, members of civil society and the general public and will be an opportunity to study good practices, tackle issues and suggest steps to be taken to increase children’s participation in democratic debates on climate change.

4. An intergenerational pact is key to fighting climate change

17. Not all children are fortunate enough to be aware of the climate issues at stake. It is the State’s role to raise awareness through compulsory education. Some municipalities already provide educational resources to change behaviour from an early age. Encouraging bike use makes children accustomed to alternatives to cars. Under a new law introduced in 2018,²⁸ school canteens in France are obliged to offer vegetarian meals once a week to encourage flexitarian” eating habits and reduce the consumption of meat, which has a high carbon footprint. Schools are setting up vegetable gardens in playgrounds to foster a closer affinity with nature and instil sustainable attitudes in children. It is crucial to teach children to adopt an environmentally friendly lifestyle. The aforementioned Resolution 204 (2005) of the Congress of Local and Regional Authorities encourages promoting ecological commitment among all children regardless of their social class. It is now time to assess the results. The initiatives are still rather few and far between but should be encouraged by the Assembly in national parliaments.

18. The fact that some children have no opportunity to express their opinion does not justify indifference. The right to a healthy environment is a universal and solidarity-based right. Our decisions affect children not only in Europe, but also around the world. Adults and governments must shoulder their responsibilities. Large numbers of children handle highly toxic pesticides sold by European companies. They develop serious and sometimes fatal diseases. The decision of the French Constitutional Council (Decision No. 2019-823 QPC of 31 January 2020) prohibits the export of pesticides banned in Europe. All children should benefit from the same protection: the Council of Europe must protect all children.

19. On social networks, the widely used expression “OK boomer”²⁹ reveals young people’s exasperation and lack of trust in their elders. Information technology has provided Generation Z with powerful communication tools which remain unfamiliar to some of the older generation. It is vital to rebuild trust to avoid

²⁴ To follow liability litigation around the world, visit <https://www.climatedocket.com/>

²⁵ For further details, see <https://fridaysforfuture.de/>

²⁶ Dana Drugmand, “Kids File Climate Lawsuit Against Ontario Government for Backsliding on Emissions Cuts”, *The Climate Docket*, 27 November 2019 <https://www.climatedocket.com/2019/11/27/ontario-climate-lawsuit-doug-ford/>

²⁷ The movement’s website includes a countdown timer to 2030. Further information can be found at: <http://thisiszerohour.org/>

²⁸ 2018 French law to balance commercial relations in the agriculture and food sector <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000037547946&categorieLien=id>

²⁹ Mathéo Malik, “Ok virus”, *Le Grand Continent*, 30 March 2020, <https://legrandcontinent.eu/fr/2020/03/30/ok-virus-coronavirus-generations/>

the emergence of a serious intergenerational rift. The Covid-19 crisis brought the global economy to a halt for a few weeks this year, offering the perfect opportunity to reinvent the world we live in. A group of French members of parliament created a participatory website called *Le jour d'après* [The Day After]³⁰ which gives the public an opportunity to participate in the reconstruction of French society. This is an online participatory initiative and those that wish to contribute do not have to be of voting age. Adults must ensure that children and young people are consulted and can participate at local, national and European level. The Council of Europe must support initiatives that give weight to young people's opinions.

20. Children's participation in the development of this report and in the Parliamentary Assembly's subsequent debate during the 2021 October part-session as part of the consultation process set up by Baroness Massey could form the first step towards resolving the crisis of intergenerational trust that threatens to limit the usefulness of the debate on inaction on climate change. This debate provides a unique opportunity to prove that children – who are both the main victims of climate change and informed stakeholders – can make relevant contributions to the Assembly's work, thereby serving as a model for the member states' own parliaments. The shared good will of all participants could help replace the current climate of intergenerational distrust with a sense of co-operation that would open the door to including children in other debates of relevance to them.

5. Purpose and scope

21. In the fight against climate change, the challenge of preserving the environment must be combined with the need to uphold human rights. Europe must offer the same protection to today's and tomorrow's children, wherever they live in the world. The commitments made in the Paris Agreement must be made a priority.

22. On the frontline, children have been tireless in their efforts to raise awareness of an environmental crisis whose effects will severely disrupt society for a long time to come. Their opinions count. As fully-fledged citizens, they should be able to provide input to local, regional, national and European policies. Establishing intergenerational dialogue is beneficial to all.

5. Proposed timetable

Date	Action
<i>Written consultation procedure 7-14 September 2020</i>	Consideration of an introductory memorandum
<i>Committee meeting, 1 December 2020, Paris</i>	Hearing with experts
<i>Committee meeting, March 2021, Paris</i>	Consideration of a preliminary draft report
<i>Committee meeting, April 2021 part-session, Strasbourg</i>	Hearing with children
<i>Committee meeting, May/June 2021, Paris</i>	Adoption of a draft report in Committee

The formal deadline for the adoption of this report in Committee is 2 October 2021; the debate in the Assembly is scheduled for the 2021 October part-session.

³⁰ Further information available at <https://lejourdapres.parlement-ouvert.fr/>