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NEWSLETTER

CHILD PROTECTION AND CLIMATE CHANGE

Call for contributions: Child protection, alternative care and climate change

Following the recent publication of [General Comment No. 26 on Children's Rights and the Environment with a Special Focus on Climate \(GC26\)](#) (see [child friendly version](#)) and its [launch on 18 September 2023](#), the ISS/IRC team has been reflecting on the link between climate change and children without or at risk of losing parental care.

ISS/IRC recognises climate change as a driver of social insecurity and vulnerability for millions of children across the world ([UNICEF 2015](#), [UNICEF 2022:4](#)). Both rapid and slow onset environmental and climate disasters disrupt children's health and development, destroy family livelihoods, increase the risk of displacement and children suffering abuse and exploitation and losing parental care ([UNICEF 2022:4](#)). Climate disasters also exacerbate the vulnerability of children already without parental care. ISS therefore welcomes the new GC26 as the first time the Committee on the Rights of the Child (the Committee) has affirmed children's right to live in a clean, healthy and sustainable environment which is implicit in the [Convention on the Rights of the Child](#) (the Convention) ([UN News](#), [GC26:para 63-67](#)).

Background to GC26

The Committee identified the need for GC26 from its periodic reviews of state parties. It was also motivated and gained momentum from the growing voices of children across the world advocating for governments and international leaders to do something to protect children's rights and wellbeing from the triple

planetary crisis ([GC26 Background](#), [UN Web TV](#)). This included the historic [Sacchi et al v Argentina and four similar cases](#), a complaint brought by 16 children to the Committee under its [Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure](#). The consultation process for GC26 itself was supported by a diverse [children's advisory team](#) with [16,331 contributions from children](#), from 121 countries, through online surveys, focus groups and in-person national and regional consultations ([GC26 Background](#)).

GC26 should be read in the context and broader perspective of other international principles and agreements which underscore governments' commitments to a human-rights centred approach to both development and climate action. This includes the [2030 Agenda for Sustainable Development](#), the [United Nations Framework Convention on Climate Change \(UNFCCC\)](#) and [Conference of the Parties to the Convention \(COP\)](#) agreements e.g. [the Paris Agreement](#).

What this means for children without parental care or at risk of losing parental care

Whilst children in alternative care or without parental care have not been explicitly mentioned in GC26 it can be read to include children without parental care as a vulnerable group of children in the context of climate and environmental crisis. In the spirit of the Convention Article 2 on non-discrimination, the Committee highlights the impact of climate disasters has a discriminatory effect on certain groups of children, especially indigenous children, children belonging to minority groups, children with disabilities and children living in disaster-prone or climate-vulnerable environments ([GC26: para 14-15](#)).

The Committee recognises environmental degradation as a form of structural violence against children which can cause social collapse in communities and families ([GC26: para 35](#)). *“The financial hardships, food and clean water shortages and fragile child protection systems brought about by such shocks undermine families’ daily routines, place an extra burden on children and increase their vulnerability to gender-based violence, child marriage, female genital mutilation, child labour, abduction, trafficking, displacement, sexual violence and exploitation and recruitment into criminal, armed and/or violent extremist groups”* ([GC26: para 35](#)). These vulnerabilities are known drivers for family separation and children going into alternative care.

Climate change deepens existing inequalities worldwide, disproportionately affecting those with the least resources and children are disproportionately affected, particularly in areas where poverty is rampant ([UNICEF 2015](#)). Poorer nations with inadequate infrastructure mostly in global south are often worst hit by climate-related emergencies yet they are least able to cope with the impacts. 8 out of the 10 countries most affected by the most impacts of extreme weather events in 2019 belong to the low- to lower-middle income category, half of them are least developed countries ([UNICEF ESARO 2023:6](#), [Global Climate Risk Index 2021](#)). In GC26, the Committee acknowledges *“[...] poorer households are less resilient to environment-related shocks, including those caused or exacerbated by climate change. [...]”* ([GC26: para 35](#)). The Committee also notes the indirect impact of climate and environmental crisis *“[...] may include situations in which States, communities and parents are forced to reallocate resources away from intended programmes, such as those for education and health care, towards addressing environmental crises”* ([GC26: para 105](#)). With fragile social safety nets and child protection systems not matching needs, children are left vulnerable to harm, poor care or without care.

In GC26, the Committee recommends applying a child rights-based approach to environmental protection, which requires the full consideration of all children’s rights under the Convention and its Optional Protocols ([GC26: para 6-8](#)). A child rights approach can give a holistic understanding of children’s vulnerability, rights and obligations and protection measures required without leaving some children behind e.g. children without parental care. With GC26, the Committee also acknowledges children as change makers, human rights defenders and important stakeholders in the climate and environmental crisis discourse and actions ([GC26: para 2-4](#)). The obligation for state parties to ensure all children have access to environmental information and are consulted on climate issues includes children without parental care.

Child protection, care and climate change practice example:

[‘Building climate change into care reform in Eastern and Southern Africa’](#) analyses the intersection of care and climate change in Eastern and Southern Africa region. The paper argues *‘[...] climate change is the greatest current and future threat to children’s care’* in the region with *‘[...] the potential to, and in some cases is already resulting in increased family separation and a decline in the quality of care that children receive.’* ([UNICEF ESARO 2023:4](#)). The report includes a list of principles and recommendations on how to take climate change into account in care reform efforts and how to mitigate the risks to children’s care associated with climate change through changes to care system and climate adaptation plans ([UNICEF ESARO 2023:4](#)).

Looking to the future post GC26 launch

GC26 is a timely soft law that gives authoritative guidance to state parties to the Convention on the Rights of the Child, on their obligations both at domestic level and beyond their borders in regard to climate change, environmental degradation and children’s rights (present and future). However, the significance and impact of GC26 will depend on how it is implemented or used to influence duty bearers to take action to safeguard children’s rights and to promote children’s access to justice in regards to climate change. The upcoming [Conference of the Parties to the Convention \(COP28\)](#), 30 Nov-12 Dec 2023, is an opportunity to see the new GC26 in advocacy and lobbying action. Going forward, it will also be important how the Committee itself recalls its own GC26 in state reviews in regard to child protection, alternative care and climate change.

In its text ([GC26:para 91](#)) and [GC26 launch](#), the Committee was very clear that collaboration and joint

responsibility by state parties and other stakeholders including children at domestic and global level is required to tackle this global issue. As part of a global network striving to protect children's rights and wellbeing across borders, the ISS/IRC program will consider climate change's effects on children in our

projects, promoting best practices, and fostering shared learning.

GC26 underscores climate change as a pressing child rights and protection issue, requiring collective action and international cooperation, with children participating as rights holders.

The ISS/IRC team would therefore like to explore more on this thematic issue. We therefore call on professionals who may be directly involved in alternative care of children confronted with climate change or those with an interest on the link between climate change and alternative care to contact ISS IRC team to explore the possibility of showcasing your work, amplifying the voices of the children you work with or writing an article for the ISS/IRC Newsletter (irc-cir@iss-ssi.org)



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