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CHILDREN IN A CHANGING CLIMATE:
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Climate Change, Child Rights and Intergenerational Justice

The response to climate change will profoundly affect the quality of life of future generations of children, yet this intergenerational aspect has yet to be placed at the heart of climate change discussions. A child rights approach to climate change would take the concerns of intergenerational justice into account and radically transform the policies and commitments of those in power. Such an approach urgently needs to be implemented by governments and civil society actors shaping the response to climate change.

As the UN Convention on the Rights of the Child celebrates its 20th anniversary, global leaders aim to agree on a global response to climate change that will have a critical impact on whether these rights are realised. Children in developing countries are already bearing the brunt of the burden of climate change, and this burden will only increase over time.

Some dimensions of climate change injustice are well acknowledged: those least responsible for creating the problem are most affected and have the fewest resources to cope with the impacts. But the issue of justice between generations is less well understood. The principle of the best interests of the child is widely accepted, and certainly few would condone harming children, yet these convictions are not reflected in policies responding to climate change. Disregard for the wellbeing of today and tomorrow's children comes into stark relief in the context of climate change: how much do we invest in or borrow from our children's future?

Intergenerational Justice

The principle of intergenerational justice argues that there should be distributive justice between generations, and that the rights of generations should be considered equal over time. The principle was first proposed in the context of mainstream climate change policy by Sir Nicholas Stern, who argued for a cost benefit analysis in public policy that gave as much value to future as current generations.

Climate justice requires intergenerational justice

The Intergovernmental Panel on Climate Change has shown the grave consequences to future generations of continuing on a high-emission development pathway. Today's adult decision-makers are deciding the future that subsequent generations will inherit – the consequences of the climate change response framework that they negotiate will last beyond their lifetime. Notions of 'climate justice' have been rightly central to international negotiations and policy proposals but have

so far not included justice between generations, in particular children. Climate justice tends to refer to justice between those most responsible (industrialised, wealthy nations) and those least responsible and most vulnerable (poorer, less developed nations). The failure to integrate intergenerational and child rights will make climate justice harder to deliver.

While political leaders often recognise the importance of intergenerational justice in speeches, it is not reflected in policies or proposals at the international, national, or local level. The focus remains on the immediate cost of emissions reduction compared to the benefits of continuing 'business as usual'.

Climate change and the UN Convention on the Rights of the Child

Children are especially vulnerable to the harm brought by climate change due to their particular physical, social and psychological characteristics. The complex and wide-ranging harm jeopardises the realisation of many child rights enshrined

Intergenerational Justice in Practice: Philippines, 1992

In 1992, 43 children, acting as representatives of succeeding generations, petitioned the Federal Constitutional Court of the Philippines and sued the government of the Philippines for failing to prevent the destruction of the country's rainforests. The children framed the case as an issue of intergenerational justice in relation to the management of environmental resources by adults and the implications of these actions for their own future.

The Court admitted the claim of the petitioners, stating: 'We find no difficulty in ruling that they (petitioners-children) can, for themselves, for others in their generations, file a class suit ... based on the concept of intergenerational responsibility ... [to make natural resources] equitably accessible to the present as well as to future generations.'

While the case was on appeal, the government passed a law to declare the remaining forests to be a national protected area reserved for perpetual protection for the benefit of present and future generations not yet born.

Oposa v. Factoran, 224 SCRA 792, 808 (1993)

in the UN Convention on the Rights of the Child (CRC) as well as other human rights instruments.

Some of the child rights more seriously impacted by climate change include:

- the right of a child to have his or her best interests be a primary consideration in all actions concerning him or her (Article 3)
- the right to live – Governments should ensure that children survive and develop healthily (Article 6)
- the right to the enjoyment of the highest attainable standard of health (Article 24)
- the right to education (Article 27)

The existence of these rights in a legally binding treaty means that governments are obliged to remove barriers to their fulfilment. The CRC has been ratified by 193 countries, and serves as a framework for ensuring that child rights are given due regard in policy-making with regards to climate change. Governments, business and individuals must reduce greenhouse gas emissions and transfer resources to support climate adaptation because they have an obligation to children to do so.

Further reading

For other briefs in this series see:
www.ids.ac.uk/go/infocus13

Stone, L. (forthcoming 2009) *Climate change, child rights and intergenerational responsibility* UNICEF: UK

Cameron, C. and Back, E. (2008) *Our Climate, Our Children, Our Responsibility*, UNICEF: www.unicef.org.uk/campaigns/publications/pdf/climate-change.pdf

Caney, S. (2008), 'Human rights, climate change, and discounting' in *Environmental Politics*, 17:4, 536-555

Stern, N. et al. (2006) *The Economics of Climate Change: the Stern Review* Cambridge University Press: Cambridge

Policy implications

A child rights based approach

Given the compelling intergenerational implications of climate change, related decision-making and policy implementation must take the CRC into consideration:

- The implementation of a global deal will be made at the national, regional and local levels. Policy-making and fiscal decisions at those levels should fully reflect the need to invest in long term solutions that ensure the full rights of future generations are met.
- Policy-makers at the international, national and local levels need to apply a cost benefit analysis that values future quality of life.
- National governments should adhere to the IPCC recommendation for reductions of greenhouse gas emissions of between 25 and 40 per cent by 2020 as a minimum for developed countries, on the basis of intergenerational equity.
- Adherence to the CRC requires that national governmental policy makers, especially those in developed countries, ensure the fair representation of children and young people and that children's specific needs are given due consideration in adaptation and mitigation policy.
- Reporting against climate change and child rights could be included under existing CRC commitments.

Tackling climate change presents a tremendous opportunity to implement the rights of the child by committing the world to a low-carbon pathway. By failing to reflect this within a very short political time frame, the lives of children now and in the decades to come will be put at risk and international and national decision-makers will be missing an important opportunity to ensure a healthier, more equitable and sustainable future.

Credits

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