

ISSN 0974-763X

# SOUTH ASIAN JOURNAL OF MANAGEMENT RESEARCH (SAJMR)

Volume 13, No. 4

October, 2023

**SPECIAL ISSUE**



**Chhatrapati Shahu Institute of Business  
Education & Research (CSIBER)**

(An Autonomous Institute)

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# SOUTH ASIAN JOURNAL OF MANGEMENT RESEARCH (SAJMR)

ISSN 0974-763X

(An International Peer Reviewed Research Journal)



Published by

**CSIBER Press, Central Library Building**

**Chhatrapati Shahu Institute of Business Education & Research (CSIBER)**

University Road, Kolhapur - 416 004, Maharashtra, India

Phone : 0231-2535706, 2535707. Fax : 0231-2535708

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# South Asian Journal of Management Research (SAJMR)

## Special Issue

Volume 13, No. 4

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# Effect of Climate Change on Children in Latin America and the Caribbean

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## Abstract:

This article describes the effects of climate change on children and their rights. After literature study some conclusions are made in the end. The main question is: how does climate change influence the children in Latin America and the Caribbean in experiencing their child rights in a proper way? The Convention on the Rights of the Child (CRC) emphasized that children and young people have the same general human rights as adults and also specific rights that conceive their special needs. Children have the right to a clean, healthy and sustainable environment. All countries in Latin America and the Caribbean have been affected by at least one type of disaster each year in recent decades. Floods and severe storms are the most frequent extreme events ever reported. Most cities are also enduring the strong effects of climate change and suffer from significantly negative consequences for the region's economy, infrastructure, and societies. These situations have direct effects on the well-being and development of the children, which are secured in the CRC. Our spaceship Earth is faltering and so on the lives of our children, who will take over from us. To secure their rights the United Nations Committee on the Rights of the Child has provided some measures to State Parties in General Comment no. 26. States should incorporate children's right to a clean, healthy and sustainable environment into their national legislation and take adequate measures to implement it in order to strengthen accountability. This right should be included in policies related to education, leisure, play, access to green spaces, child protection, children's health and migration, and national frameworks for the implementation of the CRC.

**Keywords :** child rights, climate change, development, education, clean environment

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## Introduction

All UN member states, except the USA, have ratified the UN Convention on the Rights of the Child (CRC) (OHCHR, 1989). The implementation of the articles of the CRC proceeds hesitantly. This widespread observation invites the critical question: what are the causes, which hinder progress and who is responsible to remove obstacles? Thus, accountability has become a subject of much discussion in this matter (Lukas, Linder, Kutrzeba and Sprenger, 2016; Vandenberg, 2016).

Some believe that the CRC itself can serve as an important tool for the promotion of the well-being of children (Doek, 2014; Bradshaw, 2014). But literature presents a tension between children's rights and child well-being. Well-being is the key of the CRC (Ben-Arieh et al., 2014), and can be seen throughout in its guiding principles: health care, education, and protection. Children's well-being needs the promotion of their rights, and the implementation of these rights enhances well-being (Casas et al., 2018). As one of the four guiding principles, the CRC mentioned children's rights to express their views on all

matters concerning them, and this is related to high subjective well-being (Casas et al., 2018; Doek, 2014).

The CRC accomplishes the promise of child well-being in several ways. Such as by the empowerment of children through their right to be heard which is mentioned in article 12 of the CRC.

Additionally, the CRC tries to provide conditions and environments conducive to children's well-being and development. Some example: through support for parents and family (through articles in the CRC under the cluster of "family and alternative care"); through inclusion of social and cultural rights (through articles in the CRC under the cluster of "civil rights and freedoms"); and finally through the right to various protection measures and provisions. (through articles in the CRC under the clusters of "protection from violence", "special protection measures", "health and disability", and "education") for all children with a special focus on cases where the child's well-being is at risk (Doek, 2014).

"A clean, healthy and sustainable environment is both a human right itself and necessary for the full enjoyment of a broad range of children's rights. Conversely, environmental degradation, including the consequences of the climate crisis, adversely affects the enjoyment of these rights, in particular for children in disadvantaged situations or children living in regions that are highly exposed to climate change". (GC 26, par. 8). Climate crisis effects the well- being of the child in a negative way.

Humanity has gone off-track in today's world. Our stay on Earth is endangered by uprooting our environment, while sacrificing peace by turning war into the supreme arbiter to settle disagreements. The danger of use of chemical weapons in war situation is a fact. With a sense of guilt, the United Nations has brought states together in many global ecological gatherings in the last decades. Starting with the Declaration of the United Nations Conference on the Human Environment of Stockholm in 1972 to the 1992 Earth Summit in Rio de Janeiro, from the gathering in Johannesburg (2002) to the climate change conference in Copenhagen (2009), from discussions on sustainable development in Cancun (2010) to gatherings in Durban (2011), from the return to Rio de Janeiro (2012) after twenty years of untiring efforts to Climate Change Conference in Paris (2015). The huge pilgrimages to conference summits around the globe have still left us without a clue how to respond. With all their summits, the dominating powers in our world have been unable to offer an exit strategy (Sankantsing, 2016).

The main question is how does climate change influence the children in Latin America and the Caribbean in experiencing their child rights in a proper way?

### **Literature review**

In examining this research question, I conduct literature research and explore the Child Rights Comite (CRC) discussion on climate change. I consult reports about climate crisis in the Latin American and Caribbean region. The CRC and its General Comments itself are a major source of information in how to deal with the well - being of children and how to protect them.

## **Historical Development of children's rights in the World**

Due to World War I, Europe had a lot of orphaned, homeless and impoverished children. The plight of children during and after World War I, led to international attention to the need to protect children from violence and neglect. It led among others to the adaptation by the League of Nations of the Geneva Declaration on the rights of the child in 1924.

The history of the development of children's rights started with the adoption on 26 September 1924 of the Geneva Declaration of the Rights of the Child by the League of Nations. This declaration was not from one of the member states of the League, but on behalf of the men and women of all nations. The 5 provisions in this declaration were formulated in terms of needs: development, nutrition and medical care, aid, labour and exploitation, social awareness (Records of the Fifth Assembly, 1924).

In 1948 the General Assembly of the United Nations published a seven point declaration with two more points of special attention: the obligation for care of children with respect to the unity of the family and the obligation to provide children social security programs. In 1959, a revised and more detailed version of this Declaration was adopted by the General Assembly of the United Nations.<sup>1</sup> During the International Year of the Child (1979), Poland proposed to draft a binding convention on the rights of the child. After a drafting process that lasted ten years, the Convention on the Rights of the Child was adopted by the General Assembly on 20 November 1989 (Resolution 44/25) at that time consisting of 159 member states. Within a year after this adoption, on 2 September 1990, the CRC entered into force and by the end of 2019, 196 countries had ratified the CRC. Somalia was so far the last country that ratified the CRC on 1 October 2015. The CRC explains who children are, all their rights, and the responsibilities of governments. All the rights are connected, they are all equally important and they cannot be taken away from children. A child is conform article 1 of the CRC, every person under the age of 18 years.

### **What does the CRC provides children?**

According to the CRC children and young people have the same general human rights as adults and also specific rights that conceive their special needs. Children are not seen as the property of their parents and are not helpless objects of charity. They are human beings and are the subject of their own rights.

The CRC sets out the rights that must be realized for children to develop to their full potential and offers a vision of the child as an individual and as a member of a family and community, with rights and responsibilities appropriate to his or her age and stage of development. By recognizing children's rights in this way, the CRC tightly sets the focus on the whole child.

There are many reasons for singling out children's rights in a separate human rights Convention (<https://www.unicef.org/child-rights-convention>):

### **Children are individuals**

‘Children are neither the possessions of parents nor of the state, nor are they mere people-in-the-making; they have equal status as members of the human family’.

### **Children start life as totally dependent beings**

‘Children must rely on adults for the nurture and guidance they need to grow towards independence. Such nurture is ideally found from adults in children's families, but when primary adult caregivers cannot meet children's needs, it is up to the State as the primary duty bearer to find an alternative in the best interests of the child’.

### **The actions, or inactions, of government impact children more strongly than any other group in society**

‘Practically every area of government policy – from education to public health – affects children to some degree. Short-sighted policymaking that fails to take children into account has a negative impact on the future of children and all members of society’. When a child is growing up as a “problem” child, it cost the society much money and effort to support the child to get out of it.

### **Children's views should be heard and considered in the political process**

‘Children generally do not vote and do not traditionally take part in political processes. Without special attention to the opinions of children – as expressed at home and in schools, in local communities and even in governments – children's views go unheard on the many important issues that affect them now or will affect them in the future’. Important is, to recognize, that the view of the child matters in topics within their own life.

### **Many changes in society are having a disproportionate, and often negative, impact on children**

‘Transformation of the family structure, globalization, climate change, digitalization, mass migration, shifting employment patterns and a shrinking social welfare net in many countries all have strong impacts on children. The impact of these changes can be particularly devastating in situations of armed conflict and other emergencies’.

### **The healthy development of children is crucial to the future well-being of any society**

‘Because they are still developing, children are especially vulnerable – more so than adults – to poor living conditions such as poverty, inadequate health care, nutrition, safe water, housing and environmental pollution. The effects of disease, malnutrition and poverty threaten the future of children and therefore the future of the societies in which they live’.

### **The costs to society of failing its children are huge**

‘Social research findings show that children's earliest experiences significantly influence their future development’ (<https://www.unicef.org/child-rights-convention>). The costs of consults and guidance for a child, who is damaged, caused by insufficient attention, health care, education, protection etc. are extremely high for a country.

The Convention recognizes the fundamental human dignity of all children and the urgency of ensuring their well-being and development. It makes clear the idea that a basic quality of life should be the right of all children, rather than a privilege enjoyed by a few.

In other human rights treaties such as the International Convention on Civil and Political Rights (ICCPR) and the International Convention on Economic Social and Cultural Rights (ICESCR), minimal attention has been paid to children. These treaties have not been written with the idea that human rights also apply to children. Children are seen as "right holders" in the CRC. The CRC also includes special rights for children, such as in the articles 3, 8, 12, 24, 33, 39, 40 (Doek, 2018).

Article 3, paragraph 1, of the CRC gives the child the right to have his or her best interests assessed and taken into account as a primary consideration in all actions or decisions that concern him or her, both in the public and private sphere. Moreover, it expresses one of the fundamental values of the Convention. It must be ensured that the "best interest of the child" concept is not used as an instrument to determine or disqualify the lifestyle and parenting style of the parents. Parental rights may be restricted in case their lifestyle and style of parenting damage the development of the child and when it is against the law (Manohar, 2021).

Article 8, children have the right to their own identity – an official record of who they are which includes their name, nationality, gender, religion and beliefs, culture, personality and family relations. No one should take this away from them, but if this happens, governments must help children to quickly get their identity back (Manohar, 2021).

In Article 12, children are provided the right to express their views in every decision that affects them and that they should be given due weight according to their age and maturity (Manohar, 2021). Adults should listen and take children seriously.

Article 24 provides children the right to the best health care possible, clean water to drink, healthy food and a clean and safe environment to live in. Access to medical treatment is an important condition. All adults and children should have information about how to stay safe and healthy (GC 14, par. 77).

Article 33, obliged Governments to protect children from taking, making, carrying or selling harmful drugs. Governments have to take all measures to protect children from drugs abuse.

Children accused of breaking the law have the right, conform article 40 to legal help and fair treatment. There should be lots of solutions to help these children become good members of their communities. Recent studies show that locked facilities may not be the best or most cost-efficient option for housing juvenile offenders. Implementation of alternatives to confinement when dealing with minors who commit or who are accused of criminal offenses is better for the correction of the child. There are various types of alternatives to detention and confinement. (<https://childsafety.losangelescriminallawyer.pro/juvenile-offenders-alternatives-to-confinement.html>) Prison should only be the last choice.

Article 39 gives children the right to get help if they have been hurt, neglected, treated badly or affected by war, so they can get back their health and dignity. Recovery from

harm due to war and reintegration of children with their family are very important measures States Parties should take.

The above mentioned special articles are in the most important articles in the CRC : the best interests of the child as a primary consideration in all actions concerning children; the child's inherent right to life, clean environment, safety, health, and State Parties' obligation to ensure to the maximum extent possible the survival and development of the child; and the child's right to express his or her views freely in all matters affecting the child, with those views being given due weight.

### **Climate Change in Latin America and the Caribbean**

According to the World Meteorological Organization, the global annual mean temperature in 2021 was  $1.11 \pm 0.13$  °C higher than the pre-industrial mean of 1850-1900. In addition, the seven years from 2015 to 2021 were the seven warmest years on record, and the ocean heat content in 2021 was the highest ever recorded.(WMO)-no. 1295). The increase in the global average temperature is altering the intensity and frequency of extreme events related to atmospheric conditions, water, and climate. In Latin America and the Caribbean, the impacts of climate change and extreme weather events have been recorded throughout the region. These can cause or aggravate other high-impact events such as floods, landslides and forest fires. The Global Climate Risk Index<sup>15</sup> indicates that in 2019, 6 of the 30 countries most affected by climate change correspond to Latin America and the Caribbean: Bahamas, Bolivia, Paraguay, Chile, Brazil and Colombia. Likewise, between 2000-2019, 7 of the 30 countries most affected by climate change are from the region: Puerto Rico, Haiti, Bahamas, Dominica, Guatemala, Bolivia, El Salvador. It should be noted that Puerto Rico was the most affected country by climate change in 2000-2019. The Global Adaptation Index of the University of Notre Dame (ND-GAIN) offers similar conclusions, placing 15 countries in Latin America and the Caribbean in the vulnerability ranking above the midpoint. It is mentioned by the World Meteorological Organization, that Central America and the Caribbean are two of the most vulnerable geographical areas in the world.

The effects of climate change tend to affect the poorest and most vulnerable populations to a greater extent. In Latin America and the Caribbean - one of the world's most unequal regions in terms of income - climate events reduce the income of the poorest 40% of the population by more than double the average of the population, which could drag between 2.4 and 5.8 million people in the region into extreme poverty by 2030 (Busso, et al., 2020). Climate change contributes to higher disaster risk, for example, through the increased frequency and intensity of extreme weather events. It also introduces new hazards, such as the sea-level rise and slow-onset events like vegetation changes and ice and snow cover reductions (Barandiarán, et.al., (2019), IDB). The United Nations Office for Disaster Risk Reduction recorded 175 disasters in the Latin American and Caribbean region for 2020-2022 alone, 88% of which were of meteorological, climatological, or hydrological origins and accounted for 40% of disaster-related, 71% of registered economic losses (UNDRR, 2021).

All countries in Latin America and the Caribbean have been affected by at least one type of disaster each year in recent decades, with floods and severe storms being the most frequent extreme events ever reported. Similarly, most cities are also enduring the strong effects of climate change and suffer from significantly negative consequences for the

region's economy, infrastructure, and societies. To mention some: the unexpected expenses caused by storms or floods, interruption of business operations, impacts on health due to heat waves and drought, or changes in city budgets. Although information on climate change impacts is less available at local levels. Many Latin American cities have reported climate change-related disasters - droughts, storms, and heat waves being the most common (Vera & Sordi, 2020). Warmer weather will increase vector-borne diseases' reproduction, resilience, and distribution. It is estimated that an additional number of South American people infected with malaria will rise from 25 million yearly in 2020 to 50 million by 2080. Sea-level rise is a major challenge for the region, where almost half of the population lives within 100 km from the coast and where the sea level is rising faster than at the world scale (Blackman, et al., 2014).

### **Migration due to disaster in Latin America and the Caribbean**

Disasters were the main trigger for internal migration in the Americas in 2021, totalling close to 1.7 million, more than half resulting from storms and floods. Hurricane Ida was the event that gave place to most of the displacements, causing almost 14,000 preventive evacuations in Cuba and even more in the United States. Hurricane Elsa also forced significant migrations in the region, causing 180,000 preventive evacuations in Cuba and, to a lesser extent, in Barbados and the Dominican Republic. Brazil registered 411,000 displacements due to floods in 2021- 170,000 of which occurred during the wettest December in the last 15 years. The Americas recorded 282,000 internal displacements associated with forest fires in 2021. At least 1,100 evacuations were reported in Mexico and 815 in Chile due to forest fires. Smaller-scale disasters tend to go unnoticed though they should be addressed owing to their effects on local communities, particularly in Latin America and the Caribbean (IDMC, 2022).

According to the Intergovernmental Panel on Climate Change (IPCC), droughts, tropical storms, hurricanes, heavy rains, and floods are the main climate-related factors that drive displacement and migration. The Andes, north-eastern Brazil, and the northern countries of Central America are among the region most sensitive to climate-related migration and displacement- a rising phenomenon in recent years. Although the consequences are highly context-dependent, climate-related migration is expected to grow on small islands, especially in the Caribbean. Without purposefully determined climate action, estimates are that more than 17 million people in Latin America and the Caribbean will be forced to move by 2050, increasing urban population growth by up to 10% (World Bank, 2022).

The cities in the region continue expanding and absorbing more and more natural resources and rural land. Inequality in cities is persistent, and the housing deficit affects almost half of the region's population. The challenges of climate change overlap and exacerbate those inherent in cities, particularly in large towns and metropolises, where an increase in informal settlements, pollution, and inadequate access to urban services often accompanies accelerated and unplanned growth.

The region's rapid urbanization and the growing demand for housing and urban services have made room for informal urban housing growth and rose from 6% to 26% of the total residences from 1990 to 2015 (Vera, et.al., 2023).

These informal settlements are based on the outskirts of the city plans, with deficient public infrastructure and poor primary services such as water, electricity and sanitation,

which expose the residents to high-risk levels of undesirable climate effects. In addition, because more and more urban center settlements are in coastal areas, research foresees that in South America alone, by 2100, 3 to 4 million inhabitants will endure coastal flooding and erosion due to the sea-level rise in all emissions scenarios. In fact, in Latin America and the Caribbean, nearly 80% of the losses caused by disasters occur in urban areas, where most of the population lives. Notably, 40% and 70% of the total loss happens in cities with fewer than 100,000 inhabitants, where towns' exposure to disaster risk combines with limited capacities and low investment (Vera, et.al., 2023).

Migration due to natural disasters have great effects on children. The CRC explicitly addresses environmental issues in article 24 (2) (c), by which States are obliged to take measures to combat disease and malnutrition, taking into consideration the dangers and risks of environmental pollution, and under article 29 (1) (e), by which they are required to direct the education of children to the development of respect for the natural environment (GC 26, par. 9).

### **The Effect of climate change to children and their rights**

“Climate change is already having a disproportionate impact on 21st century children.”. “Climate change is the biggest global threat of the 21st century”. Besides women, the elderly, indigenous and disabled people, children are the poorest of the poor and the most vulnerable (Ruppel-Schlichting, 2013).

Without climate change mitigation, the challenges of the present will morph into catastrophic/existential crises in the future. Most of all consider the potential impact of displacement on children. But what if warming of 3 degrees Celsius results in one billion people being displaced by 2050. Since at least half likely will be children. About 500 million children will be displaced in 2050, some of whom will lose their lives, while others will suffer daily indignities. No wonder UN Secretary General Antonio Guterres characterized maintaining the status quo in the face of climate change as suicide (UNICEF, 2020).

Climate change is life altering, and even if it affected children in the same capacity as it did adults, there still would be cause for alarm, now and in the future. But the undeniable truth is that the impact of climate change is borne more immediately and most unmercifully by the vulnerable, the poor, ethnic and racial and religious minorities, persons with disabilities, and children (Gibbons, et.al., 2020).

The harshest impacts of climate change occur in low and middle income countries, home to 85% of the world's children (Burke, 2018).

Climate change increases water stress, and impedes adequate sanitation, resulting in 1.5 million children dying annually from drinking contaminated water (Sanz-Caballero, 2013). Children displaced by climate change due to severe drought or sea-level rise experience the death of their “place identity, culture, land and customary way of life,” precipitating higher rates of adjustment issues, depression, suicidal ideation, and suicide (Burke, et.al., 2018). Even where children survive the impacts of climate change, such as infant malnutrition, lost months or years of elementary education, or the trauma of separation from caregivers, their life course trajectories are negatively altered (Gibbons, 2014). Currently, about one-quarter billion children under five years old in low- and

middle-income nations are at risk of falling short of their developmental potential, and these numbers will continue to grow as climate change pushes more children into poverty.

Extreme environmental stressors profoundly scar children's bodies and minds, trampling their hopes and dreams, and bringing them ever closer to the living dead. Sudden-onset disasters make children more susceptible to sexual abuse, exploitation and trafficking, child labor, and recruitment into armed forces, jeopardizing their right to a dignified life. Slow-onset climate change processes fester frustration and increase the risk of children's exposure to domestic violence (Bakker, 2020).

Climate induced- epigenetic changes in children may impair their capacity to care for the next generation, and since subsequent generations of children are likely to live in a world of rapidly spiraling extreme weather, leading to even more epigenetic changes, the future of human development is in jeopardy (Sanson & Burke, 2020). Since the adoption of the CRC, growing acceptance has emerged of the wide-ranging interconnections between children's rights and environmental protection. Unprecedented environmental crises and the resulting challenges for the realization of children's rights require a dynamic interpretation of the CRC. (GC 26, par. 9)

Towards the realization of this right for children, the United Nations Committee of the Rights of the Child considers that States should immediately take the following action:

- (a) Improve air quality, by reducing both outdoor and household air pollution, to prevent child mortality, especially among children under 5 years of age;
- (b) Ensure access to safe and sufficient water and sanitation and healthy aquatic ecosystems to prevent the spread of waterborne illnesses among children;
- (c) Transform industrial agriculture and fisheries to produce healthy and sustainable food aimed at preventing malnutrition and promoting children's growth and development;
- (d) Equitably phase out the use of coal, oil and natural gas, ensure a fair and just transition of energy sources and invest in renewable energy, energy storage and energy efficiency to address the climate crisis;
- (e) Conserve, protect and restore biodiversity;
- (f) Prevent marine pollution, by banning the direct or indirect introduction of substances into the marine environment that are hazardous to children's health and marine ecosystems;<sup>2</sup>
- (g) Closely regulate and eliminate, as appropriate, the production, sale, use and release of toxic substances that have disproportionate adverse health effects on children, in particular those substances that are developmental neurotoxins.

States have to take all necessary, appropriate and reasonable measures to protect children their rights, related to climate change that are caused or perpetuated by business enterprises. The United Nations Committee on the Rights of the Child noted that businesses have the responsibility to respect children's rights in relation to climate change. States should ensure that businesses rapidly reduce their emissions. It is very important to conduct environmental impact assessments and children's rights due diligence procedures to ensure that they identify, prevent, mitigate and account for how they address actual and potential adverse climate change-related impacts on children's rights.

States should incentivize sustainable investment in the use of renewable energy, energy storage and energy efficiency, in particular by State-owned or controlled enterprises and also those that receive substantial support and services from State agencies.

States should ensure that their obligations under trade or investment agreements do not impede their ability to meet their human rights obligations. These agreements have to promote rapid reductions in greenhouse gas emissions and other measures to mitigate the causes and effects of climate change. The facilitation of investment in renewable energy is urgent (GC 26, par. 107-110).

The United Nations Committee on the Rights of the Child emphasizes the incorporation of children's right to a clean, healthy and sustainable environment into national legislation and take adequate measures to implement it in order to strengthen accountability (GC 26, par. 65).

## **Conclusion**

The CRC recognizes the fundamental human dignity of all children and the urgency of ensuring their well-being and development. Climate crisis affects the well-being of the child and their rights in a negative way. The harshest impacts of climate change occur in low and middle income countries. These countries are home to 85% of the world's children (Burke, 2018). Currently, about one-quarter billion children under five years old in low- and middle-income nations are at risk of falling short of their developmental potential. These groups of children will continue to grow as climate change pushes more children into poverty. Without purposefully determined climate action, estimates are that more than 17 million people in Latin America and the Caribbean will be forced to move by 2050. The United Nations Office for Disaster Risk Reduction recorded 175 disasters in the Latin American and Caribbean region for 2020-2022 alone. Hereof, 88% were of meteorological, climatological, or hydrological origins and accounted for 40% of disaster-related, 71% of registered economic losses (UNDRR, 2021). Sudden-onset disasters make children more susceptible to different forms of violence, such as sexual abuse, exploitation and trafficking, child labor, and recruitment into armed forces. These situations are jeopardizing their right to a dignified life.

Placing a lesser value on the best interests of children in the climate actions of the State party is in direct violation of article 3 of the CRC.

The United Nations Committee on the Rights of the Child emphasizes that State Parties must ensure a clean, healthy and sustainable environment in order to respect, protect and fulfil children's rights. The obligation to respect children's rights requires States to refrain from violating them by causing environmental harm. They shall protect children against environmental damage.

The climate change-related impacts on children's rights connected to the implementation of the business agreements should be regularly assessed, allowing for corrective measures, as appropriate.

For so long humanity has tried several remedies and failed, paying a terrible social and moral price. We may well stand before the last opportunity to reconnect to the

evolutionary process to stop climate change, before nature proceeds to remove us (our children included) as an unreliable companion of life and an obstacle in evolution.

“Each generation must out of relative obscurity discover its mission, fulfill it, or betray it”, is stressed by the great Caribbean thinker Frantz Fanon (Fanon, 1961). The same message, but more in a practical terms is phrased by Vandana Shiva, a great Indina philosopher: “We can either keep sleepwalking to extinction or wake up to the potential of the planet and ourselves” (Shiva, 2008).

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