**Green Asia Network**

**Submission to the UN Committee on the Rights of the Child**

**for the Day of General Discussion on Children and the Environment**

**July 2016**

Green Asia Network welcomes the initiative of the Committee on the Rights of the Child to devote its 73rd session to children’s rights and the environment. As a non-governmental organization dedicated to working with local communities on climate change mitigation and adaptation activities, we appreciate this opportunity to contribute to the discussion.

It’s well acknowledged that climate change disproportionately threatens the most vulnerable, and among them, children confront some of the greatest risks.[[1]](#footnote-1) That these children and their families often reside in areas with a higher level of exposure to environmental damage only serves to further exacerbate this issue.[[2]](#footnote-2) In such areas, families are more likely to earn an income from work that’s particularly sensitive to severe shifts in the climate, such as fishing, pastoralism or agriculture.[[3]](#footnote-3) Due to the onset of environmental degradation in many of these areas, abrupt climate changes or natural disasters leave families susceptible to disruptions in employment.[[4]](#footnote-4) For children, the impact can be especially acute as their physical size, lack of independence and evolving capacities endanger their survival and development. They may suffer from malnutrition, diseases and other problems, especially in the aftermath of natural disasters.[[5]](#footnote-5)

In cases where the families must migrate elsewhere to seek work, children are at a higher risk of trafficking, forced labor or other abuses.[[6]](#footnote-6) Environmentally displaced groups often endure marginalization as they settle in urban ghettos.[[7]](#footnote-7) Regardless of whether the they may migrate, environmental hazards can lead to breakdowns in the family or deterioration in the socioeconomic structures of the community, which can severely harm children’s health and development.[[8]](#footnote-8)

A Mongolian volunteer, involved in our school construction project, found several children who reported that they previously lived a nomadic lifestyle before settling in the city after their families lost their livestock to the *dzud*, a harsh snowstorm that causes mass death among livestock. In order to earn money for their family, they work all day sorting trash at one of the large landfills. From a single day’s work, the children reportedly earned around 5000 tugrik (approximately €2.22 as of 26 July 2016). This type of work poses numerous health hazards, including smoke inhalation from burning garbage, severe weather conditions, infectious diseases, food poisoning from eating expired food and food waste, extremely unhygienic conditions and accidental injury or death from waste trucks.[[9]](#footnote-9) While the children didn’t specify how many other families were forced to follow a similar path due to the *dzud*, based on our reports, we know that the number is increasing.

Some of the children described how any money brought home is used by their parents on meat and bread, with the remaining amount spent on alcohol. A few children said if they don’t work, their siblings cannot eat or they may suffer abuse. Others complained that due to their parents’ alcohol abuse and the domestic environment, working at the dumpsite was better than enduring stress at their homes.

## **Unique problems for environmentally displaced families and their children**

Pastoralists often encounter problems accessing benefits, including medical support and subsidies for children, as they have not updated their resident identification or have lost it. The registration system requires that people register in their town of residence, but many pastoralists cannot pay the registration fee, don’t understand the process or haven’t followed the necessary procedures to register in a new area.[[10]](#footnote-10) This is further exacerbated by the reluctance of some government officials to register people as they fear it may encourage an influx of migration into an area already strained in resources. We highlight these problems not to draw attention to any specific country but to illustrate some of the unique challenges and obstacles environmentally displaced people encounter.

While the use of the term “environmental refugee” is contentious, and the word “environmental migrant” may be a misnomer as migration cannot often be separated from economic and social reasons, those fleeing their lands due to environmental degradation require assistance based on their unique circumstances. Referring to these people as migrants, as it’s understood internationally, does not recognize their distinctive plight. The UNHCR defines a migrant as a person who leaves “*not because of a direct threat of persecution or death, but mainly to improve their lives by finding work, or in some cases for education, family reunion or other reasons. Unlike refugees who cannot safely return home, migrants face no such impediment to return*.”[[11]](#footnote-11)

However, considering the long-term consequences of environmental degradation, such as desertification or rising sea levels, those affected by such problems have no home to return to, and in cases of natural disasters, the devastation can be such that the collapse of communities and socioeconomic structures require vulnerable families to permanently resettle elsewhere.[[12]](#footnote-12) As a majority of environmental displacement will be internal, this raises two primary concerns: initial displacement can lead to further migration and lack of legal instruments and mechanisms leave these people vulnerable.[[13]](#footnote-13)

## **Initial displacement can lead to further migration**

We’ve already witnessed the initial stages of this phenomenon. For all those pastoralists who migrate to the urban areas through their social networks, there are also many that lack such support and settle in ghettos within or near the border of the city. As the region may be ill prepared to absorb such a large influx of people, they may need to migrate again to seek employment or better living conditions.[[14]](#footnote-14)

## **Lack of legal instruments and mechanisms**

Policies and legislation have aimed at preventing migration through mitigation and adaptation initiatives,[[15]](#footnote-15) but these responses alone do not address the immediate vulnerabilities of environmentally displaced people. Furthermore, as the majority of this type of migration is internal, these people do not fall under the protection of conventional refugee legislation, [[16]](#footnote-16) nor do intergovernmental agencies view them as refugees, leaving them dependent on their state, which may lack the capacity to assist in many cases. As the intensity of environmental degradation is relatively gradual compared to natural disasters, environmental displacement has become a silent problem.[[17]](#footnote-17)

## **Absence of children’s rights in climate change discussions**

As of now, environmentally displaced people, particularly children, have been widely overlooked in international law.[[18]](#footnote-18) This may be due to the reluctance of countries to commit to any agreement that places them as direct duty-bearers for environmental problems.[[19]](#footnote-19) The neglect may also be attributed to the historical development of environmental and human rights treaties, which didn’t give attention to the impact of environmental degradation on human rights as it had yet to be recognized as a threat.[[20]](#footnote-20) Even today, with the recent agreements to reduce climate change, the issues of children and the environmental consequences on children’s rights have been largely absent from the discussions, leading to incoherence in policies and legislation that attempt to address these areas.

## **Greater cooperation between human rights and environmental mechanisms**

Despite the recent progress in environmental agreements, it has been our experience that tackling environmental degradation alone isn’t sufficient to ensure the protection and promotion of human development, security and rights. Our first project demonstrated this when we launched a series of afforestation activities alone and encountered wide-scale failure. It wasn’t until we began working with local communities that we achieved success. This lesson also extends to the realm of law and policy where, although environmental law may serve to commit states to cooperate for climate change mitigation and adaptation, it still requires human rights instruments to empower and secure the participation and equality of the people, which is fundamental as local communities are often deeply embedded in their environment.

The Sustainable Development Goals and other UN framework plans have already begun recognizing women and youth. In the Concept Note for the CEDAW Committee’s Day of General Discussion, attention was given to the 2005-2015 Hyogo Framework For Action, a UN disaster reduction plan, which called for integrating a gender perspective throughout implementation.[[21]](#footnote-21) Proceeding this, the Paris Agreement, adopted by the Conference of State Parties (COP) to the UN Framework Convention on Climate Change, acknowledges in the preamble that States “should respect, promote and consider” children’s rights as well as the human rights of other groups.[[22]](#footnote-22)

This is an encouraging step; however, we remain concerned that the preamble urges (using the word “should”), rather than requires States Parties to respect, promote and consider human rights. We recognize that this wording may have been chosen as the human rights treaties may not apply to all of the States committed to the Agreement. However, as the vast majority of those States are Parties to the Convention on the Rights of the Child, they are obliged to give primary consideration to the best interests of the child in all actions that affect children.[[23]](#footnote-23) Without such consideration, as demonstrated in a number of projects that have violated the rights of indigenous people, mitigation and adaptation may come at the cost of human rights.[[24]](#footnote-24) During COP 20, a member of an indigenous group raised this same concern, “Why do human rights have to be violated to mitigate climate change effects?”[[25]](#footnote-25)

## **Sustainable Development Goals**

The Sustainable Development Goals (SDGs) present a new opportunity to advocate for and embed children’s rights in sustainability strategies and activities. While we applaud the recognition of children throughout the SDGs, we express concern that the threshold for establishing a platform and culture conducive for children’s participation has not been met. Instead of acknowledging children as active agents in implementation, they continue to be portrayed as recipients.

## **Best practices**

Green Asia Network works with former pastoralist families and the Mongolian Government on reforestation and sustainable land management projects using our Sustainable Regional Development Model. This model promotes self-reliance, community development and empowerment, and sustainable land management. It is an integrated approach that focuses on three pillars; the environment (through sustainable land management activities, society (through community development and empowerment), and economy (through job creation in agroforestry).

We recruit and pay members of local communities, two-thirds of whom are women, and many of whom have been environmentally displaced by desertification or the loss of livestock during previous *dzuds*, to work with us on forestry projects in desertified land. After undergoing forestry training and environmental education, the local participants are assigned to a field staff to work on afforestation, reforestation, agroforestry, lake restoration or a variety of other projects. During this time, the participants earn an income from Green Asia Network, as well as new skills. Additional income may be generated through fruit tree cultivation and other community activities. After five years, we turn over the project site to the local people. It is therefore vital for the sustainability of the work that the community have ownership and participation in the programs and that they also earn a sufficient income to provide for their families. As most of the participants are women, a gender perspective and community cohesion are essential components. Therefore, a number of training and group meetings are regularly held to build community capacity and provide a forum for participation.

We also engage young people through our volunteer groups and clubs targeted at college students. These clubs share cultural exchanges between Mongolia, Myanmar (site of our other programs) and Korea with a focus on environmental education. Young people plan, launch and participate in their own campaigns. They also partake in Green Asia Network-led eco-tours that give volunteers the opportunity to visit project sites, work with local project participants on environmental activities and foster a deeper understanding of environmental degradation and its impact on local communities.

Our work isn’t restricted to only local grassroots involvement, but also includes environmentally concerned companies and government officials, who play a pivotal role in leveraging their capabilities to support our programs. In working with both public and private partners, we strive to collaborate with all actors from religious leaders to international businesses. Environmental degradation, as it is so pervasive, must be tackled by engaging a diverse range of stakeholders. Therefore, our vision isn’t restricted to only grassroots initiatives, but also involves building an international network, which we call TerrAsia, to create a platform to share ideas, knowledge, practices and resources to address climate change.

By combining our expertise with participation from the local community, all stakeholders cooperate and collaborate to develop both immediate solutions and long-term responses. The work of Green Asia Network and the local communities has been recognized by the UNCCD Secretariat, which awarded us the 2014 Land for Life Award in recognition of increasing grassland production, improving land fertility, eliminating dust sandstorms and providing greater economic opportunities. We want to emphasize that these sustainable land management achievements came from our community-centered approach that not only takes into account the experiences and skills of the people but also encourages and supports participation throughout the projects. By building capacity among communities, working with them to live sustainably and protecting the environment, we’ve strived to create conditions conducive for the healthy development of families and children.

**Appendix: List of Recommendations:**

We urge the Committee to encourage States Parties to

* Provide appropriate responses to the unique plight of environmentally displaced families
* Dedicate effort on mitigating the impact of environmental degradation on all children.
* Respect and protect children’s rights when undertaking climate mitigation and adaptation activities
* Involve children in climate change mitigation and adaptation planning and activities

We ask the Committee to provide guidance on the SDGs and its targets as they relate to children

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