



# HOW COUNTRIES HAVE PROTECTED CHILDREN'S RIGHT TO A HEALTHY ENVIRONMENT

CONVERSATIONS ABOUT YOUR RIGHT TO A HEALTHY ENVIRONMENT

## WELCOME!

Everyone has human rights. These set out what we need to live happy, healthy, and safe lives. Nobody can take your human rights away - in fact, the government must do all it can to protect them.

Children's human rights are set out in an important document called the United Nations Convention on the Rights of the Child (or UNCRC for short). This includes things like the right to life, health, clean water, food, and play.

## ABOUT THE AUTHOR

Hi, my name is Cynthia! I'm studying human rights law at the University of Edinburgh. I was born in the USA and have been living and working in Africa for the last 3 years being an English and human rights teacher. I hope to continue to help children know and understand their human rights in Scotland and around the world!



## WHAT IS THIS LEAFLET ABOUT?

There are many countries around the world with laws that protect children's human rights, including their right to a healthy environment. Some countries have stronger laws than others because the children can tell their governments when their right to a healthy environment is not respected.

This leaflet will help you to know what other countries are doing to protect children's right to a healthy environment and what the Scottish Government could do to help.



## HOW DOES THE ENVIRONMENT AFFECT CHILDREN'S RIGHTS?

Children need a clean environment to grow up healthy and safe. If the environment is dirty this can harm children's rights.

Countries around the world have made agreements to try and protect the environment and protect human rights.

A group of experts called the **UN Committee checks up on countries to make sure they are following the UNCRC**. The UN Committee also writes reports that help countries know what to do to protect children's rights. One of these reports is called General Comment 16.

**General Comment 16 tells governments what they should do to protect children from dangers created by businesses and gives governments the tools they need to better include children in the conversations with businesses.** It says governments should work with businesses to make sure children are protected from harm and to make sure they have a way to correct any mistakes that might harm children.

## WHAT DOES THE UNCRC SAY?

- Governments must make sure children are as healthy as possible.
- Governments should do what they can to stop businesses harming the environment.
- Children have a right to information about the environment and about all their rights
- Children have a right to have a say in all decisions that affect them and adults should listen.
- Children should learn about protecting the environment at school

## WHAT HAPPENS IF COUNTRIES DON'T RESPECT CHILDREN'S RIGHT TO A HEALTHY ENVIRONMENT?

In some countries, the law says children can take their government to court. Judges then decide if the government is doing enough to protect children and communities' right to a healthy environment. This can help strengthen the law to protect children.

## WHAT'S HAPPENING IN SCOTLAND NOW?

Scottish Government has said it wants to help children learn about the climate emergency. It has said it will make sure teachers learn about it as part of their training.

The Scottish Government also wants to create a new human rights law that will protect the right to a healthy environment. The Scottish Government is working with experts to write the new law. These experts have been listening to children's views on what it should include.



## A PATH FORWARD FOR SCOTLAND:

Scotland has started to make some changes but more needs to happen!

Here are some of the things we think Scotland should do next:

- make the right to a healthy environment part of the law
- make sure children can bring the government or organisations in front of judges if their rights to a healthy environment are breached.
- make sure that judges can say how to fix things and that environmental protections are stronger.
- make sure children know what's being done about the environment, for example creating child-friendly information.
- Scotland should make sure that children learn about the environment in school and have ways to become involved.
- promote and protect children's right to have their voices heard – including to campaign and protest about the environment.
- make sure that businesses and companies respect the environment. This might mean changing the rules that businesses have to follow.
- do all it can to protect against the effects of climate change. Scotland should act fast, rather than wait. It should think about children's rights in everything it does.

## WHAT DO YOU THINK?

The National Taskforce wants to hear what you think about a new human rights law.

**What you think is really important** - it will help adults understand if your human rights are being respected and what adults could be doing better.

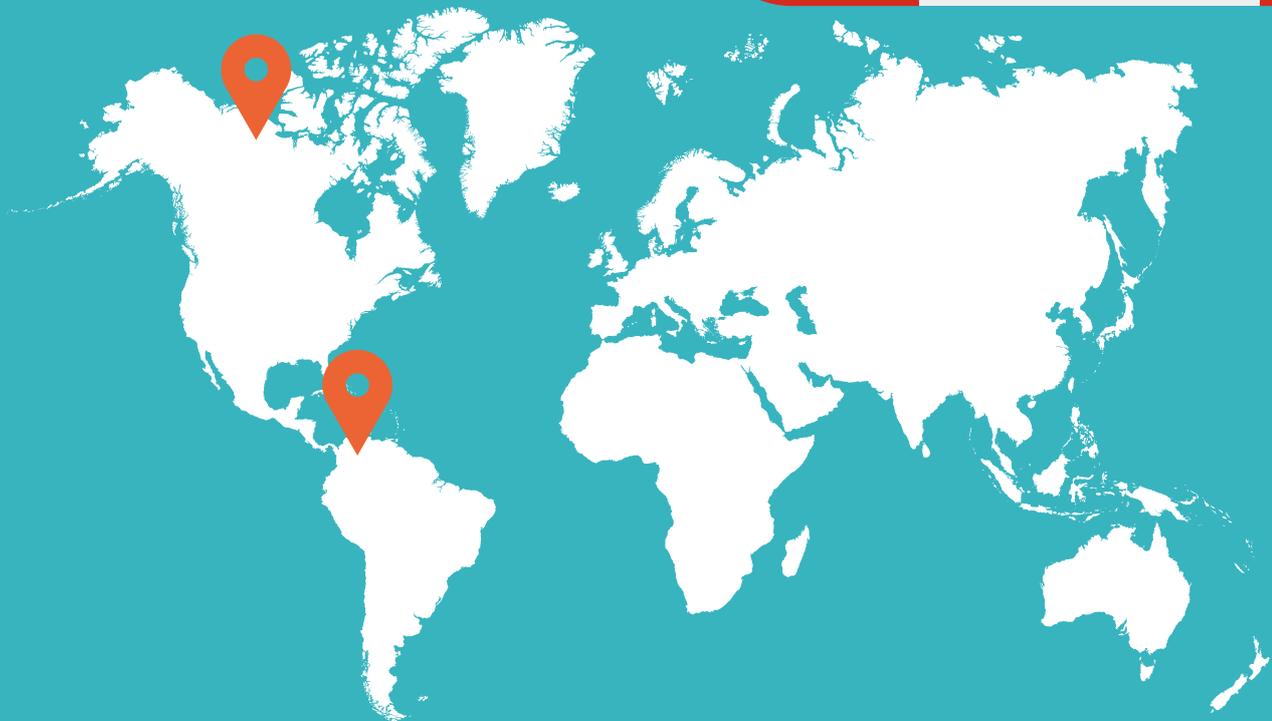
- Do you feel like your rights are always respected at the moment?
- How would a new human rights law help you, your family and your community?
- What needs to be in the new law?
- Is there anything else that needs to happen to protect your rights?

What extra help do you think disabled children and young people might need if their rights are not respected?

# WHAT'S HAPPENING AROUND THE WORLD?

IN EACH OF THE FOLLOWING COUNTRIES, CHILDREN BROUGHT THEIR GOVERNMENTS TO COURT WHICH RESULTED IN THE LAW BEING CHANGED TO BETTER PROTECT THEIR RIGHT TO A HEALTHY ENVIRONMENT.

**Canada:** In 2020, Canada had decided to weaken its climate change law. Seven young people took Canada to court for not protecting them or future Canadian citizens' right to a healthy environment. The judges agreed that they were allowed to do this, because the government was not doing enough to protect children. The case is still ongoing.



**Columbia:** Children were angry because businesses were destroying the Amazon rainforest and the government wasn't doing anything about it. In 2018, a group of children took the government to court. They said the government had breached their rights to a healthy environment, life, health, food, and clean water. The judges said that the children were able to bring their government to court no matter their age. The judges said that the government must protect children, future generations, and all groups living in the Amazon, including all living creatures.

# WHAT'S HAPPENING AROUND THE WORLD?

**The Netherlands:** Dutch government was not doing as much as it could to protect against climate change. In 2019, a group of people, including children, took the government to court. The judges said that even if the government didn't know exactly what might happen as a result of climate change, it still knew that climate change was happening. This meant the government should make laws to protect against the impact of climate change.



## **Climate Change Activism and Movements by Children and Youth:**

**“Fridays for Future” Protest Movement:** in 2018, Greta Thunberg challenged children to raise their voices to demand governments do more about climate change. The movement shows children and young people using their right to be heard, to free speech and peaceful protest. The movement helped people understand the importance of including children and young people in decision-making about climate change. 38,000 people, including children, marched through Edinburgh and Glasgow and then 40,000 people marched throughout Scotland, as part of the movement throughout 2019. As of 2020, the movement has moved online and continue to hold strikes across Scotland.