



Joint Parallel Report
submitted by
the Center for International Environmental Law (CIEL) and
Greenpeace Norway
to the Committee on the Rights of the Child (CRC)
on the occasion of the consideration of Norway
for the List of Issues Prior to Reporting (LOIPR)

95th Pre-sessional Working Group Session

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About the submitting organizations:

The **Center for International Environmental Law (CIEL)** uses the power of law to protect the environment, promote human rights, and ensure a just and sustainable society. CIEL seeks a world where the law reflects the interconnection between humans and the environment, respects the limits of the planet, protects the dignity and equality of each person, and encourages all of earth's inhabitants to live in balance with each other.

Greenpeace is an independent campaigning organization, which uses peaceful, creative confrontation to expose global environmental problems and develop solutions for a green and peaceful future. Its core values are non-violence and financial independence. Greenpeace brings about change by lobbying, consumer pressure and mobilizing members of the public to take action against environmental destruction. It comprises 27 independent national/regional organizations in over 55 countries across Europe, the Americas, Africa, Asia and the Pacific, as well as a coordinating body, Greenpeace International. This report was prepared by Greenpeace Norway.

Executive Summary

Norway is currently actively pursuing policies aimed at further expanding the oil and gas industry. The fossil fuel industry in the country is one of the leading sources of greenhouse gas (GHG) emissions, being responsible for approximately 25% of Norway's yearly emissions.¹ Norway is the world's largest fossil fuel exporter per capita in the world, thus contributing to GHG emissions both within and outside its jurisdiction. Consequently, the expansion of this industry in Norway is manifestly incompatible with the imperative of preventing climate-induced human rights harms and with the goal of limiting global warming to 1.5°C set in the Paris Agreement. Norway's oil and gas extraction, consumption and export are incompatible with its obligations under the Convention, including with regard to extraterritorial obligations. As a State Party to the CRC, Norway has an obligation to take steps to avoid exacerbating climate change and its disproportionate adverse impacts on children in Norway and abroad, including by taking all measures appropriate to reduce any threat of climate-induced harms on children's rights resulting from activities taking place in its territory of Norway or under its control, such as oil and gas extraction and export. In its 2018 COB to Norway, the Committee already recommended that Norway, "in the light of the State party's exploitation of fossil fuels, ... increase its focus on alternative energy and establish safeguards to protect children, both in the State party as well as abroad, from the negative impacts of fossil fuels". Despite this, Norway has continued to pursue oil and gas extraction and export policies, including by granting new licenses, thus knowingly harming children rights within and outside its jurisdiction.

In light of the above, the Center for International Environmental Law (CIEL) and Greenpeace Norway respectfully urge the Committee to request following information from Norway:

Please provide information on measures taken to ensure:

(i) that national policies related to the granting of new licenses by the State for the exploration and production of fossil fuels is compatible with full compliance with the obligations of the State under the Convention;

(ii) the establishment of a regulatory framework for businesses, in particular companies in the fossil fuel industry, to ensure that their activities do not have an adverse impact on children's rights - including taking fully into account their contribution to climate change;

(iii) that State-owned companies take into consideration the impact of climate change on the rights of the child and are required to set concrete goals to cut emissions in line with the Paris Agreement; and

(iv) that the State party's current climate targets and climate and energy policies currently in place are compliant with the international commitments, including those set forth in the Paris Agreement, to phase out the use of fossil fuels.

¹ International Energy Agency, 'Norway' (iae, 2022), available at <https://www.iea.org/reports/norway-2022/executive-summary> (last accessed on 6 January 2023)

General context

The Norwegian government is promoting policies aimed at further expanding the oil and gas industry, despite claiming publicly that there is a need to reduce the production and use of fossil fuels. In 2022, the Norwegian state received a record high number of oil and gas development plans, totalling investments for around 300 billion NOK (approx. 28 billion Euros).² According to some estimates, the licenses that have been awarded between 2012 and 2021 resulted in “2.8 billion barrels of new oil and gas resources for potential extraction, almost 3.5 times more than Europe’s second-largest producer, the United Kingdom”³, which can lead to “an additional 3 gigatons of CO2 emissions globally”⁴.

In January 2023, Norway awarded 47 oil and gas exploration permits, including in the Arctic (29 in the North Sea, 16 in the Norwegian Sea, and 2 in the Arctic Barents Sea⁵), through the so-called *Awarding in predefined areas (APA)*.^{6,7} Towards 2026, Norwegian oil and gas output is expected to increase even further.⁸

The State is also adding further Norwegian oil and gas into the market. This way, the state disregards the fact that there is already more oil and gas in production than the 1.5°C degrees carbon budget allows for, as stated by both the International Energy Agency (IEA)⁹ and the Intergovernmental Panel on Climate Change (IPCC)¹⁰. Norway has not even joined initiatives such as the *Beyond Oil and Gas Alliance* or any other agreement with fossil fuel producers about climate compatible phase out of fossil fuel production.

Norwegian climate goals and climate policy

In 2022, Norway updated its climate target under the Paris Agreement to cut 55% of domestic emissions by 2030, compared to 1990 levels. As a long-term goal, Norway wishes to become a "low-emission

² Kari Lundgren, ‘Norway’s \$30 Billion of Projects to Sustain Gas Flow to 2026’ (*Bloomberg*, 2023), available at <https://www.bloomberg.com/news/articles/2023-01-09/norway-s-30-billion-of-new-projects-to-sustain-gas-flow-to-2026> (last accessed on 20 January 2023)

³ Andy Rowell, ‘Climate hypocrite: Norway has opened up billions of barrels of new oil and gas resources’ (*Oil Change International*, 2022), available at <https://priceofoil.org/2022/02/08/climate-hypocrite-norway-has-opened-up-billions-of-barrels-of-new-oil-and-gas-resources/> (last accessed on 6 January 2023)

⁴ Ibid.

⁵ NPD, ‘APA 2022: Map awards offered’ (*NPD*, 2023), available at <https://www.npd.no/globalassets/1-1-npd/fakta/utvinningstillatelser/konsesjonsrunder-eng/apa-2022/offered-ownership-interest/map-awards-offered.pdf> (last accessed on 20th January 2023)

⁶ Reuters, ‘Norway awards 47 oil and gas exploration permits’, (*Reuters*, 2023) available at: <https://www.reuters.com/business/energy/norway-awards-47-oil-gas-exploration-permits-2023-01-10/> (last accessed on 12 January 2023)

⁷ This awarding happens once a year, and as a result of an agreement made at the end of 2022, this will be the only way of handing out new petroleum licenses until after the 2025 parliamentary election. In the four last numbered licensing rounds, only 45 new licenses have been handed out, compared to 230 new licenses that were handed out in the four last APA rounds. See Norwegian Petroleum Directorate (NPD), ‘APA 2019’ (*NPD*, 2021), available at <https://www.npd.no/en/facts/production-licences/licensing-rounds/apa-2019/>; NPD, ‘APA 2020’ (*NPD*, 2021), available at <https://www.npd.no/en/facts/production-licences/licensing-rounds/apa-2020/#>; NPD, ‘APA 2021’ (*NPD*, 2022), available at <https://www.npd.no/en/facts/production-licences/licensing-rounds/apa-2021/>; NPD, ‘APA 2022’ (*NPD*, 2023), available at <https://www.npd.no/en/facts/production-licences/licensing-rounds/apa-2022/> (last accessed on 23 January 2023)

⁸ Vivideconomics, Finance for Biodiversity Initiative, ‘Greenness of Stimulus Index’ (2021), available at https://643e8587-b887-4b39-86d3-edefb98f6abf.usrfiles.com/ugd/643e85_ff2e6bc7fbd242e7bcb50d05b7219e8b.pdf

⁹ See country page: <https://www.iea.org/countries/norway>

¹⁰ IPCC, Special Report, Summary for policy makers in ‘Global warming of 1.5°C (2018)

society" by 2050, cutting emissions 90-95% compared to 1990 levels.¹¹ One of the most positive developments is that Norway now champions doing all these cuts domestically, instead of relying on international offsets mechanisms compensating insufficient domestic emissions cuts through the purchase of carbon credits abroad. However, the State party does not appear to be on track to meet its own goals. The last official emissions statistics is from 2021, and it shows a total emission of 48,9 million tons of CO₂.¹² This is 4,7% less than 1990 and represents only a decrease of 0,7% since 2020.¹³ The facility was closed during the entirety of 2021 because of a fire. Had Melkøya, with its annual emissions of 0,9-1,1 million tons of CO₂, been operating, the emissions would have been higher than in 2020.

Projections in the 2023 national budget show that Norway is on the track of emitting 38,6 million tons of CO₂ in 2030.¹⁴ This is 15.5 million tons more CO₂ than the current goal of cutting 55% by 2030 compared to 1990 levels.¹⁵ A report from 2022 shows that Norway is not on track to net zero emissions in 2050 either.¹⁶ The report finds that Norway is on a path to cut 79% of emissions by 2050, considerably below the ambition codified by law (90-95%) and the EU ambition of net zero emissions by 2050.

The energy price crisis has even led to discussions about dropping Norway's current climate commitments for 2030. A key measure among the ruling political parties for reaching those goals is to electrify oil and gas production, using hydro energy from land to power oil and gas production, leading to a minimisation of emissions from fossil fuels production.¹⁷

The oil and gas industry in the country is one of the leading sources of GHG emissions, being responsible for approximately 25% of Norway's yearly emissions¹⁸. Heads of the Norwegian oil giant Equinor, majority-owned by the state, have also indicated that they do not believe in the 1.5°C degree temperature limit, as they want Norway to be the country to extract the last drop of oil.¹⁹

While climate target projections for Norway domestically are bleak, it is by way of its exported emissions that Norway earns the title as a true climate offender. According to the UN's last Sustainable Development Report, Norway is the world's largest fossil fuel exporter per capita in the world.²⁰ In 2022, Norway

¹¹ Norway's Climate Change Act (2018), available at <https://lovdata.no/dokument/NLE/lov/2017-06-16-60>

¹² Olav A. Øvrebø, 'Norges Utslipp' (*Energi og Klima*, 2022), available at <https://energiogklima.no/klimavakten/norges-utslipp/>

¹³ Here, it must be remarked that the latter cuts resulted from the temporary closing of Melkøya, a LNG facility in Northern Norway. The facility was closed during the entirety of 2021 because of a fire. Had Melkøya, with its annual emissions of 0,9-1,1 million tons of CO₂, been operating, the emissions would have been higher than in 2020. See Kjetil Malkenes Hovland, 'Stengt Equinor-anlegg bidro til lavere utslipp i fjor' (*E24*, 2022), available at <https://e24.no/olje-og-energi/i/bGP9Kk/stengt-equinor-anlegg-bidro-til-lavere-utslipp-i-fjor> (last accessed 20 January 2023)

¹⁴ Christian Bjørnæs, 'Statsbudsjettet 2030' (*CICERO*, 2022), available at <https://cicero.oslo.no/no/artikler/statsbudsjettet-2023>

¹⁵ Ibid.

¹⁶ Anne Vandbakk, 'Ny rapport om Norges energiomstilling frem mot 2050' (*DNV*, 2022), available at <https://www.dnv.no/news/ny-rapport-om-norges-energiomstilling-frem-mot-2050-235812>

¹⁷ NTB, 'Splid blant regjeringspartiene om elektrifisering' (*E24*, 2022), available at <https://e24.no/olje-og-energi/i/BjAL1g/splid-blant-regjeringspartiene-om-elektrifisering>

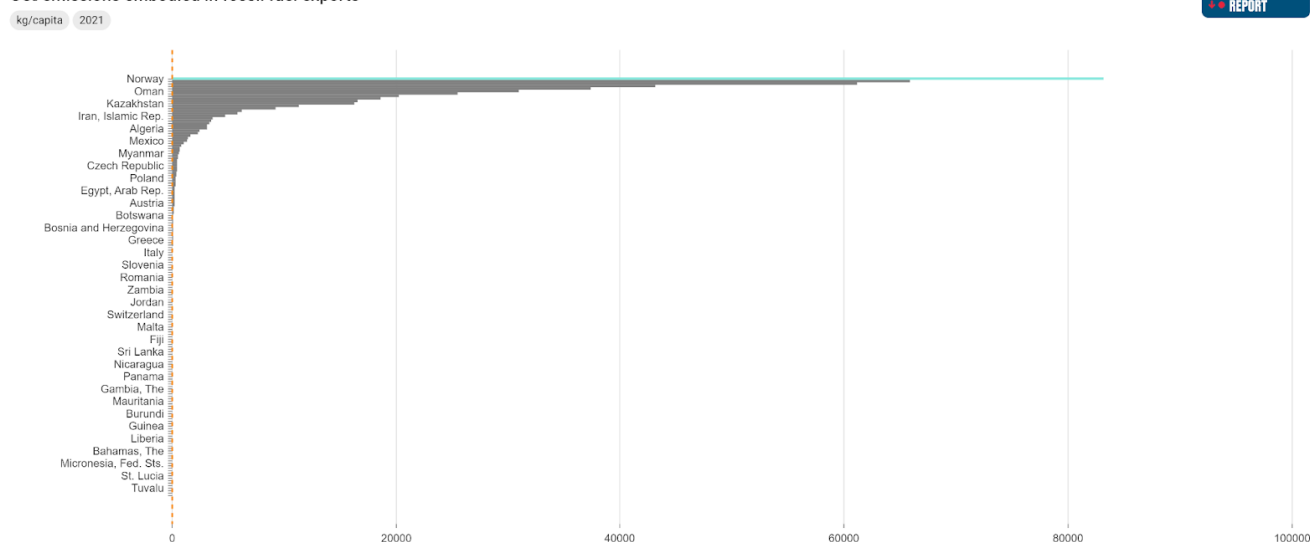
¹⁸ International Energy Agency, 'Norway' (*IAE*, 2022), available at <https://www.iea.org/reports/norway-2022/executive-summary> (last accessed on 6th January 2023)

¹⁹ Jonas Henmo, 'Vil pumpe til siste dråpe', (*Klassekampen*, 2022), available at <https://klassekampen.no/utgave/2022-05-05/vil-pumpe-til-siste-drape>

²⁰ UN Sustainable Development Report 2022, 'Country profile Norway' (*Sustainable Development Report*), available at <https://dashboards.sdindex.org/profiles/norway> (last accessed 23 January 2023); UN Sustainable Development Report 2022, 'CO₂ emissions embodied in fossil fuel exports' (*Sustainable Development Report*),

exported approx. 606 million tons CO₂.²¹ Compared to Norway's last available data for domestic emissions from 2021, this means that Norway's exported emissions are approx. 12,8 times larger than its domestic. This is something Norway does little to circumvent.

CO₂ emissions embodied in fossil fuel exports



There's now an ongoing white paper process for state-owned companies, including fossil fuel producers. An ambition towards state owned companies is that they will invest according to the climate goals in the Paris agreement and for net-zero emissions in 2050.²² At this stage, it is not clear how this will take place and how the Norwegian state will deal with its majority ownership of Equinor. At Equinor's Annual General Meeting (AGM) last year, Equinor's new climate and transition plan was approved by the owners.²³ However, interestingly, the large investor Storebrand voted against this plan, due to a lack of concrete efforts as to how the company plans to deliver on net zero commitments.²⁴ At this year's AGM, we will see if the state votes any differently.

The impacts of climate change on children

available at <https://dashboards.sdindex.org/explorer?metric=co2-emissions-embodied-in-fossil-fuel-exports&visualization=bar>

²¹ Exported emissions were calculated by subtracting the volumes of petroleum consumed in Norway in 2022 (and thus covered by domestic emissions) from the total amount of oil and gas produced in Norway in 2022. We then apply CO₂ emissions factors. NPD, 'Det investeres for framtiden på sokkelen' (NPD, 2023), available at <https://www.npd.no/fakta/nyheter/generelle-nyheter/2023/det-investeres-for-framtiden-pa-sokkelen/>; Norwegian Environment Agency, 'Greenhouse Gas Emissions 1990- 2014, National Inventory Report' (2016), page 87, available at <https://www.miljodirektoratet.no/globalassets/publikasjoner/M534/M534.pdf>

²² White Paper 6 (2022-2023) (*Reggeringen.no*), available at <https://www.regjeringen.no/no/dokumenter/meld.-st.-6-20222023/id2937164/?ch=1>

²³ Finansavisen, 'Equinor har godkjent omstillingsplan', (*Finansavisen*, 2022), available at https://www.finansavisen.no/nyheter/energi/2022/05/11/7865378/equinor-har-godkjent-omstillingsplan?zephir_sso_ott=5uzlCx

²⁴ Kjetil Malkenes Hovland, 'Storebrand stemmer mot Equinors omstillingsplan: – Har svakheter' (E24, 2022), available at <https://e24.no/olje-og-energi/i/7dzzlW/storebrand-stemmer-mot-equinors-omstillingsplan-har-svakheter>

The issues related to Norway's aggressive oil policies and how this affects children is two-pronged. Firstly, as stated Norway is the biggest CO₂-emissions exporter per capita. This means that today's children, both in Norway, but also all around the world are victims of the impacts of climate change caused by Norway, by way of its aggressive and continuous oil policy and resulting combustion emissions. The second dimension comes from the disproportionate burden which Norway places on children of today by postponing effective and drastic emissions cuts and prolonging the fossil era, thus locking the economy into fossil dependency for decades ahead. An issue which today's children have no say in, but will bear the brunt of well into their adult life and their own children's lives.

The impacts of climate change are felt by everyone around the globe, but these same impacts are experienced differently, depending on several factors, such as income, social group, gender, age etc.. Thus, children are amongst the most vulnerable groups of people in society today. Firstly, they do not have an effective say and are thus indirectly excluded from decision-making processes, including on climate and others, while having to live with the effects of these processes for the rest of their lives. Strictly physically speaking, as children's bodies are in development, that increases their vulnerability and makes them more prone to suffer from the negative impacts of disasters and natural climate events²⁵. Climate change outcomes disproportionately affect the most vulnerable and marginalized groups, communities and ecosystems, aggravating disparities. Children are also more vulnerable to the negative impacts of natural disasters, which are becoming increasingly more frequent as a consequence of climate change.²⁶ The IPCC has already reiterated that, in order to prevent further escalation of threats for those most vulnerable. countries' climate policies must be in line with the pathways limiting the global temperature rise to 1.5°C above pre-industrial levels.²⁷ Global average temperature increase by 2°C rather than 1.5°C would lead to even greater rates of poverty, increased water stress, heightened food insecurity, more heat-related health problems, increased sea level rise, ocean acidification, species loss, greater temperature extremes, and higher rates of drought, among other impacts. These phenomena, because of their disproportionate effects on children, have the potential to increase children's vulnerability in respect of their human rights to food, water, an adequate standard of living, health and life.

Save the Children's 2021 report "Born into the Climate Crisis" finds that unless we increase the global ambition level for emissions cuts, today's teenagers will be affected by heat waves seven times more often than their grandparents. They will also experience double the amount of droughts and floods compared to their grandparents' generation.²⁸

²⁵ Alejandra Borunda, 'The origins of environmental justice—and why it's finally getting the attention it deserves' (*Natural Geographic*, 2021), available at <https://www.nationalgeographic.com/environment/article/environmental-justice-origins-why-finally-getting-the-attention-it-deserves>, available at <https://www.unicef.org/press-releases/one-billion-children-extremely-high-risk-impacts-climate-crisis-unicef>

²⁶ IPCC, Special Report, Summary for policy makers in 'Global warming of 1.5°C. An IPCC special report on the impacts of global warming of 1.5 °C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty' Summary for Policymakers (2018), page 7-10, available at https://www.ipcc.ch/site/assets/uploads/sites/2/2022/06/SPM_version_report_LR.pdf

²⁷ IPCC's Sixth Assessment Report, 'Climate Change 2022: Impacts, Adaptation and Vulnerability' (2022), available at <https://www.ipcc.ch/report/sixth-assessment-report-working-group-ii/>

²⁸ Available at https://resourcecentre.savethechildren.net/document/born-climate-crisis-why-we-must-act-now-secure-childrens-rights/?_ga=2.176690848.445690316.1674741619-1449299308.1654082987&_gl=1*cbvn59*_ga*MTQ0OTI5OTMwOC4xNjU0MDgyOTg3*_ga_646SWQJ0VB*MTY3NDc0MTYxOS4xMTAuMC4xNjc0NzQxNjE5LjYwLjAuMA..*_ga_GRKVSTV36C*MTY3NDc0MTYxOS4zNi4wLjE2NzQ3NDE2MTkuNjAuMC4w

A survey of more than 54 000 children around the world in more than fifteen countries has shown that four in five children are already experiencing the effects of climate change every single day.²⁹ These figures are worst for children in low- and middle-income countries, and Norway as the world's biggest CO2 exporter per capita is a major offender in this regard. Nonetheless, children living in Norway are already suffering from negative climate change effects today as the Norwegian nature, environment and ecosystems are in constant change due to unpredictable consequences. In addition, today's Norwegian children will suffer from food shortage significantly more due to droughts and floods experienced by major food producers.

By extending the fossil age, failing to implement effective climate policies and failing to put specific cuts in place, the Norwegian government is placing an unfair burden on the shoulders of today's children and future generations. This is due to the fact that delaying making intensive cuts today, or making inadequate cuts today will mean that in the future more intense cuts will have to be made in order to meet the Paris targets. In a 2021 decision, the German Constitutional Court found this very deficiency on the part of the government, to be a violation of "citizens' future fundamental freedoms"³⁰.

"The best interest of the child" in Norwegian climate policy

Article 104 of the Norwegian Constitution states that children have the right to respect of their human dignity and have the right to be heard. Further the Constitution reads: "In actions and in decisions concerning children, what is best for the child must be a fundamental consideration."³¹ This provision is modeled after Article 3 of the CRC and is to be interpreted in its light. It creates an obligation on the part of authorities to always fundamentally consider the best interest of the child when making decisions that can affect them. In order for the best interest of the child to be of fundamental consideration in proposed decisions, authorities are required to examine the consequences which such decisions will have on children.

No assessments of this kind have been made for any of the 47 oil and gas exploration permits that were handed out by the government in January. This kind of consideration is also not an official assessment criteria when it comes to oil and gas policy decisions which will have consequences for decades ahead, in and outside of Norway's territory. By failing to assess how new oil and gas fields will affect children and their rights, the government directly breaches the constitution as well as the CRC.

As emissions from fossil fuels are the largest contributor to the climate crisis, opening new areas for fossil development and thus locking Norway into a fossil economy for decades on end will inevitably have serious negative effects on the enjoyment of children's rights guaranteed under the Convention. The fact that today's children do not have any say in this decision, and the fact that the safeguarding mechanism which should be in place, namely a children's best interest assessment, is nowhere to be found in decisions relating to new oil and gas developments is a dramatic and scary reality.

In addition, some of the new exploration permits are located in the ice edge zone, in the Barents Sea, the source of life in these vulnerable Arctic regions. These are also amongst the most important regions for fishery in Norway.

²⁹The findings of are documented in the 2022 report "Generation Hope", available at <https://resourcecentre.savethechildren.net/document/generation-hope-2-4-billion-reasons-to-end-the-global-climate-and-inequality-crisis/>

³⁰ BVerfG, Order of the First Senate of 24 March 2021 - 1 BvR 2656/18 -, paras. 1-270 (Neubauer et al.)

³¹ The Constitution of the Kingdom of Norway <https://lovdata.no/dokument/NLE/lov/1814-05-17>

Considering all this, by not assessing how any, but especially new oil exploration, production and combustion will affect children and their rights, the government is directly violating its obligations flowing both from the Norwegian Constitution and the CRC and is thus not taking children's best interest as a "fundamental consideration".

Norway's obligations under the CRC

Article 6, 24 and 27 require Parties to respect children's right to life, to the highest attainable standard of health, safe and drinking water and sanitation, food and nutrition security, and to adequate housing. Therefore, as a State Party to the CRC, Norway has obligations under the Convention to take steps to avoid exacerbating climate change and its disproportionate adverse impacts on children in Norway and abroad. Since the production and consumption of fossil fuels is the primary responsible for greenhouse gas emissions,³² Norway's activities such as furthering oil and gas extraction by issuing new licenses, as well as their consumption and export, are incompatible with its obligations under the CRC - including extraterritorial obligations (ETOs). Norway's obligations include pursuing strong mitigation policies nationally, including by primarily halting all fossil fuel exploration and exports and phasing out current extraction, through a rapid, full and equitable phase-out of oil and gas, including through the effective regulation of corporate actors. In order to comply with the Convention, Norway must review its fossil fuel extraction and export policies from the perspective of the adverse impacts on children that unavoidably occur as a consequence of such activities. More specifically, it must take wide range of measures, including halting any new fossil fuel extraction and production projects; phasing out the domestic use of oil and; reviewing any policy with regards to the extraction and export of fossil fuels from the perspective of the adverse impacts on children that unavoidably occur as a consequence of such activities; discontinuing financing (directly or indirectly) or other incentives to the fossil fuel- related infrastructure and activities, including petrochemicals; protecting children and their families from the effects of large-scale development projects, such as oil and gas pipelines, resulting, inter alia, in any negative impact on health and the environment.

The Committee of the Rights of the Child already looked at Norway's fossil fuel extraction in the previous review cycle. In its 2018 COB, it recommended, "in the light of the State party's exploitation of fossil fuels, ... that it increase its focus on alternative energy and establish safeguards to protect children, both in the State party as well as abroad, from the negative impacts of fossil fuels". Despite this, Norway has failed to take appropriate action since then, as the ongoing extraction and issuance of new licenses demonstrate. Norway is thus knowingly pursuing policies that contribute to furthering the climate crisis and undermine children rights both domestically and extraterritorially.

The Committee has addressed fossil fuel extraction in reviews of other State parties. In its 2022 COB to the Netherlands, the Committee recommended that the State party "ensure the legal accountability of business enterprises and their subsidiaries operating in or managed from the State party's territory, including companies that deal with the extraction of oil... in relation to international and national human rights, labour, environmental and other standards".³³ In its 2022 COB to Canada, it recommended establishing "a clear regulatory framework for the industries operating in the State party and abroad to identify, prevent, mitigate and account for activities that negatively affect human rights or endanger children's rights, in particular risks posed by fossil fuel production". As in the case of Switzerland's COB,³⁴ the Committee expressed concern about Canada's disproportionately high carbon footprint of the State

³² World Economic Forum, Analysis: Global CO2 emissions from fossil fuels hits record high in 2022, 2022, citing the Global Carbon Project, Carbon budget and trends 2022.

³³ CRC, 'Concluding observations - the Netherlands' [UN Doc. CRC/C/NLD/CO/5-6] (2022)

³⁴ CRC, 'Concluding observations - Switzerland' [UN Doc. CRC/C/CHE/CO/5-6] (2021)

party, in particular through investments made in fossil fuels, and the negative impact of climate change and air pollution on children's health. In its COB to Greece, the CRC recommended considering "the impact of climate change on the rights of the child in its energy policy, including in relation to fossil fuel extraction and fossil fuels subsidies."³⁵ In its LOIPR to Bulgaria, the Committee asked for information on measures taken to "ensure that greenhouse gas emission targets and deadlines are compliant with the international commitments set forth in the Paris Agreement, to phase out the use of fossil fuels and to accelerate the transition to renewable energy".³⁶ In its COB to Sweden, the Committee recommended establishing "a clear regulatory framework for business enterprises and their subsidiaries operating in or managed from the State party's territory to identify, prevent, mitigate and account for activities that negatively affect human rights or endanger children's rights, including risks posed by fossil fuel production".³⁷

The Committee also looked at fossil fuels and climate change policies in very detailed questions to South Africa, asking the State party to "describe the measures taken: (a) To strengthen the implementation and monitoring of the regulatory framework for industries and enterprises, including the reporting and sanctioning dimensions, in particular for the extractive industries, to ensure that their activities domestically and abroad do not adversely impact the enjoyment of children's rights, including through environmental pollution and child labour; ... (c) To guarantee children's rights, including to life, development, non-discrimination, health and an adequate standard of living, in the context of the growth in offshore petroleum exploration, drilling and extraction... (a) To ensure that the activities of private and public companies, in particular companies in the fossil fuel industry, take into consideration the impact of climate change on the rights of the child; (b) To ensure that the greenhouse gas emission targets and deadlines are compliant with the international commitments set forth in the Paris Agreement, to phase out the domestic use and export of fossil fuels and to accelerate the transition to renewable energy; (c) To integrate the special vulnerabilities and needs and the views of children into policies and programmes addressing the issues of climate change and disaster risk management, and increase children's awareness and preparedness for climate change and natural disasters.

In its joint statement on climate change issued in 2019 along with four other human rights treaty bodies, the CRC also affirmed the following: "In relation to efforts to reduce emissions, States parties should effectively contribute to phasing out fossil fuels, promoting renewable energy and addressing emissions from the land sector, including by combating deforestation. Additionally, States must regulate private actors, including by holding them accountable for harm they generate both domestically and extraterritorially. States should also discontinue financial incentives or investments in activities and infrastructure which are not consistent with low greenhouse gas emissions pathways, whether undertaken by public or private actors as a mitigation measure to prevent further damage and risk".³⁸

Other Committees reiterated States' obligations to prevent and mitigate climate-induced harms by phasing out fossil fuel extraction and export. With specific regard to Norway, the CEDAW³⁹ and the

³⁵ CRC, 'Concluding observations - Greece' [UN Doc. CRC/C/GRC/CO/4-6], available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FGRC%2FCO%2F4-6&Lang=en

³⁶ CRC, 'List of Issues prior to reporting - Bulgaria' [UN Doc. CRC/C/BGR/QPR/6-7] (2021)

³⁷ CRC, 'Concluding Observations – Sweden' [UN Doc. CRC/C/SWE/CO/6-7] (2023)

³⁸ 'Joint Statement on "Human Rights and Climate Change"' (OHCHR, 2019), available at <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24998&LangID=E>

³⁹ In its 2020 COB to Guyana, the CEDAW expressed concern about the continuing and expanding extraction of oil and gas in the State party and the resulting greenhouse gas emissions, and recommended reviewing "its climate change and energy policies, particularly those relating to the extraction of oil and gas" (UN Doc. CEDAW/C/GUY/CO/9). In its 2022 COB to Namibia, the same Committee expressed concerns about the State party's extraction policies, especially with regard to the lack of information on "(a)[t]he measures taken by the

CESCR⁴⁰ explicitly called upon the State party to review its ongoing fossil fuels extraction policies to comply with its international human rights obligations.

Suggested Issue

In light of the impacts described above and considering that the Norwegian government has taken steps that are further undermining the concerns highlighted by the Committee in its latest country review, we call upon the Committee to provide the following issue to Norway:

Please provide information on measures taken to ensure:

(i) that national policies related to the granting of new licenses by the State for the exploration and production of fossil fuels is compatible with full compliance with the obligations of the State under the Convention;

(ii) the establishment of a regulatory framework for business, both onshore and offshore, in particular companies in the fossil fuel industry, to ensure that their activities do not have an adverse impact on children's rights - including taking fully into account their contribution to climate change;

(iii) that State-owned companies take into consideration the impact of climate change on the rights of the child and are required to set concrete goals to cut emissions in line with the Paris Agreement; and

(iv) that the State party's current climate targets and climate and energy policies currently in place are compliant with the international commitments, including those set forth in the Paris Agreement, to phase out the use of fossil fuels.

State party to ensure that climate change and energy policies, and specifically the policy on the extraction and export of oil and gas, take into account the differentiated and disproportionate impact of climate change and environmental degradation on women, especially on rural and indigenous women; (b) [t]he insufficient measures taken to ensure that the authorization of oil and gas exploration and development in the Kavango region does not violate the rights of rural women and girls to access to clean water, food and health care." It thus recommended environmental and human rights impact assessments in relation to oil and gas exploration activities in Namibia, and ensuring that "any decisions on oil and gas exploitation in the Kavango region are subject to the full, prior and informed consent of local communities, including women and girls." (UN Doc. CEDAW/C/GUY/CO/9)

⁴⁰ In 2018, the CESCR expressed concern on the Argentinian large-scale exploitation of fossil fuels in the Neuquén region (UN Doc. E/C.12/ARG/CO/4) and, in 2019, recommended Ecuador to reconsider the increase of large-scale mining and oil exploitation, in the light of the commitments of the Paris Agreement (UN Doc. E/C.12/ECU/CO/4). In 2022, the CESCR asked Australia to indicate the "efforts made to reconcile its continuing support of coal mines and coal exports and its obligations under the Covenant, both in the State party and extraterritorially". In its COB to Bahrain, the Committee noted "with particular concern at reports on human rights impact assessment of business activities conducted in the oil and gas industry", recommending that the State party adopt frameworks to require "business entities to exercise human rights due diligence in their business activities at home and abroad and ensure that businesses entities operating in the State party and those domiciled under its jurisdiction and acting abroad, irrespective of whether they are privately or State-owned, are held accountable for economic, social and cultural rights violations for which they are responsible, and that victims of such violations have access to effective remedies." (UN Doc. E/C.12/BHR/CO/1)