

Supplementary Report
on
Child Rights and Environment with Special
Focus on Climate Justice

NGO Submission for the 98th session of the Committee on
the Rights of the Child

6th and 7th Periodic Review of Nepal's Progress
in relation to
Convention on the Rights of the Child

Submitted by:
Changa Foundation Nepal
Save the Children International, Nepal

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Brief Profile of Reporting Agencies

a) Changa Foundation

Changa Foundation, founded and led by former Child Club members, is an NGO committed to protecting children's rights. With a past UNICEF partnership (2010-2019) and a network of over five thousand former Child Club members, it actively supports child participation, protection, and child-friendly governance at all government levels, including environmental child rights. Changa Foundation plays a pivotal role in influencing policies and programs, advocating child rights, and child club movement. It serves as a resource organization including developing guidelines for children's clubs, facilitating children's conferences (Bal Bhela), and collaborating on various programs across the country. Its capacity to unite diverse organizations positions the Changa Foundation to drive a national agenda for children's well-being and rights.

b) Save the Children International

Save the Children believes every child deserves a future. In Nepal, and around the world, we do whatever it takes – every day and in times of crisis – so children can fulfil their rights to a healthy start in life, the opportunity to learn and protection from harm. Our experts go to the hardest-to-reach places where it's toughest to be a child. We ensure children's unique needs are met and their voices are heard. Together with children, families and communities, as well as supporters the world over, we achieve lasting results for millions of children. With over 100 years of expertise, we are the world's first and leading independent children's organization – transforming lives and the future we share.

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Abbreviations and acronyms

CSO	: Civil Society Organisations
EFLG	: Environment Friendly Local Governance
FAO	: Food and Agriculture Organisation of the United Nations
FGD	: Focused Group Discussion
GESI	: Gender Equality and Social Inclusion
GoN	: Government of Nepal
INGO	: International Non-governmental Organisation
NAP	: National Adaptation Plan
NDC	: Nationally Determined Contribution
NGO	: Non-governmental Organisation
SDG	: Sustainable Development Goals
UN	: United Nations
UNCRC	: United Nations Convention on the Rights of the Child
UNICEF	: United Nations Children's Fund
UPR	: Universal Periodic Review

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I. Introduction

1. The supplementary report has been prepared by the Changa Foundation and Save the Children International, Nepal to captivate the attention of the UNCRC Committee on child rights and climate justice in Nepal, concerning the precepts outlined in the United Nations Convention on the Rights of the Child. The Youth Alliance for Environment reviewed the report before finalising it.
2. The report provides an overview of the prevailing climate justice landscape affecting child rights, recounting the severity of environmental extreme events and their reverberations on the children. It comprises a set of recommendations, which we expect the Committee on the Rights of the Child to offer to the State party during the forthcoming 98th session of the UNCRC.
3. The report integrates the findings and suggestions drawn from the outcomes of eleven consultations, a comprehensive analysis of legal and official documentation, research studies, scholarly periodicals, and digital resources and has suggested recommendations, which we expect the UNCRC Committee to provide to the Government of Nepal.

I. Process

4. First, 48 child hearing sessions were organised with children aged 10 to 17 years to understand their perspective on the contemporary climate issues affecting children. Organised in Bagmati, Madhesh and Karnali Provinces, 7,674 children belonging to diverse backgrounds contributed through virtual medium and in-person. The findings of the child hearing made us realise the need to draw the attention of the GoN to prioritize children while formulating and implementing the legal and policy frameworks relating to the environment.
5. The GoN submitted the 6th and 7th state party reports to the UNCRC Committee in February 2022. Following this, various CSOs have submitted supplementary reports. Unfortunately, none of these reports have adequately addressed the issues of climate justice and children. Therefore, we have submitted the supplementary report with a special focus on climate justice and children.
6. The UNCRC's effort to adopt General Comment No. 26 on Children's Rights and Environment with a Special Focus on Climate Change in 2023 also substantiated our conviction to influence the GoN to take definite action on the environment.
7. A team comprising child rights, environmental experts, children and young people came together to draft and finalise the report.
8. The team carefully reviewed the legal and policy frameworks, academic journals, research reports, official publications, and online sources. Based on the findings of the child-hearing and literature review, a framework to conduct provincial consultations and a validation workshop was finalised.
9. A total of 11 consultations were conducted, spanning seven provinces. The collective engagements witnessed the participation of 222 children (117 girls and 105 boys) representing diverse backgrounds. Each consultation started with an introduction to the UNCRC reporting system, highlighting the climate issue followed by participants engaging

in group work allowing participants to discuss and present the pressing children's issues resulting from climate concerns in their localities.

10. Throughout the process, we implemented the safeguarding policy guaranteeing the safety of the children involved. It encompassed informing parents, obtaining informed written consent from parents/guardians, voluntary engagement, prohibition of recording devices, protecting confidentiality and a confidential channel for the articulation of opinions.
11. The insights from the consultations were triangulated with the findings of the literature review and child-hearing. Then, a preliminary report with the findings was drafted to present in the validation workshop.
12. A half-day validation workshop was organised on 28 August 2023. A total of 34 diverse stakeholders including children along with climate activists, child rights activists, personnel representing CSO, development partners, academia and media working in child rights and environmental rights. (Please refer to Annex for detailed methodology)

II. Legal and policy provisions relating to climate change in line with child rights

13. The GoN has ensured the right to a clean and healthy environment in the constitution¹. Articles 30 (1), (2), and (3) of the Constitution stipulate the right to a clean environment. Sub-article (1) guarantees every citizen the entitlement to inhabit a clean and healthy environment. Sub-article (2) establishes the right of individuals affected by environmental pollution or degradation to seek compensation as prescribed by law. Correspondingly, Article 39 (2) has ensured children's right to education, health, maintenance, proper care, sports, entertainment and overall personality development.
14. Aligning with the provisions of Article 39 in the Constitution, Section 13 of the Act relating to Children 2018² articulates children's entitlement to access clean drinking water, proper nutrition, and free basic health services.
15. Section 24 (2) of the Environment Protection Act 2019³ underscores the imperative of prioritizing vulnerable groups⁴ including children while formulating adaptation plans.
16. Section 8(m) of the Disaster Risk Reduction and Management Act 2017⁵ has envisioned an executive committee, which is responsible for laying down, formulating and implementing the special plan and programme for vulnerable groups⁶ including children. Section 39 (2) (c) has stated that the minimum standards shall incorporate the comfort of women, children, senior citizens, and people with disabilities.
17. The National Environment Policy 2019⁷ has prioritised children in case of compensating for the effects of environmental degradation resulting from developmental activities. Likewise, the National Climate Change Policy 2019⁸ addresses the concerns of different

¹ The Constitution of Nepal.

² The Act Relating to Children 2018.

³ Government of Nepal, The Environment Protection Act 2019.

⁴ Women, persons with disabilities, children, senior citizens, economically disadvantaged communities, and inhabitants of geographical regions susceptible to climate change

⁵ Ministry of Home Affairs, Government of Nepal, Disaster Risk Reduction and Management Act 2017.

⁶ Women, senior citizens, Dalit, marginalised groups and communities, and people with disabilities.

⁷ Ministry of Forest and Environment, Government of Nepal, National Environment Policy 2019.

⁸ Ministry of Forest and Environment, Government of Nepal, National Climate Change Policy.

marginalised and disadvantaged groups including children and pregnant women under the Inter-thematic Area (Section 8.9). Further, there is a provision “Focal point of schools will be provided with climate change related training in addition to the formation of Eco Club in secondary schools to carry out activities about climate change” (Section 8.10 (k)).

18. The National Policy for Disaster Risk Reduction 2018⁹ aims to reduce disaster-related deaths, service disruptions, and economic losses ensuring inclusive participation, representation, and protection of vulnerable groups, including children, and incorporating disaster education in school curricula to safeguard their rights. Section 7.22 of the same policy has stated that all the public physical infrastructures shall be constructed making it friendly for all groups including children considering disaster sensitivity.
19. The Fifteenth National Plan (2019/20-2023/24)¹⁰ has prioritised the establishment of climate-resilient infrastructure, fostering enhanced employment prospects, and expediting economic advancement. The strategic integration of climate change education within educational institutions, and supporting a population in adaptive measures is the main highlight of the policy. It plans to offer training in adaptation strategies to local planners, fortifying the nation's capacity to effectively contend with evolving climate crises.
20. The National Adaptation Plans (NAPs) 2021-2050¹¹ have emphasized mitigating the risks associated with discrimination and violence against children during climate-induced emergencies. The NAPs underscore the child's inherent right to development by incorporating climate and health concerns into educational curricula, adhering to the principles of inclusivity and equity. The NAPs have envisioned an establishment of climate-resilient water supply systems and sanitation services focusing on improving child health interventions.
21. The Nepal School Education Sector Plan 2022/23-2031/32¹² has internalized climate change as an emerging issue and targeted implementation of the program and campaign ‘green school’, climate change, sustainable development and other issues to mitigate natural disaster risk. To ensure the result, specific activities have been planned.
22. The Green School Guideline 2019¹³ emphasizes the importance of incorporating environmental education into public schools and involving students in school garden projects. It introduces the idea of 'One Garden, One School' to transform community schools into living laboratories. According to the (EFLG) Framework of 2021¹⁴, at the municipal level and within community schools, there is an indicator to conduct one environmental activity per month at the school level to increase the awareness of students relating to environment conservation.

⁹ Ministry of Home Affairs, Government of Nepal, National Policy for Disaster Risk Reduction.

¹⁰ National Planning Commission, ‘The Fifteenth Plan (FY 2019/20 - 2023/24’.

¹¹ Government of Nepal, ‘National Adaptation Plan (NAP), 2021 - 2050’.

¹² Ministry of Education, Science and Technology, Government of Nepal, ‘School Education Sector Plan (2022/23 - 2031/32’.

¹³ Ministry of Education, Science and Technology, Government of Nepal, ‘Green School Guidelines’.

¹⁴ Ministry of Federal Affairs and General Administration, Government of Nepal, ‘Environment Friendly Local Governance Framework 2021’.

III. Findings of the current status of climate justices among children in Nepal

23. The participants shared that climate impacts have increased disparities among children based on gender, geography, and economic status. For instance, in Karnali and Sudhuraschim, children reported increased landslides, leading to the loss of nearby water sources and increased workloads, particularly for girls who must travel long distances for water. In the Terai region, the absence of private spaces puts girls at risk of violence, emphasizing the challenges faced by girls in different areas.
24. During the consultation at Madhes Province, children shared that they faced physical abuse in flood shelters, mistreatment by parents in flood disaster camps, and even resorted to begging for essentials. Children with disabilities, irrespective of gender, felt especially vulnerable. Those who lost senior family members to extreme weather events experienced high-stress levels, neglect, verbal abuse, and food scarcity. Older girls were compelled to find shelter at neighbours' places, while older boys sought shelter elsewhere. Further, they shared that there have been instances where some of the children aged 12-17 reported sexual and physical abuse by relatives.
25. The consultation participants raised the issue that there has been no consultation and participation of children during formulations of any environment, climate or disaster-related policy, provisions and plans. For instance, during formulating local-level natural resource management-related legal provisions child participation is not considered mandatory.
26. All the attendees pointed out that despite the existence of comprehensive disaster management plans at each local level and dedicated disaster management committees, apparently there are no specific provisions in the plans relating to children during disasters. Furthermore, the child (child club network/s) participation in the local disaster management strategies, committee has not been mandated. There is an absence of a dedicated focal committee or individual specifically focused on safeguarding the welfare and concerns of children at the time of emergency and disaster at a local level
27. The participants claimed that climate change has increased child labour and hindered girls' education, which has contributed to increased child marriage. In line with their claim, the study by FAO in 2023¹⁵ also found that crop failures, water scarcity, and extreme weather events disrupt schooling and push children into labour. According to UNICEF in 2022¹⁶, they have highlighted that significant shifts in rainfall, whether much more or much less than usual, which can intensify the risk of extreme climate events, can lead to a 1% increase in child marriage rates for every 10% change in rainfall. Similarly, the report of UNICEF in 2021¹⁷ has revealed that agriculture, mining, and construction are the most affected sectors, with 67.1% of child labour in agriculture.

¹⁵ FAO, 'The Relations between Climate Change and Child Labour in Agriculture – Evidence on Children's Work Trends after Climate-Related Events in Côte d'Ivoire, Ethiopia, Nepal and Peru. Rome.'

¹⁶ UNICEF Regional Office for South Asia, 'THE HEAT IS ON! Towards a Climate Resilient Education System in Nepal'.

¹⁷ UNICEF Regional Office for South Asia, 'Rising to the Challenge - Nepal'.

28. In a study featured in JAMA Psychiatry¹⁸, scientists gathered information on emotional, physical, and sexual abuse from 194,871 females aged 15-49 in India, Pakistan, and Nepal in the context of global climate warming. The study revealed that for every 1-degree Celsius rise in the annual average temperature, there was an average increase of 4.49 per cent in the prevalence of intimate partner violence.
29. The GoN in the Environment Protection Act 2019¹⁹ has not stated anything about adaptation, response and compensation provision for children and safe and clean air, water, and ecosystem specifically for the well-being of children issues are not incorporated. Additionally, it is noteworthy that the Concluding Observations of the United Nations Convention on the Rights of the Child (UNCRC) Committee, issued in the year 2016²⁰, do not contain explicit recommendations about climate justice for children within the context of Nepal.
30. As per the State of Global Air database 2020²¹, Nepal is one of the top 10 countries with the highest levels of outdoor PM 2.5 and is just behind India in the South Asian region. The same database²² revealed that, in Nepal, 17,900 deaths were attributed to PM2.5 pollution in 2019 and 42,100 annual deaths were attributed to air pollution.
31. A study by Plan International, 2012²³ revealed a close link between climate change and children's well-being. Rising temperatures have harmed their health, leading to fatigue, loss of appetite, and even fainting, affecting school attendance. The intense heat also makes it hard to concentrate in class. Unpredictable rainfall patterns result in flash floods and the spread of diseases. Improper disposal of industrial waste pollutes water sources, causing skin issues. Climate change, combined with deforestation and land use changes, worsens vector-borne diseases like malaria and dengue, especially for children in crowded slums and marginal areas.
32. The study in 2021 by Save the Children, World Vision, UNICEF and Plan International²⁴ has revealed: that over half of the casualties and injuries resulting from climate-related hazards impact children and adolescents. This report highlights a grave violation of young people's human rights caused by the climate crisis, particularly their right to survival. The frequent climate-induced disasters disproportionately affect vulnerable children and youth, hindering their proper development and causing stunted growth due to the lack of resources following these disasters, further worsening their developmental challenges.
33. As per a joint study by the Red Cross Red Crescent Climate Centre, the International Federation of Red Cross and Red Crescent Societies (IFRC), and the International Committee of the Red Cross (ICRC)²⁵, climate change's impact on agricultural productivity is a major concern. This is especially worrisome for expectant mothers and their foetuses.

¹⁸ MS Yixiang Zhu, Cheng He, and Michelle Bell, 'Association of Ambient Temperature with the Prevalence of Intimate Partner Violence Among Partnered Women in Low- and Middle-Income South Asian Countries'.

¹⁹ Government of Nepal, The Environment Protection Act 2019.

²⁰ 'Concluding Observations on the Combined Third to Fifth Periodic Reports of Nepal'.

²¹ Health Effects Institute, 'State of Global Air 2020'.

²² Health Effects Institute, 'Explore the Data | State of Global Air'.

²³ Gautam, *Impact of Climate Change on Children in Nepal*.

²⁴ Child Centred Disaster Risk Reduction and Climate Change Consortium, 'CDCC Climate Crisis Summary Report'.

²⁵ 'Climate Change Impacts on Health and Livelihoods-NEPALAssessment'.

Insufficient nutrition in this group leads to problems like anaemia (affecting 41% of women of reproductive age), pregnancy complications, higher rates of intrauterine growth retardation, lower birth weight, and increased perinatal mortality, as previous research has shown.

34. During the consultation, participants conveyed that the altering climate has heightened the

susceptibility to novel communicable and non-communicable diseases within their localities. This has led to a higher occurrence of climate-related health problems among children, impacting their well-being.

“In our society, the spread of new disease has been increased. According to my grandfather there was no records of dengue in our village. But now mosquitos are increased and some of my friends were victimized by dengue.”

- A male child participant of the Bagmati Province consultation

35. The consultation and

validation workshop findings indicate that climate-related disasters directly impact children's education, creating barriers to school access and

quality. These include schools used as shelters, hindering regular schooling; damaged

infrastructure increasing travel distances; electricity disruptions affecting night-time study; noisy classrooms during rains;

and damaged school materials. Extreme climate events such as heat waves, flash floods, and heavy rainfall make school education irregular and uncertain.

“Few years back there was snowing during mid of winter season but during these days snowing is being uncertain, sometimes snowing at winter. But there is regular winter vacation at the mid of winter, due to which sometimes we cannot join the school. Nowadays irregularities in school have increased rather than last five years back.”

- A female child participant of the Karnali Province consultation

“During the summer season, we face high heat. In our school we have fan for office room only. Due to high heat sometimes, my friends fell down and being unconscious. We cannot concentrate in our education.”

- A male child participant of the Madesh Province consultation

36. Children from Sudurpaschim, Bagmati, Koshi, Gandaki, Karnali and Lumbini Province reported that climate change has disrupted traditional farming practices, leading to a shift in the occupation. In the past, they cultivated vegetables for their consumption, but now they are compelled to purchase from the market, which not only poses health concerns but also places additional economic burdens on them, impacting nutrition and overall well-being. Furthermore, the loss of locally adapted, nutritious seeds has resulted in increased food insecurity, which is anticipated to have adverse effects on the food security and overall well-being of these children.

“My 17-year sister lost her new born baby two days after home delivery three months ago. She never had a single pre-natal check-up, was too undernourished to breast feed properly, and her baby eventually died of hunger.”

-A female from Sudurpaschim

37. A 2022 study²⁶ by the Youth Alliance for

Environment and Save the Children reveals that Nepal's policies have largely omitted children's concerns, despite the constitution guaranteeing their rights. While there is recognition of environmental challenges' adverse effects on children, only 48% of environmental and climate change policies explicitly mention 'children.' Besides, even the

²⁶ ‘Policy Analysis on Climate Change, Environment and Child Rights Scenario of Nepal’.

Gender and Social Inclusion (GESI) and Climate Change Strategy and Action Plan (2020-2030)²⁷ does not specifically address children's need.

38. In contrast, the 2016 Day of General Discussion emphasized the need to address environmental degradation's impact on children's rights. However, child rights policies have yet to incorporate climate and environmental considerations, leaving children vulnerable to environmental risks like pollution and climate change.
39. There are some recommendations under the theme of human rights and climate change by the United Nations Human Rights Council in the third cycle of the UPR 159.50²⁸, to ensure that women, children, persons with disabilities and indigenous and local communities are meaningfully engaged in the development and implementation of climate change and disaster risk reduction frameworks.
40. The study by UNICEF in 2021²⁹ claimed a 78% of respondents (children and adolescents) in Nepal have conveyed that the impact of climate change has directly affected their education and studies. The 18% of respondents experienced increased difficulties during their travel to school because of climate-induced disasters and associated risks.
41. The participants in the consultations and validation workshop raised a significant issue: the absence of child-focused climate rights in the Environmental Protection Act. While the act includes 'polluter pays' principles, it lacks specific provisions for safeguarding children's rights.

“In my observation, the quality of air has declined compared to previous years. I also noticed the presence of tiny dust particles of sand and rocks in the air. In the previous year (2022), our schools had to remain closed for three days due to severe air pollution.”

- A male child participant of the Bagmati Province consultation

IV. Suggested Recommendations

Respectfully, we humbly submit the following recommendations to the Committee on the Rights of the Child, urging their consideration for the Government of Nepal:

42. Conduct a comprehensive study to analyse the extent, trends, policies and the level of impact of climate change on young children and adolescents.
43. Recognise children as key actors and ensure children's meaningful participation in the formulation, implementation and evaluation of policies, plans and programs related to environment and climate change.
44. Ensure child-informed plans to address children's issues encompassing livelihood, food security, disaster resilience and environment preservation to be addressed through upcoming periodic plans followed by annual policy and programs and fiscal budgets.
45. Take immediate measures to combat air pollution and associated health risks affecting children.
46. Establish and expand technologies for waste management, water resource management, agriculture and forest management in consideration they do not affect children's health and well-being.

²⁷ Gender and Social Inclusion (GESI) and Climate Change Strategy and Action Plan (2020-2030)

²⁸ ‘Matrice Recommendations Nepal’.

²⁹ UNICEF Regional Office for South Asia, ‘Rising to the Challenge - Nepal’.

47. Establish mechanisms at the Ministry of Forest and Environment, Ministry of Health and Population, and the Ministry of Women, Children and Senior Citizens with dedicated resources and staff with a comprehensive understanding of children's rights and environment to mainstream children's health, mental health, and protection in the agenda of environment and climate change.
48. Amend legislation particularly, the Environment Protection Act of 2019, the Act Relating to Children of 2018, and the Local Governance Operation Act of 2017³⁰ to acknowledge the effects of the climate crisis on children's rights and establish a response mechanism to prioritize children's needs during environmental disasters.
49. Increase investments to protect children from the immediate and intermediate impact of the climate crisis and disasters to support children experiencing loss and damage with a particular focus on a child-sensitive, and shock-responsive social protection system.
50. Prioritize climate change responsive plans and programs with a strong focus on the well-being and future of the younger generation particularly to those vulnerable to the impacts of climate change. Such plans and programs should assess children's vulnerabilities, and ensure child health and safety, food security and nutrition, and a protective mechanism with meaningful participation of children.
51. Take immediate measures to implement Green School Guidelines 2019 incorporating climate education, and ecological rights of children into the compulsory school curriculum.

³⁰ Government of Nepal, Local Governance Operation Act 2017.

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