



## About Children's Parliament

Established in 1996, Children's Parliament is Scotland's centre of excellence for children's human rights, participation and engagement. Through our rights-based, creative practice, we provide younger children from diverse backgrounds across Scotland with opportunities to share their experiences, thoughts and feelings so that they can influence positive change in their lives at home, in school and in the community.

Our dream is that children grow up in a world of love, happiness and understanding.

Our mission is to inspire greater awareness and understanding of the power of children's human rights and to support implementation of the United Nations Convention on the Rights of the Child (UNCRC) across Scotland.

## Background

From October 2020 to February 2022, Children's Parliament worked with 12 Members of Children's Parliament aged 7-12 years old to facilitate their participation in Scotland's deliberative Climate Assembly process. This process involved gathering data and reflections from children across Scotland and developing key Calls to Action which were submitted to Scottish Government.

The work was underpinned by the UN Convention on the Rights of the Child and the children's views were gathered through weekly rights-based, creative activities for them to complete. The result of these activities and collaborative sessions can be seen in the final report with their 42 Calls to Action for decision makers to tackle the climate emergency in Scotland [here](#). An impact report examining the whole 18-month process and its impact on children, adult communities, and decision makers can be found [here](#).

The participating children were selected to represent the wide range of experiences across Scotland. Given the practicalities of working with younger children, sessions were facilitated through schools to represent a diversity of urbanity, ages, resource access, and geography. By February 2022, the project had worked with over 100 children in Scotland, as well as over 1000 children and young people in preparation for COP26 in November 2021.

It's important that children's rights, and especially the participation of younger children, underpin any measures taken to tackle the climate emergency. The climate crisis is also a children's rights crisis.

- 1. What experiences and examples are you aware of that are being faced by particularly individuals and communities in vulnerable situations (as identified above) that have suffered loss and damage due to the adverse impacts of climate change?**

The Climate Assembly and Climate Changemakers projects worked with children between the ages of 7 and 12 years old. With the voting age in Scotland being 16 and older, younger children have less agency in the outcomes of political decision making and therefore less formal influence over the outcomes of their futures.

In June 2021, the children submitted 42 Calls to Action on tackling the climate emergency. These Calls to Actions were co-created by over 100 children who were involved in the project, reflecting the wide variety of experiences across different geographic and socio-economic areas of the country. The full 42 Calls to Action can be found in the report, as above, [here](#).

Themes of the lack of safety and worry over environmental degradation and the urgency needed to tackle the climate crisis came across strongly in these demands for change. Children from remote communities in the Western Isles were particularly keen to highlight the risks of erosion and degradation to their homes, but this sense of loss of a safe future was echoed by all 12 children when they stated that “[Scottish Government is] running out of time...to save our futures when we are the ones living it” (MCP, age 12, from the Highlands). An MCP from the Western Isles, age 11, also showed the climate emergency is already being felt by children in Scotland, saying that “my family lives on a croft farm that might not be there when I grow up. Because of erosion, I might not get to be a croft farmer like my family.”

**2. What legislation, policies and practices do you think are necessary to provide redress for particularly individuals and communities in vulnerable situations that have suffered and will continue to suffer loss and damage due to the adverse impacts of climate change?**

Currently, children in Scotland under the age of 16 do not have an obvious legal avenue under national jurisdiction through which to challenge violations of their rights to environmental safety, climate education, and input into decisions that impact their futures. The incorporation of the UNCRC into Scots Law could provide a structured way for children to challenge these violations of specific articles. When taken forward, proposals from the Scottish Government to incorporate the Right to a Healthy Environment into Scots law through a Human Rights Bill for Scotland should provide an additional powerful means through which government can be held to account for any action/inaction which exacerbates climate change.

A key Call to Action from the Members of Children’s Parliament report called on Scottish Government to provide cheaper and easier ways for families and communities to access resources, such as finances and the time to adapt to and mitigate the effects of climate change. Many of the children highlighted the difficulties in making individual ‘sustainable’ choices for children and families without the income or the time to do so. A national fund or form of financial redistribution to support lower income families to make more climate-friendly consumer and lifestyle decisions would also empower children.

**3. Please provide examples of policies and practices (including legal remedies) and concepts of how States, business enterprises, civil society and intergovernmental organisations can provide redress and remedies for individual and communities in vulnerable situations who have suffered loss and damage to the adverse impacts of climate change.**

The 42 Calls to Action submitted by Members of Children’s Parliament included specific national and local policy recommendations for tackling the climate emergency in ways that fulfil children’s rights in Scotland. These recommendations are organized across 5 themes of land and sea use, lifestyle, diet, travel, work and education.

Underpinning the process of creating these Calls to Actions was the need to realize children's rights through their meaningful and embedded participation. As a Member of Children's Parliament, age 12, from West Lothian said, "children have good ideas too and they shouldn't need to wait to be adults to say them, because children care about climate change and...it is our future."

Children need to be meaningfully included in decision making about their future, including input into climate policies, adaptation and mitigation measures undertaken. Furthermore, it is essential that there are child-friendly complaints processes that enable children to raise concerns and provide access to remedy and redress when necessary.

**4. Please provide examples of ways in which States, the business enterprises, civil society and intergovernmental organisations have provided redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse effects of climate change.**

In December 2021, the Scottish Government provided an official response to the children's 42 Calls to Action. This included commitments to provide sharing libraries in local communities, and to implement a ban on single use plastics, two of the key Calls to Action from the report. An MCP, age 11 from Clackmannanshire, reflected that "it was good that they [Scottish Government] responded to us, because we didn't expect them to, since adults don't always do that." The inclusion of children in a direct feedback loop from decision makers was a productive way for children worried about their futures in the face of climate change to gain some agency and power. If embedded into formal government and state decision making, children's participation can begin to provide a pathway for the implementation of new policies that will meet the needs of everyone in society, including younger children.

**5. What international, regional and national policies and legal approaches are necessary to protect current and future generations and achieve intergenerational justice for particularly for individuals and communities, from the adverse impacts of climate change?**

A powerful conclusion to Children's Parliament's climate project came when an MCP, age 12, from the Western Isles shared their vision of the future being "up to you, me, and all of us." The climate crisis has been created and exacerbated through the systematic disempowerment of communities at the frontline of environmental degradation, and yet its effects will be most powerfully felt in these same communities. In Scotland, we hear from Members of Children's Parliament in remote rural communities and underserved urban neighborhoods that they do not feel safe about their future or are already seeing the effects of the climate crisis in the rising cost of living or erosion of the land they live on.

A particularly positive outcome of the children's participation in Scotland's Climate Assembly was the successful creation of a collaborative, intergenerational approach to climate action. One of the Members of Children's Parliament from the Highlands, age 10, reflected that "when children get to know adults and trust them, they can make better ideas [to tackle the climate emergency.]" Bringing together people all ages in spaces for deliberation can support the creation of ideas that reflect the needs of everyone, the lived realities of their communities and local areas, and support justice if given an accountability mechanism such as formal submission to decision makers through a citizen's assembly or another time constrained process. This needs to be resourced through funding, time and the application of an accountability mechanism from relevant decision makers at various legislative levels.

6. **In 2021 at 26th session of the UN Climate Change Conference (COP26), some Parties and civil society organisations proposed a new financial facility to support loss and damage.**
- a. **Please provide ideas and concepts on how a new facility would operate and how the funds needed to underwrite this fund would be established and maintained.**
  - b. **Please provide ideas and concepts on how a new financial facility for loss and damage could provide redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse impacts of climate change.**

To ensure any new financial facilities would support redress but ensure the realization of children's rights, children's participation would need to be facilitated in both the funding and allocation processes. There are successful examples within Scotland of the co-creation of funding for projects and facilities, such as Scotland's Young People's Forest where young people participate in collaborative decision making for the allocation of funding.

To fulfil duty bearers' responsibility to provide a safe future for children, the fund could come from government finances, with states working together in a spirit of international cooperation. In line with UNCRC Article 4, states should undertake all measures to implement the range of economic, social and cultural rights needed to ensure the right to a healthy environment, using the maximum extent of available resources and within the framework of international cooperation, States need to work together on this - many of the people most impacted by climate change have governments with scant resources to dedicate to such a fund. Wealthy states should be supporting less wealthy states to create spaces like this. This funding could allow for the creation of an intergenerational space for children and adults to come together in a deliberative process to decide the allocation of funds and recommendations based on members' local experiences. The funding of citizens assemblies to ensure decision making serves everyone of all ages could also be a way to allocate funding for redress.

In Scotland, the incorporation of the UNCRC into domestic law (when commenced) will provide a pathway for children to seek remedy and redress through the courts for breaches of their UNCRC rights – including financial redress.

7. **What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisations to dramatically increase efforts to reduce emissions of greenhouse gases, including through support to developing countries, in particular small island developing States, least developed countries and landlocked developing States, to limit the human rights impacts on particularly individuals and communities in vulnerable situations to the adverse impacts of climate change?**

Under the UNCRC, children have the right to be both safe and healthy, including in their futures. An MCP in the project, aged 10, from Edinburgh reflected on the inequality of experiences of air pollution when they shared their thoughts that "every child in the world should have clean air, especially around their school." It is the duty of decision makers to reduce the emissions of greenhouse gases to improve children's access to a clean, healthy and safe environment. In response to calls from children and young people, this was recognised by the Committee on the Rights of the Child in the Concluding Observations to the UK in 2016 through which it called for the UK to "set out a clear legal commitment, with appropriate technical, human and financial resources,

to scale up and expedite the implementation of plans to reduce air pollution levels”  
(CRC/C/GBR/CO/5: Para: 69)

Children on the project continue to call for time and urgency in actions by decision makers to reduce emissions and the rapid onset of climate change. An MCP, age 12, from the Highlands said that “it’s good that adults are taking action and responding to us [Members of Children’s Parliament], but we don’t have time and we don’t have another planet, so they need to act now.” Any actions taken to reduce emissions need to be taken quickly to ensure children's rights are fulfilled now and into the future.

**8. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisations to increase efforts to ensure that actions to adapt to the impacts of climate change contribute to reducing, and not exacerbating, the vulnerabilities of individuals and communities in vulnerable situations to the adverse impacts of climate change?**

Following the December 2021 official Scottish Government response to the MCPs’ Calls to Action, an MCP aged 12 from the Western Isles reflected that “they [Scottish Government] are not paying attention to island communities. They are saying they will put money into trains, but we don’t have trains on the islands, it is not close enough to Edinburgh and Glasgow.” The inclusion of local lived experiences in decision making around tackling the climate emergency is vital to ensure that solutions meet the needs of everyone in society.

One of the most vulnerable groups to the effects of climate change are children, who neither have the political voting power nor the individual financial earning power to attempt to mitigate individually or community-based effects. It is therefore imperative to include meaningful children’s participation in state- level decision making on the climate emergency wherever possible. This level of decision making can inform and enhance the allocation of support to positive business enterprises, particularly on local levels where there can be immediate positive impacts on community members.

Communities, including children, should be provided a resourced feedback loop through which to deliberate and respond to decision making by states and business enterprises, as well as the allocation of support to business enterprises and intergovernmental organizations. This can be deliberative, or through the provision of legal pathways to hold states and businesses accountable for human and environmental rights violations.

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