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Children's Report 2024

CHILDREN'S RIGHT TO A HEALTHY ENVIRONMENT

PROTECTING CHILDREN, SAFEGUARDING THE FUTURE

Ensuring that the law forgets no one

Défenseur des droits
RÉPUBLIQUE FRANÇAISE

Children's Report 2024

Children's right to a healthy environment
Protecting children, safeguarding the future

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EDITORIAL

“Scientists tell us that we will face many more heatwaves, heavy rains and droughts in our lifetime than our grandparents have. We children are told that, like our planet, we are the future, the future of the world, the future of humanity. But our rights, like those of the planet, are not progressing quickly... Basically, we're like the scientists who aren't being listened to enough!”

Fabien, 16 years old

How do you grow up in a world disrupted by climate change? This was one of the questions put to the 3,400 young people spoken to for this report. Children have the right to live in a healthy environment, and environmental degradation is hindering the enjoyment of their fundamental rights. As the UN Committee on the Rights of the Child noted in its General comment No. 26 of 22 August 2023, environmental protection determines the effectiveness of children's rights, and thus both form a “*virtuous*” circle.

The interpretation of several articles of the international Convention on the Rights of the Child (CRC), which is celebrating its 35th anniversary, commits States to ensure that all children have the right to live in a healthy environment. This right is now enshrined in various national laws, proclaimed internationally and recognised by judges. However, international law is still not sufficiently binding in this area, despite the fact that the current state of scientific knowledge should be sufficient to warn and galvanise people around the consequences of human activities on the environment and the resulting infringements of rights.

Responsible for ensuring that the international Convention on the Rights of the Child is properly applied in France, the Defender of Rights has a duty to take up environmental issues whenever these rights are not guaranteed in this context, for example in terms of access to healthcare, adequate housing or water.

It is a well-known fact that although children are the least responsible for environmental damage, they are the most exposed to it and the first victims.

Children in vulnerable situations are among those most affected by environmental degradation and, in response to this, they represent 50% of the young people consulted for this report. This exacerbated impact can be measured in terms of public health, with pollution caused by human activity: this is true both in urban areas, within priority neighbourhoods that are sometimes surrounded by concrete, and in rural areas, with exposure to pollution in certain soils, or in the overseas territories, for example in Mayotte where there are serious problems with accessing water.

The children consulted also criticised the unhealthy conditions of their environment and the lack of access to quality food and natural spaces. They are concerned about pollution and the proliferation of waste, and more generally about the loss of biodiversity and the consequences of our consumption patterns. The right to a healthy environment cuts across all the issues faced by children covered in the previous annual reports of the Defender of Rights, whether in terms of access to leisure, privacy, mental health or the right to express their opinion.



Consulting children revealed both a deep concern for their daily well-being and the long-term state of the planet, as well as a legitimate need to be heard on these issues.

As a real force for generating proposals, children are the key to shaping the future. Through this consultation and with the support of more than 200 associations, public services and partners of the Defender of Rights throughout France, they gave their opinions as agents of change, advocating greater solidarity in the face of inequality and calling for adjustments to our lifestyles.

Providing them with appropriate spaces to express themselves not only has a beneficial democratic effect, but it is also a tremendous opportunity to reinforce their status as subjects of law. The recommendations in this report are inspired by their comments and by the expert work carried out by the institution, through interviews with more than 70 qualified people, in order to collectively improve children's right to a healthy environment.

Claire Hédon
Defender of Rights

Éric Delemar
Children's Commissioner

INTRODUCTION

Far from being confined to certain isolated or remote geographical areas, **the environmental crisis knows no borders and can be seen everywhere**. As a result of human activity that transforms the land and emits greenhouse gases, it is reflected in three closely linked universal phenomena: **global warming, the collapse of biodiversity and widespread pollution**¹.

The scientific consensus on these issues is unequivocal: **there is an urgent need to act**, and the IPCC's sixth report² stresses the need to implement systemic transformations to **guarantee the right of every human being, including children, to live and prosper in a balanced environment that respects health and is conducive to the progress of human societies, and whose protection takes account of future generations**³.

The environmental crisis directly threatens the most fundamental human rights: the right to life, safety, health and dignity. It is because these consequences endanger the heritage, values and future of humanity that the law, both domestically and through international texts, has come to enshrine *"the right of every person of present and future generations to live in an environment adequate to his or her health and well-being"*⁴.

On 22 August 2023, the UN Committee on the Rights of the Child warned in its General comment No. 26 **on children's rights and the environment**⁵ of the **systemic threat to children's rights, as defined by the international Convention on the Rights of the Child**, as a result of the climate emergency and environmental damage.

These risks manifest themselves **in all areas of their lives:** in their immediate environment (their home or living space), all places which they frequent, and outdoor areas. Worldwide, more than 99% of children are exposed to a climatic or environmental risk factor⁶, and almost one in two children around the world live in one of the 33 countries classified as having a very high climate risk⁷. By definition the most **vulnerable**, the smallest children are also the most fragile: ¼ of deaths in children under five are directly linked to pollution⁸.

Although they are not intended to be an 'environmental defender', the Defender of Rights deals with issues relating to environmental law as part of their remit to defend rights and freedoms, and particularly as a promoter of the best interests and rights of children. They thus intervene when there is evidence of an infringement of rights under environmental law, such as the right to water or the right to health, but also to protect environmental activists in terms of freedom of expression, association and demonstration, and as part of their task to support whistleblowers.

On the basis of the findings made through complaints lodged with the institution, the national consultation of children and the expertise of the many actors heard, the Defender of Rights and her deputy, the Children's Commissioner, propose in this report a number of areas for public authorities to address in order to help better protect children's rights in the face of environmental degradation.



In order to achieve this, the Defender of Rights stresses not only the need to take greater account of respect for children's rights in environmental protection, to guarantee children's access to vital resources and a living environment that enables them to develop and flourish, but also the need to support them in defending their right to a healthy environment.

Protecting children better from the effects of environmental degradation is a collective responsibility, and the public authorities have a duty to respond by adapting the legal framework and public policies in this area, in the name of their best interests⁹.

The aim is to ensure that the basic needs of children and future generations are met: to breathe, drink and eat healthily, and to live safely in conditions that are dignified and respectful of their well-being and health.

"I HAVE RIGHTS, LISTEN TO ME!"

THE DEFENDER OF RIGHTS' NATIONAL CONSULTATION OF UNDER-18S

In line with the recommendations of the UN Committee on the Rights of the Child that seeks to improve the way in which children's views on the effectiveness of their rights are taken into account¹⁰, in 2019 the institution set up its own system for consulting children via the: "*I have rights, listen to me – the Defender of Rights' national consultation of under-18s*". Since then, the Defender of Rights has gathered the views of children every year as part of her annual report on children's rights.

To prepare this report on children's right to a healthy environment, the views of more than 3,400 children and young people aged 2 to 22 were heard: primary and secondary schoolchildren, children in leisure centres, community or citizens advice centres, members of municipal or regional councils, children in care or supported by medical-social institutions, children under child protection or judicial youth protection services, children in hospital, children living in welfare hotels, children living on Travellers' sites, in squats or shanty towns, children in prison. For the first time this year, children from Réunion, Mayotte, French Guiana, Martinique and Guadeloupe were able to take part in the consultation. This approach was made possible by involving over 200 partner organisations¹¹. In many cases, this consultation was initiated in organisations with the support of Young Ambassadors for the Rights of the Child and delegates of the Defender of Rights in the overseas territories.

The findings, testimonies and proposals collected have contributed to the discussions in this report¹², and children's views have been included in the form of boxes entitled "*Children's views and proposals*".

The young people consulted set out their vision of what makes a healthy environment, understood as **all living conditions that promote their overall well-being**. The children also emphasised the importance of a caring environment, a sufficiently spacious, clean and quiet home, and attractive and safe public spaces. They also stressed that this right is closely linked to other fundamental rights, such as the right to the highest attainable standard of health, to an adequate standard of living, to protection against all forms of violence and to life and development.

Therefore, for the children and young people consulted, a healthy environment means ...

"A healthy environment is first and foremost about everyday life, well-being, good food and human rights."

For them, living in a healthy environment also means having **access to unspoilt nature and a rich biodiversity:**

"The environment is what surrounds us, a space, nature and the future of children and families. It encompasses biodiversity and the natural cycle of life."



For them, the environment is an asset to be safeguarded, but also a source of anxiety in the face of the damage it is suffering. Young people in vulnerable situations – i.e. more than 50% of the young people consulted – expressed a greater need for security and stability, and in particular complained about the unhealthy state of their living environment or nearby public spaces, and the lack of access to natural areas. Young people from the French overseas territories are particularly affected by the degradation of their environment, and they spoke of the difficulties of accessing clean water and healthy food, and of the dramatic environmental consequences of illegal activities such as gold panning.

Finally, children and young people want to position themselves as **agents of change**, advocating greater solidarity in the face of inequality and calling for changes to our lifestyles and consumption patterns.



Read the children's contributions to the 2023 consultation

I • PROTECTING CHILDREN'S RIGHTS IN THE FACE OF ENVIRONMENTAL DEGRADATION

1. BUILDING A BINDING LEGAL SYSTEM THAT TAKES ACCOUNT OF CHILDREN'S RIGHTS IN ENVIRONMENTAL PROTECTION

1.1. International law establishes a link between the right to a healthy environment and the rights of the child

The right to a healthy environment was recognised for the first time at the **Stockholm International Conference in 1972**, and the final declaration drawn up emphasises the **intrinsic link between protecting the environment and guaranteeing human rights**. This idea, along with the clear interdependence between economic progress and the need to protect the environment, was reinforced by the **1992 Rio Declaration**, which sets out 27 principles, including the right to a healthy life. This led to the drafting of several framework conventions by the United Nations, which provide for the organisation of an annual Conference of the Parties (COP) to address the challenges of climate change, desertification and biodiversity loss. However, these texts are not binding.

At COP 21 in 2015, **the particular impact of climate change on children's health was recognised** with the adoption of the **Paris Agreement**, which came into force on 4 November 2016. Its preamble expressly points out the link between climate change and human rights: *“Acknowledging that climate change is a common concern of humankind, Parties should, when taking*

action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of Indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity”.

The *Conseil d'État*, France's highest administrative court, ruled that the legal obligations of States bound by this agreement should be taken into account when assessing the legality of measures taken by public authorities to limit the country's greenhouse gas emissions, even though the agreement has no direct effect¹³. The resolutions adopted by the UN, while affirming the universality of the right of access to a clean, healthy and sustainable environment, explicitly recognise that **the environmental crisis particularly affects the most vulnerable sections of the population, including young people**¹⁴.

On the basis of the international **Convention on the Rights of the Child (CRC)**, which protects in particular the right of the child to enjoy the highest attainable standard of health¹⁵ and the right of every child to an adequate standard of living for their physical, mental, spiritual, moral and social development¹⁶, the **UN Committee on the Rights of the Child**, in its **General comment No. 26** of 22 August 2023¹⁷, emphasised the interdependence between the right to a healthy environment and the rights of the child, noting that **“a clean, healthy and sustainable environment is both a human right itself and necessary for the full enjoyment of a broad range of children's rights”.**

At European level, the Convention for the Protection of Human Rights and Fundamental Freedoms does not provide any general protection for the right to a healthy environment. The **European Court** has nevertheless developed protective case law through other fundamental rights¹⁸, such as the right to life¹⁹ and the right to respect for private and family life²⁰.

As for European Union law, Article 37 of the **Charter of Fundamental Rights** enshrines the right to a healthy environment, stating that ***“A high level of environmental protection and the improvement of the quality of the environment must be integrated into the policies of the Union and ensured in accordance with the principle of sustainable development”***. Article 11 of the Treaty on European Union also states that ***“environmental protection requirements must be integrated into the definition and implementation of the Union's policies and activities”***. Numerous binding directives and regulations have also been adopted for specific sectors, notably in the areas of chemicals and waste management, biodiversity conservation and air and water quality²¹. It is on this basis that France has already been penalised by the Court of Justice for breach of its climate obligations²².

Although international law is attempting to take account of the particular vulnerability of children in the face of the environmental crisis, there is currently no binding international treaty, as already mentioned in the Brundtland Report drawn up by the UN World Commission on Environment and Development in 1987. The **Aarhus Convention** of 25 June 1998 remains, in this respect, the most ambitious initiative undertaken under the auspices of the UN. It is the only legally binding international instrument that grants general and specific rights of participation in decision-making processes and access to information and justice in environmental matters. While it commits States to making efforts to meet the challenges they face, its scope remains limited to the procedural rights of citizens.

It is thus still necessary to work towards the creation of a binding international legal framework enshrining a duty to protect the environment and a right to a healthy environment. In 2017, France presented a draft global pact for the environment to the UN. However, failing international agreement, no text has yet been adopted.

1.2. French law does not specifically address respect for children's rights as part of environmental protection

Under the impetus of international law, French law has developed a solid legal framework to guarantee the right to a healthy environment. Integrated at the highest level of the hierarchy of norms, it is constitutionally enshrined in the **2004 Charter for the Environment**, which states that ***“everyone has the right to live in a balanced environment which shows due respect for health”***²³.

The Constitutional Council reinforced these provisions by making environmental protection a **constitutional objective**²⁴ that can justify infringements of other constitutionally guaranteed rights and freedoms, such as economic freedoms. The *Conseil d'État* considered that the ***“right of everyone to live in a balanced environment which shows due respect for health”*** is a **fundamental freedom**²⁵.



The right to a healthy environment is also protected by French legislation, in particular through the provisions of the **French Environment Code**, which state that “**environmental protection is of general interest**”²⁶ and that “**laws and regulations organise the right of everyone to a healthy environment**”²⁷. The **French Public Health Code** also establishes general guarantees for the protection of the environment in terms of hygiene, health, pollution and various other things that are harmful²⁸. Many principles designed to guarantee respect for this right are thus enshrined in law, including the **precautionary principle**, which requires the public authorities to act when a risk of damage to the environment is identified, the **polluter pays principle**, which requires economic players which damage the environment to assume the material and financial burden of measures to prevent and clean up their activity, and the **principle of non-regression**, under which environmental protection can only be subject to constant improvement in the light of current technical and scientific knowledge. As the right to a healthy environment is “everyone’s concern”²⁹, it also entails the rights

of each person to information and participation in the preparation of public decisions that have an impact on the environment³⁰.

Initially designed to govern human activities, particularly economic ones, and their potential harm on natural spaces and environments, as well as on biodiversity, environmental law has thus gradually incorporated the need to protect human rights without, however, **specifically addressing respect for children’s rights**.

Environmental law and the right to live in a healthy environment: related rights

Environmental law aims to protect natural spaces and environments and biodiversity.

The **right to live in a healthy environment** concerns human rights and the well-being of humanity.

Despite the growing importance of environmental law in the national legal system, the **principle of integration**, which **requires environmental protection to be integrated into all public policies**, is struggling to be applied.

Recommendation of the Defender of Rights

1. Initiate international negotiations with a view to adopting:

- A legally binding international treaty for the protection of the environment.
- An additional protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms expressly recognising the right to a healthy environment.

2. SAFEGUARDING THE RIGHTS OF PRESENT AND FUTURE GENERATIONS IN THE IMPLEMENTATION OF PUBLIC POLICIES

2.1. Public policies that take insufficient account of the particular vulnerability of children

Only 2.4% of the global funds currently channelled into protecting the environment go directly to actions that benefit children³¹.

This percentage is assessed on the basis of three criteria: *“taking into account the distinct and heightened risks faced by children due to the climate crisis, strengthening resilience of essential public services for children, and empowering children to be agents of change”*³². Yet because of their ongoing physical and mental development and their dependence on adults to meet their basic needs, **children are affected more than anyone else by environmental degradation.**

First and foremost, it is respect for their **“right to life, survival and development”**³³ that is undermined by their exposure to pollution and the difficulties that they may encounter in accessing water and quality food.

As a result, their **right to health**³⁴ is infringed: this concerns both their physical health (respiratory and cardiovascular diseases, intoxication, risks of birth defects due to harmful substances, cancers, etc.) and their mental health (anxiety, depression, stress, cognitive disorders leading to developmental and learning difficulties, etc.). Environmental degradation also affects **children's right to housing**³⁵, **to safety and to freedom from all forms of violence**³⁶: the increasing number of natural disasters, such as fires, floods and droughts, lead to a sudden breakdown in social structures and forced displacement, and exacerbate precarious situations. **Children's rights to education**³⁷, **rest, play and leisure**³⁸ are also directly threatened by the environmental crisis, the effects of which can lead to the closure of schools or restrictions on access to the outdoors.

While all public policies, both national and local, in conjunction with the private sector, must guarantee the protection of children's rights in the face of environmental degradation, they are still too compartmentalised and insufficiently adapted to their particular vulnerability. This is particularly true of the **regulations introduced to combat everyday pollutants.** This framework of thresholds for the presence of toxic substances in water, food, soil and air is defined above all with regard to the standards set on the basis of the resilience capacity of an adult in good health. In addition to the need to measure as a reference the risks for the most vulnerable people, including children, the assessment of the effect of exposure to toxic substances - referred to as ‘regulatory toxicology’ - also lacks long-term perspective, particularly with regard to exposure during the so-called ‘windows of vulnerability’ for children, i.e. during the prenatal period and the first 1,000 days of life - which *“constitute a crucial period for child development and also for building their health for the rest of their life”*³⁹. In this respect, researchers consider that *“disorders [linked to exposure to toxic substances] are all the more serious when they occur in certain periods of particularly sensitive development (foetus, early childhood, puberty), because there can be irreversible*

effects which can specifically manifest over time"⁴⁰. These standards should therefore be assessed and set with a view to providing greater protection for pregnant women and children, so as to better combat dangerous exposure early on.

Guaranteeing children's right to a healthy environment means implementing **adaptation policies, which are currently insufficient to combat global warming**. While **mitigation policies** help to limit the intensification of climatic hazards, **adaptation policies** aim to reduce exposure and vulnerability earlier on and to strengthen resilience in the face of current and future environmental risks. These complementary public policies must be strengthened to reduce the harmful effects of environmental degradation, with regard to the issues of social justice and equity that they raise. This very need was emphasised by the Court of Accounts in its 2024 annual report⁴¹, as well as by the IPCC in its sixth report⁴²: many adaptation solutions are presented, but putting these recommendations into practice remains a demanding challenge and presupposes strong political commitment and structural changes. In April 2024, the High Council on Climate [*Haut conseil pour le climat*] warned of the need to go beyond one-off and sectoral measures: "*The challenges [posed by global warming and its consequences for the environment] can only be met in France if the climate adaptation policy changes scale by becoming anticipatory, preventive and transformative*"⁴³.

Children's comments and proposals

The young people spoken to criticised public officials for their lack of action on environmental issues, accusing them of failing to implement the policies needed to meet environmental challenges, deploring the fact that this is not a priority for them.

"Why aren't we concerned about global warming when it could cause the end of the world?"

"Action needs to be taken urgently (...) Erase our doubts and fears and correct your mistakes!"

"Why greenwashing instead of taking real action?"

"Adults also need to take an interest in the planet, which they don't seem to care about."

They accuse industry and big business of being the main culprits behind climate change, putting profit before saving the planet. They denounce environmentally destructive practices such as overproduction and industrial pollution.

"We feel powerless in the face of big industry, and we condemn the general lack of transparency regarding the impact of production on health and the environment."

"For the sake of a little profit, we [humankind] make everything suffer: glaciers are melting and storms rage."

Children and young people who value equality and social justice, are calling for greater solidarity in the face of the environmental crisis, which more seriously affects the most vulnerable.

“We need to build a sustainable future based on justice for all people and nature.”

“Hey friends of the world! Continue to fight against injustice in the lives of humans, animals and plants, for a healthy earth, clean air and good water. There are difficult things to do for a healthy environment at home. Good luck!”

Children's proposal

1. Increase public investment in projects of general interest for vulnerable people, to promote fair access to essential services such as drinking water and transport, and to increase support for developing countries. Children consider this expenditure to be a priority.

Children's best interests should always be a primary consideration in the protection of a healthy environment, including when it leads to imposing particular constraints and restrictive measures on public authorities, economic actors and users and consumers. **Environmental protection must be reconciled with other fundamental interests:** in this respect, the Charter for the Environment states that public policies “*shall reconcile the protection and enhancement of the environment with economic development and social progress.*”⁴⁴. However, these interests are sometimes contradictory: the agri-food sector, for example, is vital for meeting the essential needs of populations, yet contributes significantly to soil and water degradation; similarly, the energy sector, which is at the heart of economic development, is one of the most polluting activities. Nonetheless, economic and social necessities must be considered in the context of the ecological transition⁴⁵: the total economic losses caused by extreme weather events in Europe between 1980 and 2022 are estimated at almost €650 billion⁴⁶. In 2022, the Constitutional Council specified the conditions for this necessary reconciliation of potentially divergent interests by requiring a balance of both these aspects⁴⁷

in the legislature's action: “*the protection of the environment must be pursued in the same way as the Nation's other fundamental interests*” and “*choices designed to meet the needs of the present must not compromise the ability of future generations to meet their own needs*”⁴⁸.

In its comment no. 26, the Committee on the Rights of the Child refers to this necessary search for balance. As such, it states that governments should require businesses to conduct environmental impact assessments and apply due diligence procedures with regard to children's rights to ensure that they identify, prevent and mitigate the actual and potential adverse impacts of climate change on children's rights.

Children's comments

Children and young people, aware that they live in a changing world, are deeply concerned and anxious about the degradation of their environment. The loss of biodiversity and the weakening of ecosystems, exacerbated by pollution, are compromising their right to a sustainable future.

“There are many animals that can no longer reproduce and that are on the brink of extinction because of overfishing, hunting, etc.”

2.2. Protecting the interests of future generations: recent recognition and a collective responsibility

The worsening consequences of the environmental crisis underline the growing burden that future generations will have to bear, and the actions taken today must limit their impact to guarantee them a viable future. This need was reiterated by the Council of Europe in a recommendation adopted on 27 September 2022: **“Life and well-being on our planet are contingent on humanity’s collective capacity to guarantee both human rights and a clean, healthy and sustainable environment for present and future generations”**⁴⁹.

Climate litigation has advanced the actual recognition of this right: in a decision of 9 April 2024, the European Court of Human Rights held that, while States' obligations to reduce greenhouse gas emissions primarily concern living people, **future generations will nonetheless have to bear the consequences of the current population’s failure to respect this right, without however having the opportunity to participate in the current decision-making process**⁵⁰. This principle of intergenerational justice, which entails a collective awareness of the need to protect the environment as the **common heritage of humanity**, is a reminder of the responsibility of each generation to preserve a viable environment for future generations. In 2023, the Constitutional Court even reiterated the universal aspect of this requirement. In accordance with paragraph seven of the Charter for the Environment, it referred not only to the preservation of future generations' ability to meet their own needs, but also those **of other people**⁵¹.

Children's comments and proposals

For the majority of the young people consulted, responsibility for environmental degradation is collective. As one child put it: *“It’s because of us, because of human activities such as transport and deforestation”*. They believe that everyone can contribute to a more sustainable future by adopting eco-friendly behaviour on a daily basis and by raising awareness among those around them. They highlight the need for a collective commitment to protecting the environment.

“We are all responsible!”

The young people consulted are calling for a profound transformation in our lifestyles, prioritising responsible consumption and adopting more sustainable behaviour to safeguard our environment and ensure a desirable future for future generations. For them, it is essential to limit plastic, reduce over-consumption, promote local and organic products, and prioritise modes of transport other than private cars.

“We consume too much unnecessarily, especially heating, lighting...”

“We need to raise awareness of zero waste.”

“We should ban single-use plastics and overpacking.”

In their view, over-consumption is a social phenomenon encouraged by the media, advertising, marketing and current trends, which needs to be deconstructed as a matter of urgency.

“Influencers and networks encourage us to consume if we want to be seen to be doing well in our society.”

“We're in a generation where to be accepted, you have to be fashionable, so you have to consume.”

“There's far too much advertising pushing people to consume!”

Children's proposal

2. Increase information and awareness of the environmental impact of mass production and over-consumption, to raise collective awareness.
Ban single-use plastics, drastically reduce packaging, and actively promote a 'zero waste' approach.

The law is gradually tending to penalise environmental degradation, and the courts are **increasingly punishing serious and lasting damage** to the environment, with the aim of protecting future generations as of now⁵². In domestic law, the 2016 Biodiversity Law⁵³ established the concept of **ecological damage**, which enables the government to be held liable on this basis⁵⁴, while the 2021 Climate and Resilience Law⁵⁵ introduced the offence of **ecocide**⁵⁶, which covers **the offences of pollution⁵⁷ and endangerment of the environment resulting in serious and lasting damage to health, flora and fauna or the quality of the air, soil or water⁵⁸, committed intentionally**. In 2024, the European Union also adopted a **directive⁵⁹ to step up the fight against environmental crime**, which is the world's fourth biggest criminal activity after drug trafficking, human trafficking and counterfeiting⁶⁰. This text introduces new offences, such as the illegal depletion of water resources, toughens the penalties incurred and improves the effectiveness of investigations, prosecutions and criminal convictions.

Although the circular on criminal policy in the area of environmental criminal justice issued by the Minister of Justice on 9 October 2023 has strengthened the coordination and specialisation of stakeholders in this area, it is still true that the criminal treatment of environmental law, which is scattered across several codes (criminal, rural and maritime fishing, environmental, forestry, mining, etc.), is under-applied, and the degree of technicality involved means that professionals need more training.

Children's comments and proposals

Young people are deeply indignant about environmental incivility. They call for greater individual responsibility and recommend sanctions to combat this harmful behaviour.

Children's proposal

3. Implement specific measures to reduce environmental incivility, by introducing financial penalties to deter polluting behaviour.

Protecting the right to a healthy environment for present and future generations is a collective responsibility, and **every individual has the right to “actual protection by State authorities against the serious adverse effects of climate change”** on their life, health and well-being⁶¹. **Yet the French government is regularly condemned for failing to meet its climate obligations.** With regard to **combatting global warming**, while the French government has undertaken to reduce its greenhouse gas emissions by 40% by 2030 compared with 1990 levels⁶² and to achieve net zero by 2050⁶³, the administrative court has on several occasions found that it is failing to do so: it ruled that the measures put in place to meet these targets were insufficient⁶⁴ and, in the case known as the *'Affaire du Siècle'* [case of the century], ordered the State to compensate for the environmental damage it was deemed to have caused over the period 2015-2018 as a result of its inaction on climate change⁶⁵. The administrative court also ordered the government to pay a financial penalty of €10 million⁶⁶ that it had set for each half-year of delay⁶⁷. Again in 2023, it considered that the measures implemented by the government could not provide a sufficiently credible guarantee of compliance with the greenhouse gas emissions trajectory, and ordered the State to take new measures by 30 June 2024⁶⁸. The court also recognised the existence of **ecological damage resulting from the widespread, dispersed, chronic and lasting contamination of water and soil, causing**



a decline in biodiversity and biomass⁶⁹, and ordered the State to compensate children who were victims of pollution by recognising the link between the physical injuries they suffered and the concentration limits exceeded for air pollutants⁷⁰.

Recommendations of the Defender of Rights

- 2. Take into account the particular vulnerability of children when defining public policies for environmental protection:**
 - By introducing a legislative provision into the French Environment Code that lays down the principle of respect for the fundamental rights of children in all actions taken to protect the environment;
 - Based on standards that better protect pregnant women and children from early exposure to toxic substances.

- 3. Take appropriate measures to meet the targets of reducing greenhouse gas emissions and achieving net zero, in particular the third national climate change adaptation plan (PNACC-3), which is still being prepared.**
- 4. Improve training for all those involved in the justice system by including classes on the right to a healthy environment in the core curriculum of all university law courses.**

II. ENSURING CHILDREN'S ACCESS TO VITAL RESOURCES AND TO A LIVING ENVIRONMENT THAT RESPECTS THEIR HEALTH AND WELL-BEING

1. BREATHING CLEAN AIR AND ACCESS TO DRINKING WATER AND QUALITY FOOD

Access to the resources essential to life is clearly one of the first conditions for guaranteeing children's right to a healthy environment, with the UN Committee on the Rights of the Child noting that it is imperative to **guarantee the sustainable use of these resources**⁷¹.

1.1. Exposure to air and soil pollution

Air pollution, which is almost universal is currently the **biggest threat to health** due to environmental degradation. UNICEF points out that the majority of children are forced to breathe toxic air in their homes and in the outdoor spaces that they frequent⁷². Worldwide, **almost one child in seven lives in an area where the level of outdoor air pollution is at least six times higher than the limits** defined by the air quality guidelines set by the World Health Organisation (WHO)⁷³. **In France, 75% of the country is affected and more than three out of four children breathe toxic air every day**⁷⁴.

Children's comments

Young people, particularly those living in urban areas, are very concerned about air pollution, which they see as having a direct impact on their health.

“Air pollution is dangerous: if you breathe poor quality air, you can catch diseases like asthma.”

The damaging consequences for children's health start well below these international standards, even though they have been tightened in recent years. In addition to the first known effects on children's **respiratory health** (asthma, allergies, bronchiolitis, etc.), air pollution is also thought to cause **cognitive and developmental problems** that can occur even before a child is born. Children's bodies are more vulnerable to air pollution: they breathe larger quantities of air than adults in proportion to their size, their respiratory and immune systems are developing, and their small size exposes them more to pollutants concentrated in the soil.

While **all children** are confronted with air pollution, **regardless of their socio-economic situation**, those living in precarious conditions are most adversely affected by the effects of this phenomenon. **At equivalent exposure levels, the poorest children are more**

vulnerable because they are in poorer health at birth and use less healthcare⁷⁵. These social issues are difficult to integrate into public policies, which are primarily aimed at reducing greenhouse gas emissions.

Nevertheless, measures are being taken throughout the country to combat air pollution. For example, the introduction of **low-emission zones** (LEZs), introduced in 2019, will be compulsory by 31 December 2024 nationwide in all built-up areas with more than 150,000 inhabitants⁷⁶. The aim of these zones is to improve compliance with the air quality standards adopted by creating areas within which the most polluting vehicles are restricted. This measure, while effective in combatting air pollution and protecting people from its effects, nevertheless raises questions of social justice: regional disparities, the lack of transport alternatives and the potential cost of acquiring clean vehicles affect its acceptability. Similarly, experiments are being carried out throughout the country to **pedestrianise areas close to schools**. These schemes, which are not, however, implemented as a priority in the most polluted areas, make it possible to reduce road traffic totally or partially and can lead to a reduction of up to 30% in air pollution⁷⁷.

Some children grow up close to heavily polluted areas that pose a high risk to their health and well-being, such as agricultural and industrial areas, or those where there are classified facilities for environmental protection (ICPE) that present risks to the environment, health and public safety.

The French Environment and Energy Management Agency (ADEME) recently warned of the health and environmental consequences of using **agricultural areas**⁷⁸. To that end, the agency has funded a research programme into the link between environmental pollution, particularly living near vineyards, and the occurrence of **paediatric cancers**⁷⁹. The presence of **pesticides** in soil is a considerable health risk for children, and many environments are polluted by these products, including **those far from where**

they are used⁸⁰. Epistemological studies and INSERM experts point to a **very strong likelihood between children's exposure to pesticides and the emergence of serious diseases**, such as certain cancers and neuropsychological and motor development disorders⁸¹. The risks of autism and attention deficit disorders are also multiplied when a child lives near agricultural areas⁸². Paediatric professionals⁸³ thus recommend that public authorities keep schools away from areas where pesticides are being sprayed, but there are major economic obstacles to implementing such a measure.

Children's health may also be affected by their parent's exposure to pesticides **during pregnancy**. The Commission for compensation of child victims of prenatal exposure to pesticides [*Commission D'indemnisation des Enfants Victimes d'une Exposition Prénatale Aux Pesticides* (Cievep)], attached to the fund for compensating victims of pesticides created in 2020⁸⁴, recently recognised the possibility of a causal link between a mother's exposure to glyphosate (the most widely used herbicide in France and classified as carcinogenic by the WHO) and the deformity of her child⁸⁵. In this context, for example, in October 2023 the Amiens-Picardie University Hospital set up consultations dedicated to **prenatal exposure** to pesticides and identified several serious paediatric pathologies likely to be caused in the womb by a parent's exposure to pesticides⁸⁶.

Similarly, pollutant emissions from **industrial sites** affect children's health. In France, the fifty industrial sites with the highest emissions account for **10% of national CO2 emissions**. Despite the numerous public subsidies granted to the industrial sector to reduce these emissions, the measures put in place to achieve this have yet to demonstrate their effectiveness⁸⁷. In 2023, a complaint claiming that the lives of others had been endangered was lodged with the public health division of the Paris judicial court against a factory producing medicines that emitted carcinogenic substances that posed a high

risk for the health of children frequenting places near this site⁸⁸. In this respect, the administrative court recently suspended the extension of a chemical group's plant in the absence of an independent impact study on the risks of discharging PFAS (per- and polyfluoroalkyl substances, better known as **'forever chemicals'** because of their persistence in the environment) into the air and water near the site⁸⁹. Similarly, the pollution generated by **plastic**, of which an average of 430 million tonnes is produced every year worldwide⁹⁰, contributes significantly to environmental degradation at every stage of its life cycle and has direct consequences for health, both through the toxic additives contained in the consumer products that use it and through the resulting poor waste management⁹¹.

The harmful effects of these pollutants on children's health and well-being have been widely established, but their level of use and the consequences they cause remain difficult to measure over the long term⁹². Today, the regulations on pesticides and endocrine disruptors are still moving in the direction of reducing rather than eliminating them, despite their effects on health, and without any **particular protection for children**, who are directly affected.

1.2. The right to water and quality food

*"95% of the food we eat comes directly or indirectly from the soil. **Without healthy soils, food security and access to drinking water are threatened**"⁹³. The **right to water and food** are intrinsically linked: *"there can be no agriculture without water"*⁹⁴, and the many chemical and bacteriological contaminations directly threaten human life and health.*

As a component of the right to an adequate standard of living⁹⁵ and the right to health⁹⁶, the **right to drinking water** has been recognised by the United Nations General Assembly as *"as a human right that is essential for the full enjoyment of life and all human rights"*⁹⁷. The French Environment Code also enshrines the fact that *"every individual has a right of access to drinking water for the purposes of food and hygiene"*⁹⁸. However, despite this legal recognition, access to drinking water and sanitation is still a problem for many people: unavailability of resources or infrastructure, physical inaccessibility or poor water quality are all obstacles to guaranteeing this essential right to life. These obstacles to the right of access to drinking water are mainly linked to **poor resource management, waste treatment and human overexploitation**⁹⁹ for agricultural production, industry and domestic needs.

Children's comments and proposals

The young people consulted are aware that water resources are limited and that it is essential to preserve them. Many claim to have adopted habits aimed at reducing their own consumption. Young people in precarious situations say that they are particularly affected by the difficulty of accessing drinking water.

"We mustn't waste water because we won't have any left!"



Children's proposal

4. Introduce a national policy to save water, by limiting household consumption and extending the use of rainwater harvesting tanks, in order to make the entire population aware of the need to preserve this resource.

The total or partial lack of access to water and quality food¹⁰⁰ has particularly serious health consequences for the **physical and cognitive development** of children and the prevention of potentially fatal **diseases and epidemics**¹⁰¹. The European Court of Human Rights has ruled that “*water is a necessary element for the survival of humankind and that the persistent long-term lack of access to water can have harmful consequences for human health and dignity*”¹⁰².

This problem particularly affects the **French overseas territories**, which are faced with multiple issues of environmental degradation and recurrent infringements of the right to water, causing great suffering to the population. The Defender of Rights is regularly referred these problems and has made recommendations on the situation in the **French West Indies** in a report on the operation of public services on these islands¹⁰³

where the infrastructure is dilapidated, does not cope well with exceptional climatic events and is subject to massive leaks, with a loss of resources of around 60% in Guadeloupe. The situation is particularly serious in this area, where the vagaries of water distribution hamper **all public services on a daily basis, particularly health and education services**, with schools regularly closing. Where water is available, contamination is frequently found and the water distributed is often unfit for consumption. In **Mayotte**, which experienced an unprecedented water crisis in 2023, 30% of the population has no access to running water at home¹⁰⁴ and residents still suffer regular water cuts. Longer and more intense periods of drought are leading to a shortage of water resources, which directly endangers the lives of the island's inhabitants, especially children, who are exposed to a particularly dangerous risk of severe dehydration. The development of water-borne diseases and the recent discovery of cases of **cholera**¹⁰⁵ in Mayotte bear witness to the major danger posed by water pollution in overseas France. Against this backdrop, independent experts appointed by the UN Human Rights Council have called on France to ensure access to drinking water in these territories¹⁰⁶.

Focus**ENVIRONMENTAL DEGRADATION IN OVERSEAS FRANCE**

The overseas territories are home to 80% of France's biodiversity, covering 22% of the national territory. Directly threatened by an increase in extreme weather events, rising sea levels, land erosion and widespread pollution, these areas are all the more affected by these phenomena because the quality of infrastructure and public services is lower and the populations are more affected by poverty.

Chlordecone in the French West Indies

The use of chlordecone (a highly toxic pesticide) in the banana plantations of Guadeloupe and Martinique was authorised in the French West Indies until 1993, although it was banned in the United States in 1976. This use led to the pollution of much groundwater, and **many of the water sources in the French West Indies now contain levels that are sometimes a hundred times higher than the accepted European standards** for clean water¹⁰⁷. Now present in all natural environments, chlordecone contamination also affects food, particularly fish, fruit and vegetables, leading to **persistent contamination of the entire population**, including children¹⁰⁸. According to Public Health France [*Santé Publique France*], over 90% of the adult population of both islands is contaminated by this pesticide, an endocrine disruptor that increases the risk of prostate cancer, premature birth and neurodevelopmental disorders in unborn children¹⁰⁹. The Defender of Rights has made a number of recommendations to the public authorities to **improve screening of the population and support them in their efforts to obtain compensation for the harm that they have suffered**¹¹⁰.

Gold panning in French Guiana

In French Guiana, children are exposed to the pollution generated by illegal gold panning, which produces heavy metals, particularly lead, which are released into the soil and then into water and food. The proportion of **lead poisoning in children** is particularly worrying in this area, with one in five children suffering from lead contamination. French Guiana's regional health agency points out that *"the toxicity of lead has consequences even at very low doses and can lead to irreversible neurological disorders"*¹¹¹. Children from **Indigenous populations** living alongside rivers are the first to be affected: their state of health is made even worse by their vulnerability, geographic isolation and lack of access to healthcare.

Children's comments and proposals

Young people in overseas France deplore the difficulties of accessing free drinking water in their territories. They point the finger at dilapidated infrastructure, water pollution by chemical substances and the consequences of natural disasters and illegal activities (gold panning), which regularly compromise the supply of drinking water in certain regions and have direct repercussions on access to education and people's daily lives.

"It's when I drink water that I get scared. With the dry season, there was no more water in the village. We have to drink water from the river, and river water is dirty and polluted."

"I think we need to stop gold panning so that we can eat the fish and drink the water without fear of getting sick."

"We want to be able to drink germ-free water."

"When there's no water, I can't go to school."

Children's proposal

5. In overseas France, make access to drinking water easier and more effective.

As a major **public health** issue, children's food is at the heart of questions of **social justice** but also the **right to a healthy environment**. The Defender of Rights has regularly raised the issue of equal access for children to **school canteens**. She has also noted that such access is an essential result of their right to education¹¹².

For some children, school catering guarantees access to at least one complete and balanced meal a day, and enables everyone to benefit from conditions that are conducive to concentration and learning. Eating well not only contributes to their health and well-being, but it is also a key factor in their success at school.

The canteen is also a place for nutrition education: eating habits are shaped from an early age, and the French National Research Institute for Agriculture, Food and the Environment (INRAE) points out that *"the first 12 years of a child's life are (...) crucial years for establishing future eating habits"*¹¹³. Food diversification is the subject of campaigns to raise awareness among parents and is also promoted through play and discovery among children.

The concept of nutritional balance is provided for in legislation, and changes in practice by both government and local authorities are evidence of a desire to improve the range and quality of food offered to children in schools. Since 2022, 50% of a meal served in an institutional canteen must include **sustainable quality food products, at least 20% of which must be organic**¹¹⁴. Similarly, it **is now compulsory** for all managers of public and private school catering services to **offer a weekly vegetarian menu in school canteens, from nursery to secondary school**, and since 1 January 2023, this option must be offered on a **daily basis** in institutional canteens

managed by the State and national public companies¹¹⁵. However, it remains a simple option for local authorities. Many of them have gone further by integrating other sustainable development objectives into the service they offer, such as measures to combat waste, sort and reduce waste, and purchasing policies linked to local production. In 2015, the city of Rennes launched a sustainable food plan for its school canteens and crèches, increasing the proportion of organic and local produce, and donating uneaten produce to charities. By 2024, the local authority will have ensured that 60% of the products eaten by children in its canteens are sustainable, 45% of which will be organic. Similarly, the city of Paris has adopted a new sustainable food plan, applicable to all municipal canteens, which sets a target of 75% organic food, 100% seasonal food, 50% products processed within 250 km of Paris and 100% recovery of food waste by 2027. Other local authorities are experimenting with '100% organic and local' and, as well as making financial savings, are highlighting the new role given to catering in the educational plan they have adopted.

While these initiatives are to be welcomed, the objectives set by the so-called 'EGAlim' law¹¹⁶ are still far from being achieved in all school canteens. According to the report on the implementation and monitoring of sustainable and quality supplies for institutional catering¹¹⁷, based on the voluntary declaration of institutional catering providers on the government platform *Ma Cantine*, managers of institutional canteens devoted only 27.5% of their purchases to sustainable and quality products in 2022, i.e. just over half of the target set by law, including only 13% on organic products out of the 20% set. In the absence of control or sanction mechanisms, the progress of these measures remains dependent on the responsiveness of local elected representatives and the resources available to local authorities to adapt their institutional catering services to the challenges of food quality and sustainability.

Children's comments and proposals

The young people consulted would like to see a healthier and more sustainable food system, in particular through tighter regulation of production and by encouraging local and organic consumption, which is all too often financially unattainable. They are concerned about the presence of pesticides on their plates and are calling for better quality food in canteens.

“Can you really eat healthily on a low income?”

“Organic farming should be encouraged, by increasing bonuses for organic farming and taxes on pesticides and plant protection products.”

Some young people also want to see the promotion of more plant-based or vegetarian cuisine.

“There should be TV programmes and videos on social networks, with competitions to create vegetarian recipes, to make eating vegetarian popular rather than the exception”.

A number of young people in institutional facilities or confined (hospitals, secure centres for minors [*établissement pénitentiaire pour mineurs* (EPM)] and prison wards for minors, social and medical-social institutions, etc.) complain about the quality of the food they are served. They also point out that the standardised portions they are served can lead to food waste.

“We want to eat things that we enjoy.”

“We need to reduce portions in the canteen and allow people to have second helpings.”

More and more young people are showing a real interest in healthy and sustainable food, and want to get involved in local initiatives, such as setting up vegetable gardens.

“In the home, we could have a vegetable garden, grow our own vegetables and cook them to eat locally. We could also have chickens to eat our food scraps.”

Children's proposals

6. Promote high-quality, sustainable and transparent agri-food production by:

- Prioritising organic and local farming, financially accessible to all;
- Banning the use of pesticides, and at the very least taxing their use;
- Imposing a transparency obligation on production methods, the composition of products and their impact on health.

7. Promote healthier, more responsible and sustainable consumption by:

- Ensuring balanced meals in the canteens of all establishments catering for children;
- Preventing food waste, particularly in canteens and institutional facilities;
- Promoting a more plant-based diet;
- Extending use-by dates so that they correspond to actual dates after which the food is perishable.

8. Install vegetable gardens and composters in schools, social, medico-social and health establishments, prison wards for minors and secure centres for minors (EPM), in neighbourhoods so that young people can grow their own vegetables to stimulate ecological awareness and promote healthy and local food in a fun, educational setting.

Recommendations of the Defender of Rights

5. Make consultations dedicated to prenatal exposure to pesticides standard practice in hospitals.
6. Ensure access to drinking water throughout France, particularly in the French overseas territories.
7. Offer healthy and sustainable food in all settings catering for children and encourage the development of diversified and balanced eating habits that promote children's health and respect the environment.

2. DECENT HOUSING

Living spaces are the first places where children are likely to be exposed to the consequences of the environmental crisis, and those who are homeless or poorly housed are the first to be affected.

2.1. Exposure of children on the street, homeless children and travelling children

Despite the legal establishment of an enforceable right to housing and accommodation, more than 42,000 children spent August 2022 in emergency accommodation, makeshift shelters or on the streets¹¹⁹, and more than 2,000 children were on the streets with no accommodation solution on the day before the start of the new school year in 2024¹²⁰. The number of single women with children seeking accommodation increased by 46% between August 2022 and August 2023¹²¹. **The lack of protection afforded by housing** increases children's exposure to pollution and the effects of global warming, which accelerate vulnerability for homeless children and seriously hamper their most fundamental rights. **Their access to vital resources and essential services**, in particular healthcare and education, is not guaranteed, and their precarious situation and homelessness leave them insecure and exposed to violence. These living conditions have a lasting effect on their **physical and mental health** and compromise their future adult lives: mental health problems seem to be significantly higher among homeless children than among the rest of the population¹²².

This exposure to environmental risks is all the more dangerous because it is part of a continuum: during summer heat waves, children on the street are directly exposed to the dangers of dehydration and sunstroke, and in winter, their exposure to cold increases the risks of hypothermia and frostbite, among other things. These living conditions can

prove fatal during these climatic episodes. The effects of heatwaves on homeless people are still seldom taken into account, and the Red Cross recommends that an **'extreme heat' plan** be drawn up alongside the 'extreme cold' plan, which would allow for the opening of exceptional accommodation places and the renovation of accommodation to improve protection against extreme heat¹²³. The development of accommodation and rehousing solutions for these most vulnerable members of the public is a vital factor in protecting people from climate change, and also involves identifying the various protected places in public spaces where they can be sheltered¹²⁴. During these periods of heightened exposure, it is also essential to improve homeless people's access to information to help them cope, particularly in terms of access to water and basic necessities.

Children living on **Travellers' sites** or in **shanty towns**, often close to polluted areas, are subjected to particularly poor living conditions. The environmental issue can also prove to be an additional means of marginalisation, as the lack of connection to water, sanitation or energy in these areas can justify evictions. During the summer months, rising temperatures can also lead to the closure of some Travellers' sites, leaving many families without alternative accommodation. As a result, children may suffer much **disruption to their schooling and medical care**, exacerbating their precarious situation. A significant proportion live near heavily polluted areas (industrial zones, waste sites, major roads) and are exposed to pests and toxic products on a daily basis. In 2021, as part of a contribution to the drafting of the French Strategy on Equality, Inclusion and Participation of the Roma, the Defender of Rights had already recommended extending the same distance rules to Travellers' sites as those applicable to residential areas with regard to the establishment of an installation classified for environmental protection (ICPE)¹²⁵. The overcrowding and lack of access to water on these sites also increase the likelihood of epidemics spreading. The risk of fire is also

higher due to rising temperatures, the state of electrical connections and the use of abrasive materials to build shelters¹²⁶. These living conditions have **long-term consequences for children's health**: the average life expectancy of Travellers is ten years less than that of the general population¹²⁷. People living in **informal settlements** are often invisible and excluded from help and care services: their distance from social services, mistrust of institutions linked to their administrative situation, language barriers and lack of information increase these situations of exclusion.

Children's comments and proposals

The children and young people spoken to believe that the quality of their living environment has a direct influence on their well-being and health. They attach great importance to the hygiene, cleanliness and quality of their homes.

This need for a healthy living environment is widely expressed by young people living on Travellers' sites, and in squats and shanty towns, and they believe their quality of life is severely affected by insalubrity.

"Here's what we'd really like: better hygiene conditions, more dustbins, bathrooms for the children, water and electricity. That would be enough."

Children's proposal

9. Ensure a healthier living environment for children in precarious situations, living on Travellers' sites or on community and informal settlements. Improve the upkeep of these areas, in particular by regularly collecting rubbish.

2.2. Exposure of children in their own homes

When they do have a roof over their heads, too many children are still forced to live in unsuitable and unhealthy accommodation. Exposure to **precarious, substandard or degraded housing** is a widespread phenomenon in France, which endangers children's health, as the reports on poor housing highlight every year: difficulties in accessing water, sanitation and hygiene, exposure to pests, damp and cold, all have consequences for children's mental and physical health and development. Poor housing is in itself a violation of children's right to a healthy environment. **Access to decent housing** is a major health determinant recognised by the WHO and is one of the **basic conditions for leading a healthy life**¹²⁸. Living in run-down housing leads to a process of stigmatisation, social degradation and loss of self-esteem, and its effects on mental health and educational achievement are well established. In addition to the pollution caused by its location¹²⁹, the quality of housing can be affected by a number of factors, primarily fuel poverty, indoor air quality and the presence of toxic substances.

Fuel poverty, which affects 12% of French households¹³⁰, has a significant impact on the right to a healthy environment of children whose families face a number of difficulties in maintaining decent living conditions: exposure to extreme cold and heat, poor air quality, and the presence of damp and mould, which can cause a number of allergies and respiratory diseases. According to the National Observatory on Fuel Poverty, 26% of the French population said that they had suffered from cold during the winter of 2022-2023¹³¹; in the same year, 55% of the French population said that they had suffered from excessive heat in their homes¹³². Described as "**thermal kettles**"¹³³, these unsuitable homes, or even uninhabitable in summer, endanger the lives of the most vulnerable, particularly children, and the measures taken to renovate buildings and improve their energy efficiency still take little account of the need to adapt to heat spikes. Fuel poverty clearly affects the most disadvantaged children, and some areas are

more exposed than others: 70% of people living in priority neighbourhoods for urban policy have experienced a temperature that is too high in their home during the summer and 52% have experienced a temperature that is too low during the winter (compared to 35% nationally)¹³⁴. The foreseeable increase in global warming and rising energy prices will make this situation even worse.

The home may also present **risks of poisoning**, particularly **exposure to lead** from paint and dust from building materials. Children are particularly vulnerable, absorbing this pollutant more easily than adults, mainly via the digestive tract because of their tendency to put their hands to their mouths and play on the ground¹³⁵. One in five children is a victim of **lead poisoning** in the world's richest countries, with lead responsible for more deaths than malaria or war¹³⁶. In France, 500 to 700 cases were diagnosed each year between 2015 and 2018¹³⁷. The devastating effects of excessive exposure to lead on children's health and well-being are numerous and can arise from very low ingested doses¹³⁸. Numerous reports and studies reveal an increase in respiratory diseases in exposed children, potential irreversible damage to their cognitive and psychomotor development, and a weakening of their immune system¹³⁹. As a major public health issue, combatting children's exposure to heavy metals needs to be stepped up, and prevention of the resulting health risks improved.

2.3. Exposure of children within the institutional facilities that house or care for them

All the places where children are housed or cared for on a daily basis are experiencing the same difficulties in adapting to environmental risks as private and social housing. This is particularly true of **homes**¹⁴⁰ housing children entrusted to the child welfare service (ASE), facilities for minors entrusted to judicial youth protection, **health and medico-social institutions**¹⁴¹ and accommodation and social reintegration centres (CHRS), most of which are not adapted to the consequences of global warming and endanger the children in their care and the professionals working alongside them. Since 2021, energy and ecological transition advisors in the healthcare sector (CTEES) have been helping the directors of health and medico-social establishments and their teams to transform their practices around the challenges of sustainable development. However, the scope of the scheme remains limited, and it would benefit from being extended to all childcare facilities.

Children's comments and proposals

A number of vulnerable young people, particularly those living in welfare hotels or in institutional facilities (health, social, etc.), also complain about their poor state of repair or lack of space in their living quarters.

“We want clean, mould-free showers.”

Many young people also complain that the buildings in which they live or frequent are unsuitable for the increasingly frequent heatwaves. Effective thermal insulation and adequate ventilation are essential to ensure their comfort and well-being.

“It's too hot in schools”.

“In hot weather, it's really too hot in the cells [in prison] and in the exercise courtyards.”

“And in the amenity huts [on Travellers' sites], the material used, the boarding, the wood, it doesn't keep things cool. It's very hard, especially for newborn babies who are very sensitive.”

As for young people confined to secure centres for minors (EPM) or prison wards for minors, in addition to the feedback already mentioned concerning their desire for healthier food, more greenery with one or more trees, a vegetable garden and a composter, better insulation of the building, and the possibility of sorting waste, they reported a lack of access to outdoor spaces. More broadly, they shared a feeling of isolation, suffering from a lack of family and social relationships.

“I would like to have longer and bigger walks.”

Children's proposals

- 10.** Renovate homes in poor condition.
Renovate the buildings where people live and come together, particularly schools, with a view to improving thermal insulation and ventilation, and developing sustainable energy, e.g. by installing solar panels or wind turbines.
- 11.** Increase the frequency and length of walks and outings, and offer more outdoor activities, in particular by providing sports equipment.

Schools, crèches and children's play areas are also places that children come to on a daily basis, but which do not always provide effective protection against indoor pollution and extreme cold and heat. These sites may be subject to operating constraints, including closures, as a result of environmental damage¹⁴². A parliamentary information report published in 2023 warned, in this respect, of the **risk of disruption to the public education service caused by global warming**¹⁴³. Insulation and heating problems prevent teachers and pupils from enjoying an environment conducive to academic success and put their health at risk. Experts estimate that, by 2030, almost 7,000 nursery schools in France will be exposed to heatwaves of over 35 degrees, and more than 43 *départements* will have over 75% of their schools exposed to heatwaves¹⁴⁴. These figures highlight the widespread nature of the problem and **the urgent need to renovate schools**, 86% of which do not meet low energy standards and 10% of which are in a serious state of disrepair¹⁴⁵. The presence of asbestos in schools also poses a danger to children, although there is still insufficient data to measure the extent of the problem. The competence of local and regional authorities to renovate school buildings should not prevent the implementation of a comprehensive national strategy to meet the challenges of environmental mitigation and adaptation, by identifying schools that are particularly polluted or threatened by extreme climate risks¹⁴⁶.

Lastly, the situation of **minors deprived of their freedom** also raises questions about the quality of the buildings in facilities that house children. While the very principle of confining children raises the question of the conditions in which they have **access to the outside world**, the deterioration of prisons is a factor that increases the risk of their rights being violated in the face of the effects of the environmental crisis: the directorate for judicial youth protection stresses the **violations of human dignity** of detained minors, due in particular to the unhealthy state of buildings, problems with mould, heating and plumbing, and the presence of pests (rats, mice, fleas, bedbugs, etc.)¹⁴⁷. In prisons, the General Controller (CGLPL) regularly observes that cell temperatures can be excessively high in summer and extremely low in winter. In addition to the effects of these conditions of confinement on the health of minors, the consequences also result in an increase in a climate of violence, already marked by prison overcrowding. In a recent report on climatic and environmental risks in French prisons¹⁴⁸, the non-profit organisation *Notre affaire à tous* warned of the vulnerability of these facilities, pointing out that prisoners are “*totally dependent on the State for their protection*” and find themselves in conditions that are sometimes unbearable. Limited access to showers, poor air circulation due to sealed windows, and unsuitable exercise courtyards made entirely of concrete with no sheltered or shaded areas are all factors that increase the vulnerability of prisoners, particularly minors, to extreme heat. The organisation is calling on the public authorities to take account of environmental risks in prison construction and renovation policies.



Recommendations of the Defender of Rights

8. Increase the number and quality of social housing units for the most vulnerable families and develop transitional facilities – from accommodation to housing – adapted to the needs of families with children.

9. Include requirements in the specifications for emergency accommodation that meet children's right to a healthy environment.

10. Accelerate the renovation of school buildings and all places which children frequent:

- By defining a joint national strategy between government and local and regional authorities, prioritising the areas most threatened by climate risks;
- By extending to all community facilities for children the possibility of calling on the services of energy and ecological transition advisors, who provide support to health and medico-social establishments.

11. Improve living conditions for children on Travellers' sites:

- By paying particular attention to the suitability and location of the land used for these sites, and to the quality of the environment for children, as part of the departmental plans for accommodating Travellers;
- By extending to these sites, the distance rules applicable between an installation classified for environmental protection (ICPE) and a residential area.

3. HAVING A SUITABLE LIVING ENVIRONMENT

3.1. Problems specific to urban areas: noise and overbuilding

In France, almost **70% of children live in urban areas**¹⁴⁹ and are particularly exposed to the noise and visual pollution that is omnipresent in these areas: transport infrastructure (road, rail and air), the density of buildings and the many illuminated signs are all harmful environmental factors for them.

Noise pollution is often overlooked, yet it is a major public health issue: according to the World Health Organization (WHO), **noise is the second most damaging environmental factor** after air pollution. 20% of Europe's population is chronically exposed to noise levels that are harmful to human health¹⁵⁰ and likely to cause cardiovascular disease, mental health problems, sleep disturbance, or learning and concentration difficulties¹⁵¹. Although the law recognises everyone's **right to live in an environment with healthy noise levels**¹⁵², the European Environment Agency (EEA) considers that the policy objectives for reducing ambient noise, as set out in the European Directive on assessing and managing environmental noise¹⁵³, have not been achieved¹⁵⁴.

Limiting exposure to noise, particularly in major metropolitan areas, is a key factor in ensuring a good quality of life, and needs to be pursued both through technological innovation and through **urban planning policies** tailored to this objective. Many local authorities, for example, are trying to limit the use of cars in towns and cities by encouraging active travel or by introducing entirely pedestrian areas or 'quiet zones' that are better protected from the noise of towns and cities¹⁵⁵.

Children's comments and proposals

The children consulted frequently complain of being disturbed by noise from the neighbourhood and the town or city. Some mentioned the impact on the quality of their sleep and their ability to concentrate, particularly those in precarious situations.

"Our homes and living spaces are next to road traffic, which causes noise and air pollution."

"At the hostel we hear a lot of noise, we don't sleep very well."

Children's proposal

12. Reinforce the objective of reducing noise pollution through better soundproofing of homes and public spaces, better regulation of noise in towns and cities and greater attention to this issue in development projects.

Urbanisation is also leading to an increase in the **surface area of artificial ground**: according to a study by France Stratégie, "*every year in mainland France, more than 20,000 hectares of land is taken, the equivalent of the city of Marseille*"¹⁵⁶. The transformation of natural soils for human activity makes them impermeable: the heat islands thus created amplify the effects of global warming and reduce the number of environments favourable to biodiversity. Now recognised as a major factor of environmental degradation, land take is now governed by the 2021 'Climate and Resilience' law¹⁵⁷ which sets a target of **zero land take** by 2050, limiting the use of agricultural, natural and forest areas and compensating for land take by rewilding in equal proportions.

This overbuilding on public space extends to the **playgrounds** of schools and crèches. Here again, local initiatives to make these areas more permeable and **greener** are multiplying, and their transformation offers children shaded areas that regulate the ambient temperature, more welcoming spaces that change play habits and the division of spaces between girls and boys, and even provide new educational opportunities to raise children's awareness of biodiversity and nature.

Children's comments and proposals

Young people are particularly aware of the harmful consequences of car use and want to promote alternative modes of transport such as walking and cycling, as well as increasing public transport provision. In addition, young people in precarious situations are particularly affected by their distance from essential services and a lack of access to nature.

“Pollute as little as possible to protect the climate! Walk and cycle instead of using your car!”

“Nature is becoming a luxury, if you want to go and see a mountain, you're going to have to spend a lot of money. When you live in the suburbs, nature is far away...”

For the young people consulted, a healthy environment goes hand in hand with a clean environment. They expressed their concern about the pollution caused by waste, which is spoiling their living environment. They felt sad and angry about the degradation of their neighbourhoods and nature, which they associate directly with the loss of biodiversity and the deterioration of ecosystems.

“My neighbourhood is dirty, there are few green spaces, it's dismal. There are rats.”

“Less waste on my planet – cigarette butts, plastics, bottles, cardboard, cans.”

“Human waste is not welcome in nature.”

“The earth and the oceans have become our dustbins.”

Children's proposals

- 13.** Introduce free public transport in urban, suburban and rural areas, while increasing its frequency. Encourage cycling and walking, with the development of appropriate policies and facilities (accessibility, free of charge, bicycle parking, etc.). Reduce the use of private cars and planes, by increasing taxation on air transport and developing more accessible and attractive rail services.
- 14.** Empty rubbish bins more regularly in public spaces. Put in place or increase the number of recycling bins in public spaces and community facilities. Run campaigns to educate people about sorting waste, recycling and composting.

3.2. Consideration of children in the development of public spaces and access to nature

When children are asked about their definition of the environment, the space in which they live on a daily basis is the first thing that comes to mind: their family environment, their neighbourhood, their town, or even their region. The idea of greenery and nature immediately follows. However, in urban areas, **public spaces are not well designed to enable them to enjoy the outdoors independently, and leave little room for environmental amenities** (green spaces, woods, forests, lakes, etc.). As public spaces are often perceived as a source of danger¹⁵⁸, children's need for safety means that they are withdrawn from them and become **increasingly sedentary**, to the detriment of their physical and mental health.

Public space is not just a physical space, it is also a **place where people socialise**, and adapting it to children means ensuring that local planning meets their needs, particularly the need to be able to play outdoors. An increasing number of local authorities are committed to **rethinking towns and cities from a child's perspective**, with a number of objectives in mind: improving sustainable mobility, guaranteeing safe movement, encouraging social interaction, and offering places to recharge their batteries by reintroducing natural spaces. This is a comprehensive approach, which has also been awarded the *'Child Friendly Cities'* label by UNICEF since 2003. It calls for a review of urban planning schemes to offer children streets and spaces that are adapted to their needs, with, for example, wider pavements, landscaped areas close to schools, protected cycle paths and accessible, clean public transport. These objectives are in line with those pursued by the 'sustainable cities' which are flourishing under various names – 'green cities', 'eco-neighbourhoods', etc. These aim to integrate environmental, social and economic issues into urban planning. All these initiatives also incorporate participatory democracy mechanisms to involve local residents, and sometimes children, more closely in the design of their primary environment.

Children's comments and proposals

Young people want to be listened to about the design of the public spaces dedicated to them or that they frequent. They deplore the fact that their needs and wishes are not taken into account in existing developments.

"We don't have anything to play with because the adults put the developments there and they don't see things the way we do."

"We are proposing the creation of a youth group with a decision-making role in all the town's project choices and in all areas."

Children's proposal

- 15.** Set up regular consultations with children, or even joint decision-making processes with young representatives, so that they can contribute to decisions that affect them, particularly urban development projects.

In this context, the issue of increasing the **presence of nature in towns and cities** is key. While the WHO recommends a ratio of 12 m² of green space per inhabitant, some towns and cities suffer from a lack of nature. While it is difficult to assess this ratio, which may vary depending on whether or not it includes certain types of space such as sports fields or roadsides, the national average is around 51 m² per inhabitant¹⁵⁹. However, smaller towns are more urbanised: in Aubervilliers, for example, in Seine-Saint-Denis, the ratio of green spaces per inhabitant is just 3 m²¹⁶⁰. Yet the presence of parks and green spaces helps to reduce air pollution, alleviate the heat, combat flooding and better protect biodiversity. While it has been scientifically established that a regular connection with natural spaces can *"prevent and treat many medical disorders"*¹⁶¹, particularly depression, many children suffer from *"nature deficit disorder"*¹⁶². Here again, social and regional inequalities persist: the poorest people, who go on fewer holidays or outings, as well as those living in priority neighbourhoods for urban policy, where priority is given to building¹⁶³, have less access to nature (green spaces, woods, forests, rivers, etc.)¹⁶⁴. However, in its 2024 annual report, the Court of Accounts noted that the ambition to reintroduce nature into urban spaces faced numerous technical and regulatory obstacles, a lack of coordination between the competent authorities and the absence of a legal framework for greening¹⁶⁵.

Children's comments and proposals

The young people spoken to aspire to greener living spaces and would like to see better protection of the surrounding natural areas. Young people also see greening as a way of combatting urban heat islands, promoting biodiversity and improving their living environment. They deplore the fact that their needs are not taken into account in existing developments.

“We should put trees all over the courtyard so that we can breathe properly.”

“We need more grass and one or two trees in the exercise courtyard [in prison wards for minors], which would give us access to more nature and a bit more shade.”

“We must stop cutting down trees, halt deforestation and plant more trees in towns and cities.”

Children's proposal

16. Plant more trees and flowers in places where children live and frequent (schools, social and medical-social institutions, and exercise courtyards in prisons, etc.), play areas and public spaces, to combat pollution and excessive heat, increase shaded areas and preserve natural spaces.

It is by offering children a first-class environment in which they have their rightful place that they can develop a sense of ownership and belonging, and the ability to forge social links, open up to the world, experiment and feel more **involved in the community**¹⁶⁶.

Recommendations of the Defender of Rights

12. Rethink public spaces from a child's perspective to reduce their exposure to pollution, in particular through the widespread pedestrianisation of areas close to schools and after-school establishments and by developing transport alternatives to the car.

13. Increase the per capita ratio of green spaces in towns and cities, on the basis of a national benchmark, and encourage planting in school playgrounds and all places where children are present.

4. LIVING IN SAFETY

4.1. Places exposed to extreme climatic risks

The risks of submersion, flooding and overflowing, to which many areas are exposed, are increased by rising sea levels and rising temperatures, and pose a serious threat to the survival and development of children living in these regions. There are 570 million children worldwide who live in areas where flooding is extremely common. In France, 20% of the coastline is retreating: **two out of three French people are exposed to the risk of flooding** and 1.4 million people living on the coast and in the overseas territories are exposed to the risk of submersion¹⁶⁷. In addition to the **immediate danger of injury or death**, these hazards disrupt **people's access to vital resources** and contribute to **an increase in disease**, particularly among the youngest. The **material damage**, particularly to **housing** and infrastructure, is just as significant: the destruction or closure of schools and **health and social institutions** leads to a risk of major disruption of access to education and healthcare.

Another extreme weather event, **exposure to extreme heat and drought**, also threatens children's health and well-being. 2022 was the warmest year on record in France since the beginning of the 20th century¹⁶⁸. According to UNICEF, **one in two children in Europe is highly exposed to heatwaves**¹⁶⁹ (a figure that is twice as high as the global average) and in France, 2.3 million children, i.e. almost 17% of them, are affected¹⁷⁰. Here again, the number of areas affected by the consequences of heatwaves is increasing, and certain regions (in the south, the French overseas territories and urban areas) are particularly impacted, both in terms of intensity and duration¹⁷¹. These climatic episodes generate a multitude of **physical, social, educational and mental risks for children**¹⁷², whose ability to adapt is more limited than that of adults: their developing bodies struggle to regulate their internal temperature¹⁷³ and when heatwaves last more than seven days, visits to accident and emergency by children increase by 15%¹⁷⁴. Allergies, asthma, cardiovascular disease, malnutrition and dehydration - **the physical consequences of excessively high temperatures are serious and can even be fatal** for the most vulnerable. They also affect the smooth running of pregnancies through the risks of foetal deformity and premature births that they entail. These extreme conditions, which also exacerbate learning and concentration difficulties and contribute to a drop in school attendance, raise the question of **adapting the school day and the school holidays calendar** to take better account of the differing effects of climate change at national level, and more particularly in the overseas territories¹⁷⁵.

Children's comments

The young people consulted were particularly concerned about the increased pollution of the air, water and soil, and its impact on their environment. This feeling of insecurity in the face of climate change is particularly acute in the French overseas territories, which are on the front line when it comes to natural disasters (cyclones, floods, pollution, sargassum, etc.) that directly threaten their populations.

"In hot countries, it's more complicated. There are more consequences [of global warming] and more difficulties: thunderstorms, hurricanes, rain, storms, etc."

"We need to make people understand that living on a small island puts people at greater risk, particularly in terms of rising sea levels and more intense cyclones."

"Cyclones can cause diseases, because they bring a lot of wind and rain, and so the water is not very clean. And the hotter it gets, the more cyclones there will be, and conversely less drinking water".

Prevention, risk assessment and monitoring policies are key factors in preventing the consequences of these climatic events¹⁷⁶, whether they are sudden or develop slowly. The resources earmarked for public safety and health professionals should also provide better support for disaster victims, particularly in terms of psychological support and the treatment of **post-traumatic stress** in children¹⁷⁷.

Protecting people from these natural hazards, which are foreseeable threats to life and safety, also means **providing shelter** for those who fall victim to them.

4.2. Forced displacement due to extreme weather events

Half of the world's migration is linked to global warming, and the number of climate refugees (defined as **anyone forced to flee their homes as a result of environmental change**) continues to rise. The International Organisation for Migration (IOM) estimates that by 2050, 250 million people could be uprooted from their homes due to rising sea levels, drought, extreme temperatures and natural disasters¹⁷⁸. The UN Special Rapporteur on Human Rights in the context of climate change has also highlighted the fact that, while forced displacement can sometimes lead to migration, it **mainly** takes place **within a single State**.

Despite the increase in this phenomenon, no binding international text governs the protection of these refugees: **to date, there is no legal status** to describe the situation of people who are displaced and who very often find themselves without protection and without access to rights¹⁷⁹. Today, this migration is considered to be primarily for economic reasons, and is subject to the already strong restrictions on the free movement of people. While the 1951 Geneva Convention relating to the Status of Refugees makes no provision for the situation of those who might seek asylum for environmental reasons, the Global Compact on Refugees, adopted by the UN General Assembly in 2018, does expressly recognise that "*climate, environmental degradation and natural disasters increasingly interact with drivers of refugee movements*"¹⁸⁰. Furthermore, the UN Human Rights Committee adopted a position on the issue of States' obligations in this area in a decision in 2019¹⁸¹. It considered that the effects of climate change could result in a violation of the right to life or exposure to cruel, inhuman or degrading treatment, entailing an **obligation of non-refoulement** for countries where asylum is sought.

Two decisions have since been given by a New Zealand court¹⁸² and the Italian Court of Cassation¹⁸³, under the influence of the Human Rights Committee's decision. The first confirmed the need to grant protection to the members of a family from Eritrea because of the climate in their country of origin and its impact on their rights. For its part, the Italian Court of Cassation set aside and annulled the appeal judgment given on 12 June 2019 in response to the request for international or humanitarian protection made by a national from the Delta region in Niger so that the case could be re-examined, recognising that environmental factors had not been taken into account, despite the dangerous political and climatic situation. These cases call for a rethink of the international protection afforded to climate refugees.

Recommendations of the Defender of Rights

14. **Improve psychological support for child victims of natural disasters** by increasing the resources of regional psychological trauma centres.
15. **Initiate a national debate on adapting the school day and school holidays calendar** to take better account of climate change and its differing effects across the country.
16. **Initiate international negotiations to recognise the status of climate refugee** for anyone forced to flee their home to protect their life or safety from harm caused by climate change or natural disasters.

III· SUPPORTING CHILDREN IN DEFENDING THEIR RIGHT TO A HEALTHY ENVIRONMENT

1. INFORMATION, LEARNING AND TRAINING

1.1. Children's access to reliable, clear and appropriate information

General comment No. 26 of the UN Committee on the Rights of the Child¹⁸⁴ stressed the importance of **accessible information to ensure children's right to a healthy environment**. Every child should be able to acquire the knowledge they need to understand the consequences of global warming and pollution, and benefit from the information they need to develop their **environmental awareness**.

Scientific knowledge about the effects of climate change must not be reserved for experts: everyone must be able to access and understand it. A **risk culture** is an essential factor in prevention: an informed population, having integrated the right habits, is a population that is less vulnerable to climatic risks. The example of the heatwave in the summer of 2003 in France is informative: in 15 days, almost 15,000 deaths were recorded. Since this tragic episode, people have learnt what to do in these conditions to reduce their exposure, and all local authorities have adopted 'heatwave plans' to protect the most vulnerable. In its 2024 annual report, the Court of Accounts refers to the vital need to *"develop a renewed risk culture, adapted to the new challenges, targeting young people in particular, using communication methods tailored to their needs"*¹⁸⁵.

Although young people now have the opportunity to obtain information from a variety of sources, they still lack the guidance they need to access clear and reliable information on environmental issues. A study by the French Agency for Ecological Transition and Energy Management (ADEME) reveals that the majority of them get their information from 24-hour news channels or social networks, which nonetheless generate a great deal of mistrust. Under the impetus of the IPCC, which in its latest report stressed the crucial role of the media in *"transmitting information on climate change and making it consistent"*, a number of journalists and media have adopted a **charter for journalism that reflects the extent of the ecological emergency**¹⁸⁶. This charter invites the profession to deal with the living world, the climate and social justice in a cross-cutting way and to **educate the public** in view of the complexity of the scientific data. It recommends examining the vocabulary and images used to convey the urgency of the situation and avoid minimising it. It stresses the need to address the issues more broadly, to go beyond individual responsibility, and to promote the idea that preventing global warming requires political responses at a systemic level. The charter also calls on journalists to **ensure transparency**, given the public's distrust of certain media outlets that may be downplaying the facts on the subject. It also encourages the strategies put in place by certain interest groups to sow doubt in the minds of the public to be revealed, information to be provided on the responses to the crisis, journalists to be given ongoing training and the independence of newsrooms to be consolidated.



The content of the traditional media is also considered to be too pessimistic¹⁸⁷ and contributes to a growing anxiety among young people, leading to fears and negative emotions that complicate their development, their emancipation and their **ability to look ahead and plan for the future**¹⁸⁸.

Children's comments and proposals

The young people consulted emphasised the major influence of the media and social networks on their perception of environmental issues, stressing the significant impact of the way in which these subjects are covered.

“We need to communicate differently (...) so as not to (...) provoke a general feeling of powerlessness to act.”

“It's all the more distressing because we're told that we won't see our children grow up and that we're selfish.”

Children's proposal

- 17.** Give greater recognition to individual and collective action to protect the environment on a day-to-day basis, and to practical solutions to environmental challenges. Young people find that the information provokes anxiety, leading to a feeling of powerlessness if positive action and possible room for manoeuvre are not presented.

Many reports, studies and experts use the term ‘**eco-anxiety**’ to describe these concerns. Although there is no consensus on the definition of ‘eco-anxiety’, particularly among health professionals, Australian researchers have however defined it as all anxiety-related experiences linked to climate change, biodiversity degradation, mass pollution and environmental disasters¹⁸⁹. **Eco-anxiety is not an illness**, but rather “*a polymorphous feeling of distress caused by negative and sudden changes in the environment, and a fear of the future*”¹⁹⁰. The pathologisation of climate anxiety, i.e. understanding it as a mental health problem, would pose a risk since **it is a normal,**

legitimate, rational and healthy reaction¹⁹¹ to a real and serious threat and must not be minimised to or equated with an ideology or over-sensitivity¹⁹².

Eco-anxiety is a global phenomenon: a fatalistic tendency is emerging in the face of the consequences of climate change¹⁹³. This was demonstrated by a recent survey¹⁹⁴: **75% of young people surveyed said they were finding it difficult to look ahead to the future, and 71% said the crisis was affecting their morale and well-being.** More needs to be done to support children in this area, in particular by developing scientific knowledge and assessment capabilities in this area, by implementing more human and financial resources in the medical sector¹⁹⁵ and by setting up systems that intervene from the earliest age and which involve working with all those involved in the child's life (parents, educators, teachers, etc.). Informing and educating children about environmental protection is also one of the ways in which we can better support them in the face of these risks, which generate anxiety.

Children's comments

Many of the young people consulted also feel this eco-anxiety linked to the perception of an uncertain future in the face of all the environmental challenges. This feeling mainly affects young people who have already been made aware of environmental issues prior to consulting them, and those who are directly confronted with the degradation of their environment, such as children living in the French overseas territories. Growing levels of eco-anxiety among children and young people threatens their right to calm and balanced development.

"I fear for the future. I (...) dream of starting a family in the future, but this dream also scares me because I don't want my children to experience the current conditions of our planet."

"If we carry on like this, we could be the last generation."

A number of children even expressed a feeling of powerlessness and discouragement in the face of the extent of environmental degradation, reflecting a pessimistic view of the future.

"Personally, it doesn't make me want to have children and let them live on this planet that's been completely destroyed and, above all, leave them with this burden."

"Unfortunately, it's too late to save our blue planet."

Some young people are more optimistic about humanity's ability to adapt to environmental change.

"There's always a way to adapt."

1.2. Educating children about the environment

UNESCO advocates making environmental education an essential component of school curricula in all countries by 2050. One of its studies revealed that, out of 196 countries surveyed, **70% of young people expressed concern about the environmental education they receive**¹⁹⁶.

In France, education on the environment and sustainable development has been stepped up since 2021¹⁹⁷. Extending this type

of education is in line with the objectives of the Agenda 2030, which France is committed to implementing as part of the programme adopted by the UN for a transition to sustainable development. These objectives include, among other things, the provision of quality education in this area, including environmental issues. Despite the inclusion of this issue in school curricula, the approach was nevertheless applied across the board¹⁹⁸, in several disciplines, **without any comprehensive and specific teaching**. Moreover, education on the environment and sustainable development very often depends on the initiative and sensitivity of teachers to this issue, and **its implementation is not sufficiently evaluated**¹⁹⁹. Strengthening the multi-disciplinary dimension of the teaching offered should also include education on the economic and social issues raised by the environmental crisis, particularly the question of inequalities in terms of food, water, energy and the preservation of resources²⁰⁰.

Children's comments and proposals

The young people spoken to felt that these issues were not sufficiently addressed in schools and were often not even part of the curriculum. They want to be taught about environmental issues so that they can better understand the challenges they face.

"We need to teach more and raise the awareness of new generations, so that it's part of the school curriculum and so that everyone grows up in this environment."

"We need to set up lessons on eco-friendly behaviour so that, from a very early age, this becomes part of our daily routine."

Children's proposal

- 18.** Integrate environmental issues more fully into school curricula, with the introduction of dedicated lessons to ensure clear and reliable information on these subjects. Strengthen the role of eco-representatives in schools by providing them with the resources they need to carry out ecological projects.

Schools appear to be the place where clear, objective information on environmental and climate issues needs to be conveyed²⁰¹, and this responsibility of teachers and educational teams requires specific training and support, which is currently still lacking²⁰². Raising children's environmental awareness also means developing **educational and practical projects**²⁰³ within schools, to provide scientific and technical knowledge, encourage dialogue and support young people in their civic engagement.

Children's comments

The young people consulted said that they were ready to take action at their own level, by adopting eco-responsible habits on a daily basis, whether this involved sorting their waste, reducing their energy consumption, taking part in clean-up operations, raising awareness among other children and adults, or supporting environmental organisations.

"Little by little, everyone can take action to avoid additional health and safety risks."

"Even as a child we can do things, adopt habits. Pay attention to what we buy and what we eat. Go organic if possible."

"I take part in litter picks and it's so much fun."

Children want to be recognised as real players in protecting nature.

“We must come together and defend our right to live in a healthy environment!”

The High Council for curricula [*conseil supérieur des programmes*], which recently set up a specialised commission on the ecological transition²⁰⁴, recommended that, from 2019, pupils should be more involved in cross-disciplinary and less theoretical educational projects, from nursery school onwards. Education must be able to raise children's awareness of climate issues and the need to protect biodiversity, develop their critical thinking and enable them to get practically involved in projects to develop the ‘green skills’ needed to protect the environment and work in the ecological transition. A number of schemes have already been set up by the French education system, in parallel with the teaching given to children. This is particularly true of **eco-representatives** (young people who are involved in their school, disseminating information, encouraging participation and putting environmental projects into practice, and whose existence and tasks need to be promoted further) or the **E3D certification** awarded to schools committed to an overall sustainable development approach²⁰⁵.

At the same time, other teaching practices, such as the ‘**outdoor classroom**’, should be promoted. This scheme helps to increase children's knowledge of the natural world around them and of biodiversity, facilitates experimentation and observation, and establishes a direct link with the theoretical learning they receive²⁰⁶. This should be **put into practice** more systematically throughout the child's life²⁰⁷.

Although they can be implemented at school, practical and educational projects can also be carried out by other stakeholders. This is particularly true of **local authorities** and **associations** working to raise awareness and educate children about environmental issues. For example, after declaring a ‘state of climate emergency’ on 9 July 2019, the City of Paris inaugurated the Climate Academy in 2021, which supports young people in uniting around the climate emergency and the ecological transition by organising conference-debates, meetings with experts on these issues and various workshops (plant-based cooking, climate fresco, recycling, etc.). Similarly, to meet the growing demand from the younger generation, which is worried about their future and looking for answers, many associations²⁰⁸ have also developed awareness-raising and training programmes to support various educational projects in schools. They provide access to knowledge about the environment and the ecological transition, empower young people and raise their awareness of environmental justice and the impact of climate change on their fundamental rights.

Children's comments and proposals

The young people spoken to stressed the importance of raising awareness of environmental issues among a wider population, both adults and children. They believe that adults have a key role to play in passing on environmentally responsible knowledge and behaviour, that they have a duty to set an example, and that the scale of the environmental crisis means that everybody has a responsibility and should be involved. They therefore feel that adults too need to be sufficiently informed.

“Children like us are well informed about ecology, but our parents need to be too, and they should also have teachers to show them how to sort waste, for example! Then they'll change their views, and we can truly all be responsible!”

Children's proposal

- 19.** Set up 'Green Days' to raise awareness and involve the adults of today and tomorrow. The aim would be to pass on practical knowledge and encourage the adoption of environmentally responsible actions on a daily basis, through gardening workshops, waste collection operations, recycling activities, etc.

Adults' commitment to the subject and the rollout of tools adapted to children should help to make them aware that they have the possibility and capacity to play an active role in protecting the environment and defending their fundamental rights.

Recommendations of the Defender of Rights

17. Strengthening environmental education:

- By developing **tools and training for teachers**;
- By evaluating the actual implementation of this teaching in all schools;
- By **promoting the role of eco-representatives** within schools;
- By developing the **implementation of multi-disciplinary practical and educational projects throughout children's schooling**, and from nursery school onwards, devoted to environmental education, in conjunction with local stakeholders (local authorities, expert or popular education organisations, leisure centres, childhood professionals, parents, etc.) and integrated into local educational projects.

2. HAVING A SAY, BEING HEARD AND TAKING PART IN PUBLIC DECISION-MAKING

2.1. Children's right to express themselves

The **right to express oneself and to be heard** is protected both by the Constitution and by the international Convention on the Rights of the Child (CRC)²⁰⁹. Appropriate means must be put in place to capture the concerns and opinions of the younger generation, who are increasingly involved and exposed in the media, and to better integrate them into public decision-making processes.

In reality, children's voices are still given little consideration and are often disparaged. The concept of **childism**, developed in the United States, refers to a set of prejudices against children and young people simply because they are minors. Considered as inferior, under the control of adults, children are often perceived as not competent or legitimate enough to express themselves on social issues, even though they are subjects in their own right, with intelligence and uniqueness, as enshrined in the CRC. When it comes to the environmental crisis, the majority of children do not think they are being listened to²¹⁰.

Consulting children and hearing what they have to say means **listening to them properly and creating a climate of trust** to enable them to express their opinions freely. While school is the first place where children express themselves after their home, school time should include more opportunities for exchanges with adults, both during and outside the time devoted to teaching. Children may also develop forms of self-censorship linked to the fear of being judged or mocked, of not being heard, or of being harassed.

Although it is a **right for children**, taking their views into account is a **duty for adults**, who must offer them dedicated spaces to make this more effective. These spaces are developing, particularly at local level, but their scope often remains symbolic, and they struggle to make a real contribution to public decision-making.

Children's comments and proposals

The young people spoken to criticise the lack of listening and consideration by adults. They emphasise their role as 'the adults of tomorrow' and feel that their opinions, often considered immature, are nonetheless relevant and deserve to be taken into account. They demand their right to express themselves and to participate in the decisions that affect them.

"I'd like to be taken seriously."

The young people consulted criticise the fact that representatives of government, local authorities and all public authorities do not consult young people enough when drawing up decisions that affect them. They criticise them for not implementing the necessary measures to meet environmental challenges.

"We want to be heard; we want the voices of young people to be heard, and we want the government to get involved with us."

Children's proposal

20. Promote active citizenship among children by creating spaces for dialogue where they can share their ideas and suggestions with each other and with adults. Set up exchange groups in schools and allocate a dedicated budget for projects designed by children in their schools.

Focus

"LET'S TALK CLIMATE"

In conjunction with the European Network of Ombudspersons for Children (ENOC), each year, the Defender of Rights organises a project called "*Parlons Jeune*", which brings together around 15 young people from each Member State to discuss an issue of concern to them and put forward recommendations. Promoting the effective exercise of children's right to participation and to have their views taken into account, as guaranteed by Article 12 of the CRC, this event also aims to provide an opportunity for more in-depth reflection on the various rights of children and how they are implemented.

One year after having discussed climate justice, the young people decided to organise, build and run a conference for children entitled '*Let's talk climate: understanding in order to act*' on 15 February 2024 at the Climate Academy, with the support of the institution of the Defender of Rights.

During the conference, several speakers were questioned by the young people on the importance of "understanding the urgency" of global warming. Other speakers tried to give impetus to action during a round-table discussion on "*Climate justice, how can we act*".

The aim was above all to quickly give a voice to the children invited, through four workshops led by the young organisers. These workshops brought together around one hundred children and teenagers from various backgrounds, on the following themes: '*Climate action and participation in environmental decision-making*', '*Sustainable mobility and spatial land management*', '*Consumption and carbon footprint: questioning the growth paradigm*', and finally '*Energy sources: their use and their impact on the climate and on our lives*'.

A number of recommendations emerged from these discussions, such as *'creating youth representatives at all levels to consult young people and engage in dialogue with elected representatives'*, *'limiting advertising by polluting companies'*, *'creating an eco-pass to enable mobility using rail transport'*, or *'the government imposing more taxes on companies that use non-renewable energy'*.

Recommendations from *'Parlons Jeune'* events are pooled with those of other young Europeans taking part in the project. The conclusions of this conference, which was exceptional in its participatory format, also feed into this report and can be taken to the public authorities to defend children's right to a healthy environment.

2.2. Children's right to participate in decisions that affect them

Children's views must be specifically followed up by ensuring that they are actually taken into account in the decisions that affect them individually and collectively: this means enabling them to **take part in the democratic process** and to be recognised as legitimate stakeholders in the decision-making bodies and consultation bodies that contribute to them. It is by ensuring that children's voices have a direct impact on policy that they will gain confidence in public institutions.

The Council of Europe²¹¹ and the UN Committee on the Rights of the Child²¹² have for many years emphasised the importance of **dialogue with young people** on environmental issues, and encourage their participation by **setting up children's parliaments or councils**²¹³. Their recommendations call on States to put in place legal, financial and practical measures, to raise awareness and provide training in participation, and to create spaces for participation in all areas that have an impact on children's lives.

At local level, numerous bodies dedicated to children have developed in various forms: **district, municipal or local youth councils, youth forums**, etc. According to the French High Council for Families, Children and the Elderly (HCFEA), *"these bodies enable the children and young people involved to grasp and experience in practice the concepts of general interest and social value, and to welcome and build collective projects"*²¹⁴.

However, local and regional authorities are not obliged to set up such youth participation schemes and the scope of these mechanisms often remains symbolic: they issue *"opinions on decisions relating in particular to youth policy [and may] formulate proposals for action"*²¹⁵.

At national level, the example of the **Children's Parliament** also illustrates the shortcomings of the consultation bodies for young people that have been set up. Designed as a means of educating children about the process of drafting laws and learning about citizenship, this scheme, whose creation is commendable, is nevertheless limited by the small number of children involved (two classes, one from *CM2* [age 10/11] and the other from *6th* [age 11/12], are selected each year) and by the actual implementation of their work (during 25 years of its existence, only four proposals have been transcribed into laws of the Republic). In addition, the children are given a theme to work on without being involved in choosing it.

At international level, in addition to the events set up by the European Network of Ombudspersons for Children (ENOC) to give young people a voice in European debates²¹⁶, many youth associations have been formed with the ambition of participating directly in the discussions led by international governance bodies on environmental protection. This is the case, for example, of the **Youth Climate Ambassadors (YCA) who take part every year in international negotiations on climate and biodiversity**, as part of the 'youth delegate' programme promoted by the United Nations,



which allows two young people to be elected for a two-year term to work alongside their national delegation. The YCAs are also involved at national level, organising secondary school climate conventions to submit their resolutions to local elected representatives or the school administration, and raising awareness among their peers in schools.

Since 2019, the Defender of Rights has been committed to taking greater account of what children have to say by organising a broad national consultation every year, implemented by a network of partner associations throughout France. This '*J'ai des droits, entends-moi*' [I have rights, hear me out] campaign allows children's specific proposals to be included in the annual report on their rights.

Recommendations of the Defender of Rights

- 18. Broaden the membership of the Children's Parliament to allow more children to participate and make parliamentary discussion of the texts resulting from their work compulsory.**
- 19. Take actual account of children's views in public decision-making:**
 - By including children and young people in all existing consultation and participation bodies relating to environmental law;
 - By creating a children's board within the National Council for Energy Transition;
 - By making it compulsory for all local authorities to set up youth councils;
 - By ensuring that these bodies are consulted on all projects that have an impact on children's daily lives.

3. TAKING ACTION TO PROTECT THE ENVIRONMENT

3.1. The opportunity for children to get involved and express their views

Growing awareness of the consequences of the environmental crisis for their future and that of future generations is leading more and more young people around the world to take action to protect the environment and defend their right to live in a healthy environment. Embodied in 2018 by Greta Thunberg, this international movement²¹⁷ has led to the launch of **school climate strikes**²¹⁸ to protest against the failure of States to meet their commitments to reduce greenhouse gas emissions. The use of social networks is helping to strengthen these movements for engaging young people to protect the environment.

On a day-to-day basis, children can help to protect the environment through **active citizenship** by taking practical and supportive action. Naturally, it is the local level that is most conducive to this type of engagement: 7 out of 10 people say that they are prepared to get involved with disaster relief organisations, and 9 out of 10 people say that they are prepared to help their neighbours²¹⁹. In the event of a crisis, the purely institutional approach to managing climate risk has its limits, and the involvement of the population, including the youngest, is essential for a country's resilience²²⁰.

With this in mind, **spaces for participation** and places where democratic life is encouraged²²¹ must be made available to children so that they can carry out their initiatives. Several localities have already set up such spaces. In 2022, for example, a solidarity village was set up in Bihucourt, Pas-de-Calais, following a devastating tornado: basic necessities were distributed and numerous events involving local stakeholders, adults and children were organised²²².

Similarly, in Bagnolet, in the Île-de-France region, the first people's ecology centre [*Maison de l'écologie populaire* - Verdragon] has been set up: this space is managed autonomously and allows children to take initiatives and participate in various projects (climate frescoes, discussions on the IPCC report, shared gardens, etc.)²²³.

To meet this need for young people to get involved, ADEME and the Civic Service Agency have jointly launched the '**ecological civic service**', which will recruit 1,000 young ambassadors via the non-profit organisation *Unis-Cité* from October 2024. The aim is to recruit 50,000 young people by 2027, who will be involved in specific projects linked to the ecological transition and, in particular, in initiatives to raise awareness among their peers.

Despite these initiatives, **the practices and actions carried out by young people are still marginal**: according to a study conducted by ADEME in 2023, 14% of young people have already taken part in a climate demonstration, 9% say that they are involved in an environmental protection association, and 8% say that they have already resorted to civil disobedience²²⁴. Young people mainly cite lack of time, lack of motivation and the impression that their actions are not having enough impact as obstacles to their involvement²²⁵.

Some **media and political discourse** contribute to a caricature of environmental movements²²⁶. The language sometimes used to describe them attests to this: supporters of a 'green dictatorship', 'eco-terrorists', or followers of the 'Amish model' and the 'return to the oil lamp'²²⁷. These expressions, which are widely used in public debate, help to discredit actions to protect the environment and stigmatise environmentalists.

Denounced internationally by the United Nations Special Rapporteur on Environmental Defenders²²⁸, the use of police practices that are sometimes abused (identity checks, arrests, police custody, etc.) and harsh **legal**

proceedings is encouraged by tougher legislation against environmental activists. The **practices of the police** during environmental demonstrations can also be called into question (use of water cannons, tear gas, flash-balls, etc.) because they are unsuitable for children, and the use of dissuasive methods, such as surveillance or tailing, can take place even before demonstrations take place²²⁹.

Exposure to these risks affects children's ability to exercise their **right of assembly to peacefully fight** against climate inaction²³⁰ even though new modes of expression are emerging, such as non-violent civil disobedience²³¹, which is now recognised by European and national judges on the basis of freedom of expression²³². Recently, for example, young demonstrators, accompanied by their teachers and parents, protested against the construction of factories to produce the paving for the future A69 motorway.

However, a recent UNICEF report stresses the importance of children's freedom of peaceful assembly for **their personal development and their participation in public affairs**, and points out the conditions required to guarantee this right. These conditions relate to the context of the gathering itself, with the adoption of a collaborative and communicative approach adapted to children, the establishment of a climate of trust, and prior planning. Guaranteeing children's right to assemble also means ruling out the risk of reprisals, threats, stigmatisation or harassment from state and non-state actors, both before and after the gathering has taken place.

Despite these constraints, children and young people all over the world are coming together to set up their own associations to protect the environment, by demonstrating, raising awareness among their peers, and resorting more and more to the courts to point out the failings of governments.

3.2. Children's growing involvement in environmental justice

In 2019, a collective complaint was lodged by 16 children, aged between eight and seventeen, with the UN Committee on the Rights of the Child to protest against the lack of action by a number of States in the face of climate change. The Committee on the Rights of the Child, which was referred the matter under the communications procedure for the third Optional Protocol to the CRC, began a process of reflection that led to the adoption of its General comment No. 26, which sets out guidelines for States to ensure respect for children's right to a clean, healthy and sustainable environment.

In 2024, the European Court of Human Rights gave three landmark judgments²³³ for climate justice:

the harm caused by climate change and greenhouse gas emissions was recognised, and the Court emphasised the responsibility of States to protect the health and lives of present and future generations. **One of these cases was brought by six young Portuguese people²³⁴**, aged between eight and twenty-one at the time, who alleged the failure of 33 States to limit global warming through reducing their greenhouse gas emissions. They argued that the extreme heatwaves and fires experienced in 2017 had directly endangered their lives, mental health and wellbeing, and forced their schools to close. The Court thus had to rule on a possible violation of human rights resulting from insufficient state climate policies, according to the applicants.

The Court declared that the application brought by the young people could not be allowed on procedural grounds, in particular the non-exhaustion of domestic remedies in Portugal. Nevertheless, on the same day, in the related case brought by a group of over 2,500 elderly Swiss women²³⁵, **it recognised the positive obligation of a Member State to design, develop and implement climate change mitigation legislation and measures in order to protect its citizens.**

It also pointed out that Article 8 of the Convention, which protects the right to privacy, **“encompasses a right for individuals to effective protection by State authorities from the serious adverse effects of climate change on their lives, health, well-being, and quality of life”**.

This decision has highlighted the **intergenerational dimension of the consequences of the climate crisis**. It stresses that the intergenerational distribution of the effort to combat global warming is of particular importance, both for current and future generations. It points out that future generations risk bearing the **growing burden of today's shortcomings** and highlights the risk inherent in political decision-making on climate, which responds to short-term interests and concerns to the detriment of the pressing need for viable, long-term decisions.

While there is nothing in the legislation to prevent children from bringing cases before the ECHR, with article 34 of the Convention stating that *“The Court may receive applications from any person claiming to be the victim of a violation of the rights set forth in the Convention”*, the exhaustion of domestic judicial remedies is however a prerequisite for bringing a case before the Court. In the above-mentioned case, *Duarte and Agostinho vs Portugal and 32 others*, although the Court referred the young applicants to the domestic courts, it did not rule on whether they were unable to bring legal proceedings in their own country.

In France, the law establishes the principle of legal incapacity of minors, who are therefore unable to take legal action, with the exception of cases brought before the youth court or the administrative court in urgent proceedings to protect a fundamental freedom. In its decision of 20 September 2022, the *Conseil d'État* specified the conditions for referral to the urgent applications judge²³⁶, who could therefore, at that time, be referred an environmental matter by a minor if they met the requirements laid down. Outside this

emergency procedure, the possibility for young French people to access the courts in climate matters requires the intervention of their legal representatives or authorised environmental protection organisations²³⁷.

While legal incapacity is justified by the child's need for protection, the need to protect the **rights and interests of future generations** (enshrined in legislation²³⁸ and by the French courts²³⁹ and those abroad²⁴⁰) presupposes a projection of the child into their adult life and raises the question of the child's interest in acting in matters of environmental justice. It is with this in mind that the UN Committee on the Rights of the Child, in its General comment No. 26, recommends the establishment of access to justice pathways for children and **child-friendly complaint and claim mechanisms**²⁴¹.

In practice, however, it should be noted that many young claimants are accompanied by specialist lawyers and organisations with expertise in the field, who develop innovative litigation strategies, particularly in view of the difficulties involved in proving a causal link between environmental degradation and a loss of opportunity or damage suffered. Similarly, it is particularly difficult to determine adequate reparation²⁴², as the losses are sometimes not financial and require projections into the future. When the Committee on the Rights of the Child talks about adapting legal remedies for children, it refers to the need to shift the burden of proof in cases where there are many variables and a lack of data.

Recommendation of the Defender of Rights

20. Strengthen environmental justice:

- By improving the **training of judges** in the issues raised by the right to a healthy environment;
- By **considering the introduction of child-friendly complaint mechanisms**.

APPENDIX 1

LIST OF RECOMMENDATIONS

1. Initiate international negotiations with a view to adopting:

- A legally binding international treaty for the protection of the environment;
- An additional protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms expressly recognising the right to a healthy environment.

2. Take into account the particular vulnerability of children when defining public policies for environmental protection:

- By introducing a legislative provision into the French Environment Code that lays down the principle of respect for the fundamental rights of children in all actions taken to protect the environment;
- Based on standards that better protect pregnant women and children from early exposure to toxic substances.

3. Take appropriate measures to meet the targets of reducing greenhouse gas emissions and achieving net zero, in particular the third national climate change adaptation plan (PNACC-3), which is still being prepared.

4. Improve training for all those involved in the justice system by including classes on the right to a healthy environment in the core curriculum of all university law courses.

5. Make consultations dedicated to prenatal exposure to pesticides standard practice in hospitals.

6. Ensure access to drinking water throughout France, particularly in the French overseas territories.

7. Offer healthy and sustainable food in all settings catering for children and encourage the development of diversified and balanced eating habits that promote children's health and respect the environment.

8. Increase the number and quality of social housing units for the most vulnerable families and develop transitional facilities – from accommodation to housing – adapted to the needs of families with children.

9. Include requirements in the specifications for emergency accommodation that meet children's right to a healthy environment.

10. Accelerate the renovation of school buildings and all places which children frequent:

- By defining a joint national strategy between government and local and regional authorities, prioritising the areas most at risk from climate risks;
- By extending to all community facilities for children the possibility of calling on the services of energy and ecological transition advisors, who provide support to health and medico-social establishments.

11. Improve living conditions for children on Travellers' sites:

- By paying particular attention to the suitability and location of the land used for Travellers' sites, and to the quality of the environment for children, as part of the departmental plans for accommodating Travellers;
- By extending to these sites, the distance rules applicable between an installation classified for environmental protection (ICPE) and a residential area.

12. Rethink public spaces from a child's perspective to reduce their exposure to pollution, in particular through the widespread pedestrianisation of areas close to schools and after-school establishments and by developing transport alternatives to the car.

13. Increase the per capita ratio of green spaces in towns and cities, on the basis of a national benchmark, and encourage planting in school playgrounds and all places where children are present.

14. Improve psychological support for child victims of natural disasters by increasing the resources of regional psychological trauma centres.

15. Initiate a national debate on adapting the school day and school holidays calendar to take better account of climate change and its differing effects across the country.

16. Initiate international negotiations to recognise the status of climate refugee for anyone forced to flee their home to protect their life or safety from harm caused by climate change or natural disasters.

17. Strengthen environmental education:

- By developing tools and training for teachers;
- By evaluating the actual implementation of this teaching in all schools;
- By promoting the role of eco-representatives within schools;
- By developing the implementation of multi-disciplinary practical and educational projects throughout children's schooling, and from nursery school onwards, devoted to environmental education, in conjunction with local stakeholders (local authorities, expert or popular education organisations, leisure centres, childhood professionals, parents, etc.) and integrated into local educational projects.

18. Broaden the membership of the Children's Parliament to allow more children to participate and make parliamentary discussion of the texts resulting from their work compulsory.

19. Take actual account of children's views in public decision-making:

- By including children and young people in all existing consultation and participation bodies relating to environmental law;
- By creating a children's board within the National Council for Energy Transition;
- By making it compulsory for all local authorities to set up youth councils;
- By ensuring that these bodies are consulted on all projects that have an impact on children's daily lives.

20. Strengthen environmental justice:

- By improving the training of judges in the issues raised by the right to a healthy environment;
- By considering the introduction of child-friendly complaint mechanisms.

APPENDIX 2

LIST OF PROPOSALS FROM THE CHILDREN CONSULTED

1. Increase public investment in projects of general interest for vulnerable people, to promote fair access to essential services such as drinking water and transport, and to increase support for developing countries. Children consider this expenditure to be a priority.
2. Increase information and awareness of the environmental impact of mass production and over-consumption, to raise collective awareness. Ban single-use plastics, drastically reduce packaging, and actively promote a 'zero waste' approach.
3. Implement specific measures to reduce environmental incivility, by introducing financial penalties to deter polluting behaviour.
4. Introduce a national policy to save water, by limiting household consumption and extending the use of rainwater harvesting tanks, in order to make the entire population aware of the need to preserve this resource.
5. In overseas France, make access to drinking water easier and more effective.
6. Promote high-quality, sustainable and transparent agri-food production by:
 - Prioritising organic and local farming, financially accessible to all;
 - Banning the use of pesticides, and at the very least taxing their use;
 - Imposing a transparency obligation on production methods, the composition of products and their impact on health.
7. Promote healthier, more responsible and sustainable consumption by:
 - Ensuring balanced meals in the canteens of all establishments catering for children;
 - Preventing food waste, particularly in canteens and institutional facilities;
 - Promoting a more plant-based diet;
 - Extending use-by dates so that they correspond to actual dates after which the food is perishable.
8. Install vegetable gardens and composters in schools, social, medico-social and health establishments, prison wards for minors and secure centres for minors (EPM), in neighbourhoods so that young people can grow their own vegetables to stimulate ecological awareness and promote healthy and local food in a fun, educational setting.
9. Ensure a healthier living environment for children in precarious situations, living on Travellers' sites or on community and informal settlements. Improve the upkeep of these areas, in particular by regularly collecting rubbish.

10. Renovate homes in poor condition. Renovate the buildings where people live and come together, particularly schools, with a view to improving thermal insulation and ventilation, and developing sustainable energy, e.g. by installing solar panels or wind turbines.

11. Increase the frequency and length of walks and outings, and offer more outdoor activities, in particular by providing sports equipment.

12. Reinforce the objective of reducing noise pollution through better soundproofing of homes and public spaces, better regulation of noise in towns and cities and greater attention to this issue in development projects.

13. Introduce free public transport in urban, suburban and rural areas, while increasing its frequency. Encourage cycling and walking, with the development of appropriate policies and facilities (accessibility, free of charge, bicycle parking, etc.). Reduce the use of private cars and planes, by increasing taxation on air transport and developing more accessible and attractive rail services.

14. Empty rubbish bins more regularly in public spaces. Put in place or increase the number of recycling bins in public spaces and community facilities. Run campaigns to educate people about sorting waste, recycling and composting.

15. Set up regular consultations with children, or even joint decision-making processes with young representatives, so that they can contribute to decisions that affect them, particularly urban development projects.

16. Plant more trees and flowers in places where children live and frequent (schools, social and medical-social institutions, and exercise courtyards in secure centres, etc.), play areas and public spaces, to combat pollution and excessive heat, increase shaded areas and preserve natural spaces.

17. Give greater recognition to individual and collective action to protect the environment on a day-to-day basis, and to practical solutions to environmental challenges. Young people find that the information provokes anxiety, leading to a feeling of powerlessness if positive action and possible room for manoeuvre are not presented.

18. Integrate environmental issues more fully into school curricula, with the introduction of dedicated lessons to ensure clear and reliable information on these subjects. Strengthen the role of eco-representatives in schools by providing them with the resources they need to carry out ecological projects.

19. Set up 'Green Days' to raise awareness and involve the adults of today and tomorrow. The aim would be to pass on practical knowledge and encourage the adoption of environmentally responsible actions on a daily basis, through gardening workshops, waste collection operations, recycling activities, etc.

20. Promote active citizenship among children by creating spaces for dialogue where they can share their ideas and suggestions with each other and with adults. Set up exchange groups in schools and allocate a dedicated budget for projects designed by children in their schools.

APPENDIX 3

LIST OF PARTNER ORGANISATIONS

THE DEFENDER OF RIGHTS' NATIONAL CONSULTATION OF UNDER-18S

Association départementale de parents et d'amis des personnes handicapées mentales (ADAPEI) [Departmental association of parents and friends of people with learning disabilities 27:

1. *Dispositif d'accompagnement médico-éducatif* (DAME) [Medico-educational support system] East - Les Andelys site (27)
2. DAME Est - Evreux site - IME René Coutant (27)
3. *Association pour la Gestion des Services Spécialisés* (AGSS) de l'UDAF - *Placement familial spécialisé de Douai* [UDAF Association for the Management of Specialist Services] (59)

AMI (*Aide Mutuelle à l'Insertion* [Mutual Aid for Integration]):

4. AMI, Berriac social centre - Social space (11)
5. CCPLM media library in Bram (11)
6. Le Graph - Carcassonne (11)
7. Assistance publique - hôpitaux de Paris (AP-HP) - Groupe Hospitalier Universitaire (GHU) Pitié Salpêtrière - Full-time inpatient units for adolescents Seguin and Esquirol (75)
8. APF France Handicap - IEM Le Petit Tremblay (91)

ARASS - TREMENADENN establishment:

9. *Maison d'Enfants à Caractère Social* (MECS) [social care facilities for children] Le Pavillon (35)
10. MECS La Maison du Rheu (35)
11. MECS Ti Degemer (35)

12. MECS La Maison de Bréquigny (35)

13. Les Colibris day centre (35)

14. *Association Nationale des Conseils d'Enfants et de Jeunes* (ANACEJ) [National Association of Children and Youth Councils]

Association Accompagner, Bâtir, Prévenir (ABP) [Support, Build, Prevent Organisation]:

15. Carcassonne branch (11)
16. Collège le Bastion (11)

Association pour la Sauvegarde de l'Enfance et de l'Adolescence de la Corrèze (ASEAC) [Association for the Protection of Childhood and Adolescence]:

17. Brive-la-Gaillarde branch (19)
18. Tulle branch (19)
19. *Dispositif d'Accueil et d'Accompagnement des Mineurs non Accompagnés* (DAAMNA) [Reception and support system for unaccompanied minors] (19)

20. *Association Récréative à Caractère Humaniste et Éducatif* (l'Arche) - *Espace de vie sociale* [Humanist and Educational recreational organisation - social living space] (11)

ATD Quart Monde:

21. ATD Quart Monde Bordeaux (33)
22. ATD Quart Monde Boulogne-sur-Mer (62)
23. ATD Quart Monde Réunion (974)
24. ATD Quart Monde Limoges (87)

Centre d'action sociale Protestant (CASP)
[Protestant social action centre]:

- 25.** Gay Lussac emergency accommodation centre (75)
- 26.** Epinettes-Batignolles emergency accommodation centre (75)
- 27.** Château-Landon emergency accommodation centre (75)
- 28.** Enghien emergency accommodation centre (75)
- 29.** Porte d'Orléans emergency accommodation centre (75)
- 30.** Reception centre for asylum seekers (CADA) – Rivoli (75)
- 31.** CAFDA hotel platform (75)

32. *Centre communal d'action sociale (CCAS) de Castelsarrasin - Conseil Municipal des Jeunes* [Castelsarrasin communal social action centre - Municipal Youth Council] (82)

33. Moselle Departmental Children's Centre (57)

Gironde Departmental Child and Family Centre (CDEF):

- 34.** Departmental Adolescence Centre (M2DA) - Maora service (33)
- 35.** Departmental Centre for Unaccompanied Minors (MDMNA) – Escadrille Service (33)

36. Occitanie Departmental Child and Family Centre (CDEF) (31)

37. Marsoulan leisure centre (75)

38. Therapeutic Intervention and Support Centre (Cithéa): *Atelier des Familles Paris XV - Réseau d'Ecoute, d'Appui et d'Accompagnement aux Parentalités* [Paris XV Family Workshop - Network for listening, support and accompaniment of parenthood] (75)

Biterrois Child Protection Committee (CSEB)

- 39.** *Service de visites médiatisées parents - enfants confiés en présence d'un tiers* [Service for mediated parent-child visits in the presence of a third party]
- 40.** *Service d'assistance éducative en milieu ouvert* [Open educational assistance service]
- 41.** *Service d'intervention éducative à domicile* [Home educational intervention service]

42. *Conseil Français des Associations pour les Droits de l'Enfant (COFRADE)* [French Council of Associations for Children's Rights]

43. *Conseil Local de la Jeunesse du Grand Montauban Communauté d'Agglomération* [Grand Montauban Local Youth Council] – Environment Commission (82)

44. *Conseil Municipal des Enfants de la Ville de Metz* [Metz Municipal Children's Council] (57)

45. *Conseil régional des jeunes lycéens et apprentis de Bretagne* [Regional Council of Young Secondary School Students and Apprentices in Brittany] (35)

46. *Convention Nationale des Associations de Protection de l'Enfant (CNAPE)* [National Convention of Child Protection Associations]

French Red Cross:

- 47.** *Dispositif d'Insertion Socioprofessionnelle* [Socio-professional integration scheme] (78)
- 48.** *Dispositif d'Insertion Socioprofessionnelle* [Socio-professional integration scheme] (92)
- 49.** *Maison des Droits de l'Enfant de Touraine* [Touraine Children's Rights Centre] (37)
- 50.** *Service d'Accueil et d'Observation du Pôle Enfance et Adolescence* [Child and Adolescent Services] (37)

51. *Cultures, Loisirs, Animations de la Ville d'Issy-les-Moulineaux (CLAVIM) – Accueil de loisirs élémentaire des Epinettes* [Issy-les-Moulineaux Culture, Leisure, Entertainment – Epinettes elementary leisure centre] (92)

National Education:

52. Lucien Vadez secondary school (62)

53. Alain Lorraine primary school (974)

54. Verdigny primary school (18)

L'Effet Morpho:

55. P.K.I.L.: Trois-Sauts (973)

56. AKENAÏTUNA: Kayodé (973)

Établissement Départemental pour Soutenir, Accompagner, Eduquer (EPDSAE) [Departmental Establishment for Support, Assistance and Education]:

57. *Service d'Accueil avec Accompagnement Modulable (SAAM)* [Flexible Support Centre] – *Maison de l'Enfance et de la Famille (MEF) Flandre Intérieure* [Childhood and Family Centre] – *Pôle Enfance Famille Grand Lille Métropole* [Lille Child and Family Centre] (59)

58. *Dispositif d'Accompagnement Vers l'Autonomie (DAVA)* [Support towards independence scheme] – *Flandre Intérieure MEF – Pôle Enfance Famille Grand Lille Métropole (DAVA)* (59)

59. *Service d'Accueil de Jour Challenge* [Challenge Day Care Service] – *Lille MEF – Pôle Enfance Famille Grand Lille Métropole* (59)

60. *Service de Préparation à la Semi Autonomie Chalet* [Preparation service for semi-autonomy] – *Lille MEF – Pôle Enfance Famille Grand Lille Métropole* (59)

61. *Berlaimont Unit - Avesnois MEF - Pôle Enfance Famille Grand Sud* (59)

62. *Les Cerisiers – Accueil Parents et Enfants – Pôle Prévention Parentalité* [Prevention and Parenting Centre] (59)

Fédération Nationale des FRANCAS:

63. Villiers le Bel leisure centre (95)

64. Town of Danjoutin (90)

65. Lure youth club (35)

66. Bernis leisure centre (30)

67. Sommières leisure centre (30)

68. Ramatuelle leisure centre (83)

69. A'ERE Centre in Fayence (83)

70. A'ERE Centre in Bornes-les-Mimosas (83)

Les FRANCAS du Cher (18):

71. Leisure centre and youth area – Argent sur Sauldre (18)

72. Mehun sur Yèvre leisure centre (18)

73. Vouzeron intermunicipal leisure centre (18)

74. La Rottée leisure centre in Bourges (18)

75. Foecy leisure centre (18)

76. Henrichemont leisure centre – community of communes (CDC) Terres du Haut Berry (18)

77. Blancafort leisure centre (18)

78. Cher ASE children's homes

79. Ghada Hatem Gantzer Social Centre (18)

80. Rosa Parks Social Centre (18)

81. Vierzon leisure centre (18)

82. Genouilly intermunicipal leisure centre (18)

83. Brécy leisure centre – CDC Terres du Haut Berry (18)

84. Les Bouloises leisure centre (18)

85. *Maison des jeunes et de la culture (MJC)* [Youth and Culture Centre] Asnières les Bourges (18)

Les FRANCAS du Var (83):

86. Néoules leisure centre (83)

87. Le Beausset leisure centre (83)

88. Bandol leisure centre (83)

- 89.** Le Pradet leisure centre (83)
- 90.** Forcalqueiret leisure centre (83)
- 91.** Cuers leisure centre (83)
- 92.** Fayence leisure centre (83)
- 93.** Rocbaron leisure centre (83)
- 94.** Bormes leisure centre (83)
- 95.** La Seyne-sur-Mer leisure centre (83)
- 96.** *Pôle d'Appui et de Ressources Inclusion Handicap* [Disability Inclusion Support and Resources Centre] - PARIH (83)
- 97.** Draguignan PJJ (83)
- 98.** *Association varoise de l'Ecole des Educateurs et des Parents* [Var Association of the School for Educators and Parents] (83)
- 99.** *Association temporaire d'enfants citoyens* (ATEC) Jardin Roi [Temporary children citizen association] (83)
- 100.** AMIQ social centre in La Seyne-sur-Mer (83)

Fondation Apprentis d'Auteuil:

- 101.** MECS Jacques Laval (95)
- 102.** MECS Tatios (62)
- 103.** MECS La Trinité (974)
- 104.** MECS La Providence (69)
- 105.** MECS Sainte Thérèse (75)
- 106.** Notre Dame de Lourdes primary school (69)
- 107.** Notre Dame de Lourdes secondary school (69)
- 108.** Saint Pie X secondary school (95)
- 109.** Saint Jean secondary school (95)
- 110.** Saint Jean vocational school (95)
- 111.** Léonie Martin remobilisation scheme - la Passerelle (95)
- 112.** Pro'Pulse Amiens (80)
- 113.** Maison des Familles La Source (974)

Olga Spitzer Foundation:

- 114.** *Service de Prévention Spécialisée* [Specialised Prevention Service], Paris 11 (75)
- 115.** Essonne ITEP (91)

Public Interest Group (GIP) - *Accueil des Gens du Voyage* [Accommodating Travellers] 35 (AGV):

- 116.** *Pôle Action Territoriale* [Regional Action Centre] GIP AGV 35
- 117.** Rennes Travellers' site (35)
- 118.** Fougères Travellers' site (35)
- 119.** Montauban Travellers' site (35)
- 120.** Vern/Seiche Travellers' site (35)
- 121.** Mordelles Travellers' site (35)

Grandir Dignement:

- 122.** Metz branch (57)
- 123.** Metz-Queuleu prison ward for minors (57)
- 124.** Strasbourg branch (67)
- 125.** Fleury-Mérogis prison ward for minors (91)
- 126.** Nancy branch (54)

Groupe SOS Jeunesse:

- 127.** *Service d'accueil de jour éducatif* (SAJE) [Educational day care service] 19 (75)
- 128.** *Service d'accueil de jour éducatif* (SAJE) 20 (75)
- 129.** INALTA - La Jubaudière closed educational centre (49)

International Institute for Human Rights and Peace (2IDHP):

- 130.** 2IDHP in Calvados (14)
- 131.** Charles Lemaître secondary school, Les Monts d'Aunay (14)
- 132.** Intermèdes Robinson (91)

La Vie Active:

- 133.** *Service d'accompagnement vers l'intégration* (SAVI) [Service for Support towards Integration] in Béthune (62)
- 134.** Béthune Bruay Artois Lys Romane Integrated Council (62)
- 135.** La Voix de l'Enfant

L'ékol du Bonheur:

- 136.** Ermitage les Bains elementary school (974)
- 137.** Auguste Lacaussade school, Saint-André (974)
- 138.** Terre-Sainte secondary school (974)
- 139.** Bois de Nèfles secondary school (974)
- 140.** Réunion Departmental Youth Council (CDJ) (974)
- 141.** *Bureau des Etudiants de l'Ecole supérieure d'ingénieurs Réunion Océan indien* (ESIROI) [Student Office of the Réunion Indian Ocean Engineering School] – University of Réunion (974)
- 142.** Association les Ptit's Boutchou
- 143.** Association les Filaos (974)
- 144.** Association Ecologie Réunion (974)
- 145.** Association les Petits Débrouillards (974)
- 146.** *Maison de l'Adolescent* (MDA) [Adolescent Centre], Val-de-Marne (94)
- 147.** *Droit d'Enfance* – MECS Française DOLTO (91)
- 148.** *Observatoire Départemental de la Protection de l'Enfance* (ODPE) [Departmental Child Protection Observatory], Pyrénées-Orientales – *Comité des Jeunes* [Youth Committee] (66)

Parlons Jeunes – Parlons Climat [Let's Talk Youth – Let's Talk Climate]:

- 149.** *Section d'Initiation et de Première Formation Professionnelle* [Initiation and First Professional Training Department], SEGUIN (94)

- 150.** Saint-Ouen Youth Department (93)
- 151.** Etienne Jules Marey-Boulogne secondary school (75)
- 152.** SOS P'tites Bêtes (91)
- 153.** Eugène Ionesco multidisciplinary secondary school, Issy-les-Moulineaux (92)
- 154.** Auguste Renoir secondary school (75)
- 155.** PRADO Bourgogne – Family placement service (71)

Réseau Animation Jeunes (RAJ) [Youth Coordination Network], Saverne region:

- 156.** RAJ, Saverne region (67)
- 157.** Tomi Ungerer secondary school, Dettwiller (67)

Meurthe et Moselle Educational Network (REMM):

- 158.** Malzéville Educational Unit (54)
- 159.** *Unité d'Accueil et d'Orientation Pix 2* [reception and guidance unit] (54)
- 160.** Zola Emergency Shelter Unit (54)
- 161.** Viray Emergency Shelter Unit (54)
- 162.** *Réseau National des Juniors Associations* (RNJA) [National Network of Junior Associations]

SamuSocial, Paris:

- 163.** Service DELTA – Hotel accommodation in Ile-de-France (75)
- 164.** Service AGATE – Comprehensive support for households in hotels (75)
- 165.** Secours Populaire Français d'Issoire (63)
- 166.** Solidarités International – Atlantic Zone Nantes (44)

SOS Children's Villages France:

- 167.** SOS Children's Village, Beauvais-sur-Matha (17)
- 168.** SOS Children's Village, Besse-sur-Issole (83)

- 169.** SOS Children's Village, Busigny (59)
- 170.** SOS Children's Village, Calais (62)
- 171.** SOS Children's Village, Carros (06)
- 172.** SOS Children's Village, Châteaudun (28)
- 173.** SOS Children's Village, Commentry (03)
- 174.** SOS Children's Village, Gémozac (17)
- 175.** SOS Children's Village, Lion d'Angers (49)
- 176.** SOS Children's Village, Marly (59)
- 177.** SOS Children's Village, Neuville (59)
- 178.** SOS Children's Village, Persan (95)
- 179.** Maison Claire Morandat, Valenciennes (59)

Themis:

- 180.** Thémis Haut Rhin (68)
- 181.** Thémis Bas Rhin (67)
- 182.** Stockfeld secondary school (67)
- 183.** Erasme secondary school (67)
- 184.** François Villon secondary school (68)
- 185.** Saint Exupéry secondary school (68)

186. *Union Nationale des Acteurs de Formation et de Recherche en Intervention Sociale* (UNAFORIS) [National Union of Training and Research Actors in Social Intervention]

187. United Nations Children's Fund - UNICEF France

Town of Montauban:

- 188.** Montauban Town Hall (82)
- 189.** Eco-representatives club from Olympe de Gouges secondary school (82)

Town of Pointe-à-Pitre:

- 190.** Pointe-à-Pitre Citizen support centre (971)
- 191.** Projects and regional coordination department (971)

192. *Association des locataires de la résidence de Bergevin* [Tenants association of the Bergevin residence], Lauricisque (971)

City of Toulouse:

- 193.** Municipal Children's Council (31)
- 194.** *Accueil de Loisirs Élémentaire de Proximité* (ADLP) [Local Elementary leisure centre], Toulouse (31)

Établissements de la Direction de l'Administration Pénitentiaire (DAP) [Establishments run by the Department of Prison Administration], Ministry of Justice:

- 195.** Laon prison (02)
- 196.** Caen-Iffs prison (14)
- 197.** Orvault secure centre for minors (44)
- 198.** Liancourt prison (60)
- 199.** Longuenesse prison (62)
- 200.** Ducos prison (972)
- 201.** Remire-Montjoly prison (973)
- 202.** Saint-Denis prison (974)
- 203.** Majicavo prison (976)

Judicial Youth Protection Services, Ministry of Justice:

- 204.** STEMOI [Regional service for integration and education in an open setting], Laon (02)
- 205.** STEMO, Caen (14)
- 206.** Educational department of the Orvault secure centre for minors (EPM) (44)
- 207.** STEMO, Senlis (60) - UEMO [education unit in an open setting], Senlis (60)
- 208.** STEMO, Boulogne-sur-Mer (62)
- 209.** STEMO, Martinique (972)
- 210.** STEMO, Cayenne (973) - UEMO 1 Educational intervention in prisons (973)
- 211.** STEMO - UEMO, Saint-Denis (974)
- 212.** STEMO, Mamoudzou - UEMO Nord (976)

APPENDIX 4

LIST OF PEOPLE INTERVIEWED

INDEPENDENT ADMINISTRATIVE AUTHORITIES

Contrôleur général des lieux de privation de liberté (CGPL) [Controller General of Prisons]

- Dominique SIMONNOT, *Contrôleure générale des lieux de privation de liberté*;
- Maud HOESTLANDT, Director of Legal Affairs, CGLPL.

Defender of Rights Board 'Defence and promotion of children's rights'

- Pascale COTON, member of the Board and Vice-President of the CESE [Economic, Social and Environmental Council], member of the Section for Social Affairs and Health and of the Delegation for Women's Rights;
- Elisabeth LAITHIER, member of the Board, Chair of the Early Childhood group of elected representatives at the Association of French Mayors [*Association des Maires de France*] and Chair of the Board of Directors of the Association to promote early medical-social actions [*Association pour la promotion des actions médico-sociales précoces*];
- Marie-Rose MORO, member of the Board, professor of child and adolescent psychiatry and head of department at the *Maison de Solenn*, Cochin adolescent centre.

INSTITUTIONS, ADMINISTRATIONS AND LEGAL ENTITIES GOVERNED BY PUBLIC LAW

Ministry of Ecological Transition, Energy, Climate and Risk Prevention

- Olivier FUCHS, Director of Legal Affairs at the Ministry's General Secretariat;

- Éric SACHER, Deputy Director of Legal Affairs for the Environment, Urban Planning and Housing;
- Paul GROUTSCH, Head of the General Environmental Law Office;
- Vincent ORGERET, Head of the Housing and Construction Legal Affairs Office;
- Sabine SAINT-GERMAIN, Inspector General of Administration for Sustainable Development.

Ministry of Education

- Béatrice CHEUTIN, Education for Sustainable Development (EDD) Officer at the Directorate General for School Education (Dgesco).

CESER [Regional Economic, Social and Environmental Council], Brittany

- Fabien BRISSOT, Head of the CESER Society, Environment and Quality of Life Department;
- Fabienne COLAS, Representative of Mutualité Française Bretagne on the CESER;
- Mireille MASSOT, Representative of France assos santé in Brittany.

Department of Ille-et-Vilaine

- Véronique LE GUERNIGOU, Departmental Agency Director for the Brocéliande area;
- Virginie LAHAYE, Social Work Advisor, Departmental Social Action Service;
- Amélie MOISAN, Project Manager, Departmental Social Action Service.

Town of Saint-Etienne-au-Mont

- Brigitte PASSEBOSC, Mayor.

French High Council for Families, Children and the Elderly (HCFA)

- Sylviane GIAMPINO, Vice-Chairwoman;
- Frédérique CHAVE, Deputy General Secretary.

UNICEF

- Adeline HAZAN, Chairwoman;
- Jodie SORET, Head of Programmes, Advocacy and Public Affairs;
- Yann PLANTADE, Director.

NON-PROFIT ORGANISATIONS, FOUNDATIONS AND FEDERATIONS

Apprentis d'Auteuil

- Evan OUINEZ, Advocacy and Institutional Relations Officer;
- Claire-Marie BRAGUIER, Head of the 'Thinking and acting together' project;
- Constance GROS, Integral Ecology Project Manager.

Association of Rural Mayors of France (AMRF)

- Fanny LACROIX, Mayor of Châtel-en-Triève in Isère and Vice-President of France's rural mayors.

National Association of Travellers

- William ACKER, National Delegate.

CEMEA

- Jean-Baptiste CLERICO, Director-General.

Centre d'action sociale Protestant (CASP) [Protestant social action centre]

- Aurélie EL HASSAK-MARZORATI, Director-General.

CLAVIM, Issy-les-Moulineaux

- Bruno JARRY, Director-General.

Conseil Français des Associations pour les Droits de l'Enfant (COFRADE) [French Council of Associations for Children's Rights]

- Arthur MELON, Delegate General;

- Abel JEUDON, Co-President of the *Réseau national des juniors associations* (RNJA) [National Network of Junior Associations];
- Elliot LEWENBERG, youth, accompanied by Marie LEWENBERG..

Convention Nationale des Associations de Protection de l'Enfant (CNAPE) [National Convention of Child Protection Associations]

- Pierre-Alain SARTHOU, Director-General;
- Pauline DE LA LOSA, Head of Medico-social, Vulnerability and Prevention.

Fédération des acteurs de la solidarité (FAS) [Federation of Solidarity Actors]

- Emmanuel BOUGRAS, Head of Strategy and Public Policy Analysis.

Abbé Pierre Foundation

- Sarah COUPECHOUX, Head of Mission Europe;
- Maider OLIVIER, Advocacy officer – poor housing and fuel poverty;
- Raphaël VULLIEZ, Teacher and founder of the 'Jamais sans toit' collective.

OVE Foundation

- Aurélie BEZIANE, Director of Heritage, Works and Safety;
- Jasmine CAULIER, Energy and Ecological Health Transition Advisor (CTEES);
- Céline MOSER, Sustainable Development – CSR Resource Officer;
- Maud FRERY, Director of Support for the Development of the Offer;
- Audrey ALBALADEJO, Deputy Director of DIME Céladon, Feurs;
- Gwenaël DERRIEN, Market gardener – Educator DIME Yves Farge, Vaulx en Velin;
- E. et A., young people from DIME Céladon.

FRANCAS

- Michaël RAMALHOSA, National Programme Director;

- Fabrice BOISBOUVIER, Deputy Managing Director.

La Fabrique des Communs Pédagogiques – 'Classes outside'

- Benjamin GENTILS, Coordinator;
- Nicolas LOUBET, Member and active contributor.

Médecins du Monde Mayotte

- Avlamy RAMASSAMY, Project Manager;
- Mohamed MOIOUYA, Social worker.

Notre Affaire à tous (NAAT)

- Emma FEYEU, Lawyer;
- Adeline PARADEISE, Lawyer.

RomEurope

- Antony IKNI, Director-General.

QUALIFIED INDIVIDUALS

Legal professionals

- Marine FLEURY, Lecturer and researcher on the adaptation of law to climate change, Senior Lecturer in public law and Representative for equality and combatting gender discrimination at the University of Picardie Jules Verne;
- Léa JARDIN, Law researcher at the ENPJJ;
- Corinne LEPAGE, Partner lawyer at Huglo Lepage Avocats;
- Jean-Philippe RIVAUD, Judge, Deputy General Prosecutor [*procureur général*] at the Paris Court of Appeal.

Members of Parliament

- Francesca PASQUINI, Town Councillor (EELV) at the Asnières sur Seine town hall, former member of parliament for the 2nd constituency of Hauts-de-Seine and former member of the delegation for children's rights;
- Nathan LEROUX, former parliamentary assistant to Francesca PASQUINI.

Experts

- Michel FORST, United Nations Special Rapporteur on Environmental Defenders;
- Pierre GRESSENS, Director of Research at INSERM and Professor of Foetal and Neonatal Neurology;
- Matthieu MEERPOEL, Lecturer and researcher in environmental law;
- Samuel JABLON, Social urban planner, housing policy specialist;
- Éric VINDIMIAN, Retired - Honorary general engineer of bridges, waterways and forests.

Doctors / Researchers

- PR. Florence ASKENAZY, Child Psychiatrist and Professor of Psychiatry;
- Jean-Marc BALEYTE, Head of the University Department of Child and Adolescent Psychiatry at the *Centre Hospitalier Intercommunal de Créteil* (CHIC);
- Morgane GINDT, Researcher and Psychologist at the Lenval Foundation;
- Christèle GRAS LE GUEN, Head of the Paediatric Emergency and General Paediatrics Department, Head of the Women, Children and Adolescents Unit at Nantes University Hospital and Head of the Women, Children and Adolescents Clinical Investigation Centre.

APPENDIX 5

LIST OF WRITTEN CONTRIBUTIONS

NON-PROFIT ORGANISATIONS, FOUNDATIONS, TRADE UNIONS AND FEDERATIONS

- Apprentis d'Auteuil ;
- *Commission nationale de la déontologie et des alertes en matière de santé publique et d'environnement* (cnDAspe) [National Commission for ethics and public health and environmental warnings];
- *Conseil Français des Associations pour les Droits de l'Enfant* (COFRADE) [French Council of Associations for Children's Rights]
- *Cultures, Loisirs, Animations de la Ville d'Issy-les-Moulineaux* (CLAVIM) [Issy-les-Moulineaux Culture, Leisure, Entertainment];
- *Ensemble pour la Petite Enfance* [Together for Early Childhood];
- *Fédération nationale des FRANCAS* [National Federation of FRANCAS];
- United Nations Children's Fund (UNICEF France);
- *La Coalition Eau* [The Water Coalition];
- *La Fabrique des Communs Pédagogiques* (FabPeda);
- Living Lab for Kids (Lilok);
- Notre Affaire à Tous (NAAT);
- SOS Children's Villages France;
- Themis.

NOTES

- ¹ United Nations Committee on the Rights of the Child, General comment CRC/C/GC/26, 22 August 2023, No. 26 on children's rights and the environment with a special focus on climate change.
- ² Intergovernmental Panel on Climate Change (IPCC), Synthesis Report: Climate Change 2023, March 2023.
- ³ See the Preamble to the 2004 Charter for the Environment.
- ⁴ Conv. 25 June 1998, on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention), Art. 1.
- ⁵ UN Committee on the Rights of the Child, General comment CRC/C/GC/26, 22 August 2023.
- ⁶ United Nations Children's Fund (UNICEF), The climate crisis is a child rights crisis: Introducing the children's climate risk index, 2021.
- ⁷ Notre affaire à tous (non-profit organisation), Comprendre le lien entre changement climatique et droits fondamentaux [Understanding the link between climate change and fundamental rights], 2023.
- ⁸ World Health Organization (WHO), Inheriting a sustainable world? Atlas on children's health and the environment, 2017.
- ⁹ Guaranteed by Article 3 of the international Convention on the Rights of the Child and recognised as having direct effect in our legal system by the supreme courts.
- ¹⁰ UN Committee on the Rights of the Child, Concluding observations CRC/C/FRA/CO/6-7, 4 Dec. 2023, on the sixth and seventh periodic report of France, para. 19, d: "The Committee recommends that the State party promote the meaningful and empowered participation of all children within the family, communities and schools and increase the involvement of children in the monitoring, implementation and evaluation of public decisions, policies and plans that affect them."
- ¹¹ Non-profit organisations, foundations, town halls, departmental or regional councils, public interest groups, public and private social, medico-social or health institutions, schools and education inspectorates, government departments, secure centres. See Appendix 3: List of partner organisations of the Defender of Rights' National Consultation of children and young people under 18.
- ¹² To see the children's contributions, visit the consultation website: J'ai des droits, entends-moi at <https://entendsmoi.defenseurdesdroits.fr>.
- ¹³ Conseil d'État, 10 May 2023, no. 467982.
- ¹⁴ United Nations Human Rights Council, Resol. A/HRC/RES/48/13 No. 48/13, 8 Oct. 2021, The human right to a clean, healthy and sustainable environment; United Nations General Assembly, Resol. A/RES/76/300 No. 76/300, 28 July 2022, The human right to a clean, healthy and sustainable environment.
- ¹⁵ International Convention on the Rights of the Child (CRC), Art. 24.
- ¹⁶ CRC, Art. 27.
- ¹⁷ UN Committee on the Rights of the Child, General comment CRC/C/GC/26, 22 August 2023.
- ¹⁸ See: ECHR, 9 Dec. 1974, No. 1679890, Lopez Ostra vs Spain and ECHR, 30 Nov. 2004, No. 48939/99, Onerydiz vs Turkey.
- ¹⁹ Convention for the Protection of Human Rights and Fundamental Freedoms (CPHR), Art. 2.
- ²⁰ CPHR, Art. 8.
- ²¹ See: Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe.
- ²² CJEU, 28 April 2022, No. C-286/21, Commission vs France: France condemned for failing to meet its air quality obligations.
- ²³ Charter for the Environment, Art. 1.
- ²⁴ Constitutional Council, 31 Jan. 2020, No. 2019-823 QPC, Union des industries de la protection des plantes [union of industries for the protection of plants].
- ²⁵ For the purposes of urgent proceedings to protect a fundamental freedom: Conseil d'État, ref., 20 Sept. 2022, No. 451129.
- ²⁶ French Environmental Code, Art. L. 110-1.
- ²⁷ French Environmental Code, Art. 110-2.
- ²⁸ French Public Health Code, Art. L. 1311-1 et seq.
- ²⁹ Michel Prieur, Vers un droit de l'environnement renouvelé [Towards a right to a revived environment], Cahiers du Conseil constitutionnel, Jan. 2004, no. 15.
- ³⁰ Charter for the Environment, Art. 7; French Environmental Code, Book I, Title II.
- ³¹ Children's Environmental Rights Initiative (Ceri), Plan International, Save the Children, Unicef, Falling short: addressing the climate finance gap for children, 2023.
- ³² *Ibid.*
- ³³ CRC, Art. 6.
- ³⁴ CRC, Art. 24.
- ³⁵ CRC, Art. 27.
- ³⁶ CRC, Art. 19.
- ³⁷ CRC, Art. 28.
- ³⁸ CRC, Art. 31.
- ³⁹ Santé publique France, Les 1000 premiers jours: la périnatalité et la petite enfance au cœur des enjeux de santé publique [The first 1000 days: perinatal care and early childhood at the heart of public health], 2021.
- ⁴⁰ Marano Francelyne, Robert Barouki, Denis Zmirou, Toxique ? - Santé et environnement : de l'alerte à la décision [Toxic? - Health and Environment: from the warning to a decision], Buchet-Chastel, 2015.
- ⁴¹ Court of Accounts, Annual Public Report 2024; 2024.
- ⁴² IPCC, Synthesis Report: Climate Change 2023, March 2023.
- ⁴³ High Council on Climate [Haut conseil pour le climat], Letter from the Prime Minister: reaffirming France's commitment to the climate with a clear and galvanising trajectory, 2 April 2024.
- ⁴⁴ Charter for the Environment, Art. 6.
- ⁴⁵ Rémi Radiguet, 'L'exigence constitutionnelle de sauvegarde des intérêts fondamentaux de la nation : un écocide juridique ? [Constitutional requirement to protect the nation's fundamental interests: a legal ecocide?]' Semaine Juridique Administrations et Collectivités territoriale, 21 May 2024, No. 20.
- ⁴⁶ European Environment Agency, European climate risk assessment, Report 01/2024, 2024.

- ⁴⁷ Constitutional Council, 12 August 2022, No. 2022-843 DC, on the constitutionality of the law on emergency measures to protect purchasing power.
- ⁴⁸ Preamble to the 2004 Charter for the Environment.
- ⁴⁹ Committee of Ministers of the Council of Europe, *Recom. CM/Rec(2022)20*, 27 Sept. 2022, on human rights and the protection of the environment, adopted on 27 Sept. 2022.
- ⁵⁰ ECHR, 9 Apr. 2024, No. 53600/20, Verein KlimaSeniorinnen Schweiz and others vs Switzerland
- ⁵¹ Constitutional Council, 27 Oct. 2023, No. 2023-1066 QPC.
- ⁵² Strasbourg Administrative Court, 7 Nov. 2023, No. 2307183.
- ⁵³ Law No. 2016-1087, 8 August 2016, to recover biodiversity, nature and landscapes.
- ⁵⁴ See: Paris Administrative Court, 14 Oct. 2021, Nos. 1904967, 1904968, 1904972, and 1904976/4-1.
- ⁵⁵ Law No. 2021-1104, 22 August 2021, on combatting climate change and building resilience to its effects.
- ⁵⁶ French Environment Code, Art. L. 231-3.
- ⁵⁷ French Environment Code, Art. L. 231-1.
- ⁵⁸ French Environment Code, Art. L. 231-2.
- ⁵⁹ Directive No 2024/1203, 11 Apr. 2024, of the European Parliament and of the Council on the protection of the environment through criminal law and replacing Directives 2008/99/EC and 2009/123/EC.
- ⁶⁰ Azoline Moreau, 'Les apports de la nouvelle directive relative à la protection de l'environnement par le droit pénal' [Contributions of the new directive to the protection of the environment through criminal law], *Actu Environnement*, 3 Apr. 2024.
- ⁶¹ ECHR, 9 Apr. 2024, No. 53600/20, Verein KlimaSeniorinnen Schweiz and others vs Switzerland.
- ⁶² Paris Agreement, 2015; Reg. (EU) No 2018/842, 30 May 2018, on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and Regulation (EU) 2018/1999.
- ⁶³ Law No. 2019-1147, 8 Nov. 2019, on energy and the climate.
- ⁶⁴ *Conseil d'État*, 1 July 2021, No. 427301.
- ⁶⁵ Paris Administrative Court, 14 Oct. 2021, Nos. 1904967, 1904968, 1904972, and 1904976.
- ⁶⁶ *Conseil d'État*, 4 August 2021, no. 428409.
- ⁶⁷ *Conseil d'État*, 10 July 2020, no. 428409.
- ⁶⁸ *Conseil d'État*, 10 May 2023, no. 467982.
- ⁶⁹ Paris Administrative Court, 29 June 2023, no. 2200534.
- ⁷⁰ Paris Administrative Court, 16 June 2023, nos. 2019924 and 219925.
- ⁷¹ UN Committee on the Rights of the Child, General comment CRC/C/GC/26, 22 August 2023.
- ⁷² UNICEF, 'Environments and children's well-being', *Innocenti Report Card 17*, 2022.
- ⁷³ World Health Organization, *Air Quality Guidelines: Global update 2005. Particulate matter, ozone, nitrogen dioxide and sulfur dioxide*, 2006.
- ⁷⁴ UNICEF, *Healthy air for every child: the effects of urban air pollution on children*, 2019.
- ⁷⁵ Drees, '*Plus exposés à la pollution de l'air, les jeunes enfants des ménages modestes, plus fragiles, sont les plus affectés*' [More exposed to air pollution, young children from low-income households are the most affected], *Études et résultats*, January 2024, no. 1292.
- ⁷⁶ French General Local Authorities Code, Art. L. 2213-4-1, amended by Law no. 2021-1104, 22 August 2021, on combatting climate change and building resilience to its effects.
- ⁷⁷ Respire Scientific Council, *Projet évaluation des rues aux écoles* [School roads evaluation project], 2023.
- ⁷⁸ Ademe, '*Comprendre les relations entre agriculture et pollution de l'air*' [Understanding the relationship between agriculture and air pollution], ADEME Infos, April 2022.
- ⁷⁹ Anses, '*Étude des liens entre les cancers pédiatriques et résidence à proximité des vignes*' [Study on the link between child cancers and living near vineyards], on <https://www.anses.fr>, published on 18 October 2019.
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- ²⁴⁰ Supreme Court of the Netherlands Urgenda 20 December 2019, Constitutional Court of Karlsruhe 29 April 2021.
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- ²⁴² Nine planetary limits: climate change, erosion of biodiversity, disruption of the biogeochemical cycles of nitrogen and phosphorus, changes in land use, ocean acidification, freshwater use, stratospheric ozone depletion, increase in aerosols in the atmosphere, introduction of new entities into the biosphere.

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