

**Comments of the Members of the Climate Finance for Just Transitions (CLiFT) Project on the United Nations (UN) on the Rights of the Child Draft General Comment 26 on Children’s Rights and the Environment, with a Special Focus on Climate Change.**

This is a contribution by the researchers on the Climate Finance for Equitable Transitions (CLiFT) project, commenting on the [UN on the Rights of the Child Draft General Comment 26 on Children’s Rights and the Environment, with a Special Focus on Climate Change](#).

CLiFT is a multi-institutional and multi-stakeholder initiative aimed at exploring the climate finance supply chain within the context of the multilateral climate change regime, international financial architecture and the multi-layered landscape of international economic law.

The NeF DeF network brings together research and policy thinking on how the shifting landscape of international development finance impacts on law, regulation and governance.

More information about CLiFT can be found on our website:  
<http://go.warwick.ac.uk/nefdef/climatefinance>

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**Comments of the Members of the Climate Finance for Just Transitions (CLiFT) Project on the United Nations (UN) on the Rights of the Child Draft General Comment 26 on Children’s Rights and the Environment, with a Special Focus on Climate Change.**

We welcome the inclusion of a climate finance section in the Draft General Comment 26 of the United Nations Committee on the Rights of the Child on children’s rights and the environment, specifically focusing on climate change. We particularly applaud the Committee underscoring in paragraph 119 that climate finance provided by developed States should be “new and additional to other financial flows that support children’s rights”. As members of the international [Climate Finance for Just Transitions \(CLiFT\) Project](#) and the New Frontiers in Development Finance (NeFDeF) international research collaboration, we would like to share some insights and comments with the UN Committee on the Rights of the Child based on our research on the legal and policy architecture of climate finance with a focus on the needs of developing countries and particularly, the needs of communities that are most vulnerable to the impacts of climate change. In this regard, our key messages are around three issues:

1. Legal and policy governance of climate finance

- Climate finance is a key legal, policy and operational plank of the multilateral climate change regime; it is central to meeting international legal climate obligations and driving policy and operational change locally, transnationally, and globally.

2. The delivery of climate finance

- Developed countries are primarily responsible for providing finance and taking the lead on mobilising finance from a variety of sources and channels, and for aligning financial activities with international climate change commitments.

3. The links between climate finance and international cooperation more broadly

- Climate finance governance should be aligned the principles of the multilateral climate regime, including greater voice, representation and equity, transparency and accountability.

Below, we also share comments and contributions with respect to the Draft General Comment 26 as has been published by the Committee.

Paragraph 120

We urge the Committee to explicitly highlight in the section on Climate Finance paragraph 120 that States Parties’ obligations towards children’s rights in the context of the environment and the climate crisis exist within the general international environmental law framework on climate finance. The General Comment should give context to the “international climate commitments” mentioned in paragraph 120 by explicitly referring to binding obligations under the United Nations Framework Convention on Climate Change or UNFCCC and the Kyoto Protocol and commitments under the Paris Agreement.

We welcome the Committee’s statement in paragraph 120 that “climate finance provided by developed States should be new and additional to other financial flows that support children’s rights. It should also be transparent and avoid tracking challenges such as double counting” and urge the Committee to include explicit references in this statement to Articles 4(3) and 4(4) of the UNFCCC and Article 9(1) of the Paris Agreement that detail the content of these

obligations and the principles that should govern their mobilization, administration and delivery, namely predictability, accountability and transparency of resource flows.

#### Paragraph 121

The role of climate finance in financing climate adaptation measures is very important and we applaud paragraph 121's stress on the importance of non-discrimination in the delivery of climate finance. We also urge the Committee to call on international cooperation to ensure that climate finance is mobilised and deployed to support children's rights globally through:

- (1) developed countries' own mitigation obligations under the multilateral climate regime, and address their own adaptation needs; and
- (2) developing countries' mitigation obligations, adaptation needs and climate change loss and damage.

#### Paragraph 123

The UN GA Resolution on the human right to a clean, healthy and sustainable environment (A/76/L.75) calls "upon States, international organizations, business enterprises and other relevant stakeholders to adopt policies, to enhance international cooperation, strengthen capacity-building and continue to share good practices in order to scale up efforts to ensure a clean, healthy and sustainable environment for all" (Art. 4). We believe that paragraph 123 can be strengthened by defining duties around "global cooperation" in a broad way that extends to various stakeholders beyond States Parties in line with the UNGA Resolution on the human right to a clean, healthy and sustainable environment.