

Presidency of the Council of Ministers



**DECLARATION ON THE RIGHT OF CHILDREN TO A
NON-POLLUTED ENVIRONMENT**

24 September 1999

1. The National Bioethics Committee has always felt the need to emphasize the gravity and urgency of issues relating to safeguarding the environment, and has devoted a great deal of thought to this matter for a long time. In two documents, one on ecology (Bioethics and environment, 21 September 1995) and one on the effects on children's health (Child hood and environment, 18 July 1997) the Committee has drawn attention to the need to embark upon a serious awareness-building process regarding the misuse of environmental resources, the degradation and pollution of the environment, and the allied risks in terms of human health.

A number of underlying ethical principles emerge from these documents, which may be summarized as follows:

- ecology is intrinsically ethical in character and cannot be addressed purely in economic terms;
- environmental protection involves values and such fundamental goods as the quality of life, respect for the biotic community and the protection of human health. These have not infrequently been recognized as fully-fledged rights which increasingly require framing in the form of legal rules;
- politics and the law have and must keep a priority role, precisely because their whole *raison d'être* is to protect human rights and values, which are not subject to any form of negotiation.

Lastly, it should be recalled that the underlying ethical basis is a principle of prudence according to which the appraisal of the lawfulness of any human action with an environmental impact places the burden of proof on those wishing to introduce new technologies (including biotechnologies), for which guarantees must be secured in advance that no consequential damage will be caused to humans.

2. The right to a non-polluted environment is now to be considered to be an integral part of the right to health, because the latter is obviously threatened by the systematic violation of the ecological balance.

International studies have shown without a shadow of doubt that a linkage exists between pollution levels (air, water, soil and food) and an increase in allergies, asthma, respiratory tract infections, infertility and tumours. Yet risk analysis is still based upon parameters that fail to take account of the overall and the long-term effects (which are also caused by very small concentrations of pollutants, and above all by the additional and synergistic interaction between different substances) concentrating more on identifying the medium- and short-term toxic and pathogenic agents. Furthermore - and this is the most important aspect - the analysis takes the average adult as the benchmark parameter, arbitrarily excluding the individuals who are most risk-prone by virtue of their working status or their biological condition, such as expectant mothers, the elderly and primarily children.

The International Society of Physicians for the Environment - ISDE - ITALIA has requested the Committee to address this issue. The NBC stresses the need to review the parameters used to quantify and set 'threshold values' for toxicity based on the specific needs and vulnerability of children at every stage in their development, and for each pollutant, using the currently available data which is already adequate to identify the specific risks to children's health.

Similar considerations also apply to physical parameters, beginning with noise which, particularly in the urban areas, causes damage which can lead to permanent hearing impairment. The last point that should not be forgotten is the fact of the limited use and aesthetic enjoyment of the environment imposed by a lack of town and country planning

and by services that are not organized in such a way that due account is taken of these needs, particularly in relation to children.

At all events, this redefinition is an essential means of tangibly promoting 'children's citizenship rights', and issue that has been increasingly more forcefully emphasized in recent times as a result of a greater awareness on the part of the community of the need to give greater consideration to society's ethical and civil responsibilities to future generations.

With regard to the protection of children's right to health, it is also necessary to act internationally to have an article incorporated into the United Nations Convention on the Rights of the Child enshrining the right of children to grow up in a non-polluted environment.