

CRIN Position Paper

**Upholding children’s rights through the
Draft EU regulation on the Sustainable Use
of Plant Protection Products**

The **Child Rights International Network (CRIN)** is a creative human rights organisation focused on children's rights. We challenge the status quo because the norms that dictate children and young people’s place in society need radical change. We press for rights – not charity – and campaign for a genuine shift in how governments and societies view and treat under-18s.

CRIN is a non-governmental organisation registered under the EU Transparency Register (TR ID number: 392002349435-58).

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Executive Summary

Over the past decade, scientific studies based on robust data demonstrated the harmful impacts of pesticides on humans¹, with particularly damaging effects on fetuses, infants and children. Exposure to hazardous pesticides that are still authorised in the European Union (EU) causes short, medium and long-term adverse impacts for both health and the environment.

While the 2009 Directive on sustainable use of pesticides² (SUD) contributed to reducing the risks and impacts of pesticide use, this legislation has major weaknesses and loopholes. These shortcomings lead to daily and continued exposure of children to hazardous pesticides across the EU. As such, by **falling short in tackling children's exposure to harmful pesticides, the EU breaches a wide range of children's rights enshrined in international and EU binding treaties.**

The EU institutions and Member States have **committed to respect, enforce and protect human rights, including children's rights**³. As such, the regulation on the sustainable use of plant protection products (SUR) could be the opportunity to tackle the shortcomings of the SUD, by implementing a clear and binding framework to better protect children, addressing the following:

- Suitable and viable alternatives to hazardous pesticides do exist.⁴ Several cities across the EU already moved away from hazardous pesticides in sensitive areas.⁵ Nonetheless, Member States have not effectively implemented national action plans. Overall, current drift mitigation measures - including current installed buffer zones and preventing the use of pesticides in rural and urban areas - are insufficient to protect citizens from the impacts of hazardous pesticides in the EU.⁶ SUR is the opportunity to adopt a **broad and clear definition of 'sensitive areas' where the use of pesticides would be banned altogether.** Protection of the population would be better ensured if the definition of sensitive areas would also cover railways, roads, airports, harbours, industrial or commercial units, dumps, mines as well as construction sites. SUR can clarify the obligations under Article 18 (formerly Article 12) to harmonise and ensure Member States' compliance with the objective of toxic-free sensitive areas across the EU.
- To ensure the protection of children from the impact of hazardous pesticides, **buffer zones must cover the widest areas possible, where pesticides with hazardous properties cannot be used within a far-reaching metre distance from population, including children.** 10 metres from population areas is the bare minimum, but not enough to ensure strong protection.⁷ Buffer zones around houses and gardens in general - not only where populations are concentrated - would contribute to children's

¹ EEA, [How pesticides impact human health and ecosystems in Europe](#), April 2023

² [Directive 2009/128/EC](#) of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides

³ [Charter of Fundamental Rights of the European Union](#), OJEU, December 2007; European Commission, [The EU Strategy on the Rights of the Child and the European Child Guarantee](#), 24 March 2022; [UN Convention on the rights of the child \(UNCRC\)](#), 1989.

⁴ Heinrich-Böll-Stiftung Brussels, [Pesticide-free regions: good examples](#), October 2022 ; Générations Futures, [Alternatives aux Pesticides](#).

⁵ Pesticide Free Towns, [Pioneers page](#), and see the example of Paris: <https://www.paris.fr/pages/jardiner-sans-pesticide-6466>

⁶ Ramona Cech *et al.*, [Pesticide drift mitigation measures appear to reduce contamination of non-agricultural areas, but hazards to humans and the environment remain](#), Science of The Total Environment, January 2023.

⁷ PAN Europe, [We need effective buffer zones - against a cloud of pesticides](#), February 2023.

protection, independent of where they exactly live. SUR must **set the highest metre threshold possible**. Considering the ubiquity⁸ and toxicity of pesticides, as well as their ability to readily migrate from agricultural to urban areas, **a distance of 100 metres from areas where children are particularly exposed ('sensitive areas') is recommended, together with a minimum buffer of 50 metres around all houses/gardens and alongside roads.**

- Overall, pesticides should be restricted as much as possible. **The dose does not make the poison**, as pesticides demonstrated harmful effects even at very low doses, for instance when they present endocrine disrupting properties.⁹ SUR could set the bar higher to restrict the use of harmful pesticides, with an increase of the **reduction objectives to 80% of synthetic chemical pesticides used in the EU by 2030, as well as a full phase-out of synthetic pesticides by 2035**. Moreover, to fully and adequately protect children, **100% of the most hazardous pesticides should be completely phased out by 2030**, instead of the current 50% reduction goal.
- **Banning the export of pesticides that are prohibited in the EU is a key measure to respect children's rights worldwide.** Pesticide pollution knows no boundaries, and the substances that are hazardous in the EU are just as harmful in other countries. Children must be internationally protected against harmful exposure to pesticides. The EU cannot continue exporting hazardous pesticides that have adverse effects on children's health and the environment.

State of play of the EU Sustainable Use legislation

In 2009, the European Union adopted the Directive 2009/128/EC establishing a framework for Community action to achieve the sustainable use of pesticides¹⁰ and which promised to ensure that pesticide substances or products placed on the market do not adversely affect human or animal health or the environment. With this legislation, the EU aimed to better protect the most vulnerable groups, including children, by ensuring that the use of pesticides is minimised or prohibited in certain specific areas ("sensitive areas").

However, the implementation of this Directive as well as the framework of pesticide authorisation revealed severe loopholes over the years¹¹. They fell short in protecting citizens and the environment against harmful pesticides, including in sensitive areas where harmful pesticides can still be found. Major shortcomings in the evaluation, risk assessment and protection of sensitive areas let the door open to the daily and continued exposure of children to hazardous pesticides across the EU. The European Environmental Agency (EEA) recently calculated that from 2011 to 2020, pesticide sales in EU Member States remained relatively stable at around 350,000 tonnes per year¹². In 2020, one or more pesticides were detected above thresholds of concern at 22% of all monitoring sites in rivers and lakes across Europe.

⁸ Kruse-Platz *et al.* [Pesticides and pesticide-related products in ambient air in Germany](#), October 2021.

⁹ Laura N. Vandenberg, [When the dose doesn't make the poison: low dose effects and endocrine disrupting chemicals; Hormones and Endocrine-Disrupting Chemicals: Low-Dose Effects and Nonmonotonic Dose Responses](#), June 2012.

¹⁰ [Directive 2009/128/EC](#) of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides.

¹¹ PAN Europe, [Gaps in EU pesticide authorisation](#), April 2023; PAN Europe, [SUD implementation still lamentably inadequate: how linking it to the CAP could help](#), July 2019.

¹² EEA, [How pesticides impact human health and ecosystems in Europe](#), April 2023.

Despite the EU's initial ambitions, the **continued use of pesticides breaches a wide range of children's rights enshrined in international and EU binding treaties**. The EU institutions and Member States have committed to respect, enforce and protect human rights, including children's rights¹³.

In 2022, the European Commission published a proposal for a new regulation on the sustainable use of pesticides (SUR). It included binding targets of 50 % reduction in the overall use of and risk from chemical plant protection products, and a 50 % reduction in the use of more hazardous ones by 2030. The Commission also proposed to clarify the provisions protecting areas where populations could be particularly sensitive to exposure to hazardous pesticides.

The SUR is the opportunity to live up to the EU commitments to protect and uphold children's rights. It **is a vital chance to enhance the protection of sensitive areas, and hence of the health of all citizens and our environment, to increase the resilience of our agricultural systems by implementing Integrated Pest Management (IPM) and end the EU's high reliance on using those pesticides**.

Exposure to harmful pesticides: a fact-checked threat for child's health

Science and data are clear - environmental exposure during early life plays a pivotal role in children's health, with aftermaths throughout their entire life, including as adults.¹⁴ Available information¹⁵ speaks volumes on the risks harmful pesticides entail for children. **Their exposure to hazardous pesticides have long-term and irreversible adverse effects on their health**¹⁶. Harmful impacts on children's health range from metabolic, endocrine and reproductive disorders¹⁷, to diabetes¹⁸, obesity¹⁹, cancers and neurological deficiencies²⁰.

Children's organs and nervous systems are still in development, both during the prenatal and after-birth stages. Due to such developmental vulnerabilities, infants' liver and kidneys cannot remove pesticides from the body to the degree at which adults' liver and kidneys do. Several pesticides authorised and widely used in the EU proved to be highly harmful to people's health, with children being extra vulnerable. Glyphosate, the most widely used herbicide, has demonstrated harmful effects on the rates of youth liver disease and metabolic disorders, which dramatically increased over the decades. According to a recent study published in 2023 in *Environmental Health*

¹³ [Charter of Fundamental Rights of the European Union](#), OJEU, December 2007; European Commission, [The EU Strategy on the Rights of the Child and the European Child Guarantee](#), 24 March 2022; [UNCRC](#), 1989.

¹⁴ Maitre Léa *et al.* [Multi-omics signatures of the human early life exposome](#), November 2022.

¹⁵ Among other studies, see UNICEF, [Innocenti Report Card 17: Places and Spaces Environments and children's well-being](#), incl. "Pesticide pollution" section p. 26, and "Spotlight 2: Child brain development in the womb is particularly sensitive to environmental chemicals – results from the NeuroTox study", p. 28-29, 2022; Heinrich-Böll-Stiftung Brussels, [Pesticides Atlas 2022 & Health: severe consequences](#), October 2022.

¹⁶ UNICEF, [Understanding the impacts of pesticides on children: A discussion paper](#), January 2018.

¹⁷ Wissem Mnif *et al.*, [Effect of endocrine disruptor pesticides: A review](#), June 2011.

¹⁸ Evangelos Evangelou *et al.*, [Exposure to pesticides and diabetes: A systematic review and meta-analysis](#), May 2016.

¹⁹ European Commission, [Exposure to chemicals from plastic and other sources: a possible causal factor in obesity?](#), November 2022; Kajohnsak Noppakun, [Association between pesticide exposure and obesity: A cross-sectional study of 20,295 farmers in Thailand](#), May 2022.

²⁰ Heinrich-Böll-Stiftung Brussels, [Pesticides Atlas 2022](#) and [Health: severe consequences](#), October 2022.

*Perspectives*²¹, children exposed to glyphosate are more likely in early adulthood to have a collection of symptoms that increase the risk of heart disease, diabetes and stroke.

Moreover, due to their **specific behavioural habits**, children are much more exposed to pesticides, especially in public areas.²² Children play on the ground and in watercourses. They explore the world through touch and taste.²³ As such, the **risk of exposure is significant. In agricultural areas farmers' children are particularly impacted**²⁴, but the risk is also in urban areas. Several testing campaigns and scientific studies indicated **the recurrent presence of pesticides in public areas in the EU where children frequent**, such as playgrounds and public parks.²⁵

Children may be exposed to higher pesticide intake than adults, as they for instance breathe more often per minute.²⁶ Children also consume more food and water relative to their body weight, absorb substances more readily, and are less able to excrete them afterwards. On account of their age, children might be **less able to evaluate and react to the risks**, for instance reading labels and adopting protective behaviours.

The EEA also recently found and stressed that **pesticide levels were consistently higher in children than in adults**, with children being particularly sensitive to the negative health impacts of chemicals²⁷.

All humans are vulnerable to the effects of exposure to hazardous pesticides, but **children are more susceptible than adults on account of their smaller bodies and particular behavioural habits**.²⁸ Contamination can occur before birth, as children can be born "pre-polluted" due to their exposure during the foetal development.²⁹ Impacts can be irreversible and can even be passed down from one generation to the next³⁰, with long term aftermath on birth outcome, children's development and their health as adults.³¹ As mentioned by Senior Program Scientist and Zoologist Theo Colborn "from the

²¹ Brenda Eskenazi *et al.* [Association of Lifetime Exposure to Glyphosate and Aminomethylphosphonic Acid \(AMPA\) with Liver Inflammation and Metabolic Syndrome at Young Adulthood: Findings from the CHAMACOS Study](#), March 2023; Kate Raphael, [Kids' glyphosate exposure linked to liver disease and metabolic syndrome](#). Environmental Health News, March 2023.

²² PAN Europe, [Pesticide free sensitive areas: Spreading pesticides to sensitive areas - consequences and protective measures](#), October 2022.

²³ UNICEF, [Innocenti Report Card 17: Places and Spaces Environments and children's well-being](#), incl. "Pesticide pollution" section p. 26, and "Spotlight 2: Child brain development in the womb is particularly sensitive to environmental chemicals – results from the NeuroTox study", p. 28-29, 2022.

²⁴ Catherine Karr, [Children's Environmental Health in Agricultural Settings](#), May 2018.

²⁵ Caroline Linhart *et al.*, [Pesticide contamination and associated risk factors at public playgrounds near intensively managed apple and wine orchards](#), May 2019. The study found that 45% of public sites (such as public playgrounds, schoolyards and bicycle paths) in South Tyrol (northern Italy) near intensively managed agricultural areas (in particular apple orchards and vineyards) were contaminated in the spring, mainly with endocrine-active pesticide residues.

Caroline Linhart *et al.* [Year-round pesticide contamination of public sites near intensively managed agricultural areas in South Tyrol](#), January 2021. This study assessed pesticide contamination of the same public sites over the course of a year. It identified a total of 32 pesticide residues and one preservative agent. Almost all of the sites (96 %) were contaminated with at least one residue. Moreover, in 79 % of the sites, more than one residue was found.

²⁶ Eleesha Lockett, Kirsten Nunez, medically reviewed by Carissa Stephens, [What Is a Normal Respiratory Rate for Adults and Children?](#). Healthline, November 2022 ; Anthony Herbert *et al.*, [Normal Percentiles for Respiratory Rate in Children-Reference Ranges Determined from an Optical Sensor](#), October 2020.

²⁷ EEA, [More action needed in the EU to reduce the impacts of chemical pesticides](#), April 2023.

²⁸ WHO, [Don't pollute my future! The impact of the environment on children's health](#), 2017; EDC Free Coalition, [Study: How are children exposed to endocrine disrupting pesticides?](#), 2014.

²⁹ Danish Protection Agency, ['Exposure of children and unborn children to selected chemical Substances'](#), 2017.

³⁰ HRC, [Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, A/HRC/33/41](#), August 2016, para. 2.

³¹ Eva Govarts *et al.*, [Combined Effects of Prenatal Exposures to Environmental Chemicals on Birth Weight](#), May 2016; Balbus J.M., *et al.* [Early-life prevention of non-communicable diseases](#), December 2013.

day of conception until an individual is born or hatched, the development of each stage of life is fully under the control of hormones. **Changes that happen during development are far less reversible [than those occurring in an adult]; you can't go back and rewire the brain.**³²

*Children suffer from higher levels of exposure and are more sensitive to it, which makes them more vulnerable than adults. Exposure to harmful pesticides violates children's rights and those impacts have been internationally recognised.*³³

The above-mentioned risks **affect all children but the problem is magnified by factors associated with poverty and other forms of marginalisation.** The poorer health associated with economic deprivation reduces children's resilience to the effects of hazardous pesticides, particularly when children are malnourished, while the weaker regulation of industry and agriculture in poorer countries allows conditions of high toxicity to persist in places where children live, learn and play.

Alongside their impacts on child health, **pesticides degrade the biodiversity³⁴, as well as the ecosystem on which children and their families depend for food and work.**³⁵ Pesticides are readily distributed in watercourses and the soil³⁶, where they accumulate in animals and plants, including the human food chain. In addition to harming children's health, ecological degradation caused by harmful substances jeopardises the food security and long-term economic prospects of millions of children around the world, including across the EU.³⁷ Use of harmful pesticides contributes to biodiversity losses and depletion of the species richness. Biological quality of greenspace is essential for conservation purposes, and benefits to human mental health and psychological wellbeing.³⁸ The continued use of hazardous pesticides not only deteriorates the ecosystems but also the wellbeing of present and future generations.

Pesticides also contribute to and worsen climate change, both during their manufacture and after their application.³⁹ The production of synthetic pesticides generates important greenhouse gas (GHG) emissions, as the vast majority derives from fossil fuels. Several pesticides also emit GHG emissions after their application.⁴⁰ For instance, scientific research found that fumigant pesticides significantly increase nitrous oxide production (N₂O) in soils⁴¹, a GHG 300 times more potent than carbon dioxide.

³² [Theo Colborn's Letter to the president about chemicals disrupting our bodies](#), December 2012.

³³ WHO, [Don't pollute my future! The impact of the environment on children's health](#), 2017; [Report of the Special Rapporteur on the right to food. A/HRC/34/48](#), January 2017.

³⁴ Stanislas Rigal *et al.* [Farmland practices are driving bird population decline across Europe](#), May 2023.

³⁵ International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD), [Agriculture at a crossroads - Global report](#), 2009.

³⁶ FAO, ITPS, GSBI, CBD and EC, [State of knowledge of soil biodiversity - Status, challenges and potentialities. Report](#), 2020 ; Mandal *et al.*, [Chapter 7: Impact of agrochemicals on soil health](#), 2020.

³⁷ FAO, [The biodiversity that is crucial for our food and agriculture is disappearing by the day](#), February 2019.

³⁸ Kate Lee *et al.* [Connecting Biodiversity With Mental Health and Wellbeing — A Review of Methods and Disciplinary Perspectives](#), May 2022.

³⁹ PAN North America, [Pesticides and Climate Change: A Vicious Cycle](#), Winter 2022-2023.

⁴⁰ Ibid. "Some pesticides are themselves greenhouse gases. The fumigant sulfuryl fluoride (used to fumigate commodities during transport and storage), is a powerful green- house gas. Emitting just one ton (0.91 tonnes) of sulfuryl fluoride is the equivalent of emitting 4,780 tons (4,336 tonnes) of CO₂".

⁴¹ Spokas, K. and D. Wang, [Stimulation of nitrous oxide production resulted from soil fumigation with chloropicrin](#), August 2003.

Exposure to harmful pesticides: a breach of children's rights under international and EU frameworks

Children's exposure to pesticides infringes a wide range of human rights they are entitled to under both UN and EU treaties.⁴² The **EU's inaction to better tackle harmful pesticides constitutes a breach of children rights enshrined in UN and EU conventions and strategies.**

International protection of children's rights against harmful pesticides

The UN Convention on the Rights of the Child (UNCRC)⁴³ recognises the **right of all children to have the best possible start in life, to grow up healthy, and to develop to their full potential**⁴⁴. Families and communities also need to be provided with the necessary support so that they can ensure children's wellbeing and development⁴⁵.

In their joint report on pesticides published in 2017⁴⁶, the UN Special Rapporteur (SR) on the right to food and SR on toxics and human rights emphasised that **children are most vulnerable to pesticide contamination**, due to the higher dose per unit of body weight. They warned that "**exposure to even low levels of pesticides**, for example through wind drift or residues on food, may be very damaging to children's health". The report also relevantly outlined that "pregnant women who are exposed to pesticides are at higher risk of miscarriage, preterm delivery and birth defect".

In his report focusing on children's rights in 2016⁴⁷, the former SR on human rights and toxics Baskut Tuncak provided a **full analysis of children's rights that are impacted by toxic chemicals, including the best interests of the child**.⁴⁸ He emphasised that the UNCRC makes it clear that States have an obligation to prevent exposure to toxics by children, as well as by women of reproductive age.

In his visit report on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes in Italy in 2021⁴⁹, the current SR on toxics Marcos A. Orellana called "to **ensure that buffer zones are appropriately sized to protect people, waters and sensitive areas from the serious risks and harms of pesticide spray drift**".

In the Resolution on the realisation of the rights of the child through a healthy environment⁵⁰, the UN Human Rights Council "urges States to ensure the right of the child to the enjoyment of the highest attainable standard of physical and mental health, by inter alia: [...] **Identifying and eliminating sources of exposure of children to indoor and outdoor air pollution and substances of high concern, such as heavy metals and endocrine disrupting chemicals**".

⁴² [Charter of Fundamental Rights of the European Union](#), OJEU, December 2007; [UNCRC](#), 1989.

⁴³ [UNCRC](#), 1989.

⁴⁴ See UNCRC Article 6 and 24, and UNICEF's [Children Version of the UNCRC](#)

⁴⁵ See UNCRC Preamble and Article 3, and UNICEF's [Children Version of the UNCRC](#)

⁴⁶ [Report of the Special Rapporteur on the right to food, A/HRC/34/48](#), January 2017.

⁴⁷ [Report of the Special Rapporteur on Toxics to the UN Human Rights Council on the Rights of Child and Toxics, A/HRC/33/41](#), September 2016.

⁴⁸ *ibid*: The SR on human rights and hazardous substances and wastes noted the increasing evidence that the exposure to toxic chemicals in men can also affect any children they may have: Report to the HRC, 2016, *op. cit.*, para. 18.

⁴⁹ [Visit to Italy - Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, A/HRC/51/35/Add.2](#), July 2022.

⁵⁰ [Human Rights Council Resolution 45/30](#).

In July 2022, the UN General Assembly (UNGA) adopted a resolution recognising the access to a clean, healthy and sustainable environment as a universal human right.⁵¹ With this resolution, the UNGA called on States and businesses to scale up efforts to ensure a healthy environment for all. The resolution recognised that the **unsound management of chemicals and waste interferes with the enjoyment of a clean, healthy and sustainable environment**, and that **environmental damage has negative implications, both direct and indirect, for the effective enjoyment of all human rights**.

Moreover, several targets of the UN 2030 Sustainable Development Goals (SDGs) are severely impacted by pesticide pollution. The first SDG “End poverty” includes building the resilience of the poor and those in vulnerable situations and reducing their exposure and vulnerability to climate-related extreme events and **other economic, social and environmental shocks and disasters** (Target 1.5). The third SDG dedicated to “Healthy lives” encompasses **ending preventable deaths of newborns and children** under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births (Target 3.2).

The UNCRC, which all EU Member States have ratified, must guide EU action. Harmful exposure unambiguously violates a wide range of children’s rights set out in the UNCRC and significantly hinders the achievement of several SDG targets. In view of children’s elevated susceptibility relative to adults, the global human rights framework imposes enhanced obligations on States to safeguard them from harmful exposure.

EU commitments to protecting children’s rights

EU Strategy on the Rights of the Child

On 24 March 2021, the European Commission unveiled the EU Strategy on the Rights of the Child⁵², developed for children and with children. In this Strategy, **the EU seeks to address persisting and emerging challenges, with concrete actions to protect, promote and fulfil children’s rights**.

The EU strategy is child rights-based, and as such refers to the UNCRC. Exposure to hazardous chemicals, including pesticides, is violating a wide range of children’s rights to live, learn and grow in a physical environment that facilitates health, play, and education, and is free from undue risk. Under the EU Strategy on the Rights of the Child, the 2nd thematic area of EU actions aims to fight poverty and promote inclusive and child-friendly societies, health and education systems.⁵³ The Strategy mentions that children have rights to education and health, and **all children have a right to a good standard of living**.

Fundamental child rights include the right to live in a clean and healthy planet, and to enjoy and respect the natural environment. CRIN, together with other NGOs, supports that **protecting children and future parents against exposure to hazardous chemicals, including pesticides, is a cornerstone to deliver on the Strategy’s promises**.⁵⁴

⁵¹UNGA Resolution A/76/L.75 “[The human right to a clean, healthy and sustainable environment](#)”, July 2022.

⁵² European Commission (EC), [The EU Strategy on the Rights of the Child and the European Child Guarantee](#), March 2021.

⁵³ EC, Thematic area 2, [Socio-economic inclusion, health and education](#).

⁵⁴ EDC-Free Coalition, [EU Strategy on the Rights of the Child to protect against harmful chemicals: time to deliver!](#), May 2021.

Charter of Fundamental Rights of the European Union

The Charter of Fundamental Rights of the European Union was introduced by the Treaty of Lisbon. **As such, it binds all EU Member states, with the same legal value as the EU Treaties.** Article 24⁵⁵ guarantees and protects the rights and best interests of the child, including the right to protection and care, as well as to express views. In all actions relating to children, whether taken by public authorities or private institutions, **the child's best interests must be a primary consideration.**

More broadly, the Charter enshrines several human rights that can be impacted by the exposure to hazardous pesticides and chemical pollution. Article 1 protects human dignity, Article 2 guarantees the right to life, and Article 3 the right to integrity of the person, and Article 37 prescribes environmental protection.

The Charter guarantees equality before the law (Article 20), non-discrimination (Article 21), equality between women and men (Article 23), as well as the integration of persons with disabilities (Article 26). Many children severely impacted by pesticide pollution, including farmers' children, are already marginalised or discriminated against, and rarely have the resources to access justice where rights are being violated.⁵⁶ Resources are unjustly distributed across countries, regions and even localities. Years of colonialism, imperialism, wealth hoarding, systemic discrimination and corruption have led to a small percentage of communities owning most of the world's resources. **Communities impacted by oppressive patterns have access to less of their resources.** Moreover, pesticide pollution can create intergenerational effects that **entrench marginalisation and socioeconomic disparities experienced by affected communities⁵⁷, especially farmers' children, who are on the frontline of intergenerational pesticide contamination⁵⁸.**

The EU and its Member States fall short in fully upholding children's rights and their best interests. Human rights such as the right to life, environmental protection and non-discrimination are often infringed by pesticide pollution. **Exposure to hazardous chemicals, including pesticides, follows and feeds into a pattern of systemic discrimination, environmental racism and gender inequality, including in the EU.**

Children are fully entitled to these rights the EU and Member States committed to uphold and protect. They committed to always take the child's best interests into primary consideration. Nonetheless, a wide range of pesticides particularly harmful to children are still placed on the EU market and found in sensitive areas. Therefore, it is imperative that a high level of protection is integrated into the EU policies related to the use of pesticides.

⁵⁵ [Article 24 of the Charter of Fundamental Rights of the European Union](#), OJEU, December 2007.

⁵⁶ Jill Johnston and Lara Cushing, [Chemical exposures, health and environmental justice in communities living on the fenceline of industry](#), 2020.

⁵⁷ Reena Shadaan and Michelle Murphy, [Endocrine-Disrupting Chemicals \(EDCs\) as Industrial and Settler Colonial Structures: Towards a Decolonial Feminist Approach](#), 2020.

⁵⁸ Catherine Karr, [Children's Environmental Health in Agricultural Settings](#), May 2018.

Regulation on the Sustainable Use of Plant Protection Products: What do we need to uphold children’s rights and protect them from hazardous pesticides?

The EU institutions and the Member States **committed to respect, enforce and protect children’s rights**. The proposed regulation on the sustainable use of plant protection products (SUR) is the opportunity to enhance provisions to adequately guarantee children's best interests and right to health.

1. No more delay: we know enough to act now

Enough data is available to know there is a need for action. A significant amount of high-quality independent scientific research demonstrates the risks stemming from children’s exposure to harmful pesticides. By revising key provisions and addressing current loopholes, **SUR can improve clarity, predictability and harmonisation of the legislation related to pesticide use across EU Member States**. It will support research and innovation efforts towards greener and healthier solutions, as well as ensuring the long-term resilience of our ecosystems, our agriculture, our food system and our economy.

Several alternatives are already well-established, available, viable and suitable. As reminded by the UN Special Rapporteur on the right to food in 2017, **“it is possible to produce healthier, nutrient-rich food, with higher yields in the longer term, without polluting and exhausting environmental resources”**.⁵⁹

Recently, the industry raised that banning pesticides would have severe impacts on food security, especially amid the current crisis in Ukraine. Some argued that green policies would deter and undermine EU agricultural productivity. They stressed that the EU needs to squeeze the most from every crop we can harvest, warning that using synthetic pesticides is the only way to ensure food security and affordability. This approach neglects the real costs of continued use of pesticides, and disregards the alternatives that are available⁶⁰. Using harmful pesticides can have short, medium and long-term adverse effects on health, the environment and long-term food security.⁶¹ **SUR is the opportunity to incentivise the use of sustainable alternatives** such as Integrated Pest Management⁶², mechanical solutions for killing weeds, enhancing functional biodiversity, as well as using more resilient crops and plants and biocontrol. SUR can support farmers’ efforts in working together with - and not against - nature, by moving away from using pesticides and participating in more sustainable food systems.

The **EU cannot continue to authorise the use of harmful pesticides**, as those end up not only in fields where they damage our environment and food safety, but also ultimately via drift/migration in sensitive areas, in the places where citizens live, work and play. **Inaction entails significant costs for health and the environment for generations of children and all human beings, that will**

⁵⁹ [Report of the Special Rapporteur on the right to food. A/HRC/34/48](#), January 2017.

⁶⁰ Andreas Veres *et al.* [An update of the Worldwide Integrated Assessment \(WIA\) on systemic pesticides. Part 4: Alternatives in major cropping systems](#), June 2020. This review on systemic pesticides showed that in most systems, pest populations rarely exceed economic threshold levels, making the broad-scale, often prophylactic use of these pesticides unjustified.

⁶¹ FAO, [The biodiversity that is crucial for our food and agriculture is disappearing by the day](#), February 2019;

EEA, [How pesticides impact human health and ecosystems in Europe](#), April 2023.

⁶² PAN Europe, [Integrated Pest Management - Working with nature](#), 2019.

eventually reverberate on public health costs. Using harmful pesticides degrade our ecosystems and the resilience of both our healthcare systems and the EU agricultural sector in the long-run.

2. Move away from the “the dose makes the poison” misconception

Overall, **harmful pesticides should be restricted as much as possible, everywhere.** There is a misconception that very low doses can have less of a harmful effect. However, the dose does not make the poison, as pesticides demonstrated harmful effects even at very low doses, for instance when they present endocrine disrupting properties⁶³, especially for infants and children.

As such, setting the bar higher than the current proposed drafts can contribute to better protecting children’s health, with an increase of the **reduction objectives to 80% of synthetic chemical pesticides used in the EU by 2030, as well as a full phase-out of synthetic pesticides by 2035.** Moreover, to fully and adequately protect children, **100% of the most hazardous pesticides should be completely phased out by 2030**, instead of the current 50% reduction goal.

3. Clarify and harmonise obligations for sensitive areas, where uses of harmful pesticides must be banned

The ambitions of Article 18 (formerly Article 12) could be stepped up, with a **broad and clear definition of ‘sensitive areas’ where the use of pesticides would be banned altogether**, for instance in and around playgrounds. Protection of the population would be better ensured if the definition of sensitive areas would also cover railways, roads, airports, harbours, industrial or commercial units, dumps, mines as well as construction sites.

Furthermore, **the population that requires particular protection includes all people of reproductive age, particularly during pregnancy.** The definition of vulnerable groups would better reflect all the impacted groups by encompassing all people of reproductive age particularly during pregnancy, since they are part of the group of people needing specific consideration when assessing the acute and chronic health effects of plant protection products.

Moreover, **suitable and viable alternatives to hazardous pesticides do exist.**⁶⁴ Several cities across the EU already moved away from hazardous pesticides in sensitive areas⁶⁵, with positive results on the well-being of their citizens. Nonetheless, Member States are not efficiently implementing the national action plans they have drawn up to implement the range of actions set out in the EU Directive.⁶⁶ Overall, current drift mitigation measures are insufficient in the EU.⁶⁷ SUR is an opportunity to clarify the obligations under Article 18 (formerly Article 12) to **harmonise and ensure Member States’ compliance with the objective of toxic-free sensitive areas across the EU.**

In light of the alternatives already available, and considering the significant risks stemming from children’s exposure to hazardous pesticides, **derogations to the ban under Article 18 should be limited.** Granting derogations should be grounded in a solid case-by-case assessment with thorough

⁶³ Laura N. Vandenberg, [When the dose doesn’t make the poison: low dose effects and endocrine disrupting chemicals; Hormones and Endocrine-Disrupting Chemicals: Low-Dose Effects and Nonmonotonic Dose Responses](#), June 2012.

⁶⁴ Heinrich-Böll-Stiftung Brussels, [Pesticide-free regions: good examples](#), October 2022; Générations Futures, [Alternatives aux Pesticides](#).

⁶⁵ Pesticide Free Towns, [Pioneers page](#).

⁶⁶ European Commission, [Sustainable use of pesticides](#), including [National Action Plans](#).

⁶⁷ Ramona Cech *et al.* [Pesticide drift mitigation measures appear to reduce contamination of non-agricultural areas, but hazards to humans and the environment remain](#), January 2023.

and evidence-based analysis, taking into account all the health and environmental impacts of allowing such use in sensitive areas.

4. Extend the buffer zones' coverage

To ensure the protection of our children and the upholding of their rights, **buffer zones must cover the widest areas possible**. Harmful pesticides can end up far away from locations they are initially spread in. They can be found in people's gardens, homes, children's playgrounds, schools, sports fields and other recreational spaces.

For instance, the SPRINT project⁶⁸ analysed 207 substances used in agriculture to observe (among other aspects) their migration into soil, water, air and indoor dust. The analysis found 124 different pesticides in one sample in the dust from the house of a farmer, and overall, a total of 196 different pesticides in the dust in the house. Among the substances found in the house's dust, 25% are neurotoxic, 41% carcinogenic, 60% have reproduction development effects and 25% are proven endocrine disruptors.

Acknowledging the ubiquity⁶⁹ and toxicity of pesticides as well as their ability to readily migrate from agricultural to urban areas, the 3 metres threshold is insufficient. Given the fact that pesticides drift over long distances, 10 metres is the bare minimum, but not enough.⁷⁰

Analyses conducted in France in 2021 indicated that a wider distance of 100 metres seems to have a very clear effect on reducing exposure to pesticides.⁷¹ **SUR is a clear opportunity to set the higher metre threshold possible for buffer zones**. Buffer zones around houses and gardens in general - not only where populations are concentrated - would contribute to children's protection, independent of where they exactly live. SUR must **set the highest metre threshold possible**. A distance of 100 metres from areas where children are particularly exposed ('sensitive areas') is recommended, together with a minimum buffer of 50 metres around all houses/gardens and alongside roads.

5. Put an end to the export of pesticides that are banned in the European Union

As it stands today, European companies are still allowed to export pesticides that are prohibited in the EU to third countries. This double standard enables EU businesses to sell harmful pesticides that will end up in the environment and impact children's health around the globe. In 2018 and 2019, EU Member States and the United Kingdom approved the export of a total of 140,908 tonnes of pesticides banned from application in European fields because of unacceptable health and environmental risks.⁷²

Under the Chemicals Strategy for Sustainability, the European Union promised to "lead by example, and, in line with international commitments, ensure that **hazardous chemicals banned in the European Union are not produced for export**, including by amending relevant legislation if and as needed."⁷³

⁶⁸ [SPRINT Project](#); see also PAN Europe, [We need effective buffer zones - against a cloud of pesticides](#), February 2023.

⁶⁹ Maren Kruse-Platz *et al.* [Pesticides and pesticide-related products in ambient air in Germany](#), October 2021.

⁷⁰ PAN Europe, [We need effective buffer zones - against a cloud of pesticides](#), February 2023.

⁷¹ Générations Futures, [Des riverains exposés aux pesticides jusqu'à 100 mètres et plus de la zone d'épandage la plus proche !](#), November 2021.

⁷² Heinrich-Böll-Stiftung Brussels, [Imports and exports: banned but sold anyway](#), October 2022.

⁷³ European Commission, [Chemicals Strategy for Sustainability: 2.5.2.Promoting safety and sustainability standards outside the EU. "Cooperation with third countries"](#), October 2020.

A two-speed legal regime tackling harmful pesticides is unacceptable. Pesticide pollution knows no boundaries, and the substances that are hazardous in the EU are just as harmful in third countries. **Children have rights and must be protected against harmful exposure regardless of where they live - and this requires banning the export of prohibited pesticides.**⁷⁴ All children worldwide should be protected from eating food or playing in parks contaminated with harmful pesticides.

Concluding remarks

The EU has an admirable ambition to “build the best possible life for children in the European Union”. In order to fulfil this ambition, EU legislators must adopt all preventive measures necessary to protect children from exposure to harmful chemicals such as pesticides, inside and outside the EU. Taking children’s best interests into primary consideration is crucial when drafting EU legislation such as the Regulation on the Sustainable Use of Plant Protection Products.

The UN and EU children’s rights frameworks should be a key compass to guide the European Parliament’s decision making. While some countries and local authorities in the EU are taking initiatives to reduce exposure to pesticides, the problem needs to be addressed at the EU level, with an ambitious regulation on the Sustainable Use of Pesticides. We need to close the gaps of the existing directive on pesticides. **SUR is the opportunity to deliver an ambitious revision that upholds children’s rights and protects them against harmful exposure to pesticides.**

For more information on CRIN’s work:

- CRIN, [Who We Are and Our Code](#).
- CRIN’s [Work on Toxics](#).
- Further details on the UN child rights framework on chemicals available in the dedicated CRIN Brief “[Children’s rights and toxics](#)”.
- PAN Europe Conference: [Making EU cities a safe place for children](#), including CRIN’s Presentation on [Pesticide pollution and children’s rights](#), March 2023.
- PAN Europe, [Webinar: No to pesticides in our playgrounds, schools and public areas](#), including CRIN’s presentation “Pesticides and vulnerable groups exposure: a breach of children’s rights”, July 2021

⁷⁴ See calls from NGOs and Stakeholders’ webinars on such a ban: PAN Europe, [An EU-wide ban on the export of banned pesticides and hazardous chemicals: Why do EU policymakers need to act and how?](#), December 2022; Corporate Europe Observatory, [The need for an EU-wide ban on the export of banned pesticides and hazardous chemicals: Why do EU-policymakers need to act and how?](#), November 2022.