

## THE RIGHT OF THE CHILDREN TO AN ENVIRONMENTAL HEALTH: A PRELIMINARY STUDY IN MALAYSIA

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### ABSTRACT

*According to the World Health Organization (WHO), 1.7 million children under age of 5 died every year because of the environmental risks like air pollution, inadequate water, sanitation and hygiene, second-hand smoke, climate change, hazardous waste, UV radiation and hazardous chemical. In Malaysia, children's environmental health is one of the top three major environmental health threats apart from vector-borne diseases and contamination of drinking water sources. Children as one of vulnerable group of persons are mostly affected by the consequences of these poor environmental health systems even when a child is still in a womb. The right of the children for an environmental health is crucial but it often left behind and fails to be addressed by the parties concerned. Thus, this paper will analyse the right of the children for an environmental health and the initiatives taken by Malaysian government in upholding this right since Malaysia is a signatory country that ratifies the UN Convention on the Rights of the Child (CRC). An analysis will be made to the academic journals, policies, national plans, reports and several legal documents. The research shows that Article 24 of the CRC lays out strong child rights protections relating to the environment. Ministry of Health for example has highlighted the children's environmental health as the main agenda in the National Environmental Health Action Plan (NEHAP) 2019 in Malaysia. Furthermore, the recognition of environmental health as one of the rights of the children, children's access to environmental information, children's participation, and accountability for child rights abuses related to environmental harm together with the law enforcement are suggested in protecting the children and achieving the Sustainable Development Goals.*

**Keywords:** Children, Children Rights, Environment, Environmental Health, Health

### 1. Introduction

World Health Organization (WHO) defines health as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity” (WHO Constitution, 1948). An environmental health is a part of the public health that focuses on the interrelationships between people and their environment, promotes human health and well-being, and fosters healthy and safe communities (WHO, 2012). It includes quality of life that are determined by physical, chemical, biological, social and psychosocial factors in the environment (WHO, 1993). In fact, the prerequisites for a good health consist of clean air, stable climate, adequate water, sanitation and hygiene, safe use of chemicals, protection from radiation, healthy and safe workplaces, sound agricultural practices, health-supportive cities and built environments, and a preserved nature (WHO, 2012).

Being a developing country, Malaysia has shown significant growing from a producer of raw materials and commodities into a leading exporter of technology intensive products (Sugunan, P., & Debbie, S. 1994) which to certain extent it may cause unavoidable environmental stress or risks and will lead to some negative effects on the health and safety of the people (Mokhtar, M. B., & Murad, M. W, 2010). There are several examples of the current environmental problems and its consequences on health such as water pollution, air pollution and solid waste pollution which cause water-borne diseases, immunisable diseases, vector-borne diseases, cardiovascular disease and others (Sugunan, P., & Debbie, S. 1994).

Since 1970s, environmental health issues became a major concern by Malaysian government. It has been outlined in the Third Malaysia Plan 1976-1980 on a chapter named "Development and Environment" (Sugunan, P., & Debbie, S. 1994), several acts and regulations also have been gazetted such as the Environmental Quality Act (EQA) 1974 as well as the establishment of the Environmental Impact Assessment (EIA) (Sugunan, P., & Debbie, S. 1994).

In a report by WHO entitled "Preventing Disease through Healthy Environments: A Global Assessment of the Burden of Disease from Environmental Risks" (2018), shows that 24% of global deaths (and 28% of deaths among children under five) are due to modifiable environmental factors. According to the World Health Organization (WHO, 2010), 1.7 million children under age of 5 are death every year because of the environment risks likes air pollution, inadequate water, sanitation and hygiene, second-hand smoke, climate change, hazardous waste, UV radiation and hazardous chemical (WHO, 2012).

In Malaysia, children's environmental health is one of the top three major environmental health threats apart of vector-borne diseases and contamination of drinking water sources. Children as one of vulnerable group of persons are mostly affected by the consequences of these poor environmental health systems even when a child is still in a womb. A child-to-be also can be exposed to adverse environmental risk factors that may give rise to diseases later in life (WHO, 2010). Furthermore, the children's immune defences are not fully mature and their developing organs are more easily harmed (WHO, 2010).

Furthermore, an environmental health is crucial but it often left behind and fails to be addressed by the parties concerned. Article 24 (2) (c) of the United Nation Convention on the Rights of the Child (UNCRC) clearly stated the rights of the children for the enjoyment of the highest attainable standard of health which may include clean drinking-water and environmental health.

Thus, this paper will analyse the right of the children for an environmental health and the initiatives taken by Malaysian government in upholding this right since Malaysia is a signatory country that ratifies the UN Convention on the Rights of the Child (CRC).

## **2. Methodology**

This study uses qualitative and library research methods. An analysis has been made to the academic journals, policies, national plans, reports and several legal documents.

### **3. Discussion**

#### **3.1 *Environmental Health Issues among Children***

There are several environmental issues among children such as indoor and outdoor air pollution, second hand smoke, unsafe water and sanitation, hazardous and chemicals wastes , vector-borne disease, toxic household chemical and climate changes (Mokhtar, M. B., & Murad, M. W., 2010).

Firstly, the outdoor air pollution were caused by stationary sources (e.g., factories), mobile sources (e.g., motor vehicles), open burning, and trans boundary haze pollution (Mokhtar, M. B., & Murad, M. W., 2010). Whereas, the indoor air pollutants may cause by second-hand tobacco smoke (WHO, 2010) .Due to the unhealthy air pollution, 1.7 million students are affected in Malaysia when 2,646 schools were closed due to unhealthy air pollution happen in September 2019.

Secondly, the water pollution include discharge of domestic sewage, pollutants from agro-based industries and farming, run-offs from earthworks and land clearing, and effluent discharge from manufacturing activities (Mokhtar, M. B., & Murad, M. W., 2010). Drinking unsafe or contaminated water can cause severe illness and even death. (WHO,2010).

Next is hazardous wastes which usually generated in unsafe and industrial context but may also be found in or around homes. All these hazardous substances are sometimes disposed of or stored near residential areas (WHO,2010). One of the case happen in Malaysia is the airborne pollution that were caused by leftover chemical waste in Sungai Kim Kim which affected dozens of students at Pasir Gudang district.

Lastly, climate change will cause rises in temperature and shifts in rainfall patterns which will impact food supplies, threatening nutrition and health (WHO, 2010). According to UNFCC (1992), climate change are any change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable periods (Rahman, H. A. ,2018).

#### **3.2 *Environmental Health and Children's Rights***

The UN Convention on the Rights of the Child lays out strong child rights protections relating to the environment. Article 24 for example provides that the rights of the children to the highest attainable standard of health, including the right to nutritious food and safe drinking water, and healthy environmental. Furthermore, Article 29 of the UNCRC provides the right of the child to the information on environmental health issues and defines environmental education as one of the goals of education.

David R (2012) further explain that the rights to healthy environment are right to environmental quality, right to information, to participate in decision making and seek remedies for past, present and anticipated violation of healthy environment

### **3.3 Global and Local Initiatives towards Children's Environmental Health**

There are several initiatives have been taken as regards to children's environmental health issues globally and locally. WHO has launched the Global Initiative on Children's Environmental Health Indicators at the World Summit on Sustainable Development in 2002 (WHO, 2010). The initiative builds on existing international, regional and national work on child health and environmental indicators. It aims to identify the environmental risks to children's health, as well as effective interventions (WHO, 2010).

WHO also developed a framework for children's environmental health indicators to help (i) assess the impact of the environment on children's health, (ii) facilitate inter-country and inter-regional comparisons of the status of children's environmental health, and (iii) monitor the effects of interventions to improve children's health in relation to the environment (WHO, 2010).

As far as Malaysian is concerned, the children's environmental health is considered as the main agenda in the National Environmental Health Action Plan. This Plan is headed by the Ministry of Health (Abdullah, R. (2020). Furthermore, The United Nations Children's Fund's (UNICEF) also advocates the empowerment of children to ensure their concerns and interests are reflected in climate and environmental policies and actions.

## **4. Conclusion**

The environmental health can be considered as one of the rights of the children. The children's access to environmental information, children's participation, and accountability for child rights abuses related to environmental harm together with the law enforcement are suggested in protecting the children and achieving the Sustainable Development Goals.

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