

Children, Adolescents, and Youth Pioneering a Human Rights-Based Approach to Climate Change

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Abstract

Climate change is the greatest challenge of our century. Children, adolescents, and youth will bear the most severe impacts, physically, socially, economically, and psychologically. In response to this immense threat and to the failure of international climate negotiations to date, young people are taking to the streets and using global fora to call for climate justice. While these protests have received much attention, there has been limited examination of these and other youth-led efforts through the lens of a human rights-based approach and its operational principles: participation, equality and nondiscrimination, accountability, and transparency. This paper draws from academic and gray literature, as well as the authors' experience as practitioners and young activists, to argue that young people, by promoting human rights-based operational principles at the international, national, and local levels, are pioneering a human rights-based approach to climate change. The paper concludes by suggesting how policy makers can support and empower young people to advance an explicit human rights-based agenda, while concurrently translating human rights-based operational principles into climate change policies and practice.

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Competing interests: None declared.

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Introduction

Climate change is the 21st century's largest global threat to our planet and to human rights.¹ There is now widespread international consensus that climate change directly and indirectly threatens all human rights, particularly the rights to life, health, and food.² Wealthier industrialized countries account for most of the world's greenhouse gas emissions, causing climate change. However, the people who will suffer the greatest burden, including the worst health risks, are those who have historically contributed the least to climate change—namely, those living in low- and middle-income countries (LMICs) and small island developing states.³ Children (under 18 years old), adolescents (aged 10–19), and youth (aged 15–24) are among those most heavily affected.⁴ In this paper, unless otherwise specified, the term “young people” refers to children, adolescents, and youth. The 2019 *Lancet* Countdown report shows how young people disproportionately bear the impacts of climate change, both physically and psychologically.⁵ In addition to affecting their health, climate change threatens children's rights to education, food, and recreation, among others.⁶ Given that young people are inherently less responsible for climate change than their adult contemporaries, climate change is defined by the Human Rights Council as the “most significant intergenerational injustice of our time.”⁷

Recognizing the interconnectedness between human rights and climate change, scholars and United Nations (UN) policy makers have urged the adoption of a human rights-based approach (HRBA) to address climate change, from both a legal and a policy perspective.⁸ An HRBA is underpinned by several operational principles: participation, equality and nondiscrimination, accountability, and transparency.⁹ Adopting an HRBA is a legal obligation of nation-states that are party to the International Covenant on Civil and Political Rights and other human rights instruments, including the Convention on the Rights of the Child.¹⁰

Despite decades of international climate change negotiations, states have as yet failed to meet their obligations under the United Nations

Framework Convention on Climate Change (UNFCCC) to “protect the climate system for the benefit of present and future generations” (article 3.1) and under the Convention on the Rights of the Child to act “in the best interests of the child” (article 3.1).¹¹ In response to these failures, young people are taking to the streets and using global fora to call for climate justice. They are participating in UNFCCC Conferences of Parties (COPs) and other international events to demand that their rights be guaranteed in international climate change agreements. Young people are also working at the community level to build awareness and facilitate climate change action, and acting with integrity in making individual lifestyle changes to reduce their own carbon footprints, however minor in comparison to the carbon emissions of governments and corporations. With these efforts, together with their focus on the rights of the most vulnerable beyond just themselves, young people currently play a key role in advancing an HRBA to climate change.

Some scholars have focused on youth's involvement and participation in UN processes, including the UNFCCC COPs.¹² Overall, the literature is very positive about the actions led by young people, claiming that they have indeed helped push for more ambitious climate action.¹³ However, some scholars argue that young people have become a disruptive power—rather than constructive agents—in climate change policymaking.¹⁴ Their use of the rhetoric of generational conflict, in which adult leaders are portrayed as blameworthy and irresponsible, has created polarization. Others have specifically examined climate change from a children's rights perspective and how this has been leveraged in litigation.¹⁵ Despite this work, there has been little examination of young people's efforts through the lens of an HRBA and its operational principles.

This paper therefore highlights, with examples from the above literature and our own experiences as practitioners and young activists, how young people are promoting the operational principles of an HRBA to address the climate crisis. We make some practical suggestions concerning how policy makers can support and empower young people's

efforts to explicitly advance an HRBA while concurrently translating the HRBA operational principles into climate change policies and practice.

What is a human rights-based approach to climate change?

An HRBA “is founded upon the human rights obligations that states have accepted under international law.”¹⁶ It aims to ensure that policy development and implementation are grounded in the fulfillment of human rights and the obligations of duty-bearers, in order to empower rights-holders, promote policy coherence, and improve accountability.¹⁷ As already shown in its application in the fields of development, health, and the environment, an HRBA has two practical implications for addressing climate change. First, it requires that climate change policies and actions be both responsive and targeted to address the basic human rights of all, but especially those of the most vulnerable and those who suffer most from climate change.¹⁸ Second, it indicates operational principles that should be followed by policy makers when designing and implementing climate-related policies (see Box 1).¹⁹

Scholars and UN officials argue that applying an HRBA to climate change will produce greater political will to address the issue and promote equity in climate change responses. They also argue that it will provide stronger accountability mechanisms, grounded in human rights law, and ensure a more synergized approach to addressing climate change within the Sustainable Development Agenda.²⁰ Much can be learned from the ways in which young people are applying the operational principles of an HRBA in their climate change actions.

How have young people been advancing the operational principles of a human rights-based approach?

Over the past decade, and increasingly since a small number of youth activists protested outside the Swedish Parliament in 2018, the climate movement led by young people has produced what have been described as the largest global climate protests in history, gaining worldwide attention.²¹ This paper shines a light on various efforts by young people that address climate change from a human rights-based perspective. Each subsection also notes the

Box 1. Operational principles of a human rights-based approach to addressing climate change

Principle 1: Participation. An HRBA holds that meaningful and active contribution and engagement by all individuals and civil society groups, especially those most affected by climate change, is not only mandatory but also improves the success of climate change decision-making.

Principle 2: Equality and nondiscrimination. An HRBA, based on the universality of human rights and recognizing that all people are equal, mandates that all policies and actions be nondiscriminatory and targeted to alleviate inequalities. Positive measures must be included for the most disadvantaged and minority groups, including women, children, indigenous peoples, people with disabilities, and future generations.

Principle 3: Accountability. An HRBA entails allowing the public to use administrative, institutional, and legal measures to hold state duty-bearers, and increasingly also private actors, accountable for their climate change commitments and policies and to use legal measures to challenge any human rights violations.

Principle 4: Transparency. As a prerequisite for the fulfillment of other principles (such as participation by all and accountability), transparency requires that information be made available for everyone to review climate change decision-making, scientific evidence, policy implementation, and ensure monitoring.

Sources: F. Bustreo and C. Doebbler, “The rights-based approach to health,” in L. Gostin and B. M. Meier (eds), *Foundations of global health and human rights* (Oxford: Oxford University Press, 2020), pp. 96–97; M. J. Hall, “Advancing climate justice and the right to health through procedural rights,” *Health and Human Rights Journal* 16/1 (2014), pp. 15–16; United Nations Environment Programme, *Climate change and human rights* (Nairobi: UNEP, 2015), pp. 16–17.

practical challenges that young people face in their attempts to operationalize the four operational principles outlined above.

Principle 1: Young people advocate for participation and meaningful engagement in global and domestic arenas

Young people have led efforts to advocate for and achieve deliberate and meaningful engagement in the global dialogue about the Paris Agreement on climate change and its implementation.²² These efforts are driven by the collaborative work of youth-led organizations from the local to the international level, where they are formally recognized as YOUNGO, the official youth constituency of UNFCCC, which participates as an observer in the COPs. Despite their observer status, these organizations are advancing various programs to augment young people's participation and attempt to influence international negotiations and conferences, including through the organization of annual Conferences of Youth. From our experience, the engagement of young people at these negotiations has amplified advocacy efforts and put pressure on states to meet their commitments on emission reductions. During the 2019 UNFCCC COP25 in Madrid, young activists drafted the Intergovernmental Declaration on Children, Youth and Climate Action, which acknowledges young people's right to a healthy environment and their role as agents of change.²³ With the COVID-19 pandemic moving advocacy efforts online, young people have been actively engaging in online events for climate action. For instance, in February 2021, the Children's Environmental Rights Initiative organized an online Tweetstorm event on Twitter, urging governments to sign the intergovernmental declaration.²⁴ Moreover, in recent years, universities have become a growing platform for youth participation in international climate decision-making.²⁵ Students are participating in university observer delegations to the COPs, often as part of the Research and Independent Nongovernmental Organizations (RINGO) constituency. Significant networks have emerged to amplify student voices in climate advocacy and leverage partnerships with

academia to raise global awareness, for example through the COP26 Universities Network and the University Climate Change Coalition.²⁶

Young people worldwide are also advocating for and achieving participation in climate change policymaking at the national and local levels. In the Philippines' Eastern Samar province, children organized a Children's Coalition for Adaptation and Resilience, urging the local government to include children affected by 2013's Typhoon Haiyan in consultations on recovery and adaptation plans. The children's coalition persuaded the Hernani Municipal Council to appoint a child representative, as well as establish a local youth development council.²⁷ As in other Pacific Islands countries, young people in Fiji and the Solomon Islands struggle with limited representation in formal governance systems: the hierarchical social structure sees them as recipients of authority rather than agents of change.²⁸ In response, young people have come together through youth councils and civil society organizations, such as Be the Change and 350 Pacific, to advocate for participation in climate change policymaking.²⁹ Young Pacific people are pushing for changes in the status quo, fighting against adult-centric hierarchical decision-making, and expanding opportunities for young people's engagement in decision-making.³⁰

To achieve meaningful participation, young people have understood the need for and asked for further support to sharpen their skills to analyze climate change proposals using a rights-based lens, evaluate policy outcomes, run advocacy campaigns, and participate in climate-related discussions.³¹ Recognizing the capacity-building required for effective youth participation, youth-led international organizations, such as the International Federation of Medical Students' Associations and the UN Major Group for Children and Youth, provide worldwide support to young people in building proficient advocacy capacities and enhance management skills by facilitating workshops and providing resources, such as toolkits and training manuals.³²

Despite such efforts, young people's leadership and engagement are often undervalued by senior negotiators and policy makers.³³ For example, only

12 governments have signed the Intergovernmental Declaration on Children, Youth and Climate Action.³⁴ Other challenges include the frequent exclusion of young people from decision-making discussions, and their tokenization when present.³⁵ Their exclusion from such events is often offset by the organization of siloed youth-targeted events, such as the Youth4Climate event held in Milan in September 2021. The inclusion of young people in national delegations and national government institutions is generally also neither mandatory nor common.³⁶ Political quotas for young people apply in only a few countries, and many national governments limit themselves to selecting youth spokespersons and envoys.³⁷

Principle 2: Youth-led initiatives prioritize equality and nondiscrimination

Young climate change activists are important proponents of the principles of equality and nondiscrimination. Climate justice and equity are at the heart of the Fridays for Future international movement.³⁸ Evidence in the literature shows that not only have they been advocating for climate justice through an intergenerational equity lens demanding recognition of themselves and future generations as equals to current adult generations, but they have increasingly used calls for climate justice to recognize other minority groups as equal.³⁹ When speaking at international negotiations and through their activities as YOUNGO, young people are advocating for a fair and equitable transition toward climate neutrality, which incorporates the needs of all, especially the vulnerable and marginalized, including indigenous people, people of color, LGBTQ+ people, people with low socioeconomic status, and those living with disabilities.

This approach is also being adopted by young people acting at the national level. The Australian Youth Climate Coalition (AYCC) has been actively campaigning and working with Aboriginal people and Torres Strait Islanders for climate justice.⁴⁰ The AYCC supports indigenous people in capacity-building exercises, focused on networking and learning from one another's experiences, to lead climate justice campaigns through fundraising and bootcamps.⁴¹

In 2018, the AYCC joined indigenous communities in the Northern Territory to protest against fracking and supported their travel to Sydney to confront the companies responsible for that practice.⁴²

Gender equality is another key focus of the youth climate movement, which is primarily led by young women.⁴³ Many have denounced the lack of attention to gender issues and solutions in the Paris Agreement and the unequal gender representation in climate negotiations: only one-third of the delegates at COP21 were women.⁴⁴ In addition, many young activists and youth-led programs are focusing on the intersectionality between climate change and racial discrimination. Environmental racism—the silencing of marginalized people and activists of color—has been widely reported.⁴⁵ Vanessa Nakate, a youth activist from Uganda, founded the Rise Up Movement to give voice to African climate activists who have been systematically silenced by the media in international settings and addressed primarily as victims of climate change.⁴⁶ Nakate experienced this discrimination herself when the Associated Press removed her image from a photograph with other (white) youth climate activists participating in the 2020 Davos World Economic Forum Summit.⁴⁷ For Nakate and many other young activists of color, the fight for climate justice starts with the eradication of racial injustice.

Young people face many challenges in ensuring equality and nondiscrimination while addressing climate change, especially in terms of achieving intergenerational equality in policies and investment decisions. Some of them might not be immediately obvious or evident. For example, policy makers and financial institutions often use high social discount rates when designing climate change policies and financial investments. Social discount rates are used to “calculate how much guarding against future carbon emissions is worth to us now.”⁴⁸ While the use of social discounting is not intended to treat one population group differently from another, when high social discount rates are used in cost-benefit analyses to inform policy decisions, short-term economic benefits for the current generation are prioritized over long-term benefits for future generations.⁴⁹ This impedes

intergenerational climate justice, leads to policy inaction, and limits investment in innovative mitigation and adaptation projects. Another barrier that many young people face is accessing internet due to a lack of funding, technology, and infrastructure. For instance, two-thirds of people under the age of 25 do not have access to the internet at home.⁵⁰ Moreover, many young people also face challenges in traveling, due to high prices and visa restrictions, to participate in global and national events. Overall, this limits the opportunities of many young people, especially those in LMICs, to participate equally in climate change events and to access accountability mechanisms and information.

Principle 3: Young people are using accountability mechanisms to hold stakeholders responsible for their commitments

Young people are playing a fundamental role in driving climate change accountability in both formal and informal settings. Especially through the use of new media technologies, they are able to galvanize their peers and other generations to collectively hold governments and private actors accountable for their contributions to, and lack of action to counter, climate change. For example, during the youth-led 2019 global climate strikes, young people protested against governments' inaction and failed pledges, gaining the support of older generations, including their teachers.⁵¹ Similarly, students are holding nonstate actors, such as universities, accountable for their fossil fuel investments. For example, in the United Kingdom, a 2019 student-led divestment campaign resulted in many universities nationwide committing to divest from fossil fuels.⁵² The aim is for divestment from fossil fuels to become mainstream university policy in the United Kingdom.

Young people are also driving climate accountability through more formal contributions to legislative processes. For example, in July 2020, over 150 Fridays for Future activists proposed legislation to the European Union (EU) via the European Citizens' Initiative. The initiative urges the EU to adjust its nationally determined contributions goals under the Paris Agreement to ensure an 80% reduction

in greenhouse gas emissions by 2030 and net zero emissions by 2035; implement an EU carbon border adjustment mechanism; legislate that free trade agreements cannot be signed with countries that do not have climate policies aligned with the 1.5°C warming limit; and create educational materials for all EU members on climate change impacts.⁵³ According to the Fridays for Future movement, the European Citizens' Initiative now has over 89,000 signatories and has been enshrined in legislation in 15 EU member states.⁵⁴

Young people are also framing climate change as an issue of health, human rights, and equity and are using this framework to hold governments accountable for their constitutional duties to protect their citizens. Young plaintiffs, many of them children, have filed lawsuits against governments in Australia, Canada, Colombia, India, Mexico, Pakistan, and South Korea.⁵⁵ Children have also filed complaints against Argentina, Brazil, France, Germany, and Turkey through the UN Committee on the Rights of the Child for their failure to reduce carbon emissions and their violation of children's rights to life, health, and a healthy environment.⁵⁶ These efforts show the efficacy of arguing for a legally enforceable connection between climate change and governments' constitutional duties to protect citizens' health and safety. For instance, Colombia's Supreme Court ruled that the deforestation of the Colombian Amazon contributed to climate change and that the Colombian government's failure to limit it constituted a serious attack on the rights of current and future generations.⁵⁷ Moreover, young people have also filed suits against other stakeholders, such as fossil fuel companies. Young Friends of the Earth (Netherlands) was a co-plaintiff in the recent successful suit *Milieudefensie et al., v. Royal Dutch Shell PLC*, in which the Hague District Court ruled in favor of young people and ordered the company to reduce its emissions by 45% by 2030, relative to 2019, to come into compliance with human rights obligations.⁵⁸ Unlike other claimants, the organization was allowed to remain a plaintiff in this case, as it had sufficient grounds to represent Dutch citizens and because its members' interests were directly affected.⁵⁹ This example indicates that

young people can play a critical role in leveraging judicial systems to support climate change efforts.

Despite these recent encouraging events, young people's engagement in formal accountability mechanisms is made extremely challenging by the high costs of legal action. In many countries, hierarchical social norms relating to gender and social status also impede young people's ability to hold their elders and those in power to account. Young people often lack support from lawyers and civil society, and don't always have the legal standing, to file lawsuits. To these challenges are added the legal difficulties of establishing a direct causal link between climate change and the violation of citizens' rights, including the right to health.⁶⁰ However, as science and medicine continue to advance our understanding of the connections between environmental conditions and health, the centrality of young people to climate change accountability, and their standing to pursue legal proceedings in cases concerning climate change, will only increase.

Principle 4: Young people are demanding transparency in information, governance processes, and investments

The principle of transparency underpins the other principles of an HRBA. To be able to participate and hold governments and other stakeholders to account, young people must have the information necessary to review and evaluate policies and progress, as well as the capacity to do so. For example, young people suggest that when they are armed with facts and knowledge about climate change, they are more likely to consider it a priority issue and want to act.⁶¹ To this end, youth-led organizations have campaigned for climate change education to be included in all school curricula.⁶² In November 2019, following months of petitions by young Italians, Italy became the first country to pledge to make climate change teaching compulsory in all public schools.⁶³ Similarly, in Cambodia, climate change education has recently become compulsory in higher secondary school curricula.⁶⁴

Young people also play a fundamental role in scrutinizing and pushing for transparency in government and private sector climate change

governance, including fossil fuel subsidies and investments. For example, many young people are voicing their concerns over the rise of "greenwashing": marketing something as environmentally friendly, with no certification, while continuing to engage in polluting activities, such as investing in fossil fuels. In January 2021, using Tik Tok and Instagram, more than 300,000 youth activists denounced Procter and Gamble's Charmin toilet paper brand for its "greenwashing" sustainability claims while the company continues to contribute to deforestation and the violation of Canadian indigenous peoples' rights.⁶⁵ Similarly, young Norwegians have been vocal about their government's double standards: on the one hand, the Norwegian government praises itself for its climate change pledges (such as to become carbon neutral by 2030 and its role as a major donor of the Green Climate Fund, which supports climate-related efforts in LMICs), while on the other hand it continues to subsidize oil and gas extraction in Norwegian waters and sell fossil fuels abroad.⁶⁶ Young leaders of the Nature and Youth group have called for an end to the Norwegian government's support to the fossil fuel industry and for divestment in its sovereign wealth fund.⁶⁷ The UN Secretary-General's Youth Advisory Group on Climate Change has also warned against the risk of "greenwashing" in the use of COVID-19 financial recovery funds destined for green transition plans, given that there is "no internationally agreed taxonomy of green jobs."⁶⁸

Young people have also been pivotal in denouncing the lack of transparency in international climate change negotiations. They have pushed for meetings to be opened to more observers, including youth-led civil society organizations. Despite these efforts, young people's right to seek information from their governments is constantly challenged. Climate-related information from governments and other stakeholders is often inaccessible to the public or lacks transparency, both in the methodology used to collect climate data (leading to distorted policy evaluations) and in the partial disclosure of information (contributing to misinformation and policies based on incomplete data, as illustrated by the "greenwashing" examples above). The use

of highly technical language in climate-related negotiations, reports, and assessments also renders information inaccessible, particularly for children and adolescents. Further, the subscription fees of many journals and newspapers make current scientific information unattainable for many students. All these restrictions on young people's access to comprehensible climate-related information limit their ability to hold governments and other stakeholders to account.

Driving a human rights-based approach to climate change: The way forward for young people

Much can be learned from the successes and challenges faced by young people in applying the principles of an HRBA to climate change. We recognize that not all youth-led actions are explicitly framed around an HRBA. However, an HRBA must be made explicit in climate policies and practice, to achieve maximum impact and ensure the fulfillment of human rights. Based on the above findings and our experiences as practitioners and young activists, we offer some suggestions below on what policy makers can do to support and empower young people in advancing an HRBA, while simultaneously translating the HRBA's operational principles into climate change policies and practice.

Principle 1: Create opportunities for the meaningful engagement of young people

To implement an HRBA, local, national, and international institutions must create more opportunities for young people to participate actively in climate change policymaking. A first step would be to ensure young people's participation in conferences and meetings. Many international institutions, including the UNFCCC, have already done this, but, from our experience, it is still uncommon in national policy discussions. An additional step would include regular consultations with young representatives to inform and engage them in climate policy and decision-making. This practice, common within international institutions, such as the Organization for Economic

Cooperation and Development and UN agencies, should be expanded to the national level. Such consultations should become the norm, starting from decision-making on post-COVID-19 recovery plans and green transition plans, whose outcomes will affect the current and future generations of young people most profoundly.

However, both these approaches risk young people's participation being tokenized and restricted to siloed events. A more forceful solution would be to appoint a youth delegate, empowered to influence decision-making, to participate regularly in climate negotiations and policymaking. This has already been done by some countries, including the Netherlands, Mexico, and Sri Lanka, as well as by several UN agencies, including the Secretary-General's Office, which has appointed an envoy on youth.⁶⁹ Participation by at least one youth delegate should be made obligatory in every national delegation at the UNFCCC COPs and ideally at all other national and international conferences relating to climate change mitigation and adaptation. The youth delegate should be empowered with capacity, skills, and knowledge, and supported in being able to meaningfully engage in decision-making.

While the appointment of youth delegates has some benefits, even more effective would be the introduction of quotas for young people in leadership positions in both national and international institutions. Similar to gender quotas in parliaments, quotas for young people in national ministries and international organizations would provide young people with the opportunity to hold leadership positions.⁷⁰ Although young people represent one-fifth of the global population, they make up only 2% of world parliamentarians.⁷¹ Only nine countries, including Uganda and Rwanda, have mandatory parliamentary youth quotas.⁷² At the international institutional level, in support of the Global Consensus Statement on Meaningful Adolescent and Youth Engagement, the Partnership for Maternal, Newborn and Child Health (PMNCH) has introduced a requirement for all constituencies and governing committees to assign a vice chair role to a young person (under the age of 30).⁷³ This has in-

creased the number of young people in leadership positions, allowing them to help shape the work of PMNCH and empowering them to advocate for women's, children's, and adolescents' health.

Overall, all institutions should aim to increase meaningful adolescent and youth engagement so that power is shared in an inclusive, intentional, mutually respectful partnership among adolescents, youth, and adults. To this end, we urge all national and international actors to confirm their commitment by signing the Global Consensus Statement on Meaningful Adolescent and Youth Engagement and the Intergovernmental Declaration on Children, Youth and Climate Action.

Principle 2: Ensure that young people are treated equally and without discrimination

Much can be done to promote equality for young people in national and international fora, policies, campaigns, media, and communication. Young people participating in international events must be remunerated for their time, expertise, and out-of-pocket expenses. Most young people are still students and rely on family income to attend events and work as youth envoys. This creates inequalities between those who can afford to participate and those who cannot. Thus, scholarships must be made available for young people, especially those from the Global South, to cover travel expenses, accommodation, and meals when attending events. To bridge the digital divide, funding and policies must be put in place to build the necessary infrastructure and support young people in LMICs with funds to access better internet connectivity. In addition, international organizations and national governments should financially support young people who formally and regularly contribute to climate change policy. As well as making it easier for young people to contribute to climate change policymaking, governments and international organizations should ensure that youth engagement and data gathering is expanded at the local and rural levels where young people are most active. Town halls, listening groups, and social network events should be prioritized to ensure that a larger and more representative sample of young people is reached.

Acknowledging the requests of young people, governments should ensure that girls, women and those belonging to marginalized groups—including people of color, indigenous people, people with disabilities, and LGBTQ+ people—have equal opportunities to participate in climate change policymaking. Media outlets should also make sure these groups are given equitable visibility in the media. Policy makers, researchers, and journalists should examine and report on the efforts of young people belonging to marginalized groups. Additionally, the voice of future generations should be included by engaging children as much as possible in events and programs.

Principle 3: Enhance the legal enforceability of states' human rights obligations regarding climate change

Despite successful recent litigation, young people still face many challenges in holding states accountable for their climate change obligations and commitments. To reduce these, as an initial step, national governments should sign the Intergovernmental Declaration on Children, Youth and Climate Action, which commits states to “scale up efforts to respect, promote and consider the rights of children and young people in implementation of the Paris Agreement at all levels.”⁷⁴ The intergovernmental declaration also reinforces commitments that policies and decisions be taken in the best interest of future generations.⁷⁵ This would discourage policy makers and financial institutions from using high social discount rates in policy and investment assessments and from focusing solely on short-term economic returns. Such a commitment would incentivize states to meet their human rights obligations to children under the Convention on the Rights of the Child and demonstrate willingness to expand their duties to young people over the age of 18.

In October 2021, the Human Rights Council approved a landmark resolution recognizing the “right to a safe, clean, healthy and sustainable environment.”⁷⁶ Although the resolution provides a significant opportunity to reinforce the human rights obligations of governments during climate

change litigation, it is not legally binding. Therefore, countries must also sign regional treaties that recognize the right to a healthy environment for all individuals (not only for children, as in the Convention on the Rights of the Child), such as the Aarhus Convention and the Escazú Agreement, to increase the enforceability of this right, making successful climate litigation even more achievable.⁷⁷ These treaties require that the right to a healthy environment be achieved through participation, equality and nondiscrimination, accountability, and transparency. Beyond these two regional instruments, the legal enforceability of national governments' human rights obligations to engage in ambitious climate change action can be augmented further by the creation of a more powerful, legally binding international agreement incorporating the right to a safe, clean, healthy, and sustainable environment, such as an optional protocol to an existing international human rights covenant or a new international covenant.⁷⁸ Hopefully, this new Human Rights Council resolution, as well as the appointment of a new Special Rapporteur on climate change, might expedite this process.⁷⁹

Principle 4. Strengthen transparency in policymaking, governance, and investments

The principle of transparency is the foundation for the fulfillment of the principles of participation, equality and nondiscrimination, and accountability. To ensure that information is maximally accessible, the simplest possible language should be used so that lay people, including the young, can understand the issues. Patronizing and tokenistic language must be avoided. Training, led by young people, should be used to teach policy makers at the international and national levels how to make their communications accessible and inclusive.

Another step toward strengthening transparency requires the inclusion of environmental and climate change courses in all school and further education curricula, which teaches the most recent science and findings. Such courses should teach students what climate change is from a physical and earth science perspective; how it affects human rights; and what rights young people have. All

further education courses should offer a module on the intersectionality between the subject being studied and climate change. For example, health care students should be taught about the impact of climate change on health, while fashion degree programs should teach students about how to reduce the carbon footprint of the fashion industry. This would ensure that young people are equipped with the knowledge, awareness, and skills to understand the consequences of climate change and to engage meaningfully in developing solutions in response. National and local governments should also commit themselves to the "Climate and Environmental Literacy" campaign issued by Earth Day.⁸⁰

As described above, another growing challenge that young people have identified as a threat to their activism is the trend of "greenwashing" by governments and companies. Building on the recommendation of the UN Secretary-General's Youth Advisory Group on Climate Change, governments should require a regionally or internationally recognized environmental certificate, such as the carbon trust standard, as evidence of any company's or project's claimed sustainability or "greenness."⁸¹ Governments must also develop clearer rules for a "green" taxonomy. For example, the EU is currently developing a classification system to establish activities that can be considered environmentally sustainable, and under what terms.⁸²

As called for by young people's activism against double standards, governments and companies, especially financial institutions, should also be required to sign conflict of interest policies to ensure the disclosure of investments in the fossil fuel industry or any other activity producing high carbon emissions. The UNFCCC should create conflict of interest guidelines to fight lobbying from companies invested in the fossil fuel industry and large-scale industrial agriculture, and to ensure greater transparency in the process. At the national level, countries should follow the example of the United Kingdom's financial conduct authority, which has made climate-related disclosures mandatory in the annual filings of companies with premium listings and which will extend this requirement to all companies by 2025.⁸³ Such cli-

mate-related disclosure should be made mandatory by large businesses, including banks, insurance companies, and asset managers. Requiring companies to disclose information on climate-related financial risks would incentivize low-carbon strategies. Young consumers would then have a clearer and more comprehensive view of companies' climate-related activities, and investors would be able to better assess the risks of their portfolios.

Conclusion

Young people's demands and activism for climate justice reinforce the intersection between climate change and human rights. They champion the operational principles of an HRBA, namely participation, equality and nondiscrimination, accountability, and transparency. Through their actions, young people are pioneers in ensuring that an HRBA to climate change is translated into policies and practice. To support these efforts, policy makers must create opportunities for young people to meaningfully engage in decision-making and ensure that they do not face discrimination. Equally important is strengthening the legal climate change framework through a legally binding international agreement on the right to a safe, clean, healthy, and sustainable environment and ensuring that the right to health is upheld in climate change decision-making. Finally, transparency must be improved in policymaking, governance, and investments, including by increasing access to understandable and actionable information and education on climate change. Ultimately, young people have been leading the way, and it is now the time for adults, practitioners, policy makers, and governments to support and join young people as allies in this action.

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