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Youth Plaintiffs Have One Wish for the New Year: Climate Recovery Plans

After News that the Hearing for their Climate Change Lawsuit Against the Federal Government was Moved from San Francisco to D.C., Youth Take to the Hill to Deliver Something Special For Congress

Eugene, OR – This week youth in D.C. head to Capital Hill to hand deliver one request to members of Congress: “Give us viable climate recovery plans.” These actions come two weeks after a judge in the U.S. District Court for the Northern District of California granted the Federal Governments’ motion to transfer venue in a climate change lawsuit brought by youth plaintiffs. The hearing for the motion for a preliminary injunction was originally scheduled for December 15 in San Francisco, but has been moved to Washington, D.C. because of the national significance of the case.

Alec Loorz, lead plaintiff on the federal lawsuit, and Co-Founder of the organization Kids vs. Global Warming, says, “We filed this case in San Francisco, because most of the plaintiffs are on the west coast. Now they are moving us to D.C. where the leaders in charge of our future value money more than our survival. We are holding these leaders accountable for their lack of action and we are also trying to stop the fossil fuel industry from intervening in our case. Youth fighting for a livable future vs. the most powerful industry in the world. This is an easy choice. This is an historic moment.”

The decision to move the case to D.C. is the latest development in a case against six federal agencies tasked with addressing threats to human health, welfare and the environment, with government defendants including the Environmental Protection Agency, Department of Defense, and the Department of Interior. The lawsuit was brought to address government inaction in responding to the ever-increasing effects of the climate crisis, and to ask the judiciary to compel action consistent with the best available science.

The case asks the third branch of government to use its authority to require the agencies to develop a comprehensive plan to prevent further increases in United States carbon dioxide (CO₂) emissions and to begin to rapidly reduce emissions by 6 percent per year, which an international consensus of climate experts agree is necessary to halt catastrophic climate change. Top climate experts agree we are fast approaching a climate “tipping point” that will result in massive species extinction and threats to public health, national security, and global food and water supplies.

On October 31, the federal government responded to the lawsuit and the plaintiffs’ request for preliminary relief (essentially, a “fast track” procedure to avoid any further damage to the atmosphere) by denying the plaintiffs’ claims that federal government is a trustee of Public Trust resources, including the atmosphere, and their duty to protect those natural resources. The National Association of Manufacturers, representing the fossil fuel industry, has sought to intervene in the case and also filed a brief opposing the youth plaintiffs.

The youth filed the federal case on May 4, along with parallel legal actions in 49 states and in the District of Columbia. These actions are unlike any climate change litigation to date. They are based on the long established Public Trust Doctrine that requires the government to protect and maintain certain shared natural resources, including water and northwest salmon runs, for the health and survival of everyone, including youth and future generations. The legal actions were filed with the help of a nationwide team of top legal experts, assembled by the nonprofit organization Our Children's Trust. Never before has the Public Trust Doctrine been applied to the atmosphere, much less on a national scale and on behalf of youth, who have the most to lose if climate change is not addressed in time. A former general counsel of the Environmental Protection Agency has called the "Atmospheric Trust Litigation" strategy "creative" and "outside the box thinking." (See <http://www.eenews.net/tv/2011/05/25/>)

Today marks the release of the third installment of the *Trust* Film Series, produced by Our Children's Trust, the iMatter Campaign and Witness. The latest [film](#) captures the life of Alaska native, Nelson Kanuk, and highlights the multiple ways in which he and his family are affected by climate change in the small village of Kipnuk, Alaska. Last month Nelson's family had to take shelter in a nearby school due to the severe storms that shook the western half of the state. The recent storm in Alaska is not the first time the Kanuk family has seen the effects of climate change firsthand. Due to extreme flooding and warmer temperatures, ice sheets from the Bearing Sea have broken apart and moved swiftly into the village of Kipnuk and permafrost melt is causing massive land erosion.

"It scares me. This year we lost eight feet of land. We only have another 40 feet before the bank of the river reaches our house, and if it continues to erode at this rate, we will have to move our house to another location," says Nelson, "I'm asking the government to help me and my family."

Nelson and [John Thiebes](#), a young farmer and a plaintiff in Montana, wrote Holiday letters to every member of Congress asking them to watch their films, share their stories and stand behind them by developing Climate Recovery Plans next year. Youth in D.C. will be hand delivering their letters and films to Congress tomorrow, just in time for the holidays.

"This season offers time for reflection, time with family and sparks of hope for the days to come. After much reflection, I'm proud to be standing up and fighting for a healthy future for my generation and for those to come. I hope the Government makes the right choice. I hope actions are taken now, before it's too late," says Nelson.

Our Children's Trust is a nonprofit focused on protecting earth's natural systems for current and future generations. We are here to empower and support youth as they stand up for their lawful inheritance: a healthy planet. We are mothers, fathers, grandparents, aunts, uncles, teachers. We are adults, part of the ruling generation, and we care about the future of our children--and their children's children. www.ourchildrenstrust.org/

iMatter is a youth-led campaign of the nonprofit group, Kids vs Global Warming, that is focused on mobilizing and empowering youth to lead the way to a sustainable and just world. We are teens and moms and young activists committed to raising the voices of the youngest generation to issue a wake-up call to live, lead and govern as if our future matters. www.imattercampaign.org/

WITNESS is the global pioneer in the use of video to expose human rights abuses. We empower people to transform personal stories of abuse into powerful tools for justice, promoting public engagement and policy change. Founded in 1992, WITNESS has partnered with more than 300

human rights groups in over 80 countries, trained over 3,000 human rights defenders, developed widely-used training materials and tools, and supported the inclusion of video in more than 100 campaigns, increasing their visibility and impact. Videos made by WITNESS and our partners have told dozens of critical human rights stories, and have galvanized grassroots communities, judges, activists, media, and decision-makers at local, national and international levels to action.

www.witness.org

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