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Navahine v. Hawai'i Department of Transportation Youth Plaintiff Presents at Children's Climate Rights Conference in Geneva

On 26 May 2023, Kalālapa W., one of 14 youth plaintiffs in the constitutional climate case, *Navahine F. v. Hawai'i Department of Transportation*, spoke before a global audience of climate children's rights professionals and climate activists at the 40th Anniversary Conference of Child Rights Connect in Geneva, Switzerland. She called on those in power to be honest about the injustices that will fall upon youth across the world if our governments only aim to hold heating to the 2015 Paris Agreement target of 1.5°C instead of limiting warming to the level that science tells us is necessary to protect humanity.

"Children and youth are tired of being lied to and tired of not being taken seriously," <u>Kalālapa said</u>. "And I think children need to be aware of the possibilities and the realities of the situations that we're living in, because that makes it a lot easier for us to mobilize."

The high-level convening took place as the UN Committee on the Rights of the Child (UN Committee) worked to finalize *General Comment 26: Children's Rights and the Environment with a Special Focus on Climate Change* (and which Our Children's Trust submitted comments in in February 2023). The goal of this official comment is to provide governments across the globe with authoritative guidance on how children's rights are being harmed by the climate crisis and what governments must do to uphold these rights. However, in a draft released earlier this year, the Committee called on States to limit global warming to 1.5°C when the UN's own scientific body, the Intergovernmental Panel on Climate Change (IPCC), has categorically – and repeatedly – stated that 1.5°C is "not safe" and then gone onto methodically catalog the human toll this level of warming will take on humanity, including children, in a series of reports.

Kalālapa spoke alongside Benoit Van Keirsbilck, one of the members of the UN Committee responsible for drafting this comment. During this high-level conversation she shared why she, together with other young Hawaiians, have asked the courts to rely on the best available science evidence rather than a temperature target identified via political debate when determining the State's obligation to protect her constitutional right to a clean and healthy

environment. As one of the only Indigenous persons at the high-level convening, Kalālapa also incorporated her perspective as a Native Hawaiian into her address.

"Kalālapa powerfully conveyed the need for urgent science-based climate action for the sake of her generation and all those to come," said Paul Rink, Global Staff Attorney with Our Children's Trust. "The baton has now been passed to the Committee on the Rights of the Child to incorporate her crucial message into its forthcoming guidance to governments to protect the rights of children in an era of climate crisis."

Kalālapa met other youth climate advocates from around the world at the conference, including Catarina L., from Brazil; and Raina I., from Germany—two plaintiffs in the climate case <u>Sacci et al. v. Argentina et al.</u>, an early effort to hold countries accountable for climate change impacts at the international level, and which also included Greta Thunberg as a plaintiff.

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Our Children's Trust is the world's only nonprofit public interest law firm that exclusively provides strategic, campaign based legal services to youth from diverse backgrounds to secure their legal rights to a safe climate. We work to protect the Earth's climate system for present and future generations by representing young people in global legal efforts to secure their binding and enforceable legal rights to a healthy atmosphere and safe climate, based on the best available science. Globally, we support youth-led climate cases in front of national, regional, and international courts and UN bodies. www.ourchildrenstrust.org