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Our Children's Trust, University Network for Human Rights, and Defensa Ambiental del Noroeste – with Support of Youth and Medical Professionals – tell Inter-American Court of Human Rights to follow best available science to protect children

BRIDGETOWN, Barbados—Today, a 20-year-old Native Hawaiian and her attorney—with the backing of 21 youth and 18 pediatric associations representing over 1 million medical professionals in more than 120 countries—testified before the Inter-American Court of Human Rights (IACtHR) about the harrowing effects of climate change on children across the globe and what humanity must do to stop the crisis.

The Court invited Kalālapaikuanalu Winter and Kelly Matheson—deputy director of global climate litigation at Our Children's Trust—to speak as *amici*, or friends of the Court, as the Court develops an advisory opinion on States' obligations in fighting the climate crisis. The request for an advisory opinion came from the governments of

Colombia and Chile, which last year asked the Court to clarify States' obligations to address the climate emergency's impact on persons, nature and survival on Earth. In December, Our Children's Trust, the University Network for Human Rights, and Defensa Ambiental del Noroeste submitted an *amicus* brief to the IACtHR.

Winter is also one of 14 youth who have sued the Hawai'i Department of Transportation over their operation of a transportation system resulting in levels of greenhouse gas emissions that violates their state constitutional rights, causing them significant harm and impacting their ability to "live healthful lives in Hawai'i now and into the future." They are represented by Our Children's Trust, who represents youth constitutional climate suits in the United States and around the world.

Winter described the devastating impacts of the climate crisis, including the story of one of her co-plaintiffs, Kaliko, a native Hawaiian 13-year-old whose family lost their home in flooding from Tropical Storm Olivia, only to lose their next home to a lethal wildfire. She talked about how her own native Hawaiian community was devastated in 2018 by a climate change-induced "rain bomb" that dropped 1.5 meters of water in a single day, a U.S. record for 24-hour rainfall.

It "destroyed our community, including homes, farmland, and the Limahuli stream – our main source of water. It cut off our only road-based access for almost a year and depleted our fisheries, right when our people needed them the most," she said. Winter also emphasized the resulting losses of indigenous traditions and cultural heritage, and the importance of science and indigenous knowledge to fight the climate crisis. The judges hearing the case for the Court praised her intervention.

The Court recognized states must go beyond their current mitigation efforts, and specifically asked parties what is sufficient and necessary to protect human rights in the context of the climate emergency. Matheson replied: 350 ppm.

Matheson said youth and pediatricians across the world are urging the Court to adopt three critical principles in their guidance for State obligations to fight climate change:

- That best available science set the standard for the obligations;
- That States, following that science, must adopt a standard to reduce carbon dioxide in the atmosphere to 350 parts per million and no higher; and
- To do so, States must phase out fossil fuels by 2050, but should aim for 2035.

The 2015 Paris Agreement target of limiting global temperature rise to 1.5 degrees Celsius is a political target, she said, not a scientific one. The world is already experiencing catastrophic harms at temperatures below that.

“When unprecedented storms sweep away children’s homes and when climate fires stifle our children’s ability to breathe, I ask, is that not irreversible and catastrophic?”

“This will be the first time that the most important Tribunal in the Americas rules on the specific measures states must adopt to protect human rights in the context of climate change,” said James Cavallaro, Executive Director for the University Network for Human Rights. “This advisory opinion will be crucial to establish guidelines that states must follow to protect human rights in the Americas—especially in relation to groups in special situations of risk, including children and future generations”.

Today, climate change is already harming the lives of millions of people across the Americas, especially children. In 2021, the Inter-American Commission on Human Rights adopted a climate resolution grounded in the principle that children have a right to live on a planet equal to or in better conditions than their ancestors.

“No profession will bear witness to the impact of climate change more so than pediatricians,” said Dr. Jeffrey Goldhagen, President of the International Society for Social Pediatrics and Child Health, when the friend of the court brief was filed. “We have the expertise to treat children as they come to us with increasing illnesses and life-threatening health problems caused by climate system deterioration. But as pediatricians, we do not have the same authority as judiciaries to urge States to make the urgent and deep emissions cuts necessary to stabilize the climate system.”

The Paris targets cannot save us, Winter testified, noting they are “too hot to protect human rights.”

“If we don’t do this now, there isn’t going to be a future for any of us,” said Winter.

Full testimony can be viewed [here](#).

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Our Children’s Trust was founded in 2010 on the idea that courts are vital to democracy and empowered to protect our children and the planet. Without a stable climate system, every natural resource we rely upon to exercise our basic human rights—life, liberty, home, happiness—is under threat. Our work will be achieved when there is universal

recognition of children's climate rights by courts around the world and children's fundamental rights to life on this planet are protected. www.ourchildrenstrust.org

The University Network for Human Rights trains the next generation of advocates by engaging undergraduate and graduate students in supervised human rights fact-finding, documentation, and advocacy. UNHR defends human rights in their broadest sense and pursues movement-based advocacy that centers the voices of directly affected communities. Humanrightsnetwork.org

Centro Mexicano para la Defensa del Medio Ambiente (DAN) is a Mexican, nonprofit group of public interest environmental lawyers. Our main objective is to promote the effective enforcement of the law to guarantee human rights and the conservation of biodiversity, as core values for democracy, social justice, environmental welfare, and sustainable development. Late in 2019, DAN filed the first constitutional climate justice lawsuits representing children and youngsters vs Mexico's omissions to act on numerous obligations on climate change. dan.org.mx/

The International Society for Social Pediatrics and Child Health is the only global organization of social pediatricians and child health professionals committed to advancing the rights of children to life, and optimal survival and development. In collaboration with multi-sectoral local, national, and international organizations, ISSOP works through clinical practice, systems change, and policy generation to address the social determinants of health, including poverty, globalization, violence, climate change, and other forces that profoundly impact the global health and wellbeing of children and youth. issop.org