

CLIMATE COMPETENCE: YOUTH CLIMATE ACTIVISM AND ITS IMPACT ON INTERNATIONAL HUMAN RIGHTS LAW

Prof. Aoife Daly, University College Cork, aoife.daly@ucc.ie

 www.ucc.ie/en/youthclimatejustice/

 [Click to read the full chapter](#)

This article considers **how child/youth-led climate action is impacting human rights**. Through applications such as Sacchi and Duarte Agostinho, they are pushing the boundaries of traditional characteristics of international human rights law, making them more democratic and helpful to the environment.



Youth activists have a “**climate competence**”, because of their ability to communicate, their abilities within the online world, and because of their knowledge about the climate crisis.



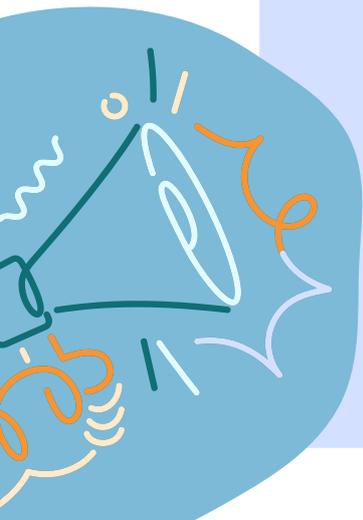
Grassroots movements and climate activism

- Social movements against climate change are increasingly converging ‘from below’ where people on the ground are trying to improve laws and standards.
- Children/youth are often seen only as victims, but in climate action, they have demanded to be seen as **prominent activists and litigants**, on a global scale.
- The UN Convention on the Rights of the Child gives children the ‘**right to be heard**’ and ‘**children’s participation**’, but arguably ‘freedom’ rights (e.g. **freedom of assembly**) have been overlooked.
- Children/youth have **found their own way** to enjoy their ‘freedom’ rights by getting information on the environment, marching together, and expressing themselves!



More on child/youth competence!

- **Online activism** has also played a part in litigation actions, for example in the *Juliana v US* case, in which the youth-led climate group Zero Hour launched the website www.joinjuliana.org to help young Americans to add their names to a young people’s amicus brief.
- Young people are **learning about the environment and teaching** each other also. Arjun Marwaha for example, a high school student from California, has extensively researched climate change science and engages in numerous awareness raising activities, including writing the book *Our Changing Earth* to inform young people about available research.
- Children/youth are increasingly learning how to **engage the media**. For example, [Greta Thumber’s speech at the UN Climate Action Summit in 2019](#) received much media, and therefore political, attention.



Children and young people and litigation



- Litigation is one way to force governments to review their approach to climate change.
- Children have started to try to **progress their rights in courts** on a scale which has not been seen to any extent since the creation of the CRC in 1989.
- In the complaint **'Duarte Agostinho'** six Portuguese children/youth claimed in the European Court of Human Rights that climate change was harming them in many ways. A number of governments were violating their rights (e.g. the right to life) by failing to stop climate change. In the complaint **'Sacchi'** 16 children also argued this to the Committee on the Rights of the Child. In both cases, the complaints were not fully heard, because the children/youth did not first go through courts of their own countries.
- The cases were not heard in full, BUT these are groundbreaking complaints that are **progressing international human rights law**. In Saachi, the Committee said that countries can harm rights of children in other countries, where those governments cause pollution.

A shift in international human rights law?



- Youth activists have brought to human rights a **linkage between the environment of present and future generations**.
- They have shown **links between environmental issues and social issues**. They help us see our responsibilities to each other more broadly, across countries and generations.
- Children are very excluded from the legal arena generally. **Young climate advocates have helped children to access climate justice**.
- Because of young climate action, **human rights law provides a better tool for everyone to hold states accountable** where they fail to protect the environment.

 **Citation:** Daly, A. (2022). Climate Competence: Youth Climate Activism and Its Impact on International Human Rights Law, *Human Rights Law review*, 22, 1-24. <https://doi.org/10.1093/hrlr/ngac011>

