



YOUTH CLIMATE JUSTICE

School of Law, UCC, Ireland

 www.ucc.ie/en/youthclimatejustice/

Case Law Database



SACCHI & OTHERS V. ARGENTINA & OTHERS

Child-friendly summary



Click here to read the [full summary](#).



OVERALL SUMMARY

In 2019, 16 children took a **petition*** to the **Committee on the Rights of the Child*** arguing that countries are not doing enough to stop climate change. The Committee agreed that **governments are responsible** for protecting children from climate change, even if the children live in other countries. However, they **decided not to look at the case** fully.



THE CASE

A group of sixteen children between 8-18 years old from around the world, took a **petition*** to the **Committee on the Rights of the Child*** against 5 countries: Argentina, Brazil, France, Germany and Turkey.



The children said these countries negatively affected their rights under the **Convention on the Rights of the Child*** (UNCRC) because they didn't make enough efforts to stop climate change. They said this is harming their right to life, to health, and to enjoy their culture.

*Tricky words in
BOLD explained at
the end!

MEET THE PETITIONERS!



Credit: Michael Rubenstein / [Earthjustice](#)

Chiara Sacchi is a young climate activist from Argentina. Along with 15 other young people and children from Brazil, France, Germany, India, the Marshall Islands, Nigeria, Palau, South Africa, Sweden, Tunisia and the USA took this petition to the UN Committee on the Rights of the Child.

The children argued that these countries promised to protect children's rights and fight climate change under the **Paris Agreement*** and the UNCRC but haven't kept their promises. They wanted the **Committee on the Rights of the Child** to recommend that these governments:

- **Create new laws and policies** to stop and prevent climate change.
- **Work with other countries** to create strong rules to fight climate change.
- **Listen to children** when making decisions about the environment.

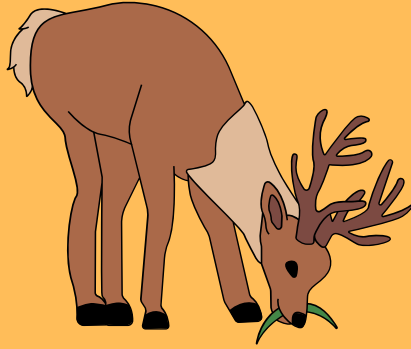
WHAT UNCRC ARTICLES DID THEY CITE?

- **Art. 3:** Right to have child's/children's best interests taken as primary consideration in all matters affecting them.
- **Art. 6:** Right to life, survival and development.
- **Art. 12:** Right to express views freely and have these taken into account.
- **Art. 24:** Right to health, healthcare, and a healthy environment.
- **Art. 30:** Right to minority culture, language, religion.

FOR EXAMPLE:



Deborah from Nigeria has asthma attacks because of pollution and heat (Article 24, CRC)



Ellen-Anne from Sweden said her Indigenous community's way of life, like reindeer herding, is at risk (Article 30, CRC)



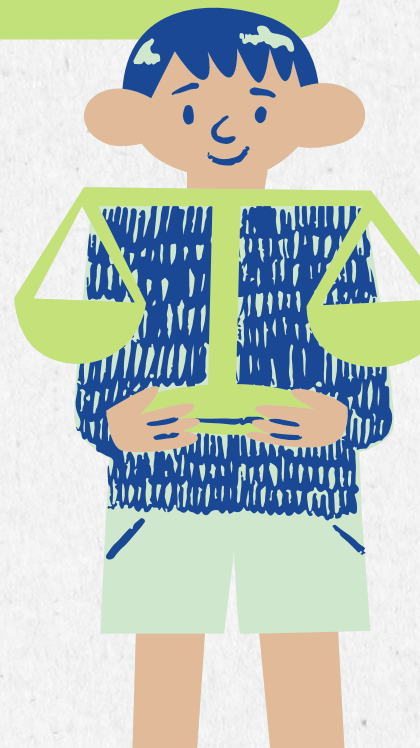
David, Litokne, and Ranton from the Marshall Islands worry their islands could disappear due to rising sea levels (Article 6, CRC)

WHAT DID THE COMMITTEE DECIDE?

The Committee agreed that **governments are responsible** for protecting children from climate change, even if the children live in other countries. However, they decided **not to look at the case fully**. This is because the children have to **first try to send** a petition to the courts in the country they are complaining about, before going to the Committee (an international body). This is called “**exhaustion of domestic remedies**”*. The Committee wrote a letter to the petitioners explaining the decision of the case.

WHY IS THIS CASE IMPORTANT?

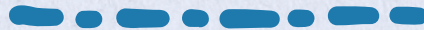
The Committee decided **not to look** at the case fully. BUT it's important that it decided **governments have responsibility** for climate change effects. The petition **brought attention** to how climate change affects children's rights. A **future case** (which starts in the actual country/countries first) may succeed!



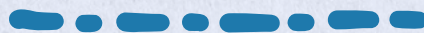


EXPAND YOUR KNOWLEDGE!

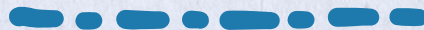
- The **Committee on the Rights of the Child (CRC)** is a group of 18 experts in children's rights. The Committee meets three times each year in Geneva, Switzerland, to discuss how children's rights are being promoted and protected in each country that signed the Convention. They make recommendations to each country on how they should improve children's rights.



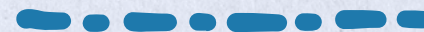
- The **Convention on the Rights of the Child (UNCRC)** is an important agreement by countries to promise to protect children's rights. The Convention explains who children are, all their rights, and the responsibilities of governments to protect, promote and fulfil children's rights. It was adopted by UN General Assembly in 1989.



- A **petition** is a legal document that asks for a specific court order. It can be created by a person, a group or an organisation, and it can be sent to a national or regional court, such as the European Court of Human Rights, or to an international body, such as the Committee on the Rights of the Child.



- The **Paris Agreement** is an important agreement signed by 196 countries on climate change. It was adopted in 2015 at the UN Climate Change Conference (COP21) in Paris, France. Its main goal is to avoid the average Earth's temperature from rising more than 2°C in the coming years.



- **Exhaustion of domestic remedies** is a rule in international law that means people must go to their national/domestic courts to complain about an issue before going to an international court, like the Committee on the Rights of the Child