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Statement from *Juliana* youth plaintiffs & Our Children's Trust on 'tragic and unjust' Ninth Circuit decision in constitutional climate case

EUGENE, Ore.—Following today's [decision](#) from U.S. Court of Appeals for the Ninth Circuit on *Juliana v. United States*, **youth plaintiffs attorney and Our Children's Trust Chief Legal Counsel and Co-Executive Director Julia Olson** released the following statement:

"The Biden administration was wrong to use an emergency measure to stop youth plaintiffs from having their day in court. The real emergency is the climate emergency. This emergency was not created by these young people, who have just been stripped of their fundamental constitutional rights by one of the highest courts in our country. Children deserve access to justice.

Today's decision by a panel of three Trump-appointed judges is wrong on the law and has a chilling effect. It offers a dire reminder of just how vital our courts are to a healthy democracy. A declaration of our constitutional rights by the courts is one of the few things that has moved our nation to greater justice and equality throughout history. The court's opinion that declaring dangerous and discriminatory government systems unconstitutional doesn't matter, is simply false. Adults continue to discriminate against young people in profoundly harmful ways, and this ruling greenlights these harms.

A responsible constitutional democracy celebrates the role of all three branches in upholding our most sacred rights and values. This is a tragic and unjust ruling, but it is not over. President Biden can still make this right by coming to the settlement table. And the full Ninth Circuit can correct this mistake.

We will never give up fighting for the constitutional rights of our children and a livable planet for future generations.”

Statements from three of the *Juliana* plaintiffs can be found below:

Plaintiff Avery McRae:

“Every time we get a decision as devastating as this one, I lose more and more hope that my country is as democratic as it says it is. I have been pleading for my government to hear our case since I was ten years old, and I am now nearly 19. A functioning democracy would not make a child beg for their rights to be protected in the courts, just to be ignored nearly a decade later. I am fed up with the continuous attempts to squash this case and silence our voices.”

Plaintiff Miko Vergun:

“Today's decision is a stark reminder of the uphill battle we face in addressing the climate emergency. Mine and my fellow plaintiffs' exhaustion of constantly getting our trial taken away is compounded by a denial of our fundamental rights. We plead for the opportunity to have our day in court, to seek justice not just for ourselves, but for the preservation of our planet and the generations to come. Let this ruling serve as a rallying cry for the recognition of children's rights and the urgency of climate action.”

Plaintiff Nathan Baring:

“Judge Aiken emphasized in her order that the proper venue for establishing a factual record and assessing constitutional claims is in the Trial Court in Oregon. Instead, by granting the Justice Departments Writ of Mandamus, the court denies us our day in court for yet another time during the decade long *Juliana* saga. We will keep fighting for climate justice but this is another dark day for protecting young people from climate harm imposed by their government.”

For background and a timeline on *Juliana*, visit <https://www.ourchildrenstrust.org/juliana-v-us>.

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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