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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 – Submit *Amicus* Brief to Inter-American Court of Human Rights, on Climate Emergency and Human Rights

Middletown, Conn.—In honor of International Human Rights Day and the 75th Anniversary of the Universal Declaration of Human Rights on December 10, [Our Children's Trust](#), the [University Network for Human Rights](#), and [Defensa Ambiental del Noroeste](#) are submitting an [amicus brief](#) to the Inter-American Court of Human Rights (IACtHR) outlining the special obligations countries must undertake to address the climate emergency according to international human rights standards. The organizations present the brief with the support of 21 youth who have brought rights-based climate cases in federal courts of the U.S. and Canada, together with 17 professional pediatrics associations representing over one million medical professionals in over 120 countries, including Colombia and Chile.

The *amicus* responds to the [request for an advisory opinion](#) by the governments of Colombia and Chile in January 2023. In the request, the governments asked the Court to clarify the scope of countries' obligations to address the climate emergency's impact on persons, nature, and survival on Earth.

Climate change—and this advisory opinion—matter for everyone. At today's level of heating, climate change is already harming the lives of millions of people across the Americas, especially children. For instance, Chile and Argentina have been besieged by a megadrought since 2008 and this winter global warming pushed temperatures in the Andean mountains to 37°C. In 2020, climate change-fueled Hurricanes Eta and Iota

ravaged vast areas of Central America. This past summer, Canada experienced a fire season unlike any other. Blazes burned an estimated 18.4 million hectares from the country's western province of British Columbia all the way east to Quebec. In total, hundreds of fires exceeded 10,000 hectares (39 square miles) burning an area roughly the size of North Dakota.

"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."

Fernando Ochoa, General Director of Defensa Ambiental del Noroeste, underscored the importance of the Court's opinion, stating, "These are historic and very exciting times in different highest courts of the region. The ruling of the Inter-American Court will establish guidelines for the tribunals in the Americas. This might change the course of things in favor of the planet and the future generations."

The *amicus* includes the most protective and emerging national and international jurisprudence as well as the best climate science and medical evidence. It emphasizes how critical it is for the Court to rely on the best available science when interpreting countries' obligations to protect human rights in this context, especially regarding children. The brief stresses that the nonscience-based temperature targets set forth in the Paris Agreement of limiting global average surface temperature rise to 1.5°C or 2.0°C are categorically insufficient to protect children worldwide.

"Climate policies built upon a foundation of 1.5°C are dangerously unstable and constantly on the brink of an explosive and fiery collapse," said Kelly Matheson, Deputy Director of Global Climate Litigation for Our Children's Trust. "If this Court's Advisory Opinion avoids reinforcing the misconception that 1.5°C is protective of human rights, it could set the world on a path that prioritizes solutions that are scientifically necessary to reverse climate change rather than politically-negotiated half-measures."

"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. "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 brief highlights numerous scientific findings that make clear what States need to do to effectively comply with their international human rights obligations derived from the American Convention and other Inter-American treaties. In this regard, to avoid catastrophic climate impacts and subsequent serious human rights violations, including

into the future, States must make urgent and deep reductions of ongoing greenhouse gas emissions and lower the level of atmospheric carbon dioxide from the current concentration of about 420 parts per million (ppm) down to under 350 ppm. It further emphasizes that pathways for countries to achieve this 350 ppm target are feasible.

The *amicus* brief is available [here](#). For more information, visit the Court's website [here](#).

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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 courts, regional human rights courts, and UN bodies.
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