



HUMAN RIGHTS IN THE FACE OF THE CLIMATE CRISIS:

a youth led initiative to
bring climate justice to
the International Court
of Justice

April 2023

**Policy Plan of World's Youth for Climate Justice
(WYCJ)**

We are a global youth movement taking the world's biggest problem to the world's highest court.

What started as a bold vision by students from the Pacific has grown into a global network of stubborn optimists.



WYCJ Youth Reception at the UNFCCC COP27 in Egypt in November 2022

The human rights of people living in communities on the frontline of the climate crisis are already being violated today. Extreme weather events, air pollution and food and water scarcity are just some of the climate crisis impacts that are now directly infringing on our basic human rights including the rights to life, housing, food, health and education.

Vulnerable groups are facing the brunt of the crisis, and most acutely impacting women, children, Indigenous populations, the elderly, people living in poverty.

And yet, global society continues to implement sustainable solutions at no more than a glacial pace.

#EndorseTheAO #OurFutureOurRights

We believe that an Advisory Opinion on climate change from the International Court of Justice will not only summarize states' existing obligations with regards to human rights and climate change, but that it can also deliver a progressive interpretation of those obligations and make global progress toward intergenerational equity and climate justice.

We, the World's Youth, are hopeful on this journey to the International Court of Justice to secure the human rights of present and future generations. We hope to see you stand with us.

2



Brief Summary

Bringing the world's biggest problem to the world's highest court: World's Youth for Climate Justice ("WY CJ") is seeking a landmark Advisory Opinion from the International Court of Justice ("ICJAO") to protect the most vulnerable from the existential threat of climate change and propel global progress towards climate justice. WY CJ is seeking the support of state and non-state actors for the ICJAO in a bid to secure the rights of present and future generations.

The road to climate justice

- **The first phase** (2019-2023) of this campaign is focussed on galvanizing global support for the landmark climate justice resolution to pass through the UNGA with at least a simple majority vote and global representation.
- The **second phase** (2023-2025) of the campaign is centered around the court proceedings at the ICJ in The Hague. The campaign will focus on mobilizing and supporting a broad coalition of youth and civil society organizations to engage with the court proceedings and harness global attention to ensure that the advisory opinion is reflective of the stark reality of climate injustice.
- The **third phase** (2025 and onwards) of the campaign is focused on embedding the ICJAO in laws and practice of states at the international, regional and national level

through enforcement and implementation of the substance of the advisory opinion. Successful uptake of the advisory opinion will allow the ICJAO to be a vehicle for ambition, action and fairness across the globe.

This proposal focusses on Phase 2.

3



The UN General Assembly requesting ICJ Advisory Opinions

Pursuant to Article 96 of the Charter of the United Nations (UN Charter) and Article 65(1) of the Statute of the International Court of Justice (ICJ Statute), the UN General Assembly is eligible to request an advisory opinion from the ICJ on any legal question. At the UNGA, all states have one vote.

Unlike judgments of the ICJ in contentious proceedings, advisory opinions are not binding as such. Nonetheless, ICJ advisory opinions carry great moral authority and legal weight. Advisory Opinions contribute to the clarification and development of international law and thereby to the strengthening of peaceful relations between States.

In the past, the ICJ has responded to 16 requests by the UN General Assembly, and the advisory opinions have contributed to international law-making, subsequent treaty conclusion.



ICJAO

Global progress towards climate justice



ICJAO as step-change for climate justice

An ambitious Advisory Opinion on Climate Change and Human Rights from the International Court of Justice can contribute to the global progress towards **climate justice** and **intergenerational equity**. In particular, the ICJAO will contribute to:

- Providing impetus for more **ambitious action** under the Paris Agreement.
- Providing guidance for **domestic, regional and international adjudication**.
- Providing a tool in the hands of civil society to increase state accountability to protect people from the climate emergency.
- **Integrating areas of international law** that are currently developing in separate tracks, such as the law of the seas, human rights and environmental principles.
- Cementing consensus on the **scientific evidence** of climate change.

4

Standing on the shoulders of giants

The efforts of WYCY builds on the leadership of countries and individuals on the frontlines of the climate emergency, who have persevered for over a decade to galvanize global support for the first-ever ICJAO on climate change. WYCY stands on the shoulders of giants and continues to work hand in hand with Pacific leaders.

Palau's attempt to pass ICJ Advisory Opinion in 2011

In 2011, the climate-vulnerable Pacific Island state of Palau attempted to take climate change to the International Court of Justice. They were seeking clarifications on the obligations of states to cut greenhouse gas emissions to avoid transboundary harm. Palau's attempts were unsuccessful. In 2015 the International Union for Conservation of Nature (IUCN) passed a resolution supporting the request for an ICJ Advisory Opinion on Intergenerational Equity. A few years later, states from all over the world came together for the Paris Agreement, inviting states to voluntarily commit to emission reduction targets. But so far, states' contributions have not been ambitious enough to reach the 1.5 degree-target agreed upon in Paris.

The spark

In 2019, 27 law students from The University of the South Pacific were inspired by Palau's initiative and came together to form the Pacific Islands Students Fighting Climate Change (PISFCC). They built upon Palau's campaign with a new focus: human rights and climate change. In the same year the PISFCC's proposal was tabled by the Vanuatu government at the Pacific Island Forum (PIF). There, the 18 member states of the PIF noted positively the proposal for a United Nations General Assembly resolution seeking an advisory opinion from the International Court of Justice on climate change and human rights.

Republic of Vanuatu leading global effort

On September 25th 2021, Vanuatu formally announced that they would be pursuing a campaign to request an ICJ Advisory Opinion on the rights of current and future generations in the context of climate change.



5

On May 5th 2022, civil society organizations in the Pacific launched an Alliance to support the government of the Republic of Vanuatu's initiative. To be successful, there needs to be a strong diplomatic and political push from governments, and civil society in a bid to secure the necessary support at the General Assembly for such a Resolution. Civil Society Organizations in the Pacific have indicated their support and willingness to engage and advance this campaign both in the region and beyond and have formed an initial alliance that would grow to include other CSO's and non-state actors interested in the campaign to join in.

Key WY CJ activities

Founded in 2019, WY CJ has made remarkable progress in forging a network of dedicated stubborn optimists around the world who are demanding their governments to #VoteYesforClimateJustice. WY CJ's members have participated in key international gatherings including COP26, COP27, Stockholm+50, and the UN High-Level Political Forum. WY CJ has been pioneering legal thinking on climate justice through articles and conferences, and made political waves in countries around the world. Key results include:

Key international gatherings

At COP27, WY CJ together with PISFCC organized a side event at the Benelux pavilion with H.E. Aiyaz Sayed-Khaiyum Attorney-General of Fiji, and H.E. Odo Tevi Vanuatu's UN Ambassador. WY CJ and PISFCC organized a Youth Reception for interested young and Indigenous leaders from around the world. Members campaigned with global leaders including H.E. Mark Rutte Prime Minister of the Netherlands.

At Stockholm+50 WY CJ raised the campaign with various countries including H.E. Samuelu Laloniu Ambassador of Tuvalu to the UN and H.E. Olof Skoog EU Ambassador to the UN and H.E. John Kerry US Special Presidential Envoy for Climate.

At the High Level Political Forum in 2021 a side event was organized launching WY CJ's flagship legal report. Speakers included H.E. Mary Robinson former President of Ireland and current chair of The Elders, and H.E. Zakia Khattabi Minister of Climate, Belgium.



Pioneering legal thinking

At the Oslo International Environmental Law Conference, WY CJ presented the ICJAO campaign to eminent legal scholars and practitioners. The conference was hosted by the WCEL IUCN and University of Oslo.

Together with the Cambridge International Law Journal a symposium on legal aspects of the ICJAO was organized in April 2022.

Together with the British Institute of International and Comparative Law, a conference was organized on the ICJAO in March 2021.

Mobilizing civil society support

Over 200 students of Government College University Lahore engaged in an open mic debate held in November 2022.

At the Peace Palace in The Hague, the Dutch civil society coalition including Save the Children Netherlands and Greenpeace Netherlands, was launched by Princess Laurentien of the Netherlands, in October 2021.

A capacity-building camp for 20 young campaigners from across Europe was organized in Berlin in October 2021.



WYCJ's Stubborn optimists at key international gatherings



Blue Ocean Law conference on the ICJAO at the Peace Palace in June 2022.



PISFCC and WYCJ at COP27 in Sharm El-Sheikh, Egypt in November 2022.



WYCJ and PISFCC Youth Reception at COP26 in Glasgow, UK in November 2021.



Our Strategy: Phase 2 in detail

After adoption of the UN General Assembly of the landmark climate justice resolution, legal proceedings will take place at the International Court of Justice located in The Hague, the Netherlands.

With legal proceedings a forum for countries, WYCJ's role will center on ensuring the voices of young people and future generations are heard in the court room and rallying global attention on the court.

WYCJ's activities are built on six pillars that galvanize civil society, pioneer legal thinking and contribute to creating a court of the people.

Pillar 1: The court room

Pillar 2: National campaigns

Pillar 3: Civil society coalitions

Pillar 4: Research, writing and legal advocacy

Pillar 5: International advocacy

Pillar 6: Telling stories of impact

Proceedings before the court are both written and oral. Written submissions are open to states and relevant international organizations. Oral submissions to the court are open to states only.



Pillar 1: The court room

WYCJ's campaign will target states to encourage them to make ambitious arguments centered on principles of climate justice and intergenerational equity. WYCJ's upcoming legal handbook will provide impetus for this. NGOs and youth organizations will be encouraged to submit *amicus curiae* to the court to ensure participation of civil society in the proceedings. Historically limited to a small group of countries participating before the court, WYCJ will also focus on encouraging a wide range of states to make submissions to the court.

To ensure the voices of young people, frontline communities and future generations are heard in the court room, WYCJ will campaign to include marginalized voices in state delegations.

To gather broad attention for the case, WYCJ will mobilize young people and civil society outside the court room other key locations across the world. Activities could include a mural by an Indigenous youth activists in the Hague, protests, a public library containing the *amicus curiae* briefs, exhibitions, press conferences or live screenings from inside the court room.

Pillar 2: National and regional campaigns
Empowering young people to engage with the 'World Court' and advance climate action is one of the key objectives of WYCJ.

Structured around national and regional campaigns, WYCJ provides capacity-building on international law, international decision-making processes and advocacy to young people.

Developing capacity-building resources and scaling activities to allow young people around the world to understand the proceedings before the ICJ and take action to intensify civil society pressure will be one of the key activities of WYCJ.

Pillar 3: Building a global coalition

The campaign for an ICJAO has great merit in igniting change in the world and saving our planet from catastrophic damage.

Great minds including **Christiana Figueres, former UNFCCC Executive Secretary**, have joined us in this vital campaign. We are proud to call this group our Friends of the Initiative.

FOIs lend their weight and utilize their networks, reach and resources to the narrative. Organizations can also become FOIs, and many around the world have already done so. By building sustainable and equal partnerships with like-minded organizations we can ensure young people's voices are heard inside the court.

Organizational Friends of the Initiative include:

- Arab Youth Sustainable Development Network
- Green Africa Youth (GAYO)
- Youth and Environment Europe (YEE)
- Baranquilla+20
- ClimaTalk
- La Ruta del Clima

Building a Regional Campaign in Action

Berlin, 21st to 24th October 2021

18 young campaigners from across Europe crossed the north sea, weathered delayed trains and storm disruptions and heavy rain to make it to WYCJ's first-ever in-person training.

The training was organized by Fabi Gacon and Sophia Bachmann, the German UN Youth Delegates on Sustainable Development together with WYCJ's Jule Schnakenberg, with generous support by the Naturfreunde and Jugendbank.

We started off with introductory games, and a ground-setting activity on Thursday, before moving to more substantial content on Friday. Saturday was also dedicated to some more theoretical learning and then lots of practical collective thought-showering.

Some of the workshops conducted were by H.E. Miss Maria Fernanda Espinosa (former Ecuadorian politician and diplomat, 73rd UN General Assembly President), Dr Fillippo Fontanelli (Senior Lecturer for International Law at Edinburgh University), Alyn Ware (former campaigner for the ICJ Advisory Opinion on Nuclear Weapons) and Prof. Dr. Hermann Ott (Director at ClientEarth Berlin).

What is needed?

Capacity-building for those national campaigners, and close mentoring and support virtually or in person.



Pillar 4: Research, Writing and Legal Advocacy

To advance legal thinking on climate justice and support civil society in engaging with the ICJAO, WYCY will write resources and present at conferences.

"To tackle the global climate crisis we must listen to the voices of youth calling for urgent and transformative action. I wholeheartedly support the efforts of World Youth for Climate Justice to secure an Advisory Opinion from the International Court of Justice. Climate justice delayed is climate justice denied!"

Dr. David Boyd, UN Special Rapporteur on Human Rights and the Environment " & Friend of the Initiative

Pillar 5: Events

WYCY will spark conversations on climate justice to strengthen an inclusive- and justice-oriented narrative around climate change and international processes. By organizing convenings and bringing together key stakeholders including experts, civil society and governments, to meet, ask questions, learn and network, a range of issues at the intersection of climate justice will be advanced.



Pillar 6: Telling stories of impact

This initiative is unique in its global scale. This requires reaching out and engaging with a variety of target audiences in different languages and formats, using a variety of mediums. We are actively building and developing an online presence with our website and on social media platforms. We also keep our supporters and partners informed and involved via an internal newsletter. Communications is of special importance in an increasingly virtual world.



Example of Pillar 6 in Action

During COP27 we were making use of social media to promote our events, sharing information on speakers of those events and discussion questions, reflecting on them and the words of our speakers, sharing the pre COP statement and the links to the videos, live tweeting etc. This allowed us to reach a broader audience beyond Sharm el-Sheikh, and creates a virtual activity log of our work as well.

What is needed?

Effective, precise, inclusive and accessible communication is the central pre-requisite for our work across all pillars in all continents. For this we seek professional advice, mentoring and support (whenever possible pro-bono) to professionalize, enhance, strengthen, translate, amplify and broaden our reach and message. High-quality equipment and training are the next big step for this area of work.



Fundraising

Fundraising

WYCJ aims to raise contributions and grants from a variety of sources. WYCJ primarily aims to obtain grants from institutional donors and secondarily contributions from individuals through a donation button on the WYCJ website: www.wy4cj.org/donate

From 2020, WYCJ has received small prize grants for awards it has received. In 2021, financing was scaled up and the majority of funding was received through grants provided by a foundation.

Excess funds are not invested but held in a bank account for future use.

Stichting World's Youth for Climate Justice

Chamber of Commerce number: 83847952

RSIN (Dutch tax number): 863008331

Board:*

- Secretary: Jule Schnakenberg, born 23 September 1998
- Treasurer: Mert Taner Kumru, born 08 March 1997
- Chair: Aoife Fleming, born 06 November 1997

*We are looking to prepare all the documents necessary to add board members to allow for international representation of the founding members of this network.



'One Boat, One Vote' Vaka action in New York City in 2022

How we work

WYCJ is a global network of stubborn optimists. WYCJ is organized as a decentralized movement, empowering members across the world to take action for the ICJAO campaign. The movement is organized along the following groups:

Steering Committee: Central representative body that brings together regions and cross-cutting themes, e.g. academic, finance and communications, as impulse-giver for strategic direction of the campaign.

Regional Fronts: National and supra-national campaigns come together and form a front with a specific perspective and context (e.g. Latin-American front)

Taskforces: On an ad-hoc basis volunteer-based taskforce can be created who work towards a specific goal together, e.g. COP27 taskforce.



Global gathering of WYCJ and PISFCC stubborn optimists at COP26 in Glasgow, UK

W: www.wy4cj.org

E: hi@wy4cj.org

[@wy4cj](#)



Toussaintkade 20c

2513CJ, The Hague

The Netherlands