United Nations Development Programme

# CLIMATE JUSTICE:
## A youth guide to legal responsibility, policy action and accountability

**Title**: Climate justice: A youth guide to legal responsibility, policy action and accountability
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**Acknowledgements**
This Guide was made possible through UNDP's youth empowerment portfolio, managed by the Global Youth Team within the Open and Inclusive Public Sphere Team of UNDP's Bureau for Policy and Programme Support. Its development was further enriched by inputs from across UNDP's Global Policy Network, as well as by the contributions of around 600 young people from over 100 countries, engaged through in-person dialogues, a global online consultation, thematic interviews, and multilingual validation workshops. We extend our sincere appreciation to all colleagues, partners, and young contributors whose insights and expertise shaped this process.

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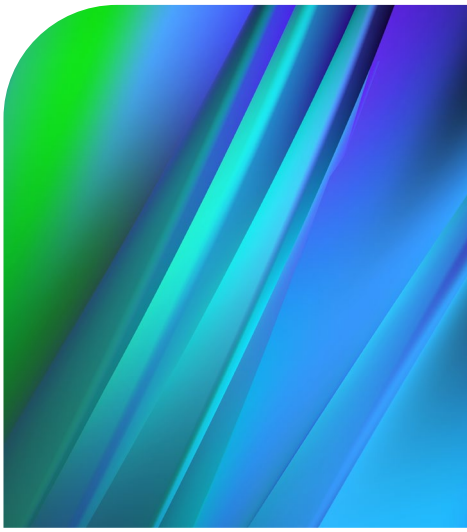
# Executive summary



Climate justice is not an abstract concept. It reflects lived realities that are deeply interconnected, cutting across human rights and equity, peace and security, gender equality and social inclusion, governance and democracy, and the protection of Indigenous Peoples, local and frontline communities, and other non-State actors. As a risk multiplier, climate change deepens existing inequalities and exposes structural injustices embedded in social, economic, and political systems. Its impacts are unevenly distributed, with those who have contributed least to the climate crisis—particularly people in vulnerable and marginalized contexts—bearing its most severe consequences.

Across regions and contexts, young people have emerged as central actors in confronting these injustices and advancing accountability. Their leadership is reflected in youth-led processes such as the 2025 Global Youth Statement, which consolidated over 30,000 contributions from more than 150 countries into an evidence-based, negotiation-aligned policy document. It is also reflected in the historic 2025 request for an advisory opinion from the International Court of Justice on climate change—an initiative initiated by Pacific youth, supported by States, and amplified by a global youth movement. Together, these efforts demonstrate the scale, legitimacy, and depth of youth engagement, as well as young people's capacity to shape climate governance and influence decision-making at national, regional, and global levels.

Despite this leadership, young people continue to face persistent structural barriers that limit their influence over climate policy, decision-making processes, and systems of accountability. Throughout the development of this Guide, young people consistently identified challenges that are systemic, interlinked, and rooted in existing governance arrangements, including gaps between participation and influence, weak implementation of commitments, and limited access to accountability mechanisms.

This Guide responds to these challenges by advancing **youth legal advocacy** as an overarching pathway for climate justice action. It frames the law as an enabling tool—drawing on climate, human rights, and environmental legal frameworks—to ground, inform, and strengthen youth-led climate justice efforts. Rather than presenting law as a standalone solution, the Guide situates legal advocacy alongside policy engagement, community mobilization, and institutional reform.

Central to the Guide is the **Climate Justice Pathway**, a practical, rights-based methodology that supports young people in identifying climate-related harms, linking them to relevant rights and corresponding duties and obligations, and navigating mechanisms for accountability. By doing so, the Pathway helps bridge the gap between individual, grassroots, and community-level action and formal climate governance systems—particularly where responsible actors fail to meet their legal and policy commitments.

The Guide is organized into two core sections, preceded by an introduction and followed by a chapter dedicated to practical application. **Section I, Legal Foundations**, outlines the legal principles, frameworks, and sources of obligations relevant to climate justice. **Section II, Entry Points for Climate Justice Action and Accountability**, demonstrates how these foundations can be translated into action through youth-led case studies and practical strategies. A final chapter on **Practical Tools and Resources** supports action across key thematic areas, including loss and damage, just transition, nationally determined contributions, and the protection of young environmental and human rights defenders.

Several overarching lessons emerge. First, transformative change that becomes embedded within systems and institutions rarely results from a single strategy. It is driven by layered and mutually reinforcing efforts across legal action, policy advocacy, and community mobilization. Second, young people are not merely participants in climate action, but leaders shaping its direction and outcomes, bringing diverse forms of expertise and legitimacy. Third, advancing climate justice requires placing equity and human rights at the centre of climate decision-making and implementation, ensuring that participation translates into meaningful outcomes.

The tools, case studies, and pathways presented in this Guide are not exhaustive, nor are they intended to prescribe a single route forward. Rather, they are offered as an invitation: to adapt these approaches to different contexts, to build alliances across generations and regions, and to continue advancing the systemic transformations that climate justice requires.

Photo: Holland Park Media

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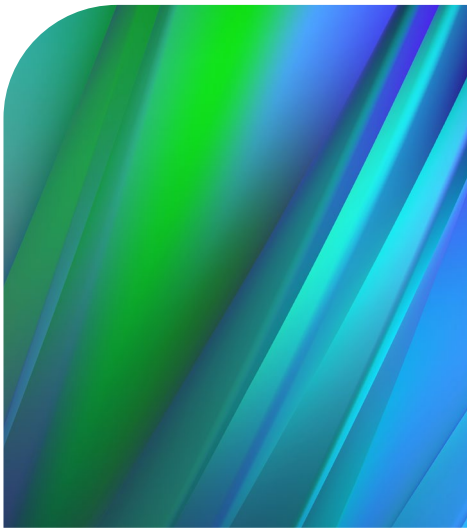
# Acronyms

| | |
|---|---|
| **ACHR** | Arab Charter on Human Rights |
| **AO** | Advisory Opinion |
| **AU** | African Union |
| **AICHR** | Inter-American Court of Human Rights |
| **AfCHPR** | African Court on Human and Peoples' Rights |
| **ASEAN** | The Association of Southeast Asian Nations |
| **ARSIWA** | Articles on Responsibility of States for Internationally Wrongful Acts |
| **CIL** | Customary International Law |
| **COP** | Conference of Parties |
| **CBDR-RC** | Common But Differentiated Responsibilities and Respective Capabilities |
| **EU** | European Union |
| **ECtHR** | European Court of Human Rights |
| **GCF** | Green Climate Fund |
| **GYS** | Global Youth Statement |
| **IACtHR** | Inter-American Court of Human Rights |
| **ICJ** | International Court of Justice |
| **ICJAO** | International Court of Justice Advisory Opinion |
| **ICCPR** | International Covenant on Civil and Political Rights |
| **IPCC** | Intergovernmental Panel on Climate Change |
| **IPO** | Indigenous Peoples Organization |
| **ITLOS** | International Tribunal for the Law of the Sea |
| **LCOYs** | Local Conferences of Youth |
| **NAPs** | National Adaptation Plans |
| **NDCs** | Nationally Determined Contributions |
| **NGO** | Non-Governmental Organization |
| **PISFCC** | Pacific Island Students Fighting Climate Change |
| **PYCC** | Presidency Youth Climate Champion |
| **R2HE** | Right to a Healthy Environment |
| **RCOYs** | Regional Conferences of Youth |
| **SIDS** | Small Island Developing States |
| **SLAPPs** | Strategic Lawsuits Against Public Participation |
| **UNCLOS** | United Nations Convention on the Law of the Sea |
| **UNDP** | The United Nations Development Programme |
| **UNEP** | The United Nations Environment Programme |
| **UNFCCC** | The United Nations Framework Convention on Climate Change |
| **UNGA** | United Nations General Assembly |
| **UNSCR** | United Nations Security Council Resolution |
| **WYCJ** | World's Youth for Climate Justice |
| **YOUNGO** | The Official Children and Youth Constituency of UNFCCC |
| **YNA** | Youth Negotiators Academy |

# Introduction



## Why a youth and climate justice guide?

Young people across the world are driving some of the most innovative, determined, and courageous efforts to advance climate justice. With 1.9 billion young people alive today—nearly half the world's population under 30—the potential for transformative change is undeniable.[1] Today's younger generation is one of the largest in history and a driving force for innovation, accountability, and societal change.

This leadership is reflected in youth-led climate action across all regions and in the International Court of Justice advisory opinion on climate change—an initiative born in a classroom, championed by Pacific youth and States, and amplified by a global youth movement. As the United Nations Secretary-General António Guterres noted, "this is a victory for our planet, for climate justice and for the power of young people to make a difference."[2] Young people refuse to inherit a broken world.

Yet despite their leadership, young people continue to face persistent structural barriers that limit their influence over climate policy, decision-making and legal accountability. The development of this Guide was supported by the contributions of over 600 young people from more than 100 countries, as well as inputs from UNDP experts at global and regional levels.[3]

Collectively, these engagements highlighted a set of systemic and interlinked challenges that continue to constrain young people's ability to drive meaningful change. These include:

- **Limited political will and resistance to climate justice**, with justice-based approaches often dismissed as "too political" or deprioritized in favour of short-term economic priorities. These challenges are frequently intensified in fragile, conflict-affected and crisis settings.[4]

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1 United Nations, World Population Prospects 2022: Summary of Results (UNDESA, 2022)
2 United Nations, *Secretary-General Welcomes International Court of Justice's Historic Advisory Opinion as Victory for Our Planet, Climate Justice*, press release SG/SM/22738, 23 July 2025.
3 For more information, see Annexes: Methodology.
4 Folke Bernadotte Academy, United Nations Development Programme and the Stockholm International Peace Research Institute, *Beyond Vulnerability: A Guidance Note on Youth, Climate, Peace and Security* (Sweden 2024).

- **Restricted access to decision-making**, where youth participation is often symbolic, with limited presence in closed-door negotiations, climate finance spaces and decision-making processes.
- **Insufficient resources and institutional support**, leaving many youth-led initiatives underfunded and overstretched, making sustained advocacy, community engagement, or legal action difficult. These constraints are compounded by structural barriers within climate finance systems, including complex accreditation processes, high compliance requirements and limited direct access pathways for youth-led organizations.
- **Technical and language barriers**, as climate and legal systems remain complex, jargon-heavy, and inaccessible, particularly for young people operating outside English-speaking or urban contexts.
- **Weak accountability and follow-up mechanisms**, where youth contributions receive limited feedback, do not result in remedies, and lack escalation pathways when commitments are not met.
- **Tokenism**, characterized by high youth visibility but influence is low, with climate justice commitments remaining aspirational rather than implemented.
- **Institutional capacity and fragmentation**, leaving young people unsure where to direct demands, how to navigate competing institutions, or how to turn advocacy into enforceable action.
- **Limited disaggregated data and transparency,** constraining the ability of young people to monitor commitments, track budget allocations, or substantiate justice claims.

Taken together, these barriers create a climate planning and implementation landscape marked by systemic inequality, colonial legacies, inaccessible finance, weak accountability, and institutional fragmentation. Even when youth-led solutions are clear, young people often lack the formal authority, resources, or institutional pathways needed to implement them—particularly in conflict-affected and/or rural areas, Indigenous communities, and small island contexts. This results in inequitable and unjust outcomes in terms of who benefits from and contributes to climate action, underscoring the imperative to advance climate justice.

This Guide is a direct response to these barriers. It aims to bridge the gap between youth expertise and institutional power by helping young people navigate the systems, mechanisms, and entry points where climate justice can be claimed, protected, and enforced. It introduces the **Climate Justice Pathway,** a rights-based and action-oriented methodology designed to help young people translate their lived experiences, advocacy and expertise into policy influence, legal action and accountability.

## Structure of the Guide

The Guide is structured around two core sections, followed by a dedicated chapter that supports practical application:

**Section I — Legal foundations**

This section introduces the core principles, rights, duties and legal frameworks that underpin climate justice. It examines key areas of international law, including human rights law, State responsibility and accountability mechanisms, as well as regional and national legal frameworks. This section provides the foundational knowledge needed to identify harm and engage effectively in legal and policy spaces.

**Section II — Entry points for climate justice: policy and legal action**

This section introduces practical pathways to help young people translate lived experience and ongoing climate work into concrete accountability strategies. It maps key institutional and policy entry points where youth can influence outcomes, illustrated through youth-led case studies that highlight replicable actions and strategies.

**Practical tools and resources**

Later in the Guide, a dedicated chapter brings together a set of ready-to-use tools and templates on loss and damage, just transition, nationally determined contributions (NDCs), and the protection of young environmental and human rights defenders (EHRDs). These resources are designed to support the application of the Climate Justice Pathway across diverse contexts.

Together, these components aim to make climate justice accessible, actionable, and grounded in the rights, leadership, and lived experiences of young people. This Guide not only unpacks climate justice, it also provides a framework and tools for young people to claim it, practice it, and advance it across local, national, regional, and global systems.


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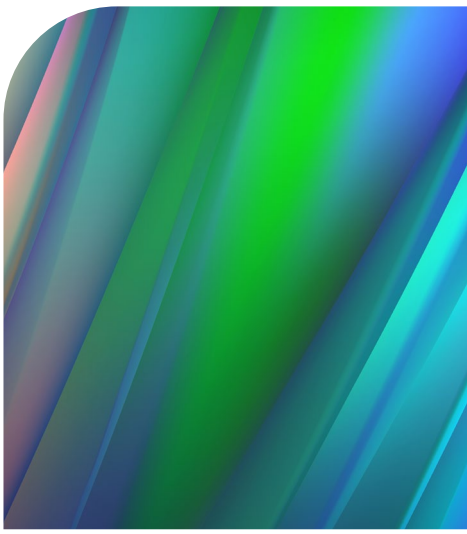
# Getting started: core concepts and key definitions



Before diving into the different sections, it is important to establish a shared understanding of key concepts that recur throughout the Guide. Climate justice is shaped by evolving legal, policy, and advocacy approaches, and there is no single, universally agreed set of definitions. The concepts outlined below are drawn from a global survey and consultations with young people, reflecting themes that emerged from how they define and relate to climate justice.

The explanations that follow are therefore not intended to be exhaustive or definitive. Rather, they provide common reference points to support readers in navigating the legal frameworks, policy processes, and accountability mechanisms that underpin climate justice.

**Youth and young people**: UNSCR 2250 defines young people as 18-29 years old.[5] However, the resolution also recognises varying definitions that may exist at the national and international levels, according to the influences of socio-cultural, institutional, economic and political factors. It must be recognized that youth comprise a heterogeneous group that is diverse in age, gender, religion, socio-economic status and levels of physical, emotional and cognitive maturity.[6]

**Climate justice**: Climate justice means putting equity and human rights at the core of decision-making and action on climate change.[7] It focuses on integrating accountability, participation, legal empowerment, and intergenerational equity in climate action—so that those least responsible for climate change can fully secure their rights, lead solutions and access remedies. It recognizes that the climate crisis is rooted in systemic inequities embedded in social, economic, and political structures, and therefore requires transforming these systems so climate action is human rights based.

Thus, when we speak of climate justice, it is imperative that we put equity and human rights at the core of decision-making and action on climate change.[8]

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5 UN Security Council, Security Council resolution 2250 (2015) [on youth, peace and security], 9 December 2015, S/RES/2250 (2015), available at: https://unscr.com/en/resolutions/2250/

6 United Nations Development Programme (UNDP), *Aiming Higher: Elevating Meaningful Youth Engagement for Climate Action,* 2022.

7 United Nations Development Programme (UNDP), *Climate Change Is a Matter of Justice,* 2023.

8 United Nations Development Programme (UNDP), *UNDP, Five steps to environmental justice, 2022, https://www.undp.org/blog/five-steps-environmental-justice.*

**Rights-based approach**: It is a framing that places human rights at the center of climate policies, programming, actions and strategies in advocating for climate justice.[9] This acknowledges stakeholders, such as young people, as rights-holders with legal entitlements, not just as beneficiaries,[10] and positions governments and institutions as duty-bearers responsible for upholding these rights.

**Gender equality**: It refers to the equal rights, responsibilities, opportunities, and participation of women and men and girls and boys. It means that rights, opportunities, and access to resources should not depend on gender, and that the interests, needs, and priorities of diverse groups of women and men are taken into account.[11] In the context of climate action, gender equality requires ensuring equal participation in decision-making and equitable access to resources, finance, technology, and the benefits of climate policies and solutions.[12] Advancing gender equality is both a human rights imperative and a foundation for inclusive, equitable, and effective climate action and sustainable development.

**Accountability**: It refers to the processes and mechanisms through which states, corporations, and other actors are held responsible for complying with existing legal and policy obligations.[13] When these obligations are breached, accountability mechanisms allow for review, remedy, or sanctions and legal consequences under national or international law.

In this Guide, we will explore several accountability mechanisms that complement climate action and advocacy strategies.

**Loss and damage**: In the context of the UNFCCC framework,[14] there is no agreed definition or taxonomy for loss and damage and it has been a highly political topic. However, loss and damage typically refers to the harms caused by climate change that cannot be prevented through mitigation or adaptation. These include both economic losses, such as damage to homes, livelihoods and infrastructure, and non-economic losses, including loss of life, health, culture, territory and identity. Examples include infrastructure repeatedly damaged by flooding; the loss of homes and businesses due to coastal erosion; the disappearance of sacred or cultural sites as a result of sea-level rise; or the long-term psychological impacts of experiencing extreme events such as tropical cyclones or prolonged drought.[15] Within the context of the Loss and Damage Fund, contributions are framed under the UNFCCC process as expressions of international cooperation and solidarity.

Loss and damage is not a matter of charity or discretionary aid. In its Advisory Opinion on climate change,[16] the International Court of Justice affirmed that where legal obligations are breached, this may give rise to an obligation of full reparation under the law of State responsibility. States also have a duty to cooperate in good faith in addressing climate change, including loss and damage.

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9 United Nations Development Programme (UNDP), *The Human Rights-Based Approach to Development Programming: HRBA Toolkit* (New York, 2006).

10 United Nations Sustainable Development Group (UNSDG), *Universal Values: Principle One – Human Rights-Based Approach,* 2020.

11 UN Women, *Concepts and definitions*, https://www.un.org/womenwatch/osagi/conceptsandefinitions.htm

12 United Nations Development Programme (UNDP), *Why is gender equality crucial for tackling climate change?,* (2026), https://climatepromise.undp.org/news-and-stories/why-gender-equality-crucial-tackling-climate-change

13 United Nations Development Programme (UNDP), *Governance for Sustainable Human Development* (New York, 2010).

14 United Nations Framework Convention on Climate Change (UNFCCC), *Warsaw International Mechanism for Loss and Damage: Online Guide*, https://unfccc.int/topics/adaptation-and-resilience/workstreams/loss-and-damage/warsaw-international-mechanism

15 United Nations Development Programme (UNDP), *Climate Promise: Loss and Damage*, https://climatepromise.undp.org/what-we-do/loss-and-damage

16 *Obligations of States in Respect of Climate Change*, Advisory Opinion, International Court of Justice (ICJ), 23 July 2025, paras. 449–451.

**Just transition:** According to the 2025 World Bank and UNDP report on "Legal Foundations for Just Transitions", a "just transition is a cornerstone of global efforts to move toward a low-carbon, climate-resilient economy. It has become a widely used term, but its meaning and scope continue to evolve. Its effective integration into country-specific contexts—particularly within national legal frameworks—therefore requires sustained attention and support."[17]

The concept of a just transition commonly advocates for social justice and equity in environmental action. However, interpretations vary significantly across countries and regions, including in how the concept is articulated and operationalised in terms of rights.

**Nationally determined contributions (NDCs):** Nationally Determined Contributions (NDCs) are countries' self-defined national climate pledges under the Paris Agreement. They set out what each country will do to help pursue the global goal of limiting warming to 1.5°C, strengthen resilience and adaptation to climate impacts, and ensure the mobilization of adequate finance to support these efforts. NDCs represent short- to medium-term climate plans and must be updated every five years, with progressively higher ambition consistent with each country's capabilities and circumstances.[18]

**Environmental and human rights defenders (EHRDs):** According to United Nations Environment Programme (UNEP), they are "individuals and groups who, in their personal or professional capacity and in a peaceful manner, strive to protect and promote human rights relating to the environment, including water, air, land, flora and fauna".[19] They can be Indigenous Peoples and local community members, journalists and youth advocates, who often act to protect communities and ecosystems and other related environmental causes. EHRDs play a crucial role in defending the environment and in doing so, they are often under attack and remain vulnerable to persecution, harassment, intimidation, criminalisation and even killings.

Now that we have established the core concepts and key definitions underpinning climate justice, the next chapter introduces the Climate Justice Pathway—a practical model to help you translate these concepts into action. This Pathway provides a clear, cyclical process for identifying harms, connecting them to rights and duties, locating institutional entry points, and pursuing accountability when commitments are not met.

By grounding your climate work in these definitions and principles, you will be better equipped to navigate the systems, laws, and governance structures that shape climate outcomes—and to use the Climate Justice Pathway as a tool for advancing meaningful, rights-based climate action

## Climate Justice Pathway *explainer*

As mentioned in the introduction, this Guide introduces a **Climate Justice Pathway,** a rights-based and action-oriented methodology designed to help young people translate their experiences, advocacy and expertise into policy influence, legal action and accountability. A pathway is simply a

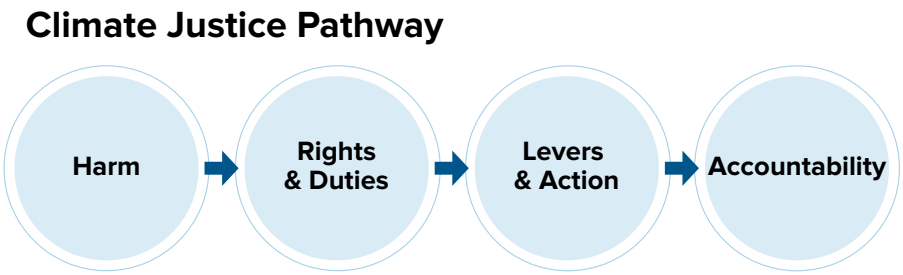
17 World Bank and UNDP, *Legal Foundations for Just Transitions: Strengthening National Frameworks for Development* (2025).
18 United Nations Development Programme (UNDP), Climate Promise: *What Are NDCs and How Do They Drive Climate Action?*, https://climatepromise.undp.org/news-and-stories/what-are-ndcs-and-how-do-they-drive-climate-action
19 United Nations Environment Programme (UNEP), *Who Are Environmental Defenders?*, https://www.unep.org/topics/environmental-law-and-governance/who-are-environmental-defenders

course of action that one may take in advancing climate justice. This model is based on established human rights, climate governance and environmental justice frameworks.

The Pathway breaks down climate justice work into a series of connected and often overlapping parts. Each element helps clarify the injustices at stake, the rights and obligations involved, the institutions responsible, and the mechanisms available to demand meaningful action when commitments are not met.

At its core, the Pathway reinforces a fundamental principle: climate justice requires clearly linking harms to rights and duties, and to the protections that exist under the law. It also requires identifying the corresponding legal obligations. These connections can then be used to demand accountability and systemic change. This forms a key pillar of transparency and public participation.

## How the Pathway works




*Note: This methodology was developed by the authors of this Guide.*

### Identify the harm

Recognize and name the harm, injustice, or barrier young people are witnessing or experiencing.

Guiding question: What climate-related harms, injustices, or barriers have young people witnessed or experienced in their country or elsewhere?

Guiding question: What climate justice–related issues are young people advocating for in their community or through their work? Can these issues be connected to specific climate actions or solutions?

This part anchors the process in lived realities and helps ensure that any action taken responds to actual needs and experiences.

It is essential to approach this element through an intersectional lens, recognising that climate harms are experienced differently depending on factors such as gender, age, disability, Indigenous identity, ethnicity, socio-economic status, and geographic location. Intersectionality helps reveal who is most affected, how multiple forms of discrimination overlap, and why certain groups of young people face heightened vulnerability or exclusion.

### Link the harm to rights and duties

Once a harm is identified, it is crucial to connect it to the rights that are affected and the duties that correspond to those rights. These duties arise under national law and international climate, human rights and environmental law. They may relate, for example, to obligations concerning:

- the development, implementation, and strengthening of **NDCs** under the Paris Agreement,
- addressing **loss and damage** associated with the adverse effects of climate change;
- ensuring a **just transition** that protects workers, communities, and vulnerable groups;
- the **protection of Indigenous Peoples**' rights, lands, and knowledge systems;
- the **right to a clean, healthy, and sustainable environment**; and
- other obligations established under international human rights and environmental law.

Linking harms to rights and duties helps clarify *who is responsible for what*, and on what legal or normative basis action can be demanded.

**Levers and action**

(a) **Identify institutional and non-institutional, policy, and legal levers**

Once harms have been linked to rights and duties, it becomes possible to identify which institutional, policy, and legal levers through which climate justice can be advanced.

These levers include the institutions, processes and authoritative frameworks where action can be pursued and obligations reinforced. Examples include:

- **Institutional levers**, such as international tribunals, regional human rights bodies and national oversight institutions;
- **Non-institutional levers,** participation and action can also take place through informal avenues, including online engagement (such as consultations and campaigns), coalition-building, community and classroom initiatives, protests and climate strikes, and storytelling through art, music, or poetry.
- **Legal levers**, including judicial rulings, legislation, multilateral instruments and international agreements (for example, the Escazú agreement in Latin America which establishes access rights—information, participation and access to justice, or the Aarhus Convention, which ensures public participation and access to information);
- **Policy levers**, such as national climate laws, climate strategies or policy frameworks, as well as programmes and processes led by international organisations, including the United Nations.

Other authoritative references, such as treaty body recommendations, expert reports, or agreed international principles, may also be used to support demands for the fulfilment of rights, duties and obligations.

(b) **Action and strategies**

Building on the identified levers, the next step is to identify strategies, remedies, tools, and other pathways for action and accountability—**litigation**, **climate negotiations**, **policy processes** (e.g. youth advisory councils, youth-led litigation, youth observers or youth negotiators part of state delegation, co-design of policies, community-based action, etc.). This part also involves reframing the relationship between (a) national discretion and responsibility (b) climate policy commitments and binding legal obligation.

**Accountability**

Accountability mechanisms are processes and structures that ensure states, public officials, and other duty-bearers are held responsible for their actions and decisions. These mechanisms enable stakeholders, including young people, to seek redress, oversight, and corrective action when obligations are not met.

Accountability mechanisms can be institutional or community-based. Institutional mechanisms include:

- legal and quasi-judicial mechanisms;
- administrative and governance mechanisms; and
- international and multilateral mechanisms.

Community-based mechanisms include:
- participatory and social accountability tools;
- movement-based and civic mechanisms; and
- customary and local governance mechanisms.

**A flexible and iterative methodology**
It is important to clarify that this Pathway is not intended to describe a rigid or strictly linear process. In practice, climate justice work is often complex, iterative, and non-linear. Advocates may move back and forth between elements, work across multiple components simultaneously, or engage with the Pathway from different entry points depending on the context, actors, and opportunities.

The Climate Justice Pathway is therefore best understood as a **conceptual and action-oriented methodology.** It provides a structured approach to analysing climate justice challenges, identifying leverage points, and clarifying where action or accountability may be pursued. While the elements are presented sequentially for clarity, real-world processes may overlap, repeat, or evolve as new evidence emerges, legal or political conditions change, or advocacy strategies adapt.

Used in this way, the Pathway offers flexibility rather than prescription: a methodology to support strategic decision-making, not a checklist to be followed in a fixed order.

# Section I.
# Legal foundations of climate justice

This chapter sets out the **legal foundations** that underpin the *Rights and Duties* element of the Climate Justice Pathway methodology (Harm ➜ Rights and Duties ➜ Levers and Action ➜ Accountability). It explains how identified climate-related harms or barriers can be linked to corresponding rights, duties, and legal obligations that support climate justice advocacy.

These legal foundations make climate justice actionable. They enable young people and their allies to articulate clear and legally grounded claims, identify responsible duty-bearers, and understand which legal standards, processes, and remedies may be available when climate commitments are not met.

This chapter is divided into three subsections:

A. **Key principles and frameworks underpinning climate justice**
B. **Sources of rights, duties, and obligations relevant to climate action**
C. **Remedies and legal consequences** arising from failures to comply with those obligations.

While many of these concepts originate in international law, legal expertise is not a prerequisite for engagement. This chapter presents the principles, rights, and duties in accessible terms, explains their relevance for young people, and illustrates how they have been applied in real-world contexts.

Photo: Holland Park Media

## A. Key principles and frameworks underpinning climate justice

### Box 1: Climate justice and the Youth, Peace and Security (YPS) agenda

Youth, Peace and Security (YPS) is the global policy framework that recognizes the crucial role young people play in building peace and preventing conflict. It was formally established by UN Security Council Resolution 2250, adopted in December 2015. Climate justice is increasingly embedded in the YPS agenda because climate change acts as a risk multiplier, intensifying existing inequalities, environmental degradation, displacement, and socio-economic exclusion in ways that can undermine peace and stability.

The **2024 Report of the Secretary-General on Youth and Peace and Security** highlights that young people are disproportionately affected by the impacts of climate change, particularly in fragile and conflict-affected contexts, through loss of livelihoods, displacement, and reduced economic opportunities, while often remaining excluded from decision-making processes.[20] This creates a clear intergenerational and governance gap that can fuel grievances and instability. At the same time, young people are at the forefront of climate action, strengthening community resilience, and contributing to integrated responses across the climate, peace, and security nexus.

Anchoring climate justice within the YPS agenda therefore highlights both risks and opportunities: addressing climate-related insecurity requires inclusive, youth-led approaches that strengthen participation, promote equity, and ultimately contribute to more sustainable and peaceful societies.

Importantly, the YPS agenda also reinforces the relevance of **legal protection, participation, and accountabilit**y. It frames young people as agents of peace rather than as victims or perpetrators of conflict and provides an important entry point for linking climate harms to rights, duties, and accountability mechanisms.

### Equity, intergenerational equity, and the protection of future generations

**• Equity**

Equity entails justice and fairness when applying a rule of law.[21] It is reflected in treaties and declarations related to environmental protection, such as the Rio Declaration on Environment and Development.[22] The principle of equity recognises that the impacts of climate change are unevenly distributed.[23] Small Island Developing States (SIDS), young people, Indigenous Peoples, women and other marginalised and underrepresented actors often experiencing the most severe

20 United Nations Security Council, *Youth and Peace and Security: Report of the Secretary General,* (2024). For more information: FBA, UNDP, SIPRI, *Beyond Vulnerability: A guidance note on youth, climate, peace and security*, (2024)

21 Sands P and others, Principles of International Environmental Law (Cambridge University Press 2019), p. 119.

22 WYCJ and PISFCC, *Youth and Climate Justice Handbook: Legal Memorandum*, 2023.

23 PA, preamble. "Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity". See also Article 1(1) of the International Covenant on Economic, Social and Cultural Rights.

consequences despite contributing the least to global emissions. Accordingly, equity requires states to acknowledge these when addressing climate change.

The Pact for the Future (A/RES/79/1) reinforces this perspective by reaffirming global commitments to climate action grounded in justice, inclusive governance, and human rights, emphasizing that climate and environmental degradation are directly linked to rising inequality and stalled progress toward the SDGs.[24] The Pact explicitly integrates youth, gender equality, and future generations across its chapters, underscoring that climate responses must be equitable, inclusive and accessible.

## Why it matters for young people

Equity demands **fairness** in how climate burdens and benefits are shared, including ensuring young people and other non-state actors can influence decisions.

*Example: A government designing its new climate adaptation plan creates a youth advisory council, ensuring that young people from marginalized communities — including Indigenous youth and rural youth — participate in decision-making. Their input leads to adaptation measures that account for local vulnerabilities, such as water scarcity and extreme heat in informal settlements.*

**• Intergenerational equity**

Intergenerational equity reflects the principle - deeply rooted in international environmental law since the Stockholm Declaration (1972)[25] and reaffirmed in multiple contemporary UN processes - that "present generations are trustees of humanity tasked with preserving dignified living conditions and transmitting them to future generations."[26] This means that present generations have a duty towards future generations to ensure that they pass on a habitable planet with dignified living conditions, where they are able to enjoy and uphold their human rights. It is further reflected in recent policy developments, including the European Commission's Strategy on Intergenerational Fairness,[27] which aligns with broader global efforts to promote long-term thinking in governance and policymaking, as seen in initiatives such as the UN Declaration on Future Generations.

## Why it matters for young people

For young people, the principle of intergenerational equity is a cornerstone for advancing climate justice, as it demands the employment of a long-term, equitable, and forward-looking approach to climate action. As such, intergenerational equity must be used as a guide to inform the fulfillment of climate obligations.

24 United Nations General Assembly, Pact for the Future, UN Doc. A/RES/79/1 (2024).
25 Stockholm Declaration, adopted at the United Nations Conference on the Human Environment, Stockholm, 16 June 1972.
26 Obligations of States in Respect of Climate Change, Advisory Opinion, ICJ, 23 July 2025, para. 156.
27 European Commission, Strategy on Intergenerational Fairness (2026).

As illustrated in the next section, and looking at the youth-led case before the International Court of Justice, this principle guided the development of progressive arguments before the Court.

*Example: Oposa v Factoran 1993, Philippines.*[28] *One of the earliest and most influential cases on* ***intergenerational equity*** *was decided by the* ***Supreme Court of the Philippines*** *in 1993.*

*In this case, a group of children (the "minor petitioners") sued the government on behalf of themselves* ***and future generations****. They asked the Court to cancel existing Timber Licensing Agreements (TLAs) that allowed large-scale logging, arguing that continued deforestation would destroy the country's forests within their lifetime.*

*Their argument was simple and powerful: if the government continued issuing logging permits,* ***both present and future generations would be deprived of healthy forests and a livable environment****.*

*The Court agreed. It recognized that:*

- *the* ***right to a balanced and healthy ecology*** *is a fundamental right, and*
- *the State has a* ***duty to protect the environment not only for people alive today, but also for generations yet unborn****.*

*This case established that future generations can be represented in court and that governments act as* ***trustees of natural resources*** *for both present and future generations. It has since influenced environmental and climate litigation around the world.*

**• Protection of future generations**

The protection of future generations has gained renewed prominence through the Declaration on Future Generations, annexed to the Pact for the Future,[29] which calls for systematically integrating the interests of future generations into today's policy decisions.

This principle is also reflected in the UNFCCC, as states are obliged to protect the climate system for present and future generations.[30] It also appears in major environmental and human rights instruments such as the 2023 Maastricht Principles on The Human Rights of Future Generations[31] which clarifies the duties of States towards future generations under international law.

28 Minors Oposa v. Secretary of the Department of Environment and Natural Resources, 33 I.L.M. 173 (1994).
29 United Nations, *Pact for the Future,* United Nations General Assembly, 2024.
30 United Nations Framework Convention on Climate Change, 1992, art. 3,
31 *The Maastricht Principles on the Human Rights of Future Generations*, adopted 3 February 2023.

*For example, the UN General Assembly's request for an **ICJ Advisory Opinion** seeks to clarify States' obligations to ensure the protection of the climate system for both present and future generations, signaling a global shift toward recognizing enforceable responsibilities that transcend time.*

## Why it matters for young people

The Pact identifies "Youth and Future Generations" as a core pillar and commits Member States to:

- Invest in the social and economic development of children and young people.
- Protect and respect the human rights of all young people.

Strengthen meaningful youth participation at national and international levels.

This commitment aligns with growing international legal clarity around the rights of future generations.

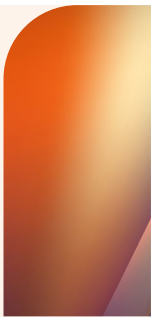
**• The Precautionary Principle or approach**

The precautionary principle applies where there is a risk of serious or irreversible harm to the environment or climate system, even in the absence of full scientific certainty. It invokes the use of "precautionary measures to anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects."[32] The precautionary principle is recognized in Article 3, paragraph 3 of the UNFCCC and also enshrined in Principle 15 of the Rio Declaration.[33]

## Why it matters for young people

This principle prevents decision-makers from delaying climate action by invoking scientific uncertainty and strengthens arguments for early and preventive measures.

*Example: Dutch citizens brought a lawsuit against the State of the Netherlands for failing to put in place an adequate greenhouse gas (GHG) reduction target. The inadequate climate policy posed a serious risk to Dutch citizens' right to life, and to their right to home and private life. It was reaffirmed that the State has a responsibility to take precautionary measures to 'reduce the risk of serious and irreversible damage to human health and the environment'. See the case of Urgenda Foundation v. State of the Netherlands.[34]*



32 United Nations Framework Convention on Climate Change, 1992, art. 3, para. 3.
33 Rio Declaration on Environment and Development, adopted 14 June 1992, United Nations Conference on Environment and Development, UN Doc. A/CONF.151/5/Rev.1 (1992), reprinted in 31 I.L.M. 874 (1992).
34 *Urgenda Foundation v. The State of the Netherlands*, Supreme Court of the Netherlands, Judgment of 20 December 2019.

**• Common but differentiated responsibility and respective capabilities (CBDR-RC)**
CBDR-RC is another core principle of international environmental law codified in the UNFCCC and reaffirmed in the Paris Agreement. It recognises that while all States share responsibility for addressing climate change, obligations differ based on historical contributions and current economic and technical capacities. This provides an equitable framework wherein the burden is shifted to countries that are more responsible and capable.

For easier recall: Responsibility + Capacity = Obligation.

## Why it matters for young people

CBDR-RC supports demands for more ambitious action and climate finance from major emitters.

*Example: Pacific youth delegations frequently invoke CBDR-RC to advocate for stronger global mitigation efforts and equitable access to climate finance—especially for Loss & Damage and Adaptation. It reinforces the fact that adaptation finance is not charity, but a legal responsibility.*

**• Due diligence—as a standard of conduct**
Due diligence is a standard of conduct under customary international law requiring States to take reasonable and appropriate measures, in light of foreseeable risks and available knowledge, to prevent, mitigate, and address environmental harm. Its content evolves with scientific understanding and technological capacity.

Photo: Holland Park Media

## Why it matters for young people

A State must not knowingly allow its territory to be used in a way that causes serious harm to other States or to areas beyond national jurisdiction.

*Example: Prevention of marine pollution from GHG emissions is a due diligence obligation, as affirmed by the International Tribunal for the Law of the Sea (ITLOS).*

**Best available science**

In what we call a *Wave of Advisory Opinions on climate change,* international tribunals starting from the International Tribunal for the Law of the Sea (ITLOS), the Inter-American Court of Human Rights (IACtHR), and the International Court of Justice (ICJ), have given in their decisions, substantial emphasis on the use of best available science to inform climate action in policies, negotiations and litigation. These Courts have referred to reports by the Intergovernmental Panel on Climate Change (IPCC) to inform the obligations of states, applying due diligence standards as to what measures are required.

**The right to science**

As highlighted by the Inter-American Court of Human Rights in its Advisory Opinion on the Climate Emergency and Human Rights, "*the Court concludes that all persons have both a substantive and procedural right to access the benefits of measures grounded in the best available science and in the recognition of local, traditional, and Indigenous knowledge.*"[35]

## Why it matters for young people

Scientific findings—like IPCC pathways—can directly strengthen advocacy for stronger NDCs, adaptation measures, and environmental protections.

*Example: Courts increasingly reference IPCC reports to determine whether national climate policies are adequate and meet due diligence standards.*

35 *Climate Emergency and Human Rights*, Advisory Opinion OC-32/23, Inter-American Court of Human Rights (IACtHR), 9 January 2024, paras. 471–473, 478: "Relying on Article 26 of the American Convention, Article 14(2) of the Protocol of San Salvador, Articles 38, 47, and 51 of the Charter of the OAS, Article XIII of the American Declaration of the Rights and Duties of Man (American Declaration), and the International Covenant on Economic, Social and Cultural Rights (ICESCR)".

### Box 2: Indigenous Peoples, knowledge systems, and climate justice

Indigenous Peoples play a critical role in climate governance, adaptation, and ecosystem stewardship. As custodians of **25 percent** of the world's lands, forests, and ecosystems that act as carbon sinks and support biodiversity, Indigenous Peoples provide environmental services that benefit societies well beyond their territories.[36] However, they are frequently disproportionately affected by climate impacts and continue to face land dispossession, limited recognition of their rights, and exclusion from climate-related decision-making processes that directly affect their lives and livelihoods.

Indigenous knowledge systems are **living and intergenerational**, passed down through generations and grounded in close relationships with land and ecosystems. These systems have enabled Indigenous communities to observe environmental change, adapt to climate variability, and develop practices that promote sustainable resource use and resilient ecosystems. The Intergovernmental Panel on Climate Change recognises Indigenous knowledge as a crucial component of climate knowledge systems, noting its ability to **complement scientific data with precise landscape-level information** that strengthens climate mitigation, adaptation, and resilience strategies.[37]

Advancing climate justice therefore requires recognising Indigenous Peoples as **rights-holders and knowledge holders**, not merely stakeholders. Meaningful inclusion goes beyond consultation and requires respect for Indigenous rights, including self-determination and free, prior and informed consent, as well as their full and effective participation in climate governance, policy design, implementation, and accountability mechanisms. Achieving the goals of the Paris Agreement is not possible without the inclusion of Indigenous Peoples and the integration of their knowledge into climate action.

## B. Sources of rights, duties, and obligations relevant to climate action

### 1. Environmental law and climate agreements

Climate treaties such as UNFCCC, Paris Agreement, Kyoto protocol are legally binding and designed to operate together as a single, complementary framework. They establish what States *must* do to address climate change and provide the legal basis for demanding stronger climate action.

a. **Climate agreements**

**• UNFCCC Framework (1992) — the foundation of global climate governance.**
The UNFCCC is the foundational treaty for global response to climate change. Its ultimate long-term objective is to stabilize greenhouse gas concentrations "at a level that would prevent dangerous anthropogenic, or human induced, interference with the climate system."[38] It also anchors core principles like **equity**, **precaution**, and **protection of future generations**.

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36 United Nations Development Programme (UNDP), *Indigenous knowledge is crucial in the fight against climate change – here's why* (2024).
37 Intergovernmental Panel on Climate Change (IPCC), *Special Report on Climate Change and Land (SRCCL)*, Chapter 7, FAQ 7.1: "How can Indigenous knowledge and local knowledge inform land-based mitigation and adaptation options?" (2019).
38 *United Nations Framework Convention on Climate Change*, 1992.

- **Paris Agreement (2015) - the commitment to 1.5°C -** Adopted under the UNFCCC, the Paris Agreement brought all nations together to set and achieve climate goals. This superseded the structure of Kyoto. It requires countries to prepare **Nationally Determined Contributions (NDCs)** that reflect their *highest possible ambition* and maintain a collective pathway consistent with limiting global warming to 1.5 °C, as reaffirmed by the ICJ's climate ruling.

- **Kyoto Protocol (1997)** - **binding emissions cuts for developed countries.** The Kyoto Protocol was the first treaty to introduce binding emission-reduction targets for developed nations, operationalizing the principle of common but differentiated responsibilities.[39]

**• Other relevant international agreements**

Climate action is also supported by broader treaties that impose obligations on States, including:
- The Charter of the United Nations;
- The United Nations Convention on the Law of the Sea (UNCLOS);
- The Vienna Convention for the Protection of the Ozone Layer;
- The Montreal Protocol on Substances that Deplete the Ozone Layer;
- The Convention on Biological Diversity (CBD);
- The United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification (UNCCD).

## Why it matters for young people

These treaties provide a **legal foundation** for youth demands. They show that climate action is not a political choice but a **binding obligation**, and they give young people clear standards to assess whether their government's policies—including NDCs, adaptation plans, and energy transitions—meet what international law requires. By referencing these agreements, youth can frame advocacy not as opinion but as a call for States to **respect their legal responsibilities**.

Photo: Iris Hanking/Shutterstock.com

39 *Kyoto Protocol to the United Nations Framework Convention on Climate Change*, 1997.

*Example: In the case of Neubauer, et al. v. Germany,[40] youth plaintiffs filed a legal challenge in 2020 against Germany's Federal Climate Protection Act (KSG). They argued that the Act's 2030 target for reducing greenhouse gas (GHG) emissions did not adequately take into account Germany's and the EU's obligations under the Paris Agreement. As a result, they claimed that the law violated their fundamental rights, including their right to a future consistent with human dignity.[41]*

b. **Customary International Law (CIL)**

Customary international law is another legally binding source of obligation. Unlike treaties and international agreements, which require a formal negotiation and ratification, CIL is derived from:

- Consistent State practice and
- *Opinio juris*, which means that States follow a certain custom out of a sense of legal obligation.

So even though they are not treaties, these norms are still binding and enforceable, including in courts and international bodies. Several CIL principles are especially important for climate justice.

- **Duty to prevent transboundary environmental harm or the "No Harm Rule" using stringent due diligence standards**

Climate change knows no borders. Its impacts are far-reaching and pose an indisputable risk to all States. Under customary law, States must ensure activities within their territory do not cause environmental harm to other States. This includes greenhouse gas emissions and climate-related harms.

This duty must be performed under a stringent due diligence standard, meaning States must:

- anticipate risks,
- adopt rules and measures to prevent harm, and
- mitigate foreseeable impacts.

*Example: Duty to prevent transboundary harm: Where fumes from a State's smelter (a metal-processing plant) caused transboundary air pollution in another State, resulting in damage to crops, forests, and land. Based on the duty to prevent transboundary harm, no country has the right to use its territory in a manner that causes significant harm to another.*

40 *Neubauer et al. v. Germany* (Klimaschutz), Federal Constitutional Court of Germany, Judgment of 24 March 2021, https://www.climatecasechart.com/document/neubauer-et-al-v-germany_0a3e

41 *Neubauer et al. v. Germany* (Klimaschutz), Federal Constitutional Court of Germany, 24 March 2021, as reported in Youth Climate Justice: Case Law Database, University College Cork.

- **Duty to cooperate on the part of States for the protection of the environment**

States have a customary obligation to **work together** to address global environmental threats.

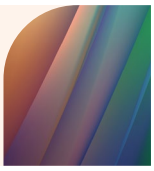
The ICJ, in its climate ruling, emphasized that international cooperation is indispensable in the context of climate change, as it is paramount to solving global problems. As "climate change is a common concern, cooperation is not a matter of choice for States but a pressing need and a legal obligation" (para. 308, ICJ AO on climate change).

This duty underpins:

- the preparation and submission of NDCs
- climate finance,
- adaptation, mitigation efforts, and
- technological assistance.

This duty is reflected in the 1992 Rio Conference on Environment and Development, the Convention on Biological Diversity and the UNFCCC, and more recently, in the concluded text of the Paris Agreement.

*For example: Conducting Environmental Impact Assessments (EIAs), enforcing transnational environmental standards, sharing of crucial information—exchanges, consultations and notifications.*



## Why it matters for young people

CIL strengthens youth advocacy by showing that **climate action is not just a political choice—States are legally required to prevent harm and cooperate globally**. Young people can use these principles to challenge unambitious NDCs, demand cross-border environmental protections, and hold high-emitting States responsible for harms that affect communities far beyond their borders.

c. **National and regional legal frameworks**

Human rights and environmental protections also exist at **national and regional levels**, often offering some of the most accessible legal hooks for youth advocacy.

**National constitutions and laws**
National constitutions, climate laws, and related policies often provide direct sources of legal obligations relevant to climate justice. These domestic legal frameworks can offer young people concrete entry points to support climate justice claims, including constitutional rights, environmental protections, and nationally binding climate commitments.

*Example: The Philippine Constitution enshrines the "Right to a Healthy Ecology", which youth successfully invoked in the landmark Oposa v. Factoran case to halt destructive deforestation.*

**Regional human rights and environmental agreements**
Regions have additional frameworks that reinforce environmental rights and access to justice.

*Examples:*

- *Escazú agreement[42] which guarantees the rights of access to environmental information, public participation in environmental decision-making, and access to justice in environmental matters in Latin America and the Caribbean.*
- *The Arab Charter on Human Rights (ACHR) also includes a right to a healthy environment.*

## Why it matters for young people

Human rights law gives young people powerful avenues to challenge climate inaction and environmental harm. It transforms climate demands from moral appeals into legal claims, enabling youth to:

- argue that weak climate policies violate their rights
- demand participation in decisions affecting their future
- seek remedies when harm occurs
- protect environmental and human rights defenders
- leverage national, regional, and international systems simultaneously

Because human rights obligations already exist, young people do not need governments to "create" new duties—they can demand enforcement of existing ones.

## 2. International human rights law

Human rights and climate change: **"indivisibility of climate justice and human rights".**[43] With International human rights law comes the *right to an effective remedy* as recognized in various international instruments and treaties. As the nexus between climate change and human rights is now established, States must ensure that their climate policies **respect, protect, and fulfill** human rights. When they fail to do so, affected individuals—including young people—have a right to seek **effective remedies.**

In the landmark climate ruling of the International Court of Justice in its Advisory Opinion on climate change, the court confirmed the inextricability of climate change and human rights. Climate impacts, such as heatwaves, loss of crops, pollution, floods, droughts, and displacement—may significantly impair the enjoyment of certain rights, including but not limited to, the right to life, right to adequate standard of living and the right to health. As the "the environment is not an abstraction"[44] it affects people's fundamental human rights. Thus, human rights obligations apply when addressing climate change.

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42 Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), adopted 4 March 2018.
43 Maria Antonia Tigre, Maxim Bönnemann and Antoine De Spiegeleir, *The ICJ's Advisory Opinion on Climate Change: An Introduction*, Verfassungsblog, 2025.
44 Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, International Court of Justice (ICJ), 8 July 1996.

## Why it matters for young people

When climate policies fail, delay, or cause harm, young people can argue that this is not just poor governance but a **violation of human rights obligations**.

### Box 3: Human rights, gender equality, and the intersectionality of climate justice

"All human beings are born free and equal in dignity and rights." Article 1, the Universal Declaration of Human Rights

**Human rights** encompass the full spectrum of civil, political, economic, social, and cultural rights. A human rights-based approach to climate justice therefore requires that climate action respects the principles of equality, non-discrimination, participation, and accountability.

**Gender equality is central to this approach**. Climate change is neither gender-neutral nor age-neutral: it interacts with existing inequalities related to gender roles, age, disability, access to resources and power relations. As a result, climate impacts often disproportionately affect women, girls, and young people—particularly in developing and fragile contexts—[45] while also shaping who can influence climate decisions and benefit from climate action.

An **intersectional lens** makes visible how these inequalities overlap and reinforce one another. Women and young people are frequently on the frontlines of climate response, yet they remain under-represented in decision-making and face structural barriers to influence, including limited access to information, finance, and formal governance spaces. These barriers are compounded for groups such as young women with disabilities, Indigenous young people, LGBTIQ+ persons and women human rights defenders, who may face heightened exposure to climate risks, restricted civic space, and inadequate protection and resourcing.[46]

Because gender, climate, health, and security are deeply interconnected, climate policies and solutions must move beyond tokenistic participation toward **shared power, accessibility, and accountability**.[47] Integrating gender equality and intersectionality across climate governance, finance, and implementation helps ensure that climate action does not reinforce existing inequalities, but actively contributes to inclusion, human rights, and justice.

- **Right to a healthy environment (R2HE):**[48] In order to guarantee the effective enjoyment of human rights, the Court strongly affirmed the duty of states to protect the environment and climate system. The Court recognised the R2HE "is a precondition for the enjoyment of many human rights" (para. 393) and as a binding right under international law. A safe, stable climate, clean air, healthy ecosystems, and biodiversity are not optional — they are the foundation upon which all other rights depend.[49]

45 United Nations Development Programme (UNDP), *Why Is Gender Equality Crucial for Tackling Climate Change?*, 2026 https://climatepromise.undp.org/news-and-stories/why-gender-equality-crucial-tackling-climate-change.
46 Danish Institute for Human Rights, *Gender Justice and Human Rights*, https://www.humanrights.dk/gender
47 United Nations Development Programme (UNDP), *Gender, Climate and Security: Sustaining Inclusive Peace on the Frontlines of Climate Change*, 9 June 2020.
48 United Nations General Assembly, *The Human Right to a Clean, Healthy and Sustainable Environment*, UN Doc. A/RES/76/300 (2022).
49 UNDP, OHCHR and UNEP, *"What is the Right to a Healthy Environment?" Information Note* (2023).

## Why it matters for young people

It strengthens young people's ability to challenge climate inaction by showing that environmental degradation is a **rights violation,**[50] not a technical issue.

*Example: Colombia's Youth-Led Amazon Case*
*In 2018, a group of 25 young people successfully sued the Colombian government for failing to protect their constitutional right to a healthy environment through their "acts of omission and breach of their duty to protect the Colombian Amazon" from deforestation.*[51] *In Future Generations v. Ministry of the Environment and Others, the Supreme Court recognized the Amazon as a subject of rights and affirmed the youth's constitutional rights to life, health, water, food, and a healthy environment.*[52] *It ordered the government to adopt a plan to halt deforestation and protect the rainforest.*

This will be a useful reminder as we move along to concrete actions and strategies we could employ in advancing climate justice. For reference of international instruments and treaties on human rights see non-exhaustive list below:

- **Key human rights instruments** *include*:

- International Covenant on Civil and Political Rights (ICCPR);
- International Covenant on Economic, Social and Cultural Rights;
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of the Child;
- Convention on the Rights of Persons with Disabilities;
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- Universal Declaration of Human Rights (UDHR);
- United Nations Declaration on the Rights of Indigenous Peoples
- African Charter on Human and Peoples' Rights;
- American Convention on Human Rights;
- European Convention on Human Rights; EU Charter of Fundamental Rights;
- Declaration of Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.

These instruments require States to prevent foreseeable harm, guarantee participation, and ensure accountability—obligations that apply directly to climate-related decisions.

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50 United Nations, Environmental Justice: *Securing Our Right to a Clean, Healthy and Sustainable Environment,* 17 June 2022.
51 Sabin Center for Climate Change Law, *State of the Planet: Colombian Youth Sue for Recognition of the Rights of Future Generations.*
52 *Future Generations v. Ministry of the Environment and Others*, Supreme Court of Colombia, Judgment of 5 April 2018, as reported in Climate Change Litigation Database, Sabin Center for Climate Change Law.

- **Relevant reports from UN Special Rapporteurs and the Human Rights Council**

Relevant reports from UN Special Rapporteurs and the Human Rights Council provide authoritative guidance and interpretation on human rights issues and situations. As part of the special procedures of the Human Rights Council, UN Special Rapporteurs are independent human rights experts with mandates to report, examine, and advise on human rights from a thematic or country-specific perspective.[53] As such, their reports are widely used to interpret and inform the development of international law, particularly in areas related to their respective mandates.

Young people may refer to relevant reports from the following UN Special Rapporteurs when advancing climate justice. This list is non-exhaustive. A full list of mandate holders is available on the Office of the United Nations High Commissioner for Human Rights (OHCHR) website under *'Current and former mandate holders (existing mandates).*[54]

- UN Special Rapporteur on Human Rights and Climate Change
- UN Special Rapporteur on the Human Right to a Clean, Healthy and Sustainable Environment
- UN Special Rapporteur on the Rights of Indigenous Peoples
- UN Special Rapporteur on the Right to Development
- UN Special Rapporteur on Human Rights Defenders

*Example: The UN Special Rapporteur on climate change and human rights presented a report on 'Access to information on climate change and human rights', which offers concrete recommendations on how to enhance access to information as a prerequisite for transparency, inclusiveness and the effectiveness of decision-making in climate governance. In addition, reports from Human Rights Council sessions, such as the 'Fifth session of the Forum on Human Rights, Democracy and the Rule of Law'*[55]*, provide authoritative institutional framing, and their recommendations are referenced in the development of international human rights law.*

## 3. Access to justice

Climate justice requires that people can access information, participate in decision-making, challenge harmful actions, and obtain effective remedies. Without access to justice, rights remain theoretical.

a. **Access to information and participation** — Under the Action for Climate Empowerment (ACE) agenda of the UNFCCC, States have committed to promote access to climate information, public participation, education, training, and awareness-raising. ACE helps ensure that people, including young people and other historically excluded groups, have the knowledge, skills, and opportunities needed to engage meaningfully in climate decision-making.[56]

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53 Office of the United Nations High Commissioner for Human Rights (OHCHR), *Special Procedures of the Human Rights Council,* available at: https://www.ohchr.org/en/special-procedures-human-rights-council

54 Office of the United Nations High Commissioner for Human Rights (OHCHR), *Current and former mandate holders (existing mandates),* November 2025.

55 *See also* United Nations Human Rights Council, *Chairperson's report of the fifth session of the Forum on Human Rights, Democracy and the Rule of Law* (2025)

56 Action for Climate Empowerment, https://unfccc.int/topics/education-and-youth/big-picture/ACE


In addition, regional instruments such as the Escazú Agreement in Latin America and the Caribbean guarantee:

- the right to access environmental information;
- public participation in environmental decision-making; and
- protection of environmental human rights defenders.

While ACE focuses on empowerment and participation, access to justice is essential to ensure accountability. It provides pathways to challenge situations where information is withheld, participation is denied, or climate-related harm occurs, and enables individuals and communities to seek remedies and legal redress.

## Why it matters for young people

Youth often face barriers in influencing policy. Access obligations give them a legal basis to demand inclusion.

b. **Access to courts and effective remedies**

Access to courts is the legally protected right of individuals and communities to bring claims before independent and impartial tribunals and to obtain effective remedies when their rights are violated. The Inter-American Court of Human Rights (IACtHR) consistently holds that access to justice requires not only formal access to courts, but real and effective remedies.

This fundamental right is enshrined under:

- International Covenant on Civil and Political Rights (ICCPR), which guarantees access to an independent and impartial tribunal.
- The European Convention on Human Rights (ECtHR);
- The Aarhus Convention (1998) is particularly important for access rights as it guarantees:
  - Access to information
  - Public participation
  - Access to justice in environmental matters

### Why it matters for young people

It enables young people to engage with legal systems, challenge harmful action or inaction, and seek accountability through the rule of law. In the context of strategic climate litigation, a recurring challenge is the requirement to demonstrate legal standing (*locus standi*) before the courts.[57] In practice, this means showing a sufficient connection to, and harm arising from, the law, policy, or action being challenged. To address this barrier, young plaintiffs may rely on a range of legal strategies, including invoking constitutional and human rights protections that recognize broader public-interest standing.

*Example: In Held v. Montana,[58] the court found that the youth plaintiffs had standing to bring the case. They satisfied the requirement of injury in fact by presenting evidence of concrete past and present harms, including impacts on* ***"to their physical and mental health, homes and property, recreational, spiritual, and aesthetic interests, tribal and cultural traditions, economic security, and happiness."***[59] *The court also recognized mental health impacts as legally cognizable injuries, noting that feelings of loss, despair, and anxiety can constitute harm. While acknowledging that climate change affects society as a whole, the court emphasized that children are uniquely vulnerable to its consequences, which undermine their physical and psychological health and safety, disrupt family and cultural foundations, and result in economic harm*

## C. Remedies and legal consequences

When States breach international obligations—whether arising from treaties such as the Paris Agreement, customary international law (including the duty to prevent transboundary harm and the duty to cooperate), or human rights obligations such as the right to a clean, healthy and sustainable environment—international law provides a framework of consequences.

Photo: myboys.me/Shutterstock

57 Legal Information Institute, Cornell Law School, *Standing*.
58 *Held v. Montana*, Montana First Judicial District Court, 14 August 2023. See also United Nations Environment Programme (UNEP), *Global Climate Litigation Report: 2023 Status Review* (Nairobi, 2023).
59 Nicholas Vanhee, *Climate Litigation and Youth Standing*, 64 Washburn Law Journal Online (2025).

Under the Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA), a State responsible for an internationally wrongful act must:

- **Cease the wrongful conduct** and provide **guarantees of non-repetition**, and
- Make **full reparation** for the injury caused.

Reparation may take several forms, including **restitution**, **compensation**, and **satisfaction**.

In the **domestic context**, similar principles may be implemented through judicial mechanisms such as **injunctions**, **judicial review**, **restoration orders, damages** awarded through civil liability, and **declaratory relief.**

1. **Cessation and non-repetition -** When a wrongful act is ongoing, the action must be stopped immediately and the responsible actor must guarantee non-repetition of the wrong doing.

**ARSIWA (international law)**: cessation of the wrongful act and guarantees of non-repetition.

**Domestic courts:** injunctions or judicial review ordering governments or private actors to stop unlawful conduct.

2. **Full reparations**[60]**-** If there is harm to injured States or individuals, States may need to repair the harm. Depending on the particular circumstances, reparations may take the form of:

- **Restitution or restoration -** Restitution restores the injured State or affected party to the situation that existed before the wrongful act occurred.

**ARSIWA (International law):** restitution.
**Domestic courts:** restoration orders.

*Example: Reconstructing damaged or destroyed infrastructure, and restoring ecosystems and biodiversity.*

- **Compensation (ARSIWA) and damages arising from civil liability (domestic) -** Payment for any financially assessable damage, including lost profits, not covered by restitution. This is monetary relief for losses that can be quantified. This can also include expenses incurred by the injured State as a consequence for the damage.

60 International Law Commission (ILC), *Articles on Responsibility of States for Internationally Wrongful Acts*, with commentaries, 2001.

*Example: In the case of Costa Rica v. Nicaragua,[61] Costa Rica claimed environmental damage against Nicaragua after the latter excavated or dug channels for navigational purposes in its territory. The use of heavy machinery, and the removal of trees and vegetation, resulted in serious damage of the protected rainforests and wetlands. The International Court of Justice (ICJ) ordered compensation on the part of Nicaragua and stated that "damage to the environment, and the consequent impairment or loss of the ability of the environment to provide goods and services, is compensable under international law."*

- **Satisfaction and Declaratory relief-** Reparation for non-material injury (e.g., moral, legal injury) not redressable by restitution or compensation.
- **ARSIWA (International law)**: satisfaction–this can take the form of public apologies, acknowledgement of wrongdoing, or education of the society about climate change.
- **Domestic courts:** declaratory relief recognizing that a legal violation has occurred.

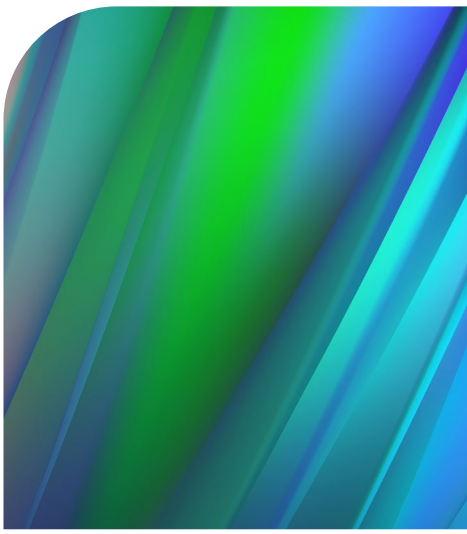
With these legal foundations in mind, young people have a clearer understanding of the rights, duties, and obligations that underpin climate justice, as well as of how international, regional, and national legal frameworks can strengthen climate-related claims. These principles provide the basis for moving from identifying a harm to articulating why it matters, who bears responsibility, and which obligations must be upheld.

The next chapter builds on this foundation by exploring concrete entry points for youth action and demonstrating how the Pathway can help bridge the gap between advocacy and enforceable accountability.

Photo: Alexandros Michailidis/Shutterstock

61 *Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, Judgment, International Court of Justice (ICJ), 16 December 2015.

# Section II. Entry points for climate justice action and accountability



At the outset of this Guide, key barriers faced by young people in advancing climate justice were identified. The Climate Justice Pathway methodology provides a structured way to respond to these barriers, beginning with the identification of climate-related harms and injustices and the articulation of the barriers experienced. Section I then established how these harms can be linked to relevant rights, duties, and legal obligations under national and international law.

Building on this foundation, Section II examines practical entry points for climate justice action and accountability. It demonstrates how the "Climate Justice Pathway" methodology can be applied to help translate advocacy efforts into concrete action, engagement with institutions and accountability processes. These entry points correspond to the latter elements of the Pathway: Harm → Rights and Duties → **Levers and Action → Accountability**.

A cross-cutting theme throughout this section is **youth legal advocacy**. This refers to the strategic use of existing legal and policy frameworks—including climate law, human rights law, and environmental law—to inform, strengthen and legitimise climate justice efforts.

The objective of this chapter is to support young people in using the law and governance processes as vehicles for action: to influence policy, challenge harmful conduct or inaction, and promote accountability for climate-related harms.

This chapter explores the following entry points for action and accountability:

I. Policy co-design and consultation
II. Strategic litigation
III. Climate policy implementation, monitoring, and review (NDCs, NAPs, Climate Finance, Just Transition, Loss & Damage)
IV. Participation in negotiations within the UNFCCC framework (youth negotiators, delegations, observers)
V. Protection and Safeguarding Mechanisms for Young Environmental and Human Rights Defenders
VI. Engaging with Accountability and Transparency Mechanisms

### Box 4: Access to funding and resources

Limited access to funding and institutional support remains a persistent barrier for many youth-led climate initiatives. In practice, young people's access to climate finance is often mediated through targeted grant programmes, intermediary organizations, and youth-focused financing mechanisms that may be limited in scale, duration or geographic reach. Youth-led organizations also frequently face barriers such as restrictive eligibility criteria, complex administrative requirements, and limited institutional or financial management capacity.

In response, a growing number of programmes aim to improve access to resources for youth-led and youth-inclusive climate action by combining financial support with capacity development, technical assistance, and institutional strengthening. These approaches recognise that enabling youth participation in climate action requires not only increased funding, but also simplified access pathways, sustained capacity support, and stronger links between youth initiatives and national climate planning and implementation processes.

Two examples supported by United Nations Development Programme include:

**Youth4Climate (Y4C):** A global initiative in partnership with Italy supporting youth-led climate solutions through targeted monetary prizes, technical support, mentoring, and an online engagement platform that helps young people design and scale projects addressing mitigation, adaptation, sustainable energy and nature-based solutions, among other thematic areas.[62]

**Climate Promise:** UNDP's flagship support programme for countries to enhance and implement their climate commitments under the Paris Agreement. It promotes inclusive, whole-of-society approaches to climate action and supports access to climate finance and participation of non-state actors often excluded from decision-making, including youth, women, Indigenous Peoples[63] and local communities.

## I. Policy co-design and consultation

One key entry point for climate justice action is policy co-design and consultation. A recurring barrier identified is **youth inputs are often collected but not meaningfully integrated**, and structured feedback loops are weak or absent. While many governments are increasingly willing to include young people in policy processes, they often lack the methods, institutional structures, or technical capacity to support **meaningful, sustained participation**.

As a result, youth contributions are frequently stalled at the implementation phase. Weak feedback mechanisms leave young people uncertain about how, or whether, their contributions influence outcomes. This ultimately erodes trust in policy processes, fuels perceptions of tokenism, and reinforces procedural injustice.

62 Youth4Climate, *Call for Solutions*, https://community.youth4climate.info/dashboard/call-solutions-2026-0
63 United Nations Development Programme (UNDP), *Direct Grants to Indigenous Peoples.* See: Direct Climate Finance for a Sustainable Future

Applying the Climate Justice Pathway, this barrier can be connected to rights-based claims and actionable levers.

**Harm and barrier**

Youth engagement is often ad hoc, dependent on political will or project cycles rather than embedded in sustained institutional mechanisms. This often leads to tokenism where youth voices are visible but not influential. Such practices constitute a form of **procedural injustice**, denying young people meaningful participation and influence in decisions that affect their lives and future.

**Rights and legal duties**

Young people are not only stakeholders, but rights-holders and their right to participate is grounded in:

- Human rights principles, including participation, non-discrimination, and access to information.
- **The UN Convention on the Rights of the Child**, which obliges States to ensure children's and adolescents' views are heard and considered.
- Recent global frameworks such as **Our Common Agenda**,[64] which calls for strengthened youth engagement across public institutions, and the **Pact for the Future**.[65]
- **The Action for Climate Empowerment (ACE) agenda**, mandated under **Article 12 of the Paris Agreement** and **Article 6 of the UNFCCC**, which commits Parties to enhance climate change education, training, public awareness, public participation, public access to information, and international cooperation. These six ACE elements create legal and procedural obligations for States to empower young people and all members of society in climate action. The ACE agenda is further operationalized through the 10-year **Glasgow Work Programme on ACE** (2021-2031) and its action plan, which emphasizes inclusive, gender-responsive, and intergenerational approaches to climate policy.

Together, these instruments establish clear **legal duties** for governments and public institutions to create enabling environments for meaningful youth participation and ongoing, long-term coordination mechanisms, ensure access to information, facilitate public participation in climate decision-making, and uphold the rights of young people as active contributors to climate solutions.

Photo: Jacob Lund/Shutterstock

64 United Nations, *Our Common Agenda: Policy Brief on Youth Engagement*, 2023.
65 United Nations, *Pact for the Future: Chapter IV – Youth and Future Generations*.

**Levers and action**
**Institutional levers:**
The most important institutional levers for advancing climate justice at national and local levels are those that give young people direct access to policy and decision-making spaces. These include:

- **Youth Ministries and other government bodies mandated to lead on youth affairs**, which shape national youth policies and inter-ministerial coordination.
- **National and local youth councils**, which often have formal advisory roles to governments, parliaments, or ministries and can influence climate, environment, and development policies.
- **Thematic ministries and institutions** — such as Environment, Climate, Energy, Planning, Finance, Labor, and Human Rights — where the core decisions on mitigation, adaptation, just transition, and climate finance are made.
- **National Human Rights Institutions (NHRIs)**, which provide formal complaint mechanisms and public reporting channels.
- **National climate governance mechanisms** (e.g., Advisory Boards)
    - For example, **Presidential Climate Commission (PCC)[66] of South Africa,** an independent, multistakeholder body whose purpose is to oversee and facilitate a just and equitable transition towards a low-emissions and climate-resilient economy. This was established by the President of the Republic of South Africa to advise on the country's climate change response.

**Non-institutional levers:**
While institutional levers can provide avenues for the direct engagement and participation of young people, it is equally important to highlight the informal ways in which they can effect systemic change. Decades of youth-led climate movements have demonstrated that participation and action can begin in classrooms and extend to digital spaces. For example, online engagement—such as consultations and campaigns—can serve as important feedback mechanisms, as well as tools for promoting transparency and accountability.

These levers, operating outside formal legal or governmental institutions, can be just as effective as those identified in the previous section. They include:

- **Coalition-building and network**—which can begin in classrooms and communities.
- **Public campaigns, protests, and climate strikes**, which can influence political will through collective action and public pressure.
- **Narrative shaping through storytelling and social media campaigns**—including expressions through art, music or poetry—can shape public discourse and strengthen legitimacy, and provide moral authority.

These are mechanisms through which youth can meaningfully influence governance processes, policy outcomes, and accountability in climate justice.

**Regional mechanisms** also provide structured platforms for youth engagement in climate justice policy and accountability. These include:

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66 Presidential Climate Commission (PCC), *PCC Consultation on South Africa's 2035 NDC Targets (Youth Session)*.

- **African Union (AU) Youth Division**, which supports implementation of the African Youth Charter and provides formal avenues for youth participation in regional policy processes.
- **European Union (EU) Youth Dialogue**, a structured participation mechanism enabling young people to influence EU policies, including those related to climate, environment, and just transition.
- **ASEAN youth mechanisms**, such as the ASEAN Senior Officials Meeting on Youth and ASEAN Youth Programmes, which facilitate youth engagement in regional discussions and policy agendas.

These bodies do not replace national decision-making mechanisms, but they offer important regional entry points where young people can shape priorities, advocate collectively, and influence cross-border climate justice agendas.

**Action**

Young people can leverage these levers into concrete actions by:

- **Advocating for formal youth roles** and transitioning from consultation *to* co-design. This means ensuring young people shape the agenda, contribute to drafting, and influence decision-making.
- **Pushing for youth-specific legislation** that creates durable participation structures. *Example:* Brazil's *National Youth Policy Law (Law No. 12.852)*, which mandates youth councils at national, state, and municipal levels.
- **Developing co-governance models**, such as youth advisory boards with decision-making authority, young rapporteurs for climate processes, or youth co-chairs on national committees related to climate, environment, or sustainable development.

Photo: Jacob Lund/Shutterstock

**Accountability**
To ensure participation rights are upheld, young people can demand that States or institutions adopt mandatory reporting on participation processes, specifying:

- who was consulted;
- at what stage;
- what inputs were received; and
- how those inputs were used, including feedback provided.

**Engagement with national human rights institutions (NHRIs)** or youth commissions, using:

- formal complaints
- inquiries
- public reporting
  where participation rights have been neglected.

**Strategic litigation**, where appropriate, in cases of systemic exclusion or clear violations of rights.

Accountability mechanisms—whether institutional (e.g., ombudspersons), legal, or community-based—ensure that youth participation moves beyond symbolism and becomes a **protected, enforceable right**.

Photo: Carlo Prearo/ Shutterstock

# In a nutshell

## Case study – São Tomé and Príncipe

**Institutional innovation that bridges youth and decision-making processes.**

**Themes**: youth participation in local governance, youth committees, policy co-design of climate action plans

### Context and intervention

São Tomé and Príncipe established District and Regional Youth Committees for Climate Action as institutionalized participatory platforms to ensure the sustained involvement of young people in climate governance. Implemented through the National Youth Institute and regional partners, the initiative combined funding and capacity-building to embed youth participation across all districts.

The committees have strengthened climate literacy and advocacy skills, while creating formal channels for youth-led proposals to inform policy processes. Their contributions are reflected in the Climate Landscape Analysis for Children and Youth, the National Youth Strategy, the Manifesto of Youth from Portuguese-Speaking Countries for Climate Justice, and the country's NDC 3.0.

### Applying the Climate Justice Pathway methodology

Harm and barrier

Youth participation in climate decision-making was largely ad hoc, consultative, and dependent on short-term initiatives, with no sustained institutional mechanisms to ensure continuity or accountability.

Rights and legal duties

Young people have the right to meaningful participation in public decision-making processes that affect them, including climate governance.

Levers, action and accountability

Using these rights as an entry point, young people advocated for and supported the establishment of Youth Committees as a formal governance mechanism. This institutional innovation enables youth engagement across the full policy cycle—from design to implementation and monitoring—while creating clear responsibilities for public institutions to respond to youth inputs.

Outcome

Youth Committees were established in all districts, as well as in the Autonomous Region of Príncipe. Young people now participate regularly in local governance forums addressing climate action and sustainable development, strengthening accountability and continuity in climate policymaking.

## Case study – Nepal

**Youth-led institutional reform in local climate and disaster governance**

**Themes:** Youth participation in climate governance; institutionalized youth advisory mechanisms; youth environmental inspectors

### Context and intervention

In November 2024, in Nepal's Madi Municipality, young people participating in a newly established Youth Advisory Committee (YAC) were invited to provide input on two key policy instruments: the Sanitation Procedure 2076 BS and the Disaster Risk Reduction Act 2075 BS. Through structured policy review sessions, the youth identified significant gaps, including the limited inclusion of affected stakeholders and insufficient consideration of non-state actors most exposed to climate and environmental risks.

Building on this analysis, the YAC proposed amendments to both instruments, emphasizing the need for targeted measures for vulnerable groups. The revised Act includes provisions for the appointment of youth as environmental inspectors and formal youth representation within the municipal council.[67]

### Applying the Climate Justice Pathway methodology

Harm and barrier

Youth participation in municipal climate and environmental policymaking was not systematically embedded and lacked clear strategies, limiting young people's ability to influence decisions that directly affect them.

Rights and legal duties

Young people have the right to access information and to participate meaningfully in public decision-making processes, including those related to climate change, environmental protection, and disaster risk reduction.

Levers, action and accountability

Using these rights as a foundation, young people organized through the Youth Advisory Committee to engage directly in policy workshops and legislative review processes. They applied climate justice principles to frame their recommendations, highlighting disproportionate impacts on persons with disabilities, women, children, older persons, gender and sexual minorities, and youth. This approach strengthened the legal and policy rationale for institutional reforms and clarified accountability for municipal authorities

Outcome

The Youth Advisory Committee successfully introduced substantive amendments to local sanitation and disaster risk reduction policies. These reforms formalized the appointment of youth as environmental inspectors and established youth seats within the municipal council, ensuring young people have sustained and institutionalized influence over climate and environmental governance in Madi Municipality.

67 UNDP, *Youth in Climate Governance: Redefining Policies, Reshaping the Future*, (2025) https://www.undp.org/nepal/blog/youth-climate-governance-redefining-policies-reshaping-future

## II. Strategic litigation

Young people have shaped global climate action for decades—from mobilizing millions through climate marches to advancing rights-based demands at every major climate forum. In recent years, a powerful new tool has emerged: **climate litigation**. With more than **3,000 climate cases** filed worldwide, strategic litigation is rapidly reshaping laws, policies, and accountability systems.

Youth-led climate cases have been especially influential. Their claim is simple yet profound: **the future at stake is their own**. Yet, despite the urgency, young people have long encountered weak political will and resistance from decision-makers.

Instead of accepting inaction, young people have become **key drivers of climate justice**, demonstrating that an urgent, equitable response to the climate crisis is a legal obligation—not a matter of discretion.

This section applies the **Climate Justice Pathway** to illustrate how strategic litigation can serve as a key entry point for youth-led climate justice. While litigation may result in binding judgments, its purpose often extends beyond winning a case, including shaping legal interpretation, strengthening accountability, and building momentum for systemic change.

**Harm and barrier**
Young people continue to be affected by climate-related harms arising from policies and development models that prioritize short-term growth and profit over ecological integrity, environmental protection, and social equity. At the same time, many individuals and communities most exposed to climate impacts remain structurally excluded from decision-making processes, limiting their ability to influence climate action.

**Rights and legal duties**
A robust legal foundation exists to support youth-led climate litigation at national, regional, and international levels.

At the **national level**, many countries have adopted climate laws—often anchored in constitutional rights—that can serve as powerful bases for litigation and advocacy. For example, **Mexico**'s General Law on Climate Change provides a comprehensive national climate framework. Other countries—including the **Philippines, Bangladesh, Kenya, South Africa, and Fiji**—have also adopted national climate legislation that can be relied upon in legal and advocacy efforts.

Photo: maxiavier / Pexels

At the **international level**, there are additional and equally important sources of rights and obligations under international law. As outlined in Section I on Legal Foundations, young people can rely on:

- The Paris Agreement
- The UN Framework Convention on Climate Change and its Conference of the Parties (COP), the Convention's supreme decision-making body.
- The **2025 International Court of Justice advisory opinion on climate change**, which confirmed that States' duties extend beyond these treaties.
- **Customary international law**, including the *no-harm rule* and the *due diligence obligation* to prevent transboundary environmental harm, grounded in cases such as the historic *Trail Smelter* arbitration[68]. Enshrined in Principle 21 of the Stockholm Declaration and Principle 2 of the Rio Declaration.
- The **right to a clean, healthy, and sustainable environment**, recognized as essential to the enjoyment of all human rights, and other international human rights law (IHRL) and instruments.

Taken together, these sources demonstrate that **climate obligations are multilayered**. Treaties, customary norms, and human rights law interact to create binding duties that States are required to uphold.

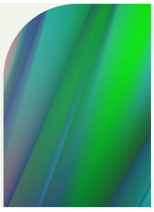
**Levers and action**

**Institutional levers:** Strategic litigation enables young people to pursue climate justice through a range of legal and quasi-legal institutions. While not exhaustive, key institutional levers include:

- **International courts and tribunals**, such as the International Court of Justice and the International Tribunal for the Law of the Sea.
- **Regional human rights courts**, such as the Inter-American Court of Human Rights, African Court on Human and Peoples' Rights, European Court of Human Rights, ASEAN Intergovernmental Commission on Human Rights, and Arab Human Rights Committee.
- **Domestic courts and National Human Rights Institutions**, which may offer accessible forums for enforcing rights and challenging harmful policies.

These institutions serve as **avenues for claims, oversight, and enforcement**.

**Action:** *Young people can bring or support cases before national courts, regional human rights bodies, or international tribunals through strategic litigation. It can take different forms depending on the legal context and the harm being addressed.*



68 *Trail Smelter Case (United States v. Canada)*, Arbitral Tribunal, 1941, 3 R.I.A.A. 1905.

Key legal actions can include the following elements:

## 1. Determine the remedy sought

Before initiating a claim, it is important to clarify the specific outcome sought from the court.

- **Remedies and reparations:** This may include orders to reduce greenhouse gas emissions, halt harmful activities, or provide compensation to affected communities.
- **Adaptation measures:** Courts may be asked to require governments to take concrete steps to protect communities from climate-related harms.
- **Preventive or protective measures:** Where there is a risk of imminent or irreversible harm, provisional or interim measures may be sought to prevent further damage.
- **Financial accountability:** Claims may also challenge the financing of climate-destructive activities.

## 2. Formulate the legal claim

The next step is to establish the legal basis that justifies the remedy sought.

- **Environmental and human rights arguments:** Claims may be grounded in constitutional provisions, environmental law, and international or regional human rights obligations.
- **Right to a clean, healthy, and sustainable environment:** Where recognized in national or international law, this right may serve as a central legal basis for climate claims.

## 3. Define the scope of the challenge

It is necessary to determine whether the claim addresses a systemic failure or a specific action.

- **General obligations cases:** These cases address broader failures by States to comply with climate commitments or legal duties.
- **Sector-specific or project-specific cases:** These challenges focus on particular policies, laws, permits, or infrastructure projects that are inconsistent with climate obligations.

## 4. Identify the defendant

The claim must identify the actor responsible for the alleged harm or failure.

- **Government framework cases:** These challenge systemic failures by States to meet climate obligations or targets.
- **Corporate accountability cases:** These address harmful corporate conduct, including emissions, environmental damage, or failures to respect climate-related responsibilities.
- **Greenwashing cases:** These challenge misleading or deceptive environmental claims, including litigation concerning false sustainability representations.

## 5. Consider emerging areas of litigation

In addition to established approaches, evolving legal strategies may be explored, including:

1. challenges to the financing of climate-destructive activities;
2. litigation contesting speculative or harmful climate interventions; and
3. claims addressing risks associated with offset-based mitigation schemes.

Following the landmark climate advisory opinions issued by the International Tribunal for the Law of the Sea, the Inter-American Court of Human Rights, and the International Court of Justice, a coalition of climate litigation practitioners has developed a compendium of structured *Litigation Notes*.[69] These resources provide practical insights into climate litigation cases and may support deeper engagement with litigation strategies and jurisprudence.

**Accountability**
Strategic litigation functions as a key accountability mechanism through which legal obligations are clarified and accountability frameworks are created or strengthened. This may involve bringing cases before national courts, regional human rights bodies, or international tribunals, as discussed earlier.

The following case studies examine how these pathways have been applied in practice, with particular reference to the landmark advisory opinion on climate change issued by the International Court of Justice. That process was initiated by Pacific youth leaders and supported by global youth movements and frontline communities worldwide.

In this instance, youth-led legal advocacy at the United Nations—resulting in the consensus adoption of a resolution requesting an advisory opinion—and the advisory opinion process itself contributed to strengthening accountability by clarifying States' legal obligations under international law. These outcomes were made possible through sustained youth-led legal advocacy and diplomatic engagement.

Photo: skigh_tv / Pexels

69 WYCJ, *ICJ AO Litigation Notes*, https://www.wy4cj.org/icj-ao-litigation-notes

## Case study - Pacific Islands Students Fighting Climate Change

**Global – Pacific-led and youth-driven climate justice at the International Court of Justice**

**Themes: Climate justice; youth-led legal advocacy; international accountability; Pacific Islands Students Fighting Climate Change (PISFCC)**

### Context and intervention

A youth-led legal campaign originating in the Pacific resulted in a landmark advisory opinion on climate change by the International Court of Justice (ICJ). The initiative was launched by law students from the University of the South Pacific in Vanuatu and advanced through sustained engagement by Pacific youth leaders, global youth movements, and frontline communities.

Grounded in lived experience of the disproportionate impacts of climate change on Small Island Developing States (SIDS)—also referred to as Large Ocean States—the campaign sought to clarify States' legal obligations under international law. Through coordinated grassroots mobilization and formal diplomatic engagement, youth advocates elevated climate justice concerns to the highest judicial body of the United Nations.

### Applying the Climate Justice Pathway methodology

Harm and barrier

Pacific communities face existential risks from climate change, including sea-level rise, ecosystem degradation, and threats to livelihoods, cultural identity, and self-determination. These harms are driven primarily by greenhouse gas emissions from fossil fuels, while affected communities have limited influence over global mitigation decisions.

Rights and legal duties

International law provides a clear basis for State obligations in relation to climate change. As affirmed by the ICJ advisory opinion, States have a duty to pursue efforts to limit global temperature increase to 1.5°C under the Paris Agreement. This temperature goal functions as a legal threshold against which obligations under the UNFCCC framework—including mitigation, adaptation, climate finance, and NDCs—must be assessed.

Levers, action and accountability

To activate these legal duties, youth advocates first pursued institutional change within the United Nations system by securing the adoption of a United Nations General Assembly resolution requesting an advisory opinion from the ICJ. This required a combination of legal advocacy, coalition-building, and diplomatic engagement.

Youth leaders mobilized global support for the resolution, engaged directly with Permanent Missions in New York, and navigated procedural and political processes within the UN.

The campaign was based on symbolic and culturally grounded advocacy—such as the Pacific "climate justice vaka", a traditional Pacific canoe—which sailed past United Nations Headquarters to symbolise the Pacific peoples' journey to the United Nations. This complemented formal diplomacy and reinforced the campaign's visibility and legitimacy.

Following the adoption of the resolution, youth advocates continued to engage with the advisory opinion process, contributing to legal submissions and public discourse. Through these actions, young people made strategic use of international accountability mechanisms to clarify legal standards and State responsibilities.

Outcome

The ICJ advisory opinion has become an authoritative reference for climate litigation and legal advocacy at domestic, regional, and international levels. It is already being relied upon in cases such as the Odette70 litigation in the United Kingdom and the Bonaire71 climate case in the Netherlands, and is expected to inform future climate negotiations and the preparation of NDCs. More broadly, the process strengthened accountability by clarifying States' obligations under international law and reinforcing climate justice as a matter of legal responsibility.


Photo: Lara Jameson / Pexels

70 The Odette case, https://www.odettecase.org/

71 The Bonaire climate decision, https://www.nortonrosefulbright.com/en/knowledge/publications/88d93b70/the-bonaire-climate-decision

### Box 5: Climate finance

Climate policies and commitments require **significant financial resources** to be implemented. This includes financing for the implementation of NDCs, as well as investments in climate **mitigation**, **adaptation**, and **resilience-building**.

**Climate finance** refers to the financial resources and instruments used to support climate action. These can include grants, concessional loans, guarantees, green bonds, and other financial mechanisms that help countries transition to low-carbon economies and adapt to the impacts of climate change. Climate finance can come from **public or private sources**, and from **national, bilateral, or multilateral channels**.

Under the Paris Agreement, climate finance is recognized as a **key means of implementation**, particularly to support developing countries in delivering their climate commitments. Despite progress, there remains a **significant gap between current financial flows and the level of investment required** to achieve global climate goals and limit warming.

International climate finance is delivered through several dedicated funds and institutions operating under the United Nations Framework Convention on Climate Change, including:

- the Green Climate Fund (GCF), the largest dedicated multilateral climate fund, supporting mitigation and adaptation projects in developing countries. It emphasizes country ownership and direct access through accredited national entities.
- the Adaptation Fund (AF), which finances concrete adaptation projects and pioneered direct access modalities for national institutions.
- the Global Environment Facility (GEF), the world's largest multilateral environmental fund, supporting climate action and other global environmental priorities.

These funds provide resources to support developing countries in implementing climate projects and programmes aligned with national priorities and international climate commitments.

Organizations such as the United Nations Development Programme work with governments to strengthen climate finance systems, access international funds, mobilize private investment, and integrate climate priorities into national planning and budgeting.[72]

For youth and civil society, understanding climate finance is important because **decisions about how resources are allocated shape who benefits from climate action and whether it advances climate justice**. Key justice questions include:

- Is finance reaching frontline and marginalized communities?
- Is adaptation receiving adequate and grant-based funding?
- Are young people meaningfully engaged in decision-making on climate investments?
- Are financial flows aligned with a fossil fuel phase-out and a just transition?

Understanding climate finance architecture empowers youth to engage in NDC processes, national budgeting, GCF country programmes, and accountability mechanisms.[73]

72 UNDP, Climate Finance, https://climatepromise.undp.org/what-we-do/areas-of-work/climate-finance

73 Useful references: GCF Programming Manual: An introduction to the Green Climate Fund project cycle and project development tools for full-size projects. UNFCCC climate finance architecture video overview, https://www.youtube.com/watch?v=zkGkl1VhFeg. Guidebook on how to Access Climate Finance for Member States of the Association of Southeast Asian Nations

Climate policies already exist on paper, but injustices arise when implementation is weak, delayed, or ineffective. In practice, there is often a failure to put in place necessary mitigation measures—such as curbing the production and use of fossil fuels—to ensure that no new harms are caused to life, livelihoods, culture, and mobility. Similarly, injustices arise when adaptation measures fail to reach frontline and marginalized communities.

These failures are directly related to States' obligations to prevent foreseeable climate harm, protect human rights, and secure a clean, healthy, and sustainable environment.

This makes implementation a crucial entry point for climate justice action. It can be leveraged by young people acting as monitoring and accountability actors, including by developing scorecards to track whether climate commitments are being effectively implemented.

## Applying the Climate Justice Pathway methodology to this entry point:

**Harm and barrier:** Even when climate policies exist and solutions are known, implementation is often weak, inadequate, or left unchecked, undermining human rights protections and widening vulnerability.

**Rights and legal duties:** Failures in implementation affect the rights to life, health, food, water, housing, and culture, as well as the rights of disproportionately impacted non-state actors,such as Indigenous Peoples, persons with disabilities, women, children, and youth. They are also closely linked to the right to a clean, healthy, and sustainable environment. These rights stem from national constitutions and statutory obligations. As noted above, under international law, States have a duty to prevent foreseeable climate harm and to protect human rights.

**Levers and action:**
**Institutional levers:** Once relevant rights and legal duties are identified, attention can turn to institutions with existing mandates to act and where implementation can be demanded.

- At the national level, these include ministries of environment, energy, finance, and planning; national climate councils or advisory bodies; national human rights institutions; and parliamentary oversight and budget committees.
- At the international level, relevant levers include UNFCCC reporting and transparency mechanisms, NDC review and update processes, the Global Stocktake under the Paris Agreement, and engagement with UN agencies and development partners.

**Action and strategies:** A range of strategic actions can be used to strengthen implementation, including:

- **Monitoring NDC delivery.** Tools such as *On Equal Terms*,[74] UNDP's checklist for youth-inclusive NDC processes, can be used to assess whether governments are meeting procedural, substantive, and fulfilment obligations related to NDC implementation.

74 United Nations Development Programme (UNDP), *On Equal Terms: A Checklist for Decision Makers and Practitioners on a Youth-Inclusive NDC Process* (New York, 2023).

- **Assessing ambition and alignment.** Analytical tools, such as briefing notes on NDCs and State obligations under the Paris Agreement, can be used to examine whether NDCs reflect a State's highest possible level of ambition, including contributions consistent with the 1.5°C temperature goal, as clarified by international jurisprudence.
- **Promoting meaningful youth inclusion.** Advocating for youth representation in review, monitoring, and advisory bodies can enhance transparency and provide insight into implementation timelines and progress.
- **Producing youth-led monitoring tools.** Reports, budget tracking, audits, and scorecards can generate evidence on compliance and gaps, contributing to broader data collection and accountability efforts.

**Accountability mechanism:** Evidence generated through monitoring and analysis can feed into accountability processes. Young people may support strategic litigation, engage with national human rights institutions or ombudspersons, and submit findings to national, regional, and international accountability mechanisms.

Practical tools for these actions are available in **Section III (NDCs)**.

Photo: Lara Jameson / Pexels

## Case study – Mexico

**Youth engagement shaping the development of NDC 3.0**

**Themes:** Youth participation in climate policymaking; nationally determined contributions; alignment with international legal obligations

### Context and intervention

In November 2025, Mexico submitted its third nationally determined contribution (NDC 3.0),[75] which includes a landmark commitment to an absolute emissions cap by 2035. Young people were directly engaged during the drafting phase through multiple participatory processes, demonstrating how youth participation can influence climate policy at its point of origin.

Mexico's NDC 3.0 also references the advisory opinions of the International Court of Justice and the Inter-American Court of Human Rights, signalling an intention to align national climate action with evolving international legal standards and obligations.

### Applying the Climate Justice Pathway

Harm and barrier

When national climate policies are developed without robust participation, monitoring, or accountability mechanisms, they risk falling short of ambition and failing to respond adequately to climate-related harms affecting present and future generations.

Rights and legal duties

Young people have the right to meaningful participation in public decision-making processes that directly affect them, including the formulation of climate policies. States also have legal obligations under international and regional law to align national climate action with agreed temperature goals and human rights standards.

Levers, action, and accountability

Using participatory governance mechanisms as an entry point, young people engaged directly with government authorities during the drafting of NDC 3.0. Through these processes, they advocated for alignment with national climate law and international legal obligations, including those clarified through recent climate advisory opinions. This engagement strengthened transparency and accountability within the policy development process itself.

Outcome

Mexico's NDC 3.0 reflects a higher level of ambition and coherence with international legal obligations, including contributions consistent with the collective 1.5°C temperature goal. The process also demonstrates how early and meaningful youth participation can strengthen accountability and legal alignment in national climate planning.

75 Mexico NDC 3.0, https://unfccc.int/documents/654344

## IV. Participation in negotiations within the UNFCCC framework (observers, youth negotiators, delegations)

While local and national participation often offers the most direct influence, engagement in **UNFCCC processes** remains an important, complementary entry point for advancing climate justice. These global spaces shape the norms, expectations, and obligations that later guide national climate policies, NDC updates, finance flows, and implementation pathways.

Youth participation in multilateral processes and fora has steadily increased. Official constituencies such as YOUNGO, for example and initiatives like the Youth Negotiators' Academy, help prepare young people to engage in highly technical negotiations and to join Party delegations. These platforms strengthen youth capacity to interpret, influence, and monitor global decisions with downstream national impacts.

At **COP28**, Parties also institutionalized the role of the **COP Presidency Youth Climate Champion (PYCC)**[76]. Appointed by each incoming COP Presidency for up to two years, the PYCC serves as a formal bridge between youth-led advocacy and the COP Presidency, with a mandate to enhance meaningful and inclusive youth engagement across all UNFCCC processes. This creates a consistent, structured entry point for youth to influence Presidency priorities, initiatives, and negotiation spaces.

### Applying the Climate Justice Pathway to this entry point:

**Harm and barriers:** Despite their importance, UNFCCC negotiations remain **difficult to access**—especially for frontline communities, Indigenous Peoples, and young people from the Global South. Barriers include prohibitive costs, complex accreditation procedures, and highly technical language. As a result, the people most affected by climate change are often absent from discussions that directly concern them, creating a form of **procedural injustice**.

**Rights and legal duties:** This is directly related to the right to access information and participation in public affairs that are both enshrined in national laws and international conventions—such as the International Covenant on Civil and Political Rights, the Rio Principle and **the ACE agenda**, mandated under **Article 12 of the Paris Agreement** and **Article 6 of the UNFCCC**.

**Levers and action**

**Institutional levers:** Formal entry points for participation exist within the UNFCCC system. These include recognized observer constituencies such as YOUNGO, the Indigenous Peoples Organisation, and non-governmental organizations. Engagement with national delegations is also a key lever, including understanding which government entities hold the mandate for climate negotiations and are authorized to facilitate State or Party (including overflow) badges.

Additional institutional levers are found within the subsidiary bodies that support the work of the Conference of the Parties and its governing bodies. The Subsidiary Body for Scientific and Technological Advice provides guidance on scientific and technical matters, while the Subsidiary

76 UNFCCC, Decision 16/CP.28, *Presidency Youth Climate Champion (PYCC)*, 2023.

Body for Implementation addresses issues related to the implementation of commitments under the UNFCCC.

**Action:**
Strategic actions to leverage these institutional entry points include:

- Securing access to negotiation spaces through national delegations or accredited observer organizations, recognizing that observer accreditation is often based on sustained engagement and demonstrated relevance.
- Coordinating with youth and civil society constituencies to share information, align strategies, and strengthen collective access and influence.
- Grounding advocacy in existing legal obligations, including commitments under the UNFCCC, international human rights law, and climate justice principles related to equity, responsibility, and capability.
- Engaging strategically during key negotiation moments, such as drafting stages, informal consultations, and final text negotiations, where substantive outcomes are shaped.

Alongside this, **youth formal diplomacy** also offers an important pathway for action. As not all advocacy happens in negotiation rooms. Youth can engage in:

- National diplomatic processes as **youth delegates**.
- Youth-led or youth-inclusive platforms such as **World's Youth for Climate Justice**, **Pacific Island Students Fighting Climate Change**, and others that connect young people with government representatives.
- Regional and international participation channels—including the YOUNGO, the International Indigenous Youth Forum on Climate Change (**IIYFCC**), the **African Union Youth Division**, and the **EU Youth Dialogue**—to influence negotiations, policies, and global decision-making.

**Accountability mechanism:** Negotiation outcomes should be linked back to accountability pathways, including:

- Tracking commitments made at COPs, SBs, and via CMA decisions.
- Assessing whether governments follow through on their international obligations—especially NDC ambition, climate finance, and Loss and Damage.
- Leveraging negotiation outcomes to strengthen national advocacy, reminding governments of their **duty to prevent transboundary environmental harm**, exercise **due diligence**, and **cooperate internationally**.

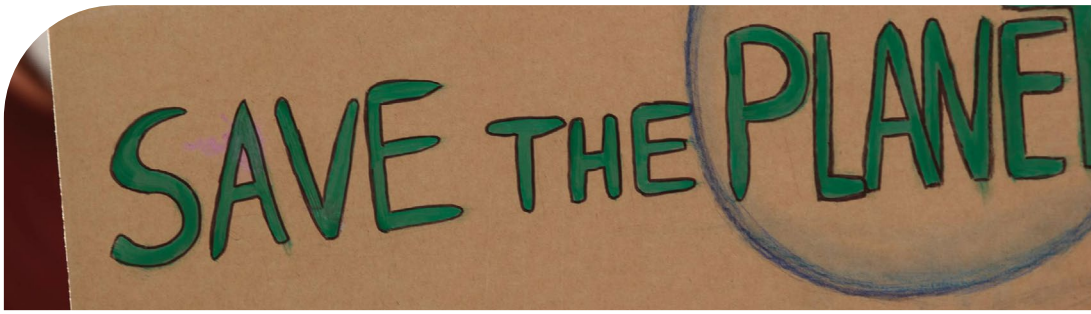



Photo: Markus Spiske / Pexels

## Case study - Global youth-led climate processes

**YOUNGO, RCOYs and LCOYs, and the Youth Negotiators Academy—Empowering the next generation of environmental negotiators**

**Themes:** Youth participation in climate governance; capacity-building for negotiators; institutional access to multilateral processes

### Context and intervention

Youth participation in the UNFCCC process is coordinated through several complementary, youth-led initiatives that connect grassroots engagement with formal climate negotiations. **YOUNGO**[77] serves as the official children and youth constituency of the UNFCCC, representing youth perspectives in climate negotiations and engaging directly with Parties and other stakeholders at Conferences of the Parties (COPs) and subsidiary body sessions.

Under YOUNGO's coordination, **Local Conferences of Youth (LCOYs)** and **Regional Conferences of Youth (RCOYs)** are organized autonomously to convene national and regional consultations ahead of COPs. These processes support capacity-building, policy dialogue, and the consolidation of youth priorities, which are synthesized into global youth statements and inform youth advocacy within the UNFCCC.

Complementing these processes, the **Youth Negotiators Academy (YNA)**[78] has, since 2022, focused on strengthening youth capacity to engage directly in negotiations. Through programmes such as the Climate Youth Negotiator Programme (CYNP), the YNA trains and supports young leaders, many of whom participate as members of national delegations.

### Applying the Climate Justice Pathway

Harm and barrier

Young people face persistent barriers to participation in international climate negotiations, including limited access to negotiating spaces and the highly technical nature of UNFCCC processes, which can exclude those without prior exposure, training, or institutional support.

Rights and legal duties

Young people have the right to access information and to participate meaningfully in public decision-making processes, including international climate governance. States and institutions also have responsibilities to promote inclusive participation in climate action, consistent with principles of transparency, participation, and equity.

77 United Nations Framework Convention on Climate Change (UNFCCC), *YOUNGO (Official Youth Constituency of the UNFCCC)*
78 Youth Negotiator Academy, https://www.youthnegotiators.org/

# In a nutshell

Levers, action, and accountability

Youth-led processes address these barriers by creating structured entry points into climate negotiations. This includes facilitating access to UNFCCC sessions, supporting participation through logistical and financial assistance, and building technical capacity through training, mentorship, and peer-to-peer learning. By strengthening youth understanding of negotiation processes and policy substance, these initiatives enable more effective engagement and accountability within the UNFCCC system.

Outcome

One of the most prominent outcomes of these processes is the annual **Global Youth Statement (GYS**), which consolidates youth priorities on climate action to be presented at COP. In 2025, the statement reflected inputs from more than 30,000 young people across over 150 countries and represented extensive consultation, drafting, and synthesis. The GYS is annually presented to negotiators at COPs and subsidiary body sessions and is widely referenced by youth organizations.

Similarly, the Youth Negotiators Academy, through the Climate Youth Negotiator Programme, has trained over 650 young negotiators from 63 countries across five continents. Many participants have gone on to engage directly in climate negotiations as members of national delegations, contributing to policy discussions and strengthening youth representation in multilateral climate governance.


Photo: Karola G / Pexels

## V. Protection and safeguarding mechanisms for young environmental and human rights defenders (EHRDs)

Within climate justice efforts, the protection of young environmental and human rights defenders (EHRDs) constitutes a critical entry point for action. Safeguarding the safety, dignity, and freedoms of young EHRDs is a core component of climate justice. When defenders face threats or repression, climate action is undermined, public participation is curtailed, intergenerational equity is weakened, and the rule of law is eroded.

### Applying the Climate Justice Pathway:

**Harm and barrier:** Young environmental and human rights defenders are exposed to a range of risks, including threats, harassment, intimidation, and physical violence. These harms may also take the form of arbitrary arrest or Strategic Lawsuits Against Public Participation (SLAPPs), which are used to harass defenders, drain their resources, and deter or silence their engagement in climate-related advocacy.

**Rights and legal duties:** States have obligations to respect, protect, and fulfil the rights of young EHRDs. These include the rights to life, liberty, and security of the person; the right to public participation; and the freedoms of expression, association, and peaceful assembly. These protections are enshrined in national constitutions and reinforced by international and regional human rights instruments.

In addition, States have heightened duties of protection toward individuals and groups facing increased vulnerability, including youth, Indigenous defenders, and women. Jurisprudence from regional human rights bodies, including advisory opinions addressing the climate emergency, has further strengthened procedural protections for environmental defenders and reinforced access to climate justice.

**Levers and action:**
**Institutional levers:** A range of institutional mechanisms exist to support protection and accountability. At the national level, National Human Rights Institutions and domestic courts can provide provisional measures, remedies, and public oversight. At the regional level, human rights courts and commissions—such as the European Court of Human Rights—offer avenues for accountability once domestic remedies have been exhausted.

At the international level, United Nations Special Procedures related to human rights defenders, the environment, and freedom of expression serve as additional levers. These mechanisms operate as independent expert mandates of the UN Human Rights Council. The Universal Periodic Review also provides a forum through which States' human rights records, including the protection of defenders, are periodically examined through peer review.

**Action:** Safety and security should be the primary consideration. A risk assessment should be undertaken before engaging in any action. Where it is safe to do so, and with informed consent, threats and harmful acts may be documented securely. Such information can be used to trigger urgent appeals to relevant UN Special Rapporteurs and to support submissions to the Universal Periodic Review or treaty bodies in relation to acts or omissions by a Member State.

National Human Rights Institutions may be engaged to seek immediate relief and protection measures, as well as to issue public statements in support of young environmental and human rights defenders and to condemn harmful acts or violations. Where appropriate, strategic litigation may be pursued to request provisional or protective measures. Collective protection approaches, including international solidarity, can also be explored.

Civil society networks—particularly those working on human rights protection and the protection of vulnerable groups—may be mobilized to build public awareness, generate pressure, and call for action by responsible authorities.

**Accountability:** Accountability may be pursued through domestic judicial remedies, including criminal or administrative proceedings, as well as through regional human rights courts and UN treaty bodies. Where constitutionally protected rights and freedoms are violated, legal action may be pursued to seek remedies or provisional measures. Grievance and complaints mechanisms at both national and international levels can also be used to document violations and trigger institutional responses.

Practical tools and resources to support the protection of young environmental and human rights defenders are outlined in Section III.

## VI. Engaging with accountability and transparency mechanisms

This section differs slightly from previous ones, as it focuses on engagement with accountability and transparency mechanisms that can further strengthen the climate justice pathways outlined above.

As discussed earlier, accountability mechanisms are a necessary follow-up to action. A framework developed in the Journal of Environmental Planning and Management, titled "A Framework for Assessing the Accountability of Local Governance Arrangements for Adaptation to Climate Change",[79] identifies five core elements of accountability: **clear responsibilities and mandates, transparency, political oversight, citizen control, and checks and sanctions**.

Outlined below are key institutional and community-based mechanisms that can be used to demand accountability when compliance, regulation, or implementation are inadequate to protect rights.

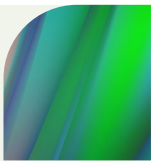
### a) Institutional mechanisms

**Legal and quasi-judicial mechanisms**
These include domestic courts, oversight bodies such as ombudspersons or anti-corruption agencies, and National Human Rights Institutions. Accountability is further supported through publicly available documentation of decisions, access to information on which decisions are based, and whistleblower-protection laws. Ombudspersons and public defenders can also play a role in receiving complaints and providing remedies.

79 H. Mees and P. Driessen, *A Framework for Assessing the Accountability of Local Governance Arrangements for Adaptation to Climate Change*, 62 *Journal of Environmental Planning and Management* (2019), 671–691.

At the international and regional levels, accountability may be pursued through international tribunals and human rights bodies, including UN treaty bodies and regional courts, through cases, advisory opinions, and inquiries.

*Example: Portugal – Youth-led climate litigation before the European Court of Human Rights (Duarte Agostinho and Others v. Portugal and 32 Other States)*[80]



*In this case, Portuguese youth brought a strategic, rights-based legal challenge before the European Court of Human Rights, alleging State inaction on climate change. The accountability mechanism engaged was judicial review and adjudication before an international human rights court.*

**Administrative and governance mechanisms**
These include mandatory reporting and transparency requirements, parliamentary or legislative oversight, and institutional coordination arrangements. In some contexts, governments designate a specific agency or authority to coordinate climate-related obligations—for example, Jamaica has assigned oversight of multilateral environmental agreements to its National Resources Conservation Authority. Where such coordination mechanisms are absent, fragmented responsibilities may contribute to delayed or ineffective action.

International and multilateral governance mechanisms also play a role, including transparency and review processes under the UNFCCC, notably the enhanced transparency framework established under Article 13 of the Paris Agreement.

**b) Community-based mechanisms**

**Participatory and social accountability tools**
These include youth- and citizen-led scorecards and monitoring tools, such as the Youth Progress Index[81] or the Youth2030 Scorecard,[82] which help track progress and strengthen accountability in how institutions engage with and support young people.

**Movement-based and civic mechanisms**
Public campaigns, rallies, and marches; strategic narrative-building and storytelling; and open or formal letters submitted through official communication channels can all serve as accountability tools by shaping public discourse and applying pressure on decision-makers.

**Customary and local governance mechanisms**
In some contexts, Indigenous and customary justice systems, local grievance mechanisms, community councils, or elders' bodies provide culturally grounded avenues for resolving disputes and demanding accountability.

These accountability mechanisms are not mutually exclusive, particularly at the community

80 Duarte Agostinho and Others v. Portugal and 32 Other States (2020) https://www.climatecasechart.com/document/duarte-agostinho-and-others-v-portugal-and-32-other-states_e05d
81 European Youth Forum, *Youth Progress Index 2025* (Brussels, 2025).
82 United Nations Youth Office, *Youth2030 Scorecards*, https://www.un.org/youthaffairs/en/youth2030/scorecards

level. As a general principle, administrative remedies are typically exhausted before resorting to courts, and domestic remedies before international tribunals. However, where risks are imminent or irreparable harm is likely, courts and human rights bodies may grant provisional or interim measures to safeguard rights and provide temporary protection under exceptional circumstances.

## Practical tools and resources

This chapter complements the main themes set out in Sections I and II. While the preceding sections establish the legal foundations and outline strategies and best practices for action, this part of the Guide focuses on practical application. It provides young people with concrete, actionable tools and resources that were not covered in depth in the case studies.

The chapter includes ready-to-use tools and templates on loss and damage, nationally determined contributions (NDCs), just transition, and protection and safeguarding mechanisms for young environmental and human rights defenders. These tools set out clear demands that young people can advance immediately and can be used to complement or strengthen ongoing advocacy and engagement.

## Loss and damage

**Who is this for, and when is it used?**
This tool is intended for young people working on, or seeking to engage with, loss and damage at national and international levels. It supports efforts to advance loss and damage as a policy, legal, and accountability priority within climate governance processes.

Photo: Markus Spiske / Pexels

## (ACTION DOCUMENT)

### WHAT YOUTH ADVOCATES CAN DO AND DEMAND:

A. **National level**
- Formally recognise Loss & Damage in:
  i. National climate plans (NDCs)
  ii. National development plans
  iii. Disaster and recovery frameworks
- Document and track loss and damage, including:
  i. Non-economic losses
  ii. Loss and damage arising from slow-onset events
  iii. Impacts on youth, Indigenous Peoples, women, local communities and other non-state actors
- Create national loss and damage strategies or frameworks
- Ensure youth participation in loss and damage decision-making processes
- Raise awareness and promote public education on loss and damage

B. **International spaces such as COPs and UN institutions.** As confirmed by the International Court of Justice, the customary duty to cooperate on loss and damage constitutes a binding legal obligation rather than a matter of political discretion. In multilateral spaces, including COPs, priority demands include:
- Fully capitalization of the Fund for responding to Loss and Damage (FRLD)
- Ensuring that loss and damage finance is:
  i. New and additional
  ii. Grant-based
  iii. Accessible to affected communities
- Strengthening the Santiago Network to deliver technical assistance
- Aligning COP decisions with the ICJ Advisory Opinion on climate change
  i. Ensuring that decision-making is informed by the best available science; and
  ii. Reaffirming that human rights and climate change are inextricably linked, and that human rights principles must guide responses to loss and damage.

Together, these actions support both policy reform and accountability efforts related to loss and damage.

**Resources available**

UNDP, *Snapshot of Loss and Damage in Small Island Developing States under the Climate Promise*. (2024)
Loss and Damage Collaboration, *Obligations of States in Respect of Climate Change: What Does the International Court of Justice Advisory Opinion Mean for Loss and Damage under the UN Climate Change Regime?*
World's Youth for Climate Justice, PISFCC and CIEL, *Leveraging the ICJ Climate Ruling at COP30 to Unlock Ambition and Advance Accountability: A Pocket Guide for Negotiators and Allies.*
UNFCCC, *Warsaw International Mechanism Online Guide on Loss and Damage.*
*Loss and Damage: A Moral Imperative to Act*.

## Nationally determined contributions (NDCs)

In its 2025 advisory opinion on climate change, the International Court of Justice reaffirmed that States have legal obligations to ensure that their NDCs, taken collectively, are capable of achieving the Paris Agreement's temperature goal of limiting global warming to 1.5°C. While States retain flexibility in choosing the measures and approaches they adopt, this discretion is not unlimited. NDCs must ultimately be capable of making an adequate contribution to achieving the agreed temperature goal.

Within this context, there are several key aspects to consider when assessing whether NDCs are being effectively implemented.

### (ACTION DOCUMENT)

#### WHAT YOUTH ADVOCATES CAN DEMAND:

**Substantive obligations:**
States have limited discretion over NDC content. Each NDC must:

- Reflect its highest possible ambition,
- Make an adequate contribution to the collective 1.5°C goal,
- Increase in ambition every five years, and;
- Be informed by the Global Stocktake, which has demonstrated that current efforts remain insufficient to meet agreed climate goals.
- States must also provide the information necessary to ensure clarity, transparency, and understanding of their NDCs.

**Procedural obligations:**

- Under the Paris Agreement, States are required to prepare, communicate, maintain, register, and account for their NDCs. Failure to comply with these requirements constitutes a breach of legal obligations, including those set out in Articles 4(2), 4(12), and 13 of the Paris Agreement.

**Fulfillment obligations:**

- In accordance with Article 4(2) of the Paris Agreement on domestic mitigation measures, all Parties must act with due diligence in taking the necessary domestic measures to achieve the objectives set out in their successive NDCs. This requires States to use all reasonable means and best efforts to effectively implement their NDC commitments.

**Resources available**
UNDP, *On Equal Terms: A checklist for decisionmakers & practitioners on a youth-inclusive NDC process*, (2023)
WYCJ Briefing Note on NDCs and State Obligations under Paris Agreement

## Just transition

**What's happening**

The Governments of the Netherlands and Colombia have announced plans to co-host the first *International Conference on the Just Transition Away from Fossil Fuels*, to be held in Santa Marta, Colombia, in April 2026. This initiative follows the outcome of climate negotiations at COP30 in Belém, which did not result in an agreement to phase out fossil fuels.

The conference aims to develop a *People's Roadmap for a Just Transition Away from Fossil Fuels*, intended to inform governments and civil society on the actions required to enable a rapid, fair, equitable, and just transition from fossil fuels to renewable energy.

### (ACTION DOCUMENT)

**WHAT YOUTH ADVOCATES CAN DEMAND:**

- Support the Fossil Fuel Non-Proliferation Treaty Initiative.
- **Frame just transition through a climate justice lens**, centering the disproportionate impact of climate change on frontline and marginalized communities.
- **Access to green jobs**. Advocate for dedicated public budget lines to support green jobs and youth employment.
    - *How:* Frame this demand under the right to work, as recognized in international human rights instruments and labour standards developed by the International Labour Organization. The concept of just transition, reflected in the Paris Agreement, emphasizes the creation of decent work and quality jobs as economies transition toward low-carbon and climate-resilient development. Governments can operationalize this commitment by allocating public budgets for green skills training, youth employment programmes, and sustainable industries.
- **Formal youth representation in just transition governance**. Advocate for youth seats in national just transition commissions, energy transition task forces, and climate councils.
    - *How:* Engage national youth councils and key youth-led environmental organizations to mobilize support and strengthen collective advocacy.
- **Meaningful youth participation across the policy cycle**. Demand that youth engagement extends beyond consultation to include planning, implementation, and monitoring.
    - *How:* Examine national youth legal frameworks and the rights they afford young people in policy processes. Where participation rights are legally recognized, these provisions can be used as a basis for advocacy and accountability.
- **Youth-led monitoring of just transition commitments.** Support the development of youth-led monitoring mechanisms to track implementation and impacts.
    - *How:* Build alliances among youth groups, labour and workers' organizations, trade unions, and frontline communities, particularly in fossil-fuel-dependent economies.
- **Support youth-led and community-owned renewable projects.** Map, promote, and strengthen initiatives that advance local ownership and inclusive benefits from renewable energy transitions.

**Resources available**

UNDP, "*How Can Participation Deliver Just Energy Transitions?*" (2025)

## Protecting young environmental and human rights defenders

**Who is it for, and when is it used?**
This tool is intended for young environmental and human rights defenders (EHRDs), as well as those supporting defenders who are facing threats or attacks. It provides concrete next steps for risk assessment, protection, and access to remedies.

### (ACTION DOCUMENT)

#### WHAT YOUTH ADVOCATES CAN DO:

The EHRD Toolkit developed by the Asia Pacific Network for Environmental Defenders outlines a risk assessment approach based on the following formula:

- **Risk = (Threats × Vulnerabilities) ÷ Capacities**

Using this approach, the following steps can be applied:

- **Identify sources of threats**, such as government agencies, private actors, business interests, or security services.
- **Assess capacities and vulnerabilities**, including strengths and protective factors, as well as conditions that increase risk.
    - *Guiding question:* What advantages, resources, or support systems may help reduce risk? Conversely, what factors may increase exposure to harm?
    - For example, living in a secure neighbourhood with trusted community support may reduce risk, while living alone may increase vulnerability.
- **Assess the overall level of risk**, based on the interaction between threats, vulnerabilities, and capacities.
- **Consider the potential impact of threats on others**, including family members, colleagues, or communities.
- **Identify risk-mitigation actions** to reduce vulnerabilities.
- **Develop contingency responses** to address potential threats.
- **Create an action plan** to implement protective measures.

- Access both domestic and international human rights mechanisms
    - **At the domestic level**, available mechanisms may include constitutional rights litigation, National Human Rights Institutions and ombudspersons, prosecutors, and data-protection authorities. These can be accessed through the filing of cases, requests for protection measures, submission of complaints, initiation of inquiries, or use of grievance mechanisms.
    - **At the international level**, relevant mechanisms include UN Special Procedures, treaty bodies, and the Human Rights Council.

**Submitting a complaint**

**Via the UN Special Procedures -** Complaints may be submitted using the online submission tool available on the Office of the High Commissioner for Human Rights (OHCHR) website. Submissions may also be sent by email or postal mail to: *OHCHR-UNOG, 8–14 Avenue de la Paix, 1211 Geneva 10, Switzerland.*
**Via treaty bodies -** Complaints addressed to one of the treaty bodies should be submitted using the online Treaty Body Online Submission Portal. If technical difficulties arise, the complaint form may be downloaded and submitted by email to *ohchr-petitions@un.org*.
**Via the Human Rights Council -** Complaints may be submitted using the Human Rights Council Complaint Procedure online form for faster processing. Alternatively, the completed form may be downloaded and mailed to:

Complaint Procedure Unit – Human Rights Council Branch
OHCHR – Palais Wilson
United Nations Office at Geneva
CH-1211 Geneva 10, Switzerland

Before submitting a complaint through Special Procedures, treaty bodies, or the Human Rights Council, it is important to ensure that the general admissibility criteria are met. These requirements are outlined on the OHCHR website under Reporting Violations.

**Resources available**
Environmental Human Rights Defenders (EHRDs) Toolkit

**Sample complaint model**

**What should the complaint contain?** According to the APNED EHRD Toolkit,[83] a complaint should include:

- Facts of the case detailing the basis of the complaint
- Basic personal information of the victim
- Proof of consent of the victim (if applicable)
- Steps taken to exhaust domestic remedies
- Steps taken to submit the complaint to any other international body
- Reasons why the victim considers their rights violated, citing specific articles of the relevant treaty which have allegedly been violated
- Relevant documents (with translations if in non UN language)

83 Asia Pacific Network for Environment Defenders (APNED), *Environmental Human Rights Defenders (EHRD) Toolkit.*

# **Conclusion:** From justice claims to systemic change

Climate justice is not an abstract concept. It is a lived reality that is deeply interconnected, cutting across human rights and equity, peace and security, gender equality and social inclusion, governance and democracy, and the protection of Indigenous Peoples, local and frontline communities, and other non-State actors. As climate change acts as a risk multiplier, it exposes and exacerbates existing injustices. For decades, young people have been at the forefront of confronting these inequities and demanding accountability for climate-related harms—not only as stakeholders, but as rights-holders with agency and legitimacy.

This Guide was developed to support these efforts by presenting youth legal advocacy as an overarching pathway for action—one that can reinforce existing work across sectors and disciplines. By offering a practical methodology to identifying harm and linking it to relevant rights and corresponding legal obligations, the Guide seeks to bridge the gap between grassroots action and mobilization and systems of accountability, particularly where responsible actors fail to meet their legal and policy commitments.

Several key lessons emerge. First, systemic change that becomes embedded within institutions rarely results from a single strategy or intervention. Rather, it is driven by layered and mutually reinforcing efforts. Legal action, policy advocacy, and community mobilization are most effective when pursued together. Strategic litigation can clarify obligations and strengthen accountability; policy engagement can shape laws, climate plans, and public budgets; and community organizing and storytelling ensure that lived experience remains central to decision-making.

Second, young people are not merely participants in climate action, but leaders shaping its direction and substance. Youth are not a homogeneous group. Many bring specialized expertise as lawyers, practitioners, researchers, policymakers, negotiators, and delegates. As demonstrated throughout this Guide, the convergence of youth expertise, creativity, and collective action can influence institutions, shift narratives, and shape climate governance at all levels.

Third, advancing climate justice requires placing equity and human rights at the core of climate decision-making and implementation. Bridging the gap between participation and influence—ensuring that engagement leads to meaningful and durable outcomes—is essential to moving beyond managing climate impacts toward building societies grounded in justice and dignity.

The tools, case studies, and pathways presented in this Guide are neither exhaustive nor prescriptive. They are offered as an invitation: to adapt these approaches to specific contexts, to build alliances across generations and regions, and to continue advancing the systemic transformations that climate justice requires.

# Annexes

## 1. Methodology

The process underpinning this Guide began with a deep-dive session on climate justice held during the Youth4Climate flagship event at the Pre-COP in Brasília, Brazil, in October 2025, which convened 100 young climate leaders. This was followed by an online global consultation collecting inputs from 427 young people across more than 100 countries, alongside thematic interviews with over 20 young experts from youth constituencies and networks—including YOUNGO, the World's Youth for Climate Justice (WYCJ), and the Pacific Islands Students Fighting Climate Change (PISFCC)—as well as inputs from UNDP experts at global and regional levels.

The Guide was subsequently validated through two online validation workshops, with interpretation in English, Spanish, French, and Arabic, engaging 59 young people to review and refine its key findings, structure, and case studies.

## 2. Global survey questions

**About You**

1. Name
2. Contact information
3. Age range
4. Gender
5. Nationality
6. Region
7. How do you self-identify?

**Climate Justice—Your experience**

8. How familiar are you with the term "climate justice"?
9. What is your definition of Climate Justice?
10. Which issues do you personally connect most with climate justice?
11. What makes climate justice hard to understand or access for young people in your context?

**From Advocacy to Action and Accountability**

12. Have you or your network/organisation tried to influence climate decisions, policies, litigation (locally, nationally, or internationally)?
13. If yes, what avenue(s) or forum(s) did you try to engage with?
14. Where did the process become difficult or stop working?
15. Which climate justice priorities were hardest to move forward?
16. In one sentence, what was the biggest barrier you faced in advancing climate justice?

**Tools, Evidence, and Support Needs**

17. What kinds of evidence or knowledge products do you already collect or work with to support climate justice efforts?
18. Building on the previous question, what makes it hardest to use this information for climate justice accountability?
19. Success Stories and Best Practices—Can you share a concrete example of a climate justice pathway or solution that has effectively addressed climate-related injustice or harm in your community, country, or through your work?
20. In terms of guidance and support, what would help you most to turn climate impacts or injustices into concrete action or accountability?
21. What format would you prefer for a Climate Justice Guide?

**Way Forward**

What is one thing you want decision-makers to understand about youth and climate justice?

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