

A photograph of three young people standing in a sunlit forest. On the left is a young woman with long, wavy brown hair, wearing a green t-shirt and patterned shorts, with sunglasses on her head. In the center is a young man with dark hair, wearing a grey t-shirt and green shorts, with a blue watch on his left wrist. On the right is a young woman with light brown hair, wearing a grey t-shirt and blue striped shorts, with a white watch on her left wrist. The background consists of tall, thin trees with green foliage.

POWERING YOUTH CLIMATE JUSTICE

 Our Children's
Trust [Youth v. Gov](https://www.ourchildrenstrust.org)

2023 IMPACT REPORT

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DEAR FRIENDS,

This has been a milestone year for Our Children's Trust and our groundbreaking work across the globe.

I founded Our Children's Trust in 2010 premised on the truth that our courts are both vital to a vibrant democracy and empowered to save our planet for our children's sake. Without a stable climate system that is judicially recognized and protected as a fundamental human right, every natural resource we rely upon to exercise our basic rights to home, health, and life itself is under threat. For over 50 years, governments, and the systems they have built, have knowingly fueled the climate crisis, despite clear scientific warnings to transition away from fossil fuels and with majority public support for climate action.

This year we won the first ever constitutional climate case to go to trial, *Held v. State of Montana*. The world watched as 12 youth plaintiffs testified how the climate crisis harmed their health, livelihoods, ancestral and family traditions, air, land, and rivers. We also secured a major victory in *Juliana v. United States*, putting it back on the path to trial.

We began preparations for our second constitutional climate trial, *Navahine F. v. Hawai'i Department of Transportation*, on behalf of 14 youth plaintiffs, seeking to obtain a first-of-its-kind judicial decree mandating greenhouse gas emission reductions from the transportation energy sector. This year the climate crisis super-charged the fire in Lahaina where one of our young clients lost her home, for a second time. First flood. Then fire.

We argued Canada's first youth-led climate case against the federal government before a Federal Court of Appeal panel, two youth-led cases we support were elevated to Mexico's Supreme Court of Justice, and we centered the importance of climate science in the European Court of Human Rights in the first climate case ever heard by that Court.

We were powered by your support. You stood up for 151 youth plaintiffs—and every child they stand for—bravely telling their stories and telling their governments to stop eviscerating their rights. We need you for the long haul. Your power, your dedication, and your unwavering support are priceless.

Julia Olson
Executive Director & Chief Legal Counsel





WE BELIEVE

that young people deserve to be happy and safe today and in the future. We use our legal and scientific expertise so they can tell their stories.

OUR GOALS



Science-Powered Solution

We know the scientific prescription for a safe climate: return atmospheric carbon dioxide concentrations to below 350 parts per million by 2100. Scientists rang the alarm, but governments have affirmatively promoted fossil fuels. To stop global heating, we bring scientists to court to show how, when, and why the fossil fuel era must end. Establishing the constitutional standard to a safe and stable climate for children and future generations sets the bar for government conduct. We seek legally binding judicial declarations that end new fossil infrastructure and extraction, phase out fossil fuels no later than 2050, and restore the Earth's energy balance.

We trust science.

Youth-Powered Litigation

Children are living through unprecedented wildfires, smoke, heat, storms, drought, and floods, and they know what needs to be done. Those in power need to listen to young people's simple and serious demands. *Trust science. Act now. Our health and our future depend on it.* As advocates, our job is to make sure children's voices are heard in courts of law, telling judges the stories of their burning lungs, lost homes, their hope, and their fear. It's our job to obtain enforceable remedies against governments that are harming children and generations to come—the politically silent majority. Constitutional impact litigation is the most important tool to secure durable climate justice.

We trust children.

Democracy-Powered Future

We launched a global era of climate impact litigation to hold governments accountable for perpetuating the climate crisis. Emboldened and empowered by our inclusive, proactive approach, young people took to the courts, organized in the streets, and demanded that governments listen. Today, we partner with youth, lawyers, organizations, and the people to mobilize and realize the full power of our democracy. The world's courts hold the power to enforce the right to life for all of our children. We train the next generation of legal minds to think big, advance the law, and boldly protect our democracy.

We trust democracy.

OUR VISION



Scaling Litigation

After winning the groundbreaking decision in *Held v. State of Montana*, we will continue to represent the youth plaintiffs to ensure that this judgment is upheld by the Montana Supreme Court, implemented by the political branches, and employed by the community. We are preparing for the world's first-ever climate trial in *Navahine v. Hawai'i Department of Transportation* to stop climate pollution from transportation. We will argue appeals in the Utah Supreme Court and the Virginia Court of Appeals, and develop, file, and support climate rights litigation in new jurisdictions across the U.S. and the world.

Advancing Democracy

We envision a future where all three branches of government have recognized children's climate rights, and courts have declared that governments are legally constrained from violating their rights. When that legal framework is in place, our work will transition towards enforcement and implementation of the science-based policies that are needed to protect children from the climate crisis.

Recognizing Children's Rights

Our work will be achieved when there is universal recognition of children's climate rights by courts around the world and children's fundamental rights to life on this planet are protected.

POWERING FORWARD TO CLIMATE VICTORY

2011

Alec L. v. United States

We make history by filing a wave of coordinated legal actions on behalf of youth in 50 states, and several countries, to establish legal recognition and protection of climate rights.

The legal strategy is “the only macro approach that can empower courts to force emissions reductions within the limited timeframe that remains before the planet crosses critical climate thresholds.”

Professor Mary Wood
University of Oregon
School of Law

2012

Bonser-Lain v. Texas Commission on Environmental Quality

The first court to rule that the public trust doctrine is embedded in the Texas Constitution and protects all natural resources that are essential for survival including air.

“[T]he public trust doctrine includes all natural resources of the State including the air and atmosphere.”

Judge Gisela Triana
District Court of Travis County, Texas

2013

Butler v. Brewer

This decision recognizes the power and duty of the judiciary to declare public trust rights, and that the public trust doctrine is capable of extending to the atmosphere and climate.

“[W]e reject Defendants’ argument [limiting] the Doctrine to water-related issues.”

“For purposes of our analysis, we assume without deciding that the atmosphere is a part of the public trust subject to the Doctrine.”

Judge Donn Kessler
Arizona Court of Appeals

2015

Foster v. Washington Department of Ecology

This litigation on behalf of youth in Washington State secured the nation’s first court order mandating an agency to cap and regulate carbon dioxide emissions.

“If ever there were a time to recognize through action this right to preservation of a healthful and pleasant atmosphere, the time is now as: ‘Climate change is not a far off risk.’”

Judge Hollis R. Hill
King County Superior Court

2015

Sanders-Reed v. Martinez

The New Mexico Court of Appeals builds upon the legal precedent that the public trust doctrine can be used to support youth’s efforts to protect their constitutional climate rights.

“We agree that ... our state constitution recognizes that a public trust duty exists for the protection of New Mexico’s natural resources, including the atmosphere, for the benefit of the people of this state.”

Judge Timothy Garcia
New Mexico Court of Appeals

2016

Juliana v. United States

For the first time ever, a court declares a constitutionally protected, climate-specific right, inspiring courts in other jurisdictions around the world to similarly recognize such a right.

“I have no doubt that the right to a climate system capable of sustaining human life is fundamental to a free and ordered society.”

Judge Ann Aiken
U.S. District Court of Oregon

2020

Chernaik v. Brown

The Oregon Supreme Court recognizes its power and duty to decide youth’s constitutional claims on the evidence, with a groundbreaking dissenting opinion paving the way for judicial recognition of climate rights.

“How best to address climate change is a daunting question with which the legislative and executive branches of our state government must grapple. But that does not relieve our branch of its obligation to determine what the law requires.”

Chief Justice Martha Walters
Oregon Supreme Court

2021

Aji P. v. State of Washington

A dissenting opinion from two Washington Supreme Court justices builds additional judicial support for recognition of climate rights in a case brought by youth to protect their rights to life, liberty, and equality.

“The court should not avoid its constitutional obligations that protect not only the rights of these youths but all future generations who will suffer from the consequences of climate change.”

Chief Justice Steven Gonzalez & Justice Helen Whitener
Washington Supreme Court

2022

Sagoonick v. State of Alaska

A first in Alaska history, justices, writing in dissent, recognize that there is a right to a livable climate protected by their Constitution.

“[T]he law requires that the State, in pursuing its energy policy, recognize individual Alaskans’ constitutional right to a livable climate. A declaratory judgment... is a step we can and should take.”

Justices Peter Maassen & Susan Carney
Alaska Supreme Court

2022

Chapter 50-5: Florida Renewable Energy Goals

Florida granted our petition for rulemaking from 200+ youth to set a target of 100% of the state’s electricity to be generated from clean renewable energy by 2050.

“We know we still have a long way to go and we’re going to need everyone to do their part, but issuing these goals is an important step forward.”

Nikki Fried
Florida Department of Agriculture and Consumer Services Commissioner

2023

In re Hawai'i Electric Light Company

Demonstrating the impact of OCT's groundbreaking legal work, Hawai'i Supreme Court recognizes right to a life-sustaining climate system, and a concurring opinion adopts 350 ppm scientific standard to protect climate rights.

→

“The effects of failing to reduce atmospheric CO₂ concentrations to below 350 ppm will lead to ‘social, political and economic chaos, and in that chaos[,] the rule of law cannot survive.’”

Justice Michael Wilson
Hawai'i Supreme Court

2023

Juliana v. United States

Holding that courts have the duty to hear and decide constitutional controversies, plaintiffs' motion to amend their complaint is granted, allowing the case to proceed to trial after eight years of unprecedented delay.

→

“It is a foundational doctrine that when government conduct catastrophically harms American citizens, the judiciary is constitutionally required to perform its independent role and determine whether the challenged conduct... is unconstitutional.”

Judge Ann Aiken
U.S. District Court of Oregon

2023

Held v. State of Montana

Groundbreaking ruling in first constitutional climate trial where youth and experts testified. Judge ruled that use and promotion of fossil fuels while ignoring climate change violates youth's constitutional rights to clean and healthful environment.

→

“Every additional ton of GHG emissions exacerbates Plaintiffs' injuries and risks locking in irreversible climate injuries.”

“Plaintiffs' injuries will grow increasingly severe and irreversible without science-based actions to address climate change.”

Judge Kathy Seeley
Montana District Court





I HAVE NO DOUBT

that the right to a climate system capable of sustaining human life is fundamental to a free and ordered society.

—U.S. District Court Judge Ann Aiken

SCIENCE-POWERED SOLUTION



The unprecedented planetary heating is powering torrential rainstorms, floods, wildfires, and heatwaves which are killing people, displacing communities, and denying children's fundamental rights.

Human rights lawyers have a duty to present courts with accurate scientific evidence. Today, with an average global temperature increase already at $\sim 1.1^{\circ}\text{C}$ to 1.3°C , the United Nation's scientific body, the Intergovernmental Panel on Climate Change, has expressly stated that 1.5°C is "not safe."

We are the world's biggest champion of climate science in the courtroom. We are determined to overturn the myth that 1.5°C protects children's rights and advocate for the 350 ppm prescription in climate litigation and government policy worldwide. In *Held v. State of Montana*, the court found that Earth Energy Imbalance is the most critical scientific metric in determining climate stability.

THE POWER OF SCIENCE

In a small courtroom in Helena, Montana, ten experts testified—communicating to those in power what science requires to protect the fundamental rights of children. The world listened and learned.



Dr. Steven Running testified on the earth's energy imbalance, CO₂ and climate change, and climate trends.



Dr. Cathy Whitlock testified on the effects of greenhouse gas (GHG) emissions on the plaintiffs, and how every ton of CO₂ matters.



Dr. Jack Stanford spoke to how anthropogenic climate change impacts the water tower, rivers, and fisheries.



Michael Durglo Jr. detailed how it impacts the health, security, economic, cultural, and social welfare on the Flathead Reservation.



Dr. Dan Fagre shared his research on how melting glaciers and their disappearance is incontrovertible evidence of climate change.



Anne Hedges testified that every fossil fuel project has been approved without regard to CO₂ emissions.

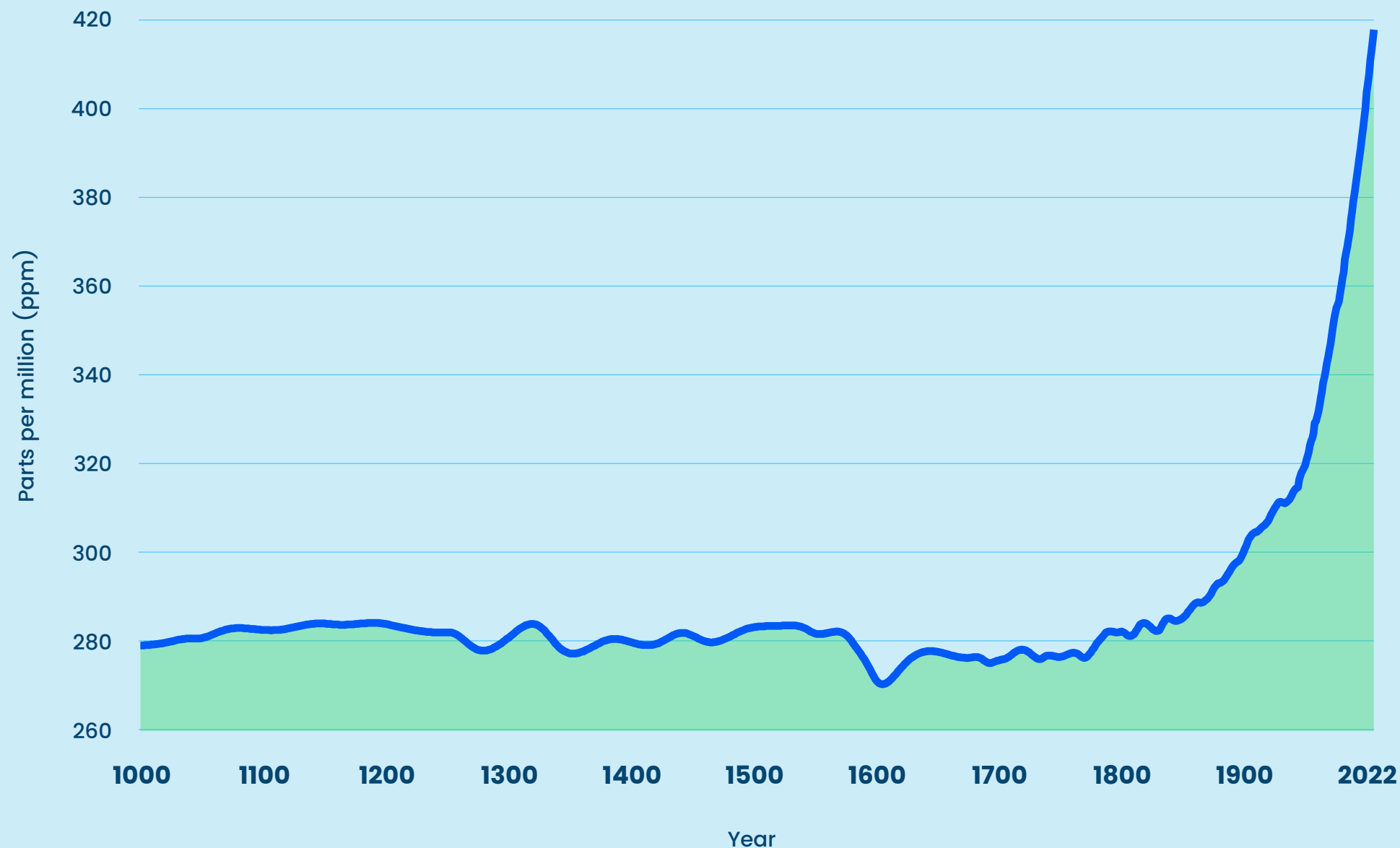


Pete Erickson demonstrated how fossil fuel extraction, processing, transportation, and consumption contributes to climate change.

Every Ton Of CO₂ Matters

To stabilize the climate system, scientists have concluded that atmospheric CO₂ levels must be below 350 parts per million (ppm). In 2022, annual average atmospheric CO₂ was 419 ppm, a new record high. In 2013, Dr. James Hansen and 17 leading scientists prescribed the emissions reduction trajectory back to 350 ppm. Dr. Mark Jacobson has published the plans for how to implement the prescription with clean renewable energy. This prescription—the Doctors' orders—is at the center of our climate litigation because it sets the standard of protection for children's fundamental rights.

Atmospheric CO₂



LEARN MORE

The Science Behind Human Rights

Our Animations



[Why 350 ppm?](#)



[The Truth about 1.5°C](#)

Our Scholarship

[Overturning 1.5°C: Calling for the Science Turn in Rights-based Climate Litigation](#)



Our Children's Trust partners with [Open Global Rights](#) in a series exploring how heating up to, and remaining at, the Paris target of 1.5°C violates the most basic of human rights, leaving billions in the crosshairs of climate disaster.

[The Injustice of 1.5°C-2°C](#)



The Need for a Scientifically Based Standard of Fundamental Rights Protection in Constitutional Climate Change Cases in *Virginia Environmental Law Journal*.

THIS IS NOT

an inevitable cliff we are jumping off, rather it is a slope we are being pulled down by governments—like Montana's—and the fossil fuel they use.

—Daniel B. Fagre, PhD, Scientist Emeritus, Northern Rocky Mountain Science Center



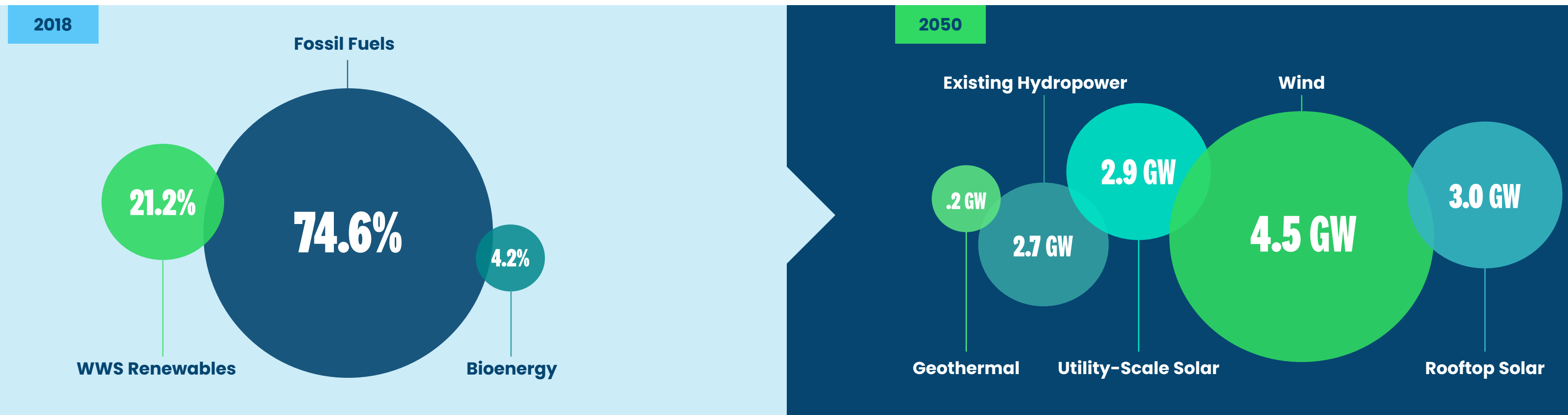
TRANSITIONING OFF FOSSIL FUELS

This was the first-time energy science modeling—the transition to clean renewable energy—was presented in open court. A technically feasible and economically beneficial pathway for a sustainable future for Montana’s children was presented.

The primary barrier is the lack of government direction to move energy policy in the WWS (wind-water-solar) renewable direction and government policies and actions that favor a fossil-fuel based energy system.

Finding Dr. Mark Jacobson’s testimony “informative and credible” Judge Kathy Seeley found: **“It is technically and economically feasible for Montana to replace 80% of existing fossil fuel energy by 2030 and 100% by no later than 2050, but as early as 2035.”**

Montana Energy Sources from 2018 to 2050



Montana Annual Savings in 2050

Energy Cost Comparison
\$9.1B 2018 → **\$2.8B** 2050

Energy Savings
\$29.1B

Health Savings
\$1.7B



CLIMATE CRISIS

is the single greatest driver of health for every child born today.

—Lisa Patel, MD, MEd, Our Children's Trust Board Member and Executive Director of the Medical Society Consortium on Climate and Health, and Clinical Associate Professor for Stanford Children's Health

PROTECTING CHILDREN'S HEALTH

Supported by the testimony of our experts including pediatricians and children's mental health specialists, we are implementing a legal strategy to ensure the courts understand the unique harms to children and apply special protections afforded to them under the law.

“Because of their unique vulnerability, their stages of development as youth, and their average longevity on the planet in the future, Plaintiffs face lifelong hardships resulting from climate change.”

—Judge Kathy Seeley



Dr. Lise Van Susteren

detailed the growing detrimental impact of climate change on well-being and mental health.



Dr. Lori Byron

testified on how climate change and associated air pollution is creating negative health impacts on children, illustrating the impacts of failing air quality on organ development, asthma and allergy illnesses.



Adverse Childhood Experiences



BIRTH → DEATH

The future of 2 billion children is threatened by climate change.



The fossil fuel-imposed climate crisis is forcing a reckoning that will decide our children's future. Because of their developing brains and bodies, children are disproportionately vulnerable to the consequences of the climate crisis which imposes life-long harms to their health, safety, and longevity. It inhibits their economic security and threatens their family and cultural foundations.

In 2023, the 151 children Our Children's Trust represents are among the most vulnerable to the climate crisis. This includes Black, Brown and Indigenous youth, children living in poverty, and front-line communities.

As a group with limited political power, children are turning to the courts, seeking to hold their governments accountable to reduce carbon emissions in order to avert catastrophic climate change.

From the outset, our campaign has been trailblazing in the climate space, building upon legal tactics successfully employed in the civil and human rights context for decades. Each legal action in the jurisdictions where we work strategically builds upon the legal groundwork we develop.

As our climate cases continue to make headway, successes will build upon one another. The range of legal theories will expand, and our reach will grow. Climate litigation on behalf of children sets precedent for climate action all over the globe, going beyond the jurisdictions in which the cases were brought, empowering, and driving similar action in other countries.

YOUTH-POWERED LITIGATION

“In the courtroom the truth still matters.”

—Nate Bellinger, Senior Staff Attorney

We shift the power to youth. We work with youth to voice their stories in the court, in the media, and on the world stage. We build the capacity of youth plaintiffs to grow as leaders.

In turn, they hold their governments accountable, and they advocate for science-powered climate action to protect their own rights to a safe climate, today and into the future.

Powered with a federal-state constitutional strategy, we will end the reign of fossil fuels. Our 2023 case studies illustrate our strategy with two state cases—Montana and Hawai‘i—and our federal case, *Juliana v. United States*.

A constitutionally protected right to a stable climate is foundational to support and compel the transformation needed in our society. It sets the stage for an agenda of sustainable abundance—one that promotes the thriving of our children.

HELD V. STATE OF MONTANA

Claire Vlases of Bozeman, Montana, joined the first constitutional climate lawsuit to go to trial, *Held v. State of Montana* in 2020 at age 17. Claire joined 15 youth from across Montana, who got their day in court—and won. She is now a student at Claremont McKenna College.

Their power and their voices resonated around the globe in this landmark trial that was streamed live. Twelve of the youth took the stand and testified about how they were being harmed by their government's policies that ignore climate change and promote the use of fossil fuels.

In August, Judge Kathy Seeley found wholly in favor of the youth, enshrining into law, science-based protections for children's fundamental rights.





Since middle school, Claire has been taking action to address the climate crisis.

She started a Solar Club and raised enough money to install solar panels on the roof of her school. However, due to a cap on solar power use in Montana law, Claire's school was not able to run solely on renewable energy. It was at that young age that Claire had her first experience with how her state government has impeded climate solutions.

Growing up in Bozeman, her favorite activities have always been outdoors—skiing, biking, running, and hiking. Seasonally, she works as a ski instructor at a ski resort. However, due to decreasing snowpack, Claire's shifts are oftentimes canceled, negatively impacting her ability to work and make money. Declining snowpack and drought conditions also reduce water flow through Bozeman Creek, which is the main water source for her family and their garden.

Claire took the stand during the historic Helena trial. When asked by her attorney what winning the lawsuit would mean to her, she said that it would be an affirmation that the legal system works the way it's supposed to.

25

Montana organizations powered democracy, adopting days of trial filling the courtroom and the Myrna Loy theater, cheering on the plaintiffs, and hosting events

358

total pieces of global media coverage from *Held* trial to decision

683

pages were submitted to the court in the form of expert reports distilling decades of scientific research into understandable content

\$297,250

of professional services were committed pro bono in support of 16 youth plaintiffs by 14 experts



“I am experiencing climate dangers getting worse each year, but my state government keeps pushing for more fossil fuels extraction and burning.”

—Claire, 20

Q&A WITH CLAIRE

At what point did you know climate activism was for you?

I wouldn't call myself a climate activist by any means, but I've cared about the environment as long as I can remember. Growing up in Montana it's hard not to care about the land and all that it offers. It's a big part of my identity. I want to do everything I can to protect it.

What inspired you to join this lawsuit?

When I was in middle school, I raised money for solar panels. Since then, I've learned how important climate work is and how doable it is as a young person. When I learned about the *Juliana* case, I was so impressed with what young people were doing. When something similar came to my home state, I jumped on it.

You just won your case. How does it feel to be at this moment?

It feels really great to be validated in the ways that climate change has impacted me. It feels incredible to be heard finally. I'm really excited about this decision, but I know this isn't the finish line. We're just getting started and this is just a step in the journey.

How has working with Our Children's Trust impacted you?

Working with Our Children's Trust has been nothing but valuable. I've met some incredible people who inspire me to continue pursuing things that are challenging, including speaking up for myself as a young person and challenging my government.

What would you say to those who feel they cannot make a difference?

It's tough to feel like what you do and say matters, especially when the power seems to feel like it's always in the hands of government officials or people much older than you who don't understand the same issues as you. It's very important to continue pursuing your passions even in moments when it feels like no one is listening because they usually are.

JULIANA V. UNITED STATES OF AMERICA

Isaac Vergun of Beaverton, Oregon, joined the landmark federal climate lawsuit *Juliana v. United States* at age 13. Today, he is a student at Howard University.

In fifth grade, Isaac researched carbon footprint statistics and climate change education. Since then, his passion for the topic has only grown. He was inspired by meeting Bill McKibben, co-founder of 350.org, to begin a campaign to get his hometown to divest from fossil fuels. Isaac dedicated his bar mitzvah project to this effort and gathered more than 500 signatures for divestment.

Then in 2015, Isaac and 20 young Americans filed their constitutional lawsuit against the U.S. government asserting that through the government's affirmative actions that cause climate change, it has violated their constitutional rights to life, liberty, and property, and failed to protect essential trust resources.





95+

members of the U.S. Congress co-sponsor the Children's Fundamental Rights and Recovery Resolution

150

NGOs endorse Congressional resolution recognizing children's fundamental climate rights and climate recovery planning

1,460

essays reference *Juliana* including 100 law review articles

50.5K

individuals and 225+ organizational sponsors petition DOJ demanding that *Juliana* go to trial

While he has grown up significantly as his case progresses through the legal system, impeded by eight years of unprecedented U.S. Department of Justice efforts to keep it from proceeding to trial, he is no less committed to fighting for climate justice in the courts.

In June 2023, Isaac and his fellow co-plaintiffs got great news from the U.S. District Court: their case could proceed to trial! Isaac reacted to the news: "I came into this case as a 13-year-old boy, now a 21-year-old man. I have spent a third of my life as a plaintiff in this case which has had me on an emotional rollercoaster. Everything from interveners, delays, and a pandemic got in the way of the court hearing facts about the damages done to youth by the federal government's sub-par efforts to combat climate change. That is no longer my reality. Dawn has broken on the nation. *Juliana v. United States* will now see trial."

Isaac has since participated in a global call to action, asking people around the world to contact the U.S. Department of Justice and urge Attorney General Merrick Garland to end the DOJ's extreme campaign to keep his case from being heard at trial.

This September, Isaac testified at the White House Environmental Justice Advisory Council, an intergovernmental body that advises the White House on how to increase the government's efforts to address environmental injustice. Isaac told the Council,

"History has shown that without the protection of climate rights, environmental injustices will persist as the climate crisis worsens, causing a lifetime of hardship to young Americans."



“The courts have the ability to impact the lives of future generations and our lives in the future. I am speaking for the future generations, and they would want to have a livable planet as they grow up.”

—Isaac, 21

Q&A WITH ISAAC

At what point did you know climate activism was for you?

Growing up in Oregon, we were always elbow deep in nature and in our garden. I understood at a relatively young age the importance of the environment around us and how it’s sustained human life for so long and how if we don’t protect it, it will deteriorate and not be preserved for anyone following us.

What inspired you to join this lawsuit?

My understanding and preliminary knowledge of the climate crisis and the human causes of it made me realize that you can’t always expect corporations, businesses, and government to do what the people want (or the right thing), and so one concrete way to create change within the system is via the courts.

You have been on an eight-year journey. How does it feel to be at this moment in your case?

It feels great. I know there’s still a long road ahead of us but I’m glad to say that after four years of being in a stalemate we’re finally progressing and moving forward. The past four years we’ve only seen climate catastrophe worsen and the plaintiffs continue to be harmed. However, these harms only add more evidence to our case and strengthen our arguments.

How has working with Our Children’s Trust impacted you?

Having Our Children’s Trust open my eyes to the depth of the climate science that Dr. James Hansen presented to the federal government changed the trajectory of how I see my activism. Instead of being on the advocacy side, I’m very interested in the policy side by doing the science and research behind it that would end up being in the same types of lawsuits I’m participating in. In times when it seems the world isn’t progressing as fast as it should be in climate solutions. Our Children’s Trust has provided me with a network that gives me hope and helps me know we’re on the right track, and we’re fighting the good fight with every victory and success.

What would you say to those who feel they cannot make a difference?

When you’re acting alone and you’re the only person who seems concerned, it can feel very isolating, especially if you’re trying to fix institutional problems. But there are people out there across the world who are working on similar issues and being able to connect with those people and find where they’re at, not only brings you hope but can open up a new form of support for your initiatives. With the Montana trial and ruling, the outcome is only going to help our case. It’s the same with activism. If it’s a success somewhere, it can be a success anywhere.

NAVAHINE F. V. HAWAI'I DOT

Kalālapa Winter raised in Hawai'i, with roots on both the islands of Kaua'i and O'ahu, joined with 13 youth plaintiffs in filing a constitutional climate lawsuit *Navahine F. v. Hawai'i Department of Transportation* in June 2022 when she was 18. She is now a student at University of Southern California.

The case seeks to obtain a first-of-its-kind judicial decree mandating the reduction of greenhouse gas (GHG) emissions from transportation. The forthcoming trial in June 2024 will focus on how Hawai'i's transportation system contributes to high levels of GHG emissions violate their state constitutional rights, causing them significant harm and impacting their ability to "live healthful lives in Hawai'i now and into the future." HDOT has missed every benchmark to reduce GHG emissions since 2008. The youth are asking for HDOT to step up and meet their state's target to decarbonize and achieve a zero emissions economy by 2045.





2

languages—English and Native Hawaiian—are in the plaintiffs' complaint

16

years since Hawai'i passed its first law to reduce greenhouse gas emissions

1,000

pairs of shoes lined the sidewalk symbolizing the demand that the HDOT reduce its carbon footprint and for the court to keep the youth's trial date

296,680

children in Hawai'i will be impacted by the outcome of *Navahine*

Kalālapa is a “water woman” who witnessed how beach erosion smothers coral reefs, harms local fish populations, and alters surf breaks. She has experienced the destruction of her community brought by the first documented climate storm in Hawai'i dubbed the “Rain Bomb,” sea level rise that has affected her family's lifeways, and rising temperatures which have impacted edible limu (Hawaiian seaweed). Kalālapa learned to harvest limu, octopus, and fishes from her elders, and is dedicated to protecting these cultural practices for future generations.

Kalālapa is a leader of her generation in efforts to protect Hawai'i's natural resources. She helped found the E Alu Pū Youth Council to inspire young people on how to “move forward together” in caring for their cultural heritage. She participated in the creation of the Hā'ena Community-Based Subsistence Fishing Area, which is critical to sustaining natural resources of her community for future generations.

In May, Kalālapa spoke before a global audience of children's rights professionals and climate activists at the 40th Anniversary Conference of Child Rights Connect in Geneva, Switzerland. She called on those in power to be honest about the injustices that will fall upon youth across the world if governments do not act to limit warming and act on science.

“Children and youth are tired of being lied to and tired of not being taken seriously,” Kalālapa told the audience.

“I think children need to be aware of the possibilities and the realities of the situations that we're living in, because that makes it a lot easier for us to mobilize.”



“The state has known for a very long time about the realities of the climate crisis. We need action. We are here to remind them of their legal obligation to the people of Hawai‘i and most importantly its children. We simply have no other choice. Our future is on the line.”

— Kalālapa, 19

Q&A WITH KALĀLAPA

At what point did you know climate activism was for you?

As an Indigenous woman, activism has always been a part of my life. There was never a singular point in my life that I came into activism, this is just what we do. It wasn't until I was older that I realized that what we do is called activism. I had always just thought this is how life is—we fight for what's important. We fight for our lands, our air, and our waters because they need to be defended. Caring for our family members (referring to the land) is important.

What inspired you to join this lawsuit?

My *lāhui* (Native Hawaiian People) inspire me. For us, it isn't only about our lives, it is about the wellbeing of future generations. When I first heard about *Juliana*, I thought, “This is how we can do it!”, and as soon as I heard about the opportunity to join the lawsuit, I was in. I am fighting to make sure future Hawaiians have their birthright of healthy lands and waters to perpetuate our ancestral lifeways. It is such an honor to be a voice for our Indigenous people in this fight.

You're about to go to trial. How does it feel to be at this moment in your case?

It feels like this is our moment. We've had all this pent-up energy for almost two years now, and finally we will be heard. I'm tired of getting dismissed as a young person, as a woman, and as an Indigenous voice. Those in power will not be able to dismiss us anymore. We are going to hold them to account.

How has working with Our Children's Trust impacted you?

Our Children's Trust has been amazing. Honestly, growing up—even though I was surrounded by people who empowered me—I felt like those of us who proactively worked towards solutions are in the minority, even in my own community of Hawai'i. Our Children's Trust is helping my voice to connect to an entire new generation of young people all around the world. They have been so supportive!

What would you say to those who feel they cannot make a difference?

I believe everyone can make a difference. I know it can be hard, especially if you're in a community that doesn't support you or you're in a place that doesn't share your beliefs, but in this age of social media, and open access to knowledge, there are so many ways to make a difference.

If you want to learn about an issue, you can do research. You can go to the library. You can go to talks in your area. You can listen to podcasts or interviews. You can talk to people even if you don't have access to a phone or Wi-Fi. Using your voice to communicate is so important. There are so many people, you'd be surprised, that have no idea about the climate crisis, but if you share your perspective, that's a way to make a difference. You never know how much you're going to impact another person.



USE YOUR VOICE

**and share your perspective,
that's a way to make a difference.
You never know how much you're
going to impact another person.**

—Kalālapa

WORLD-POWERED HUMAN RIGHTS DEFENDER

“I do not know of any other NGO in the world that focuses on climate lawsuits in the way that Our Children’s Trust does.”

—Dr. Roda Verheyen, lawyer and author, *Neubaur et al. .v. Germany and We all have a Right to the Future*

Our Children’s Trust inspires youth and supports attorneys around the world to advance science-powered legal actions to protect children’s right to a safe climate.

Our team supported active litigation in four countries, and provided legal expertise alongside partners in international fora, including the European Court of Human Rights (ECtHR), Inter-American Court of Human Rights (IACHR), International Tribunal for the Law of the Sea (ITLOS), and the UN Committee on the Rights of the Child.

This year, we joined forces with several leading global climate and human rights organizations—Oxfam and The Centre for Child Law in Pretoria, South Africa—to submit third party interventions that provided the ECtHR with expertise on critical climate science for its three historic court cases highlighted on our global map (on page 31).

México

Acción Por El Clima Baja California Jóvenes

Case on behalf of 15 youth elevated to Mexico's highest court, the Supreme Court of Justice of the Nation. Plaintiffs are represented by Defensa Ambiental del Noroeste (DAN).

Acción Por El Clima Baja California Sur Generaciones Futuras

DAN's case on behalf of 23 children elevated to Mexico's highest court, the Supreme Court of Justice of the Nation.

Costa Rica

Request for Advisory Opinion on the Climate Emergency and Human Rights

Young people together with medical professionals submitted brief to IACtHR affirming that best available climate and medical science is key to protecting children's rights.

Switzerland

General Comment No. 26 on Children's Rights and the Environment with a Special Focus on Climate Change

Submitted comments to the United Nations Committee on the Rights of the Child recommending that best available science be used to protect children's rights in the context of climate change.

KlimaSeniorinnen v. Switzerland

Granted permission to intervene in the first climate cases before the ECtHR. Submitted a brief affirming that best available science concludes that heatwaves threaten the right to life.

Canada

La Rose v. His Majesty the King

Argued case brought by 15 youth plaintiffs from 7 provinces before a Federal Court of Appeal panel, seeking reversal of lower court order precluding the constitutional climate claims from being heard at trial. Plaintiffs are represented by Arvay Finlay LLP, Tollefson Law Corporation, and supported by David Suzuki Foundation and Pacific Centre for Environmental Law and Litigation.

Portugal

Duarte Agostinho v. Portugal and 32 Others

Granted permission to intervene in the first climate cases before the ECtHR. Submitted a brief affirming that best available climate science is key to protecting children's rights.

France

Carême v. France

Granted permission to intervene in the first climate cases before the ECtHR. Submitted a brief affirming that best available science finds that climate change threatens coastal communities.

Germany

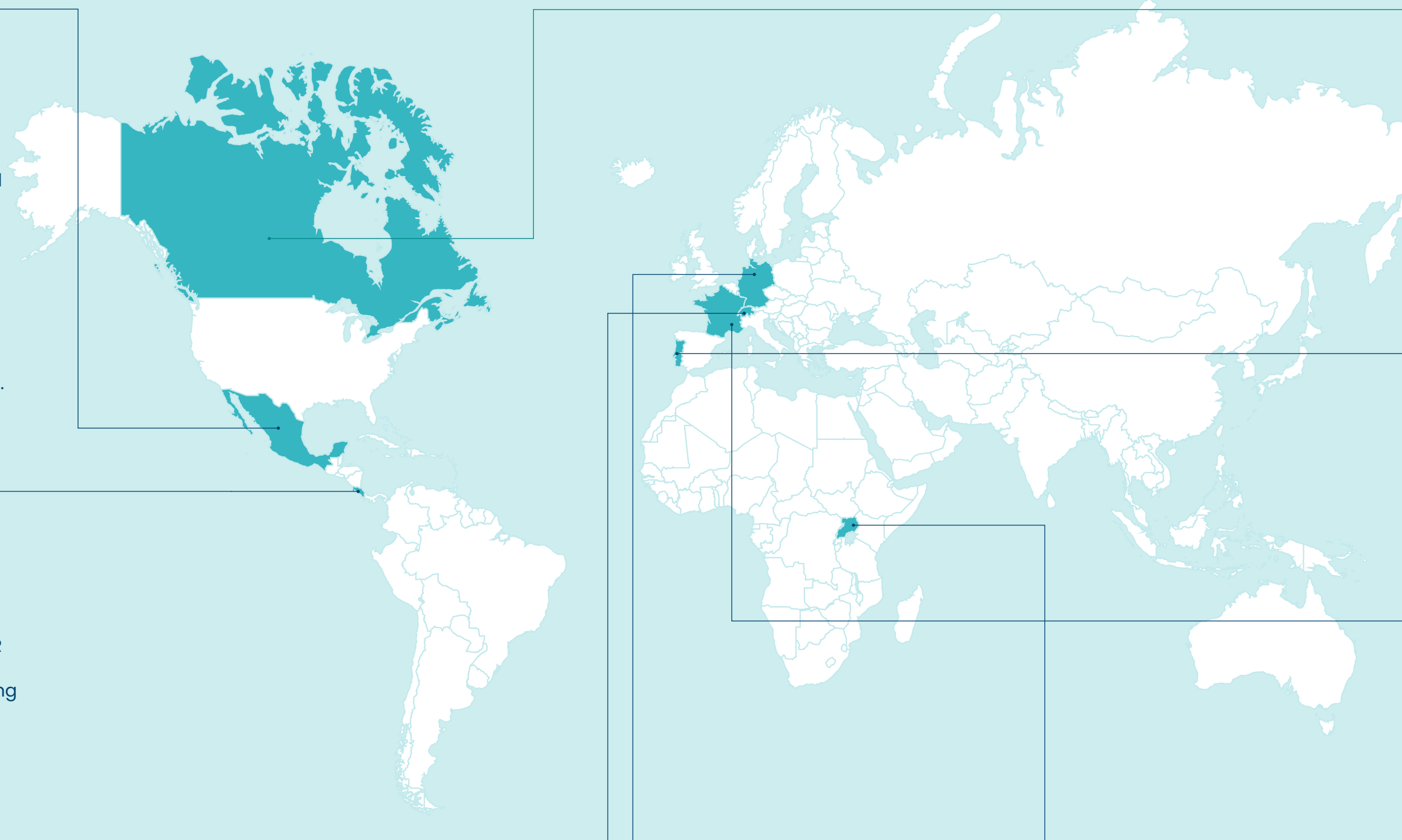
Request for Advisory Opinion on Climate Change and International Law

24 youth from 6 U.S. states and 6 Canadian provinces submitted brief to ITLOS affirming climate science is key to protecting oceans and marine environments.

Uganda

Mbabazi & Others v. The Attorney General and National Environmental Management Authority

Ongoing exchanges with the Court on behalf of 4 youth to enforce their constitutional right to a clean and healthy environment, and the government's duty to protect shared natural resources. Youth plaintiffs are represented by Greenwatch.



1st

Children's climate trial in world history

2

Courts acknowledge best climate science

3

Plaintiffs on TIME 100 Next

7

Global legal briefs filed

10

Law review articles published by our staff

13

Awards & recognitions

72

Events

115

Staff and board members, pro bono counsel, law clerks and interns

151

Youth plaintiffs

350

ppm CO₂ target (419 ppm in 2022)

2,341

Climate cases of which 296 are inspired by our legal work*

38.8M

Online views of *Held* trial media coverage



Power the future. Donate today.

Thousands have joined in solidarity with Our Children's Trust. You have powered our work and stood with a generation of young people who have been directly impacted by the climate crisis.

The youth have united and formed a community as a class of plaintiffs as they tell their stories and are heard. As their cases unfold, their commitment deepens, they inspire, and develop into a new generation of climate leaders.

Our Children's Trust has innovated, pivoted, and proven that we can elevate the voices of young people and experts in a court of law. **And win, powerfully.** As we begin a new year, we are poised to address the monumental challenge of the climate emergency. We will scale up with your help.

We will leverage the *Held* decision and fully realize the promises behind an important legacy of judicial decisions thanks to our steadfast casework. Our youth-powered litigation and science-powered solutions are indispensable in holding governments accountable for their actions and reversing course. They are indispensable to protecting democracy. Securing long-lasting climate rights and the scientific prescription for a safe climate—350 parts per million by the year 2100—is within reach as we power forward together.





OUR CHILDREN'S TRUST

efforts are critical and transformative in the battle to accelerate climate action. Every climate-concerned citizen, investor, philanthropist, and business should consider Our Children's Trust as a priority.

—Frohman Anderson, EverHope Foundation Board Member

OUR TEAM IS POWERFUL

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*Architect and co-counsel until their deaths



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