

LEGAL EMPOWERMENT TO ADVANCE CLIMATE AND ENVIRONMENTAL JUSTICE FOR CHILDREN IN EAST ASIA AND THE PACIFIC INDONESIA

Content for Child-Friendly Guidance Materials



What are children's rights to a healthy environment?



Important international organisations and a growing number of countries recognise that children have legal rights to a healthy environment.

These include things like the right to a safe climate and the right to breathe clean air. They also

include the right to live in a healthy ecosystem and for everyone to use natural resources in a sustainable way.

What is legal empowerment?

Legal empowerment is an idea about how people can take steps by themselves to fully enjoy their rights. This can involve using the law or taking other action that does not involve the law.

What are children doing to protect their rights?

Children and young people around the world are learning about their rights and what action they can take to protect them. They are sharing their views about climate change and environmental issues that affect them. They are taking steps to make sure they can fully enjoy their rights.

Steps towards children's legal empowerment



Education

give children and young people a chance to learn about their rights to a healthy environment, and how they can protect and enjoy those rights.



Voice

children and young people should be able to express their views freely about climate change and environmental issues that affect them.



Remedy

help children and young people to access remedies in relation to climate change and environmental issues in local, national and international legal forums.



Safety

make sure it is safe and accessible for children and young people to use the law, the legal system, and to take other action on climate change and environmental issues.

Who can help?

Lots of different people and groups can play a part in helping children to be involved, to be heard, to take action, and to share their experiences:



Other children and young people



Parents, caregivers, teachers



Civil society organisations
(like youth organisations, environmental organisations, legal organisations, schools and universities)



Governments



International organisations
(like UNICEF)

Actions to support children's legal empowerment



Actions for children, young people and caregivers



EDUCATION



Learn

- about what action has been taken around the world on climate change and environmental issues.
- about your legal system and the policies and programmes at the national and subnational level (city/ regency/ village).
- learn from credible institutions and experts about climate change, environmental degradation, and how you can make a difference.

Connect

- with youth organisations, social media and community groups involved in climate and environmental justice causes, including through social media and public online/ offline events.
- volunteer or join online or offline events led by those organisations.

Educate and Share

- young people and caregivers with access to legal education and training can share their knowledge and experience with their communities.
- ask your teachers and schools for lessons about climate change, environmental degradation, climate and environmental rights and the legal system.



VOICE



Share

- what you have learned about climate change, environmental degradation, your rights and your legal system.
- your views, your experiences and what action you can take on climate and environmental issues.



REMEDY



Consider

- all solutions (not just legal solutions) that are available if your or another child's climate or environmental rights are breached.
- how you can support or act on behalf of children and young people in legal processes.



SAFETY



Support

- children and your young peers to be safe when sharing and advocating online.
- speak up against online bullying.
- promote and amplify your young peers' messages and actions.



Actions for civil society organisations



EDUCATION



Share

- child-friendly information on the law and science behind children's climate and environmental rights.
- on websites, social media and to schools and learning centres.
- how children can get involved in your activities.

Connect

- to a legal empowerment network.
- children and young people to your network.



VOICE



Create

- child-friendly toolkits and guidance on advocacy. Involve children and young people in their development.
- platforms for children to be involved in your organisation.



REMEDY



Advise

- children and young people on legal processes.

Represent

- children and young people in legal proceedings, advocacy and other activities.

Advocate

- for independent and specialised children's rights institutions to be established and mobilised for protecting children's climate and environmental rights.

Network and Share

- experiences across different countries and legal systems on advancing children's climate and environmental justice.



SAFETY



Advocate

- for changes to the law that will protect children from legal cases that could limit them from participating in public issues.

Support

- children and young people to manage the risks of online bullying.
- create clear policies and guidelines against online bullying.
- adopt internal policies to protect children involved in your activities against online and offline abuse and harassment.



Actions for international organisations



EDUCATION



Organise

- campaigns for children and young people.
- forums for young people to share their knowledge and experiences of climate and environmental issues.
- partnerships with young climate activists and youth-led organisations.

Support

- the creation of legal empowerment networks.
- the training of community legal workers.



VOICE



Encourage

- youth participation in forums about climate and environmental justice.

Create

- leadership roles and networks for children and young people.



REMEDY



Support and Advocate

- training for judges and legal officers on climate and environmental science, and children's rights to a healthy environment.



SAFETY



Advocate

- for changes to the law that will protect children from legal cases that could limit them from participating in public issues.

Raise awareness

- of the risks to children and young people of online bullying.



Actions for government



EDUCATION



Raise awareness

- of children's rights to a healthy environment.

Educate

- by including an education on climate and environmental rights in the national curriculum.

Invest

- in programmes to train legal workers in the community, especially in remote communities with limited or no access to legal services.



VOICE



Include

- children and youth in all public consultations relating to climate change, the environment, and children's access to the law.

Consult

- with children and young people at all levels of decision-making on climate and environmental matters.



REMEDY



Create

- specialised children's rights institutions.
- action plans on children's climate and environmental rights.

Provide

- legal aid and free legal services for children and young people for climate and environmental justice issues.

Promote

- the climate and environmental rights of children and young people in international forums.

Consider

- joining the Optional Protocol to the Children's Rights Convention.



SAFETY



Review

- national laws to make sure they do not prevent children from bringing legal cases that could limit them from participating in public issues.

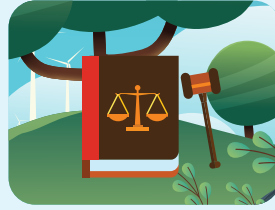
Develop

- protections for children and young people who take action on climate and environmental issues through the law.
- cyber-safety plans to protect children from online bullying.

Did you know?



The Constitution in Indonesia says people have a right to a healthy environment.



In Indonesia there are laws to protect anyone who is trying to defend their right to a healthy environment from lawsuits that are designed to weaken those rights, like Article 66 of Law No. 32/ 2009 on Environmental Protection and Management.

What action is being taken by children and young people in Indonesia?



Bye Bye Plastic Bags is a movement that was started by two sisters, Melati and Isabel Wijsen, when they were just 10 and 12 years old. Bye Bye Plastic Bags is about tackling the problem of single use plastics, which pollute the Wijsen sister's home in Bali.

Bye Bye Plastic Bags is part of a larger group of organisations that work together in Bali called One Island One Voice (Satu Pulau, Satu Suara). This group focuses on reducing waste in Bali and solving the problem of plastics pollution. Since it was established in 2017, Bye Bye Plastic Bags has helped to organise over 57,000 people in 430 locations across Bali in regular beach clean-ups, and together they have collected over 150 tonnes of plastic.

Bye Bye Plastic Bags has worked with international organisations like the World Wide Fund for Nature, the International Monetary Fund and the United Nations, as well as businesses.

The Wisjen sisters have worked alongside a larger group of organisations and contributed to the advocacy process of having single use plastics banned in Bali, with similar rules being made in other cities across Indonesia.

These are some of Bye Bye Plastic Bags' projects

Pilot Village



Bye Bye Plastic Bags shared reusable bags with shop owners in a pilot village in Bali, to encourage the use of reusable products instead of single use plastics.

River Booms



Working with students from the Green School Bali to create river 'booms' (or chains) using recycled materials, to capture trash in local waterways and prevent this from flowing into the ocean. Producing instruction materials to educate other young people around the world to make their own river booms.

Education Booklet



Preparing educational materials in Bahasa Indonesia aimed at elementary school children to educate them about the problems associated with single-use plastic bags. Bye Bye Plastic Bags has spoken to over 100,000 school students and donated more than 8,000 booklets to schools.

Pop up workshops



Working with the World Wide Fund for Nature to run virtual pop-up workshops to educate Indonesian children and young people about plastic pollution and how to take action to address this issue.

Mountain Mamas



In 2017, Bye Bye Plastic Bags started a social enterprise with women from rural areas of Bali to make handmade alternative and reusable bags, using collected and donated cloth materials.

YOUTHTOPIA



A new project that will be a global online platform for young changemakers, providing workshops and training for young people interested in climate and environmental action.

Greeneration Foundation (GF) is a Bandung-based non-governmental organisation focused on waste management issues. It uses creative media and direct participation to promote behavioural change and action to help advance SDG 12 of Sustainable Consumption and Production. GF collaborates with governments, environmental organisations, grassroots communities, children and caregivers.

GF started as an environmental movement called “Greeneration Indonesia” by young people in 2006. It grew bigger and more prominent as an environmental movement. In 2020, GF established partnerships with more than 130 communities and organisations. On social media, GF has reached over 1.2 million Instagram followers.

These are some of GF’s projects



EcoRanger

EcoRangers advocates for the building of waste management facilities, such as waste banks. The EcoRangers empower local communities and advocate for stronger policies and regulation of waste management at the subnational level.

These Rangers work in 10 tourism destinations across 10 provinces of Indonesia: Riau, Riau Islands, Jambi, Bengkulu, Lampung, Jakarta, East Java, Bali, West Nusa Tenggara and East Nusa Tenggara.



Indonesia Clean and Zero Waste Jamboree

GF organises an annual national Jamboree to raise awareness of solid waste issues, providing young environmental activists with national communication channels and platforms for knowledge exchange and learning, formulating joint action plans, and accelerating collaboration between activists and other stakeholders to advance waste management at different levels.



Promote eco-friendly lifestyles

Through the Indonesian Children Care for the Environment programme, GF leads multistakeholder collaboration on public awareness on eco-friendly lifestyles particularly on reducing and managing food waste and urban farming. “Bana the Traveling Banana” is one of their leading educators on where food comes from.



Volunteer and internship activities

GF frequently offers volunteering opportunities for anyone that cares about the environment. Announcements are made through GF’s social media accounts and website:

 Instagram: @GreenerationID

 Twitter: @GreenerationID

 Facebook: Greeneration Foundation

 YouTube: Greeneration Foundation

 LinkedIn: Greeneration Foundation

 Website: <https://greeneration.org/en/join-us/>

Society of Renewable Energy (SRE) is a youth organisation with a vision to accelerate the Indonesian energy transition through inclusive youth empowerment and multi-institutional collaboration.

Since its establishment in 2019, SRE has been one of the most active youth-based organisations in spreading awareness and understanding of renewable energy issues through dialogues with experts, training on renewable energy, student competitions and participation in various government events.

SRE started off as a university students' association and has now expanded its activities through a network of 37 universities throughout Indonesia. It has conducted more than 300 capacity building events with more than 100 organisations. SRE's social media-based awareness raising has reached over 400,000 people, advocating the need for a rapid transition to clean and renewable energy as part of climate change mitigation action.

One of SRE's recent projects is



Digital Innovation and Technology Competition 2022

In 2022, SRE joined forces with Astra International, one of the biggest manufacturing companies in Indonesia, to organise an innovation competition for school and university students with the theme of "Future of Energy" and "Future of Mobility".



What are children and young people doing across East Asia and the Pacific?

GLOBAL



Communication to the United Nations Committee on the Rights of the Child

A group of children made a complaint that 5 countries had violated their rights by contributing to climate change.

The Committee decided that the countries do have control over the emissions that contribute to the harm to children, even if outside their territory, and also that there was a link between the harm and the actions of their governments.

However, the Committee was not able to make a final decision, because you must try all legal solutions in the country you live in before applying to this Committee.

AUSTRALIA



Sharma v Minister for the Environment

A group of children brought a lawsuit to claim that the Australian Environment Minister owes Australian children a duty of care when deciding whether to approve the expansion of a coal mining project.

The Court found that the Minister did owe a duty of care to children when making a decision about expanding the coal mining project. The Minister successfully challenged this decision through a legal appeals process.

The children are now deciding whether to appeal the latest decision to a higher court.

INDONESIA



Bye Bye Plastic Bags

Two sisters in Bali started a movement against using single-use plastic. Bye Bye Plastic Bags create educational materials and workshops to teach people about plastic and pollution.

Several cities in Indonesia have banned single-use plastics or plastic bags as a result of the work of many organisations with missions like Bye Bye Plastic Bags' mission.

Bye Bye Plastic Bags are now creating an online platform called YOUTHTOPIA, which will provide training and workshops for young people interested in climate action.

MALAYSIA



Klima Action Malaysia

Klima Action Malaysia is a climate activist group run by young people. It is focused on building partnerships with civil society organisations and vulnerable communities such as women, indigenous people and young people, to support climate action.

They have organised climate strikes in Malaysia and worked with young people in other countries to plan the Asia Climate Rally in 2020.

The group writes letters to parliament and succeeded in convincing their government to protect local forests.

MONGOLIA



Air pollution mapping project

YouCAN is a “Youth for Clean Air” programme started by UNICEF, the Scout Association of Mongolia (Mongolyn Skautyn Kholboo) and the Mongolian Government.

The programme supports young people to conduct air quality monitoring and share information to reduce the risks of air pollution in Mongolia. YouCAN also provides training to young people to help them understand air pollution data.

It also acts as a youth platform for advocacy on climate change issues. YouCAN supports a ‘Teen Parliament’ which engages with the Mongolian Parliament.

PHILIPPINES



Minors Oposa v Factoran

This was a lawsuit to prevent the destruction of rainforests. The claim was based on the Constitution of the Philippines, which says there is a right to a “*balanced and healthful ecology in accord with the rhythm and harmony of nature*”.

The Court said that this environmental right is fundamental and that every generation has a responsibility to future generations.

This case was the first in the world to recognise the rights of children to a healthy environment.

THAILAND



Klity Creek litigation

Villagers in Lower Klity Village brought 2 lawsuits against the Department of Pollution Control and a lead company, for pollution of a local waterway.

The Supreme Court decided that the villagers’ rights to benefit from nature, and their rights to living in a healthy environment, had been violated.

The Supreme Court decided that the lead company owed money to the villagers and that the government failed to stop pollution that caused harm.

The children involved also advocate at the Mekong Youth Assembly.

VANUATU



International Court of Justice Advisory Opinion

Pacific Islands Students Fighting Climate Change is a student organisation. They are campaigning for a global court (called the International Court of Justice) to give an Advisory Opinion that will decide a legal question about climate change and the human rights of present and future generations. An Advisory Opinion would provide an important legal basis for action on climate change around the world, including as information for legal cases in international and domestic courts.

The group includes young people from different countries, including law students.