

Shadows of Strife: The role of Environmental Law in Safeguarding People and the Environment in Times of Conflict

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ABSTRACT

Children's Rights, Climate Change & The Ocean: Can Article 9 Of The Escazú Agreement Provide Opportunities for Children as Climate & Ocean Defenders?

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Children and youth are, for a plethora of reasons, marginalized in environmental decision-making. However, child human rights defenders (CHRDs) are increasingly raising their voices in national, regional and international fora on issues such as child labour, environmental degradation and human rights violations stemming from States' failure to adequately mitigate the climate crisis.

Many of these violations intersect with children's substantive and procedural rights related to the ocean. However, ocean-based rights have generally been more neglected than those concerning the terrestrial environment.

Since Climate COPs 25 & 26, however, there has been an increasing awareness of the child rights-ocean-climate change nexus, particularly in ocean-reliant States of Latin America and Caribbean (LAC) states. This is especially significant for the sixteen Small Island Developing States (SIDS) of the Caribbean Community (CARICOM) and the Organisation of Eastern Caribbean States (OECS), which are exceedingly ocean-rich.

The recent entry into force of the Escazú Agreement, therefore, promises to significantly enhance the procedural rights of the Region's populace, by increasing access to information and justice through strengthened participatory rights. A notable feature of the Agreement, especially given the Region's checkered history, is its explicit provision for environmental defenders.

This Article examines the role of children as climate and ocean defenders in the LAC Region while highlighting the current challenges they face. Within this context, we explore the potential significance of regional frameworks such as the Escazú Agreement as a critical regional mechanism in protecting and empowering child and youth defenders in environmental governance.