

In the Court of the London School of Economics Department of Law:

Generations X and Y v. the Baby Boomers

Charged as follows:

STATEMENT OF OFFENCE

Breach of trust: the Baby Boomers have failed to fulfil their duty as trustees of the planet, to the detriment of Generations X and Y as the natural beneficiaries.

PARTICULARS

Upon reaching economic and political maturity, the Baby Boomers became trustees of the planet, thereby assuming a duty to maintain the planet in a state fit for the continuation of human life by subsequent generations. This duty is set out, among other places, in the United Nations Charter, the United Nations Framework Convention on Climate Change and the Universal Declaration of Human Rights.

In particular, the Baby Boomers failed to protect the global climate system and failed to promote social progress and better standards of living for all peoples. Moreover, the Baby Boomers did fail to ensure the economic and social rights indispensable for human dignity, including the rights to education and to an adequate standard of living. The Baby Boomers did fail to secure the right for everyone to share in scientific advancements and its benefits, which the prosecution takes to include advancements that protect climate systems.

To this extent, the individual violations of international law set out below all contributed to the overall breach of trust committed by the Baby Boomers.

STATEMENT OF OFFENCE

Violations of Articles 2, 3 and 4 of the United Nations Framework Convention on Climate Change and Article 29(e) of the Convention on the Rights of the Child

PARTICULARS

The Baby Boomers did fail to protect the climate system for the benefit of present and future generations of humankind, to take precautionary measures to anticipate, prevent or minimise the causes of climate change and to promote sustainable development according to their differentiated responsibilities. By substantially contributing to greenhouse gas concentrations in the atmosphere the Baby Boomers did cause a serious retrogression in the protection of such rights and did place the realisation of such rights in jeopardy for future generations.

STATEMENT OF OFFENCE

Violations of Article 29 of the United Nations Declaration on the Rights of Indigenous Peoples and Articles 3 and 4 of the United Nations Declaration on the Right to Development

PARTICULARS

The Baby Boomers' significant contribution to greenhouse gases impacts upon the rights of indigenous people to the conservation, to the protection of the environment and the productive capacity of their lands and resources, as well as the Baby Boomers' international obligation to co-operate and eliminate obstacles to development.

STATEMENT OF OFFENCE

Violations of Articles 10(3) and 11 of the International Covenant on Economic, Social and Cultural Rights and Article 27 of the Convention on the Rights of the Child

PARTICULARS

The Baby Boomers did fail in their obligation to secure the progressive realisation of the continuous improvement of living conditions recognised in the Covenant and the Convention and did cause a retrogression in the enjoyment of such rights. Moreover, the Baby Boomers did fail to protect children and young persons from economic and social exploitation.

STATEMENT OF OFFENCE

Violations of Articles 2, 6, 7(a), 12 and 13 of the International Covenant on Economic, Social and Cultural Rights and Articles 25(1) and 26(1) of the Universal Declaration of Human Rights

PARTICULARS

The Baby Boomers did fail in their obligation to secure the progressive realisation of the rights recognised in the Covenant, namely the right of everyone to the opportunity to gain their living by work, the right to fair wages and a decent living, the right to health, medical services and attention and the right to education and did cause a retrogression in the enjoyment of such rights. The Baby Boomers have breached Generation X and Y's right to an adequate standard of living, including proper access to food, clothing, housing, medical care and necessary social services and failed to ensure equal access to higher education for all on the basis of merit alone. Moreover, the Baby Boomers did fail to ensure that these rights did not discriminate against students, children and persons of impoverished social origin.

STATEMENT OF OFFENCE

Violations of Article 11(1)(b) and (d) of the Convention on the Elimination of All Forms of Discrimination against Women

PARTICULARS

The Baby Boomers failed to take all appropriate measures to eliminate discrimination against women in the field of employment, in particular the Baby Boomers failed to ensure the right to the same employment opportunities and the right to equal remunerations in respect of work of equal value.

STATEMENT OF OFFENCE

Violation of Article 1(3) and 2(3) of the United Nations Charter

PARTICULARS

The Baby Boomers did endanger the international rule of law by consistently acting in breach of numerous international legal standards, including the prohibitions on torture, arbitrary detention and the use of force. In particular, the 'war on terror' has led to an increasing disregard for the rights guaranteed by international law.

REQUESTED REMEDY

Generations X and Y hereby request that the pensions of the Baby Boomer Generation henceforth be held in trust in order to secure the wellbeing of future generations. The funds will contribute towards the protection the climate system, the progressive realisation social and economic rights (in particular housing and education), and to the offsetting of national debt.