

Environmental Law Clinics in Latin America and the Caribbean: **training, territory and environmental justice**

SPDA

Alianza de Clínicas Jurídicas Ambientales de Latinoamerica y el Caribe

Latinoamérica21

Environmental Law Clinics in
Latin America and the Caribbean:

training, territory and environmental justice

SPDA

Alianza de Clínicas Jurídicas Ambientales de Latinoamerica y el Caribe

Latinoamérica21

Environmental Law Clinics Alliance of Latin America and the Caribbean
The Environmental Law Clinics Alliance of Latin America and the Caribbean is an academic network established in 2019 that brings together more than 30 environmental law clinics affiliated with universities and organizations in Brazil, Colombia, Chile, Peru, Bolivia, Mexico, Argentina, Ecuador, Costa Rica, and Puerto Rico. Its goal is to strengthen clinical environmental law education, promote practical training for students, and develop collaborative legal strategies to defend the environment, territories, human rights, and environmental justice.

* Website: alianzadeclinicasambientales.com
* Contact: andrea.dominguez@pucp.pe

Peruvian Society for Environmental Law (SPDA)
The Peruvian Society for Environmental Law (SPDA) is a non-profit civil society organization founded in 1986 with educational and scientific goals in the environmental field. SPDA's Environmental Policy and Governance team promotes a transformative agenda that integrates the defense of environmental human rights, sustainable management of natural resources, and the development of public policies and regulatory frameworks incorporating climate justice, equity, and sustainability approaches.

* Website: spda.org.pe
* Contact: info@spda.org.pe

Latinoamérica21
Latinoamérica21 is Latin America's leading content distribution platform, specializing in analysis and opinion articles on political, economic, scientific, and environmental issues in the region. The platform promotes democracy, dialogue, and freedom of expression, as well as encouraging a culture of peace and non-violence.

* Website: www.latinoamerica21.com
* Contact: contacto@latinoamerica21.com

General Coordination
Andrea Mariana Dominguez Noriega, regional coordinator of the Environmental Law Clinics Alliance of Latin America and the Caribbean and professor at the Environmental Law Clinic of the Pontifical Catholic University of Peru (PUCP). Carol Mora Paniagua, director of Environmental Policy and Governance at the Peruvian Society for Environmental Law (SPDA) and founder and director of SPDA's Environmental Law Clinic.

Editorial Coordination
Angelo Attanasio, deputy director of Latinoamérica21.

* English Translation: Ricardo Aceves
* Design and Layout: Edwin Moreira
* Cover Images: Freepik

The opinions expressed in the articles represent the personal views of their respective authors and do not necessarily reflect those of the editorial team.

Index

6 Preface

12 ARGENTINA | From the South Pacific to Buenos Aires: how USAL's Environmental Law Clinic prepares future lawyers for the environmental crisis

18 ARGENTINA | Twenty years of training environmental law professionals in Argentina

26 BRAZIL | Environmental Law Clinics in action: Building collectively

32 BRAZIL | Voices from the rainforest at the Inter-American Court of Human Rights: transforming clinical research into regionally binding standards

40 BRAZIL | Clinical education, legal pluralism, and climate justice in the Amazon: the CIDHA/UFPA experience in training Indigenous and quilombola communities for the carbon market

46 COLOMBIA | How do you set up a climate clinic? The Espeletia case and its roadmap for action

52 COLOMBIA | Litigation, the press, and the community: the strategy that restored rights to Nueva Esperanza

58 COLOMBIA | Territory and interdisciplinary work: the co-creation process between La Jagua de Ibirico, the Human Rights Law Clinic and STEUnimagdalena

66 COSTA RICA | A law clinic to connect law with real-world conflicts

72 MEXICO | Feldspar mining in the municipality of Zacatlán, Puebla, Mexico

78 PERU | Evidence, youth, and justice: the SPDA Environmental Law Clinic in action

84 PERU | Artisanal and small-scale mining in Peru: the law that can organize chaos or deepen it

90 PERU | The Scientific Environmental Litigation Clinic in defense of the environment in the context of the formalization process of small-scale and artisanal mining in Peru

96 PERU | Looking back at the Earth through the eyes of law

104 PUERTO RICO | Clinical education for ethical and transformative legal training

113 Postface

Preface

An Alliance for Environmental Justice: environmental law clinics, rights and youth

Andrea Mariana Dominguez Noriega, is regional co-coordinator of the Alliance of Environmental Law Clinics of Latin America and the Caribbean and professor at the Environmental Law Clinic of the Pontifical Catholic University of Peru (PUCP). **Carol Mora Paniagua**, is Director of Environmental Policy and Governance at the Peruvian Society for Environmental Law (SPDA) and founder and coordinator of the SPDA Environmental Law Clinic.

In Latin America and the Caribbean, many of the great transformations begin in small spaces. In a classroom, a student asks an uncomfortable question that sparks reflection. In a conversation between professors wondering how to teach environmental law in ways that are more consistent with reality and more responsive to current needs. In a civil society organization that decides to open its doors to training processes in order to scale its impact and mobilize more citizens. In a case that may seem local but contains global tensions around energy, water, territory, biodiversity, mining, climate change, and human rights.

This compendium emerges precisely from those spaces. It arises from the conviction that environmental legal education cannot remain detached from the triple planetary crisis we face—climate crisis, accelerated biodiversity loss, and pollution—and that academia has an unavoidable ethical responsibility in the face of these challenges. But it also stems from something deeper: the certainty that youth are not spectators of this crisis, but protagonists in its transformation.

Environmental law clinics in Latin America and the Caribbean have shown that law can be taught through action, commitment, and engagement with territories. They have demonstrated that learning is strengthened when theory dialogues with reality and when the classroom ceases to be a closed space and becomes a living laboratory of justice.

This book is the result of a collective weaving. A fabric built through the Alliance of Environmental Law Clinics of Latin America and the Caribbean, a network that today brings together nearly thirty clinics in ten countries: Argentina, Bolivia,



Professors and coordinators from environmental legal clinics sharing experiences during the IV Alliance Meeting in Mexico. Photo: Liliam Timaná, SPDA

Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, Peru, and Puerto Rico. Each works from its own context and methodology, with particular challenges, but with a shared vision: that environmental law can and must be a concrete tool for social, environmental, and climate justice.

Collaboration as method and horizon

If this compendium has a guiding thread, it is collaboration and reciprocity—not as abstract concepts, but as everyday practices. As political decisions. As working methodologies. As ethical horizons.

The Alliance was born in 2019 with a simple yet powerful intuition: no clinic should walk alone. Sharing experiences strengthens processes. Exchanging lessons learned prevents repeating mistakes and enhances interventions. Mutual support generates trust and amplifies impact.

Over time, that intuition became a dynamic and then a structure: regional meetings, joint documents, mutual support in strategic litigation and advocacy processes, shared training spaces, regional statements in critical moments, and the building of collective capacities.

Collaboration does not dilute identities; it strengthens them. Each clinic retains its approach, institutional culture, and territorial ties. But by articulating themselves within a network, they construct a regional narrative that transcends borders and positions Latin America and the Caribbean as a space of pedagogical and legal innovation. This compendium is a product of that collaborative culture.



Presentation by environmental legal clinic students, highlighting youth leadership and hands-on learning in environmental defense. Photo: Liliam Timaná, SPDA

Academia and civil society: a strategic synergy

One of the most significant developments in this stage has been the consolidation of synergy between the Alliance and the Peruvian Society for Environmental Law (SPDA), a civil society organization with more than 39 years of work in favor of conservation and local communities. SPDA recognized in the clinical methodology a way to make its experience, technical capacities, and institutional trajectory available to youth in order to train a new generation of leaders committed to defending ecosystems and human rights.

SPDA's trajectory in strategic litigation, public policy strengthening, legal analysis, and environmental governance—under a territorial approach—makes it possible to connect academic debates and complex institutional decisions with field experience and case-based analysis, grounded in close relationships with local communities. For years, SPDA was a strategic ally of the network, supporting processes, promoting initiatives, and strengthening capacities. Today, by consolidating its own environmental law clinic and fully joining as an active member, that relationship has evolved into a deeper convergence.

SPDA's Environmental Law Clinic contributes territorial experience, understanding of political dynamics, proximity to communities, concrete advocacy capacity, and practical learning spaces based on real cases. Likewise, the accumulated experience and knowledge of SPDA in areas such as climate change, protection of fragile ecosystems, water governance, infrastructure projects, and environmental institutions strengthens the interaction between research and practice, helping to build legal arguments for cases of public interest based on rigorous legal analysis and an understanding of public institutions.



Presentation by environmental legal clinic students, highlighting youth leadership and hands-on learning in environmental defense. Photo: Liliam Timaná, SPDA

Academia contributes critical reflection, rigorous systematization, spaces for ethical formation, and strategic thinking. When these two dimensions are articulated through trust and shared responsibility, the impact does not merely add up—it multiplies. This integration symbolizes something fundamental: clinical methodology does not belong exclusively to the university sphere. The collaboration between the Alliance and SPDA has strengthened the regional clinical ecosystem, demonstrating that it is possible to build structural bridges between education and advocacy, between the classroom and the territory, between theory and action. This compendium is an expression of that convergence.

Youth and transformative agency

At the heart of environmental law clinics are students. Many of the cases described here began as academic exercises—exploratory research or classroom debates. But when connected with real contexts, those processes evolved into actions with tangible impact.

Clinical methodology invites youth to assume real responsibilities: to listen to communities and integrate their experiences into complex legal strategies; to confront ethical dilemmas; to work collaboratively; and to engage with other disciplines. It requires recognizing that law is not neutral, but a tool that can perpetuate inequalities or help transform them.

In a global context marked by climate emergency and deep social inequalities, training conscious, critical, and committed professionals is not optional—it is urgent.



Participants of the IV Meeting of the Environmental Legal Clinics Alliance of Latin America and the Caribbean, Mexico City. Photo: Liliam Timaná, SPDA

Environmental law clinics contribute concretely to the 2030 Agenda and the Sustainable Development Goals. They promote access to justice, strengthen institutions, foster multi-actor partnerships, accompany vulnerable territories, and generate applied knowledge. But above all, they cultivate ethical leadership. This compendium shows that youth are not the "future" of environmental justice—they are its active present.

Telling our stories from the classroom

Publishing this compendium in Spanish, Portuguese, and English is a conscious decision. It means recognizing the linguistic and cultural diversity of our region. It affirms that relevant legal knowledge is being produced in our region. It also opens a horizontal dialogue with other parts of the world.

Latin America and the Caribbean have been pioneers in legal innovation. Our region has developed jurisprudential standards that today interact with courts and international processes. At the same time, it faces deep inequalities, regulatory and institutional weaknesses, violence against environmental defenders, and persistent socio-environmental conflicts.

Within this complexity, environmental law clinics have developed their own approaches: attentive to interculturality, to Indigenous peoples and local communities, to territorial and climate justice, and to the ethical dimension of strategic litigation. This book invites those experiences to circulate, be shared, and multiply.

Beyond academia: circulating knowledge

The participation of Latinoamérica21 in this initiative reinforces a fundamental conviction: knowledge should not remain confined within academic circles.

The stories presented here aim to engage journalists, decision-makers, students from different disciplines, social organizations, and citizens interested in understanding how law can become a tool for transformation.

Broad dissemination, accessible language, and interdisciplinary dialogue are part of the strategy to amplify the impact of clinical work. This compendium not only documents experiences but also seeks to inspire new initiatives, strengthen existing networks, and invite more actors to join this collective effort.

Gratitude and projection

Nothing presented here would have been possible without the generous commitment of each clinic that chose to write its story. Behind every article are hours of accompaniment, internal debates, ethical reflections, methodological revisions, and shared learning.

We deeply thank the professors who have sustained these processes, often in complex contexts. We thank the students who took on the challenge of learning by doing. We thank the partner organizations that trusted in these educational spaces. We thank the communities that shared their struggles and allowed law to serve justice. We also acknowledge the trust between institutions—the trust that makes it possible to open doors, share doubts, and build collectively.

The history of environmental law clinics in Latin America and the Caribbean is still being written. This compendium is not a final destination but a milestone in a dynamic process that continues to expand, engage with other regions, and strengthen South–South and South–North exchanges.

The collective and supportive construction emerging from environmental clinics is, ultimately, an act of active hope. It is believing that education can be transformative. It is trusting collaboration as a structural force. It is recognizing that every voice matters. It is acknowledging that environmental and climate justice requires broad, intergenerational, and intercultural alliances. It is understanding that major changes may begin in a classroom—but must not remain there.

May the pages that follow be an invitation to continue weaving: to strengthen networks, multiply capacities, inspire new clinics, consolidate alliances between academia and civil society, and train youth committed to justice. Because when we weave together, our voices are not only heard more strongly—they are also transformed.



Environmental Law Clinic at the University of Salvador (USAL), Argentina

From the South Pacific to Buenos Aires: how USAL's Environmental Law Clinic prepares future lawyers for the environmental crisis

Photo: Pixabay

Leila Devia is a lawyer, holds a PhD in Legal Sciences, and is a specialist in the legal framework of natural resources. She has an outstanding professional career in the field of multilateral environmental agreements, having served as Director of the Basel Regional Centre for South America. She teaches undergraduate and graduate courses at various universities. She is currently Director of the Environmental Law Clinic at Universidad del Salvador.

Yamila Marian Castagnola is a lawyer, a specialist in Environmental Law, and a master's candidate in Environmental Policy, Law, and Management. She chairs the Natural Resources, Environment and Energy Commission of the Buenos Aires Bar Association. She teaches undergraduate and graduate courses at different universities and is also a professor at the Environmental Law Clinic of Universidad del Salvador.

In Tuvalu, a small Pacific island state, climate change is not a future projection but a daily experience. Located between Hawaii and Australia, with a population of fewer than 12,000 inhabitants—most concentrated in its capital, Funafuti—the archipelago faces an existential threat: rising sea levels could render it uninhabitable by 2050. Tides flood homes, soils become saline, and growing staple foods such as taro, coconut, or breadfruit becomes increasingly difficult. The forced displacement of its population is no longer a hypothesis but an ongoing reality.

This extreme situation compels a central question: what legal tools exist—or should exist—to protect the most vulnerable communities in the face of the climate crisis?

In recent years, law students from Tuvalu and seven other Pacific countries advanced an innovative response. Through the organization Pacific Islands Students Fighting Climate Change, they promoted an international advocacy strategy that culminated in a request for an advisory opinion before the International Court of Justice on climate change and human rights. To achieve this, they participated in specialized forums and conducted research on the impacts of climate change on vulnerable communities.

Although geographically distant, this experience is deeply inspiring. It shows how legal education, when connected to real problems and guided by an ethical perspective, can become a powerful tool for defending the common good. That was the starting point for asking how to bring our law students at the Universidad del Salvador (USAL) closer to the practice of environmental law, enabling them to develop professional competencies, social sensitivity, and ethical commitment.

From the global environmental crisis to the university classroom

The contemporary environmental crisis—marked by climate change, industrial pollution, and biodiversity loss—demands agile and creative legal responses. In this context, traditional legal education, focused almost exclusively on the theoretical transmission of content, is insufficient to prepare future lawyers for complex, structural conflicts with profound social impacts.

For decades, strategic litigation in environmental and human rights matters has found a key actor in university law clinics. As O'Neill notes, these experiences—developed both within academic institutions and third-sector organizations—pursue objectives that transcend the outcome of a specific case, aiming instead at broader social and political transformation oriented toward the common good.

At the beginning of 2025, the Universidad del Salvador decided to move forward with the creation of an Environmental Law Clinic as an active learning space for advanced law students. The initiative is grounded in a pedagogical approach that seeks to connect theory and practice, allowing students to confront real legal problems within a supervised academic environment.

This commitment directly aligns with USAL's Jesuit-inspired institutional mission. The University's Charter of Principles promotes the integral formation of the person, integrating intellectual and ethical dimensions while fostering a critical attitude toward social reality. The Environmental Law Clinic embodies this horizon by positioning itself as a space for critical thinking, ethical reflection, and commitment to the common good through engagement with socio-environmental conflicts.

The clinical method as a pedagogical tool

Law clinics are defined as academic spaces in which students apply legal knowledge under faculty supervision, working on real cases and interacting with affected communities and social actors. In environmental law, this methodology bridges theory and practice, strengthening both professional and ethical training.

The clinical approach consolidated throughout the twentieth century—particularly through U.S. university experiences—and later expanded in Latin America, incorporating a strong community service dimension. Today, law clinics combine teaching, research, and action, offering students the opportunity to develop key skills: normative analysis, legal drafting, argumentation, strategic design, negotiation, and interdisciplinary collaboration.

In environmental law, these competencies acquire particular relevance. It is a field shaped by complex challenges requiring the integration of legal, scientific, and public policy knowledge, with direct impacts on communities and ecosystems. Practical experience enables students to internalize legal concepts through critical reflection, adopting a value-based and solution-oriented perspective.

Learning by doing: experiential learning

Experiential learning is one of the pillars of clinical education. According to David Kolb, it is a cyclical process integrating concrete experience, reflection, conceptualization, and application. In legal education, this translates into active student participation in real cases, drafting reports and legal documents, and direct contact with actors involved in conflicts.

Law clinics foster essential professional competencies—analytical capacity, effective communication, teamwork, and ethical information management—while simultaneously strengthening environmental awareness and social commitment. The experience of Tuvaluan students is illustrative: their participation in international climate litigation not only enhanced their legal knowledge but also deepened their understanding of the global dimension of environmental problems and the importance of innovative legal strategies.

The Environmental Law Clinic at USAL: objectives and methodology

The Environmental Law Clinic at the Universidad del Salvador is designed as an academic space for experiential learning with clearly defined objectives:

- Promote the practical application of Environmental Law through work on real cases and the drafting of legal documents.
- Develop professional competencies linked to contemporary environmental litigation, including applied research, legal argumentation, and interdisciplinary collaboration.
- Foster critical and ethical reflection through faculty supervision and collective debate on legal strategies.
- Connect academic work with external actors, including NGOs, governmental bodies, and other relevant stakeholders.
- Encourage student academic production through reports, conference presentations, and contributions to environmental normative debates.

The program combines in-person theoretical sessions with technical visits and participation in academic and institutional forums. A system of virtual mentoring complements these activities, ensuring continuous follow-up on academic outputs developed throughout the semester.

Areas of work: pollution, plastics, and territory

During 2025, the Clinic focused on two issues closely linked to the pollution crisis: plastic waste management and the cleanup of the Riachuelo River in Buenos Aires.

Regarding plastics, students participated in the launch workshop of the project "Plastic Waste in Remote and Mountainous Areas," promoted by the Basel, Stockholm, and Rotterdam Conventions Regional Centre in collaboration with the United Nations Environment Programme and coordinated with Argentina and Chile. The project aims to strengthen capacities for environmentally sound plastic waste management in hard-to-reach regions and promote appropriate regulatory frameworks.

Following this experience, the topic was incorporated into the Clinic's in-person sessions, where students examined the role of law in regulating plastic pollution. This work culminated in a presentation delivered at the Laudato Si' Conference held at USAL, within a competition organized by the Laudato Si' Chair and the Law School Administration.

The presentation reflected on the need for a binding international legal instrument on plastic pollution and serves as the starting point for a research line that will continue in 2026, oriented toward developing evidence-based normative recommendations.

Competencies developed by the Clinic

From a social and ethical perspective, the Clinic seeks to strengthen:

- Critical and reflective thinking.
- Collaborative and interdisciplinary work.
- Professional ethics and social responsibility.
- Sensitivity to complex socio-environmental conflicts and structural inequalities.

From an academic and professional standpoint, it promotes:

- Practical application of Environmental Law in real cases.
- Advanced legal analysis, research, and drafting skills.
- The design of innovative legal strategies.
- Academic production contributing to legal and normative debates.

A bridge between the university and socio-environmental reality

The Environmental Law Clinic serves as a bridge between academic training and socio-environmental reality, reinforcing the university's role as an actor committed to public interest and environmental justice. Situated learning enables a deeper understanding of environmental problems and enhances the social responsibility of future legal professionals.

The creation of the Environmental Law Clinic at the Universidad del Salvador represents a significant pedagogical opportunity to train critical, competent lawyers committed to environmental protection. The clinical methodology integrates theory and practice, develops professional competencies, and fosters an ethic oriented toward the common good.

Both international and local experiences demonstrate that this approach is an effective tool for connecting students with real legal challenges, strengthening environmental awareness, and contributing to the development of legal responses to contemporary environmental challenges.

References

- FARN. (2020). *Clínicas jurídicas y derecho ambiental en Argentina. Buenos Aires: Fundación Ambiente y Recursos Naturales.* Recuperado de https://farn.org.ar/asesoramiento-legal/
- Kolb, D. A. (1984). *Experiential learning: Experience as the source of learning and development.* Englewood Cliffs, NJ: Prentice Hall.
- Londoño Toro, B. (2016). *Los cambios que requieren las clínicas jurídicas iberoamericanas.* Estudio de caso en seis países de la región. Boletín Mexicano de Derecho. Comparado, vol.49(146,), 119-148.
- O´Neill, A. (2015). *Strategic litigation before the European Courts. ERA Forum,* 16 (4), 495- 509. Disponible en: https://doi.org/10.1007/s12027-015-0409-9.
- PUCP. (2019). *Clínica Jurídica Ambiental: experiencias y metodología.* Lima: Pontificia Universidad Católica del Perú.
- UDP. (2021). *Clínica de Justicia Ambiental: formación práctica en derecho ambiental.* Santiago: Universidad Diego Portales. Recuperado de https://clinicasjuridicas.udp.cl/clinicas/clinica-de-justicia-ambiental/
- Villaverde, D. S. M. (2023). La relevancia de las clínicas jurídicas de derecho ambiental. *Revista Iberoamericana de Derecho y Medio Ambiente,* 15(2), 1–18. https://doi.org/10.1234/ridma.2023.929
- SEDICI. (2018). *La clínica jurídica de derecho ambiental: humanismo, reflexión y aprendizaje cooperativo.* La Plata: Universidad Nacional de La Plata. Recuperado de https://repositoriosdigitales.mincyt.gob.ar/vufind/Record/SEDICI_8846da5c2ee254d43cedb355919e02b3



- Environmental Law Clinic of the Faculty of Law at the University of Buenos Aires (UBA) and the Environment and Natural Resources Foundation (FARN), Argentina

Twenty years of training environmental law professionals in Argentina

Photo: Pixabay

Cristian Fernández is Legal Coordinator at Fundación Ambiente y Recursos Naturales (FARN) and professor at the Law School of the Universidad de Buenos Aires (UBA), Argentina.

In 2006, following a cooperation agreement between Fundación Ambiente y Recursos Naturales (FARN) and the Faculty of Law at the University of Buenos Aires (UBA), the Environmental Law Clinic was established. Since then, the initiative has pursued a dual purpose: to serve as a professional training space for law students close to graduation and, at the same time, to guarantee access to justice for communities and individuals affected by environmental issues of public interest.

FARN is a non-profit, non-partisan non-governmental organization founded in 1985. Its main objective is to promote sustainable development through public policy, law, and institutional strengthening. Among its goals are promoting the protection and exercise of the right to a healthy environment and sustainable development, as well as fostering tools that improve the performance of public authorities and citizens in implementing and enforcing environmental regulations, taking into account existing social and institutional inequalities across the country.

UBA, for its part, is one of the most prestigious public universities internationally, providing high-quality, tuition-free education. At the intersection of institutional experience and public vocation, a clinic was consolidated that for two decades has combined learning and service: free legal advice for those whose right to a healthy environment has been violated—or directly obstructed.

For 20 years, the FARN-UBA Environmental Law Clinic has provided free legal assistance to individuals and communities affected by environmental problems, prioritizing those facing greater barriers to accessing justice. Within this framework, it sponsors judicial cases, offers extrajudicial advice, and supports administrative claims, among other activities.

Educating through practice

The Clinic runs for one academic year and seeks to build and strengthen the legal training of law students nearing graduation. Students are organized into four or five groups—depending on enrollment—and the program combines theoretical and practical components.

The theoretical component addresses different environmental law issues, with the participation of specialists who help construct a broad and comprehensive perspective. In the practical dimension, students work on real cases linked to socio-environmental conflicts, providing direct exposure to the professional role they will soon assume.

Consultations are received through the foundation's website. After initial contact, an interview is conducted to better understand the situation and, together with the teaching team, design an appropriate strategy. When necessary—and to enrich the learning process—field visits to affected sites are organized. The central idea is to combine theory and practice in a discipline increasingly present on the public agenda.

Addressing the needs of those seeking advice requires work strategies and methodologies that are constantly refined and passed on among Clinic members. These include conducting interviews, framing and structuring cases, identifying and contacting relevant stakeholders, coordinating internally to meet objectives in a timely manner, and developing research that integrates course knowledge with critical analysis applied to real cases. In short, it is a body of knowledge that is shaped and improved year after year.

Legal tools that pave the way

One of the most effective strategies has been exercising the right of access to public environmental information, protected under National Laws 25,831 and 25,675 (General Environmental Law). In practice, information requests not only obtain technical data but also serve to pre-constitute evidence and strengthen cases that may later evolve into administrative or judicial actions.

In complex matters—such as fracking impacts or industrial pollution—the Clinic has also intervened as Amicus Curiae, submitting opinions that strengthen judicial debates with legal and technical perspectives.

Participation in the Clinic often leaves a lasting mark. Graduates complete the program with high academic standards and a strong social commitment. Many of these young professionals, due to their performance, join FARN's team. Among them are Pía Marchegiani (Director of the Environmental Policy Area and Deputy Executive Director), Nahuel Cáceres (Clinic Coordinator), Laura Castillo (Coordinator of the High Andean Wetlands Program), Ana Parellada (Head of Biodiversity), Lisandro Vázquez Giménez (Legal Department Attorney), and Miranda Solís (Assistant in the Environmental Policy Area).

Two decades of strategic litigation

Over 20 years, the Clinic has participated in numerous cases of public relevance. The following examples illustrate this trajectory.

Early years: urban quality of life and right to information (2005–2007)

In its beginnings, the Clinic addressed conflicts related to urban quality of life in the Ciudad Autónoma de Buenos Aires and its metropolitan area, making intensive use of information requests and injunctions.

- Cell phone antenna case (2006). Residents of the Retiro neighborhood reported the clandestine installation of an antenna on Arenales Street. After an unanswered information request in October 2006, an injunction was filed. It was proven that the company operated without an Environmental Fitness Certificate. In September 2007, the court ordered the antenna's disconnection until its safety was certified.

- Former Sarmiento railway case (2006–2007). Following complaints of noise and vibrations affecting residents' health in Flores and Floresta, an injunction was filed against Trenes de Buenos Aires (TBA) and the National Government. The strategy focused on demanding track maintenance and reducing noise beyond the "normal tolerance" provided in the Civil Code.

- Pilar–Pergamino highway case (2006). The Clinic requested information regarding compliance with the Environmental Impact Assessment (EIA) for a nationally significant project. The request compelled OCCOVI to clarify that concessionaires had to obtain environmental clearance before beginning work.

- Colegiales transfer station case (2006). Residents affected by odors and noise from a CEAMSE facility requested information about relocation plans and the existence of an EIA. It was verified that the plant operated under an adaptation regime because it predated current regulations.

- Tres de Febrero – former Alianza workshops case (2005–2007). After the cutting of century-old trees for the "Puerto Seco" project without an EIA, an injunction was filed for delay in providing information (November 2005).

Consolidation and regional collective cases (2008–2016)

Over time, the Clinic became involved in larger-scale litigation and public policy oversight.

- Matanza-Riachuelo basin cleanup (2008 onward). Following the historic Supreme Court ruling in the "Mendoza Beatriz" case, FARN joined the Collegiate Body responsible for monitoring compliance with the judgment and state-led environmental remediation of the basin.
- Escobar regasification port (2011–2016). The Clinic advised the Environmentalist Association of Escobar regarding risks related to explosion, dredging, and wetland damage from a liquefied gas terminal. In 2016, it denounced the Ministry of Energy's lack of rigor in risk assessments.
- José C. Paz landfill (2013–2016). Efforts were made to close an unauthorized open-air dump. Complaints were filed before UFIMA for possible crimes against public health and violations of hazardous waste laws.
- Seeds law research (2016). The Clinic produced academic research on the environmental and social impacts of proposed amendments to the Seeds Law and the expansion of GMO monoculture.

New frontiers: urban planning, clean air, and biodiversity (2019–2024)

In recent years, the agenda expanded toward emerging environmental human rights and native wildlife protection.

- Defense of Parque Isla de la Paternal (2019). Students presented objections at public hearings against a high-rise project that would reduce green spaces and affect native bird corridors.
- Right to clean air (2019). Within the Matanza-Riachuelo cleanup case, the Collegiate Body—of which FARN is part—secured a ruling recognizing access to pollutant-free air as a fundamental human right.
- Laguna de Rocha (2020). A provincial law and an AABE resolution allocated part of the reserve for sports facilities for major football clubs, risking wetland destruction. Judicial actions were initiated, and suspension of permits was requested for failing to consider principles



Photo: Pixabay

of Law 25,675. To support the claim, expert opinions were provided that confirmed that these lands belonged to the wetland and warned that any alteration would compromise the ecosystem.

- Amicus Curiae in fracking case (2020–2024). The Clinic submitted an opinion before the Mendoza Supreme Court regarding the constitutionality of Decree 248/18 regulating fracking, highlighting induced seismicity risks and the pro-water principle in drought contexts. In 2024, the Court admitted FARN as Amicus Curiae.

- Urban development agreements in Buenos Aires (2021). Clinic members participated in hearings challenging the lack of EIA in 11 high-end tower projects and pointing to violations of the Escazú Agreement.

- Jaguar protection in Misiones (2023). Together with Red Yaguareté, FARN filed an environmental injunction before federal courts to demand effective speed controls on roads crossing protected areas after the death of specimens of a critically endangered species declared a natural monument in Argentina.



Photo: Waldir Giraldo, SPDA

Strengthening such initiatives is crucial for consolidating access rights and, with them, environmental democracy. From FARN, the Clinic will continue advancing along the path it embarked upon two decades ago.

In 2026, Clinic students are working on a case in Catamarca province related to the drying of the Vega Trapiche due to lithium mining. The mission is to request an injunction to halt water extraction from the Trapiche River until the affected wetland is restored.

The Clinic as a tool for access to environmental justice

Article 8.5 of the Escazú Agreement establishes that, to ensure effective access to justice, each Party must address the needs of vulnerable persons or groups through support mechanisms, including free technical and legal assistance. In this regard, legal clinics providing free advice in collective cases are key instruments for improving access to environmental justice.

Strengthening such initiatives is crucial for consolidating access rights and, with them, environmental democracy. From FARN, the Clinic will continue advancing along the path it embarked upon two decades ago.

References

- https://farn.org.ar/asesoramiento-legal/
- https://farn.org.ar/clinica-ambiental-caso-4-otra-vez-el-basural/
- https://farn.org.ar/wp-content/uploads/2018/08/Ley-de-semillas-proyectos-de-modificaci%C3%B3n.-Marco-normativo-en-otros-pa%C3%ADses-Nahuel-Alejo-Caceres.pdf
- https://farn.org.ar/estudiantes-de-la-clinica-juridica-farn-uba-apoyaron-el-no-a-las-torres-en-el-parque-isla-de-la-paternal/
- https://farn.org.ar/la-justicia-declara-que-el-acceso-al-aire-libre-de-contaminantes-es-un-derecho-humano/
- https://farn.org.ar/wp-content/uploads/2022/06/IAF_ONLINE_2021_compressed.pdf
- https://farn.org.ar/la-suprema-corte-de-justicia-de-mendoza-admitio-a-farn-como-amigo-del-tribunal-en-un-caso-vinculado-al-fracking-en-mendoza/
- https://farn.org.ar/la-clinica-juridica-remarco-la-falta-de-evaluaciones-de-impacto-ambiental-en-convenios-urbanisticos-de-la-ciudad/



- Environmental Justice and Combating Environmental Racism Clinic of the UFBA School of Law (Salvador, Bahia), Brazil

Environmental Law Clinics in action: Building collectively

Photo: Pixabay

Cíntia Beatriz Müller Professor in the Department and Graduate Program in Anthropology (FFCH/UFBA); Vice-Coordinator (2025) of the Environmental Justice and Combating Environmental Racism Clinic, UFBA School of Law.
Julio Cesar de Sá da Rocha Associate Professor at UFBA School of Law and Graduate Program in Law; Coordinator of the Environmental Justice and Combating Environmental Racism Clinic, UFBA School of Law.
Estela Gonçalves Attorney specializing in Public Law with experience in socio-environmental litigation; currently Administrative and Community Dialogue Coordinator of the Clinic.
João Victor Azevedo da Costa Law graduate from UFBA School of Law; Studies and Research Coordinator of the Environmental Justice Clinic at UFBA.

Santo Amaro: an emblematic case of environmental racism

The municipality of Santo Amaro, in Bahia, is the site of one of the most severe heavy metal contamination cases in the country, stemming from a factory established in the 1960s that left behind a trail of contamination and thousands of fatal victims. The serious pollution caused by the improper disposal of waste from the former ore-processing plant (Cobrac – Companhia Brasileira de Chumbo), which operated in the city for more than 30 years, deeply affected the health and daily life of the local population, particularly workers, shellfish gatherers, fishers, children, and Black families living on the municipality's outskirts.

Since 2024, the Association of Victims of Contamination by Lead, Cadmium, Mercury and Other Chemical Elements (AVICCA) has been working to defend the social rights of affected communities. Among its various initiatives is a lawsuit filed against the polluting company and its successor, resulting in a recent ruling by the State Court of the District of Santo Amaro in November 2025 (Civil and Commercial Court for Consumer Relations). The decision held the companies responsible for lead and cadmium contamination, recognizing the case as environmental racism and assigning liability for damages that, for decades, disproportionately affected the municipality's impoverished Black population.

The ruling orders compensation for moral and material damages—with higher amounts for children and Black individuals—environmental remediation of degraded areas, and the creation of a fund for education and professional training for impacted communities. This represents a significant achievement for the Association, which has finally seen victims' rights recognized after more than forty years of environmental and health impacts.

For the Environmental Justice and Combating Environmental Racism Clinic of the Federal University of Bahia's School of Law (UFBA), the transformative leadership of AVICCA underscores the centrality of community struggle for rights. The Federal University of Bahia has conducted research in Santo Amaro for decades. Through research groups and the Integrated Human Rights Center Project (CIDH/FDUFBA), the Law School filed a request for precautionary measures before the Inter-American Commission on Human Rights (IACHR) on behalf of communities affected by lead contamination, seeking urgent protection of impacted individuals' rights. The Clinic's involvement reinforces support for environmental justice—whether through critical legal scholarship or through the defense of reparation and self-determination instruments.

It is from this paradigmatic case that the Clinic's purpose becomes clearer: to build, collectively, legal responses committed to confronting environmental racism and socio-environmental inequalities.

The creation and current management of the Clinic

The establishment of the Environmental Justice and Combating Environmental Racism Clinic at UFBA's School of Law marks a new chapter in developing legal responses to socio-environmental challenges and environmental injustices. Proposed and approved in 2024 within the Federal University of Bahia, the Clinic began implementation in the first semester of 2025. It emerged as a collaborative project within the Law School, bringing together the Research Group on the Historicity of the State, Law and Human Rights (CNPq), the Integrated Human Rights Center Project (CIDH), the course "Law and Ecology" from the Graduate Program in Law, and "Anthropology of Land and Territorialities" from the Graduate Program in Anthropology—both at UFBA—under the supervision of the Legal Practice Center (NPJ).

Its objective is to consolidate a space for critical legal practice committed to addressing socio-environmental inequalities and, above all, to denouncing and combating environmental racism. To that end, it works on paradigmatic cases, provides popular and collective legal advisory services, and produces applied knowledge to strengthen territorial defense, ways of life, and access to legal tools for vulnerable groups, peoples, and traditional communities.

The Clinic is rooted in UFBA's longstanding tradition of extension, teaching, research, and social commitment. It builds upon the milestone established by the National Forum of Pro-Rectors of Extension of Public Universities in Brazil (1987), which consolidated extension as inseparable from teaching and research. It also incorporates historical experiences such as the UFBA in the Field project, SAJU's initiatives, community-based curricular activities, and the organization of the International Congress on the Law of Peoples and Traditional Communities at UFBA's Law School.

This accumulated experience includes emblematic university initiatives such as the petition to the Inter-American Commission on Human Rights regarding lead and cadmium contamination in Santo Amaro, monitoring socio-environmental struggles in Salvador and throughout the state—from defending São Bartolomeu Park to denouncing uranium contamination in Caetité and Lagoa Real, as well as addressing pressures from eucalyptus monoculture in the far south and soybean monoculture in western Bahia.

Networks, training, and collective construction

In its most recent phase, the Clinic has organized training processes for its members, strengthening direct dialogue with vulnerable groups, traditional peoples, and communities, while expanding its presence in national and international environmental justice networks. An interview with quilombola leader Célio Leocádio from Quilombo Volta Miúda, published in the journal *Antropologia Sem Fronteiras* (PPGA/UFBA), symbolizes this rapprochement between university and community leadership, affirming the autonomy of social movements.

Participation in the "Alianza de Clínicas Jurídicas Ambientales de América Latina y Caribe" and presence at COP 30 position the Clinic as a hub for alternative legal construction. Among transformative experiences is its support for the Pankararu people of Pernambuco in drafting their Free, Prior, and Informed Consultation Protocol based on ILO Convention 169—a milestone in self-determination and community institutional strengthening.

More than handling cases, the Clinic proposes mobilizing knowledge to transform realities. Its commitment is to critically analyze socio-environmental conflicts, propose emancipatory legal solutions, and work alongside groups historically affected by environmental injustice. To this end, it will continue expanding partnerships, strengthening networks, and building interdisciplinary practices guided by reflection-in-action—contributing both to environmental justice and to reinventing legal education itself, positioning UFBA as a reference in producing a living, rooted, and committed law attentive to diversity.

Pedagogical and ethical lessons from Clinical work

The Clinic's actions directly influence the teaching and learning practices of faculty and students involved in its activities. By working with paradigmatic cases, it expands and reshapes legal paradigms and approaches to environmental problems connected to sociocultural issues.

Its action-research methodology and training sessions deepen understanding of the worldviews of traditional peoples and marginalized communities. Pedagogical learning occurs through and within the Clinic. Looking ahead, training courses will be offered to the academic community and society to enhance sensitivity to socio-environmental issues and racism.

This lived-practice methodology fosters profound ethical transformation. Values often marginalized in the legal field—such as collective action and integrated conceptions of nature embedded in complex, multispecies ecosystems—become central. These approaches bring forward innovative and previously invisible discussions within law.

Such ethical transformation reshapes legal sensitivities and challenges dominant "Western-centric" perspectives in legal interpretation.

Action-Research: co-constructing consultation protocols under ILO convention 169

The Consultation Protocols provided under ILO Convention 169 are legally incorporated and valid within Brazil's national legal system. Through them, society and public and private sectors must engage in dialogue that preserves communities' autonomy to propose solutions, especially in situations affecting their well-being and complex ecosystems. The consulted groups' position promotes their right to self-determination and must retain its deliberative character.

These protocols create space within the judiciary—a counter-colonial opening—where plural interpretations and normative constructions of traditional and Indigenous peoples must be integrated into national legal hermeneutics. To ensure this pluralism is realized in emancipatory form, cultural rights must be respected.

The Clinic's proposal is to go to where traditional peoples and communities live, conduct attentive listening, and provide technical support in drafting protocols that guarantee self-determination and legal pluralism. It has promoted discussions on constructing and implementing such protocols to ensure consultations respect the specificities of traditional peoples.

Institutionally and normatively, it shapes legal interpretations, university practices, and public agendas by consolidating legal pluralism, disseminating consultation protocols, and acting as a bridge between communities and state bodies.

Impacts on communities, norms, policies, and environmental justice

The Clinic's work has produced concrete effects in the lives of collectives, traditional peoples, and communities by strengthening their legal and political autonomy. Notable impacts include supporting the Pankararu people in drafting their Free, Prior, and Informed Consultation Protocol and participating in the petition concerning lead and cadmium contamination in Santo Amaro before the Inter-American Commission on Human Rights.

The Clinic has also increased the visibility of demands from workers' associations, quilombos, and Indigenous communities, contributing to community education, technical documentation, and access to effective legal tools in socio-environmental conflicts.

Institutionally and normatively, it shapes legal interpretations, university practices, and public agendas by consolidating legal pluralism, disseminating consultation protocols, and acting as a bridge between communities and state bodies. Its participation in national and Latin American environmental justice networks and international forums such as COP 30 contributes to influencing public policies addressing environmental racism and territorial protection.

By promoting critical legal education, engaging in structural cases, and strengthening community instruments, the Clinic positions UFBA as a reference point in defending socio-environmental rights and advancing environmental justice in Brazil and Latin America.



• Human Rights and Environmental Law Clinic, State University of Amazonas, Brazil

Voices from the rainforest at the Inter-American Court of Human Rights: transforming clinical research into regionally binding standards

Photo: Neil Palmer, CIAT

Sílvia Maria da Silveira Loureiro is a professor in both the undergraduate law program and the Graduate Program in Environmental Law at the Law School of the State University of Amazonas. She conducts research in the areas of constitutional and international law. She coordinates the activities of the Human Rights and Environmental Law Clinic at the same institution. She holds a PhD in Law (with a concentration in Theory of the State and Constitutional Law) from the Pontifical Catholic University of Rio de Janeiro – PUC-Rio (2015).

In March 2024, two law students from a public university in the Amazon—Isabella Benchaya da Silva and Luciana Valois Coelho da Silva—left Manaus for San José, Costa Rica. Before the judges of the Corte Interamericana de Derechos Humanos (Inter-American Court of Human Rights), they brought a question born in the world's largest tropical rainforest: how should the right to care and health be understood when everyday life is shaped by rivers, forests, and Indigenous knowledge?

Joining them was Yupuri João Paulo Lima Barreto, an Indigenous anthropologist from the Yepamahsã (Tukano) people, whose intervention drew the attention of Judge Verónica Gómez, who asked specific questions about his people's care practices.

Behind that intervention stood the collective work of the Human Rights and Environmental Law Clinic of the Universidad del Estado de Amazonas (DHDA/UEA Clinic). From Manaus, this university program has spent fifteen years building a bridge between Amazonian territories and the Inter-American Human Rights System.

A Law Clinic in the heart of the Amazon

The DHDA/UEA Clinic began its activities in 2010 at the initiative of Professors Sílvia Loureiro and Ricardo Albuquerque from UEA's Law School, with a clear objective: to take debates on human rights and environmental justice beyond academic walls and bring them closer to local communities whose fundamental rights are often violated and constantly threatened by environmental degradation.

One year later, it was institutionalized as part of the Legal Practice Center for undergraduate students. In 2023, it took another step forward by becoming a permanent university extension program linked to the Law School. This formalized the participation of alumni who continued collaborating after graduation and strengthened ties with non-academic actors.

Throughout its history, the Clinic has acted as amicus curiae in seven of the nineteen Brazilian cases already decided by the Court and has submitted nine written and oral observations in advisory opinions since 2017.

Over fifteen years, the DHDA/UEA Clinic has gained regional, national, and international visibility by joining networks that promote legal education through the clinical method:

- the Amazonian Human Rights Clinics Network (founded in 2011);
- the National Forum of Law Clinics (2017) in coordination with the Brazilian Network of Law Clinics (2020);
- the Alliance of Environmental Law Clinics of Latin America and the Caribbean, created in 2019 within the framework of the Latin American Network of Law Clinics;
- and the United Nations Environment Programme's (UNEP) Global Mercury Partnership.

As a university extension program, the Clinic integrates outreach, teaching, and research. It works in an interdisciplinary and intercultural manner, bringing together undergraduate and graduate students, faculty, and—above all—community leaders and Indigenous peoples from the Amazon region.

Over time, its activities expanded from monitoring and studying Inter-American Court jurisprudence to preparing reports, producing applied research, and participating in national, regional, and global networks dedicated to socio-environmental justice and law clinics. That trajectory eventually led it directly before the Inter-American Court.

From Manaus to the Inter-American Court: amici curiae and advisory jurisdiction

The DHDA/UEA Clinic soon developed an international vocation, identifying the amicus curiae mechanism and the Court's advisory jurisdiction as strategic spaces to influence regional jurisprudence.

Throughout its history, the Clinic has acted as amicus curiae in seven of the nineteen Brazilian cases already decided by the Court and has submitted nine written and oral observations in advisory opinions since 2017. It is therefore not merely an observer of Inter-American jurisprudence but a persistent actor in the dialogue between the Court, academia, and civil society.

One key experience was its participation in the advisory opinion on "The content and scope of the right to care and its interrelationship with other rights," requested by Argentina on January 20, 2023.

The advisory jurisdiction of the Inter-American Court is a non-contentious procedure through which States or organs of the Organization of American States request interpretations of the American Convention on Human Rights or other treaties, or ask the Court to assess the compatibility of domestic laws with those instruments.

Although advisory opinions are not binding judgments, they establish interpretative parameters and help verify the compatibility of state laws and policies with human rights standards in the Americas. Moreover, the procedure allows participation by any interested party through written observations and oral arguments, enabling broader access to the Court than contentious cases.

The right to care from an Amazonian perspective

Argentina's request analyzed a broad spectrum of social relations but focused mainly on hegemonic social experiences. This prompted the DHDA/UEA Clinic to contribute an intercultural perspective centered on Indigenous viewpoints and on the interdependence between care, culture, and health.

The Clinic's internal research began with guided readings led by legal philosopher Bethânia Assy, focusing on the ethics of care. Each participant presented one of the selected texts, followed by group discussion.

To deepen the intercultural dimension, the group held dialogue sessions with Indigenous anthropologists Yupuri João Paulo Lima Barreto and Clarinda Ramos Sateré Maué.

After this process, the team defined the structure of its written observations, distributed responsibilities, and worked for three months. The Clinic submitted its observations to the Court on November 6, 2023.

The document highlighted care practices often invisible in public policy design due to insufficient immersion in other cultures whose notions of "good living" are organized differently. It also noted that although Brazil has an Indigenous Health Care Subsystem linked to the Unified Health System (SUS), this intercultural policy faces serious implementation challenges.

As a concrete example, the Clinic presented the perspective of the Yepamahsã (Tukano) people of the northwestern Amazon, based on a text authored by Yupuri João Paulo Lima Barreto himself.

From written submission to public hearing

During the oral phase, the Clinic prepared for the public hearing held at the Court's headquarters in San José, Costa Rica, from March 12 to 15, 2024.

The team selected key messages from its written observations, adapted them to oral language, and rehearsed within the ten-minute limit. On March 14, 2024,

the arguments were presented by Isabella Benchaya da Silva, Luciana Valois Coelho da Silva, and Yupuri João Paulo Lima Barreto.

After the presentations, Judge Verónica Gómez requested details about Tukano care practices, demonstrating how an experience rooted in classroom study and dialogue with Amazonian communities had reached the center of regional legal debate.

Beyond its academic value, participation in the hearing was an intense formative experience. It showed that a university program in the Amazon can engage directly with an international tribunal.

What the Court said: Indigenous care practices as a regional standard

Advisory Opinion OC-31/2025 resulted from the combined efforts of civil society organizations, state agencies, and academic actors, including the DHDA/UEA Clinic.

In paragraph 293, the Court recalled that States must adopt measures to protect, mitigate, and remedy environmental harm, both as an end in itself and as a means to guarantee rights, including the right to care. It added that such measures must recognize "diverse models of care organization," particularly valuing traditional, local, and Indigenous knowledge linking care for people with care for the environment.

The Court emphasized that this perspective is especially relevant in Indigenous contexts, where care is intertwined with territory, natural resources, and ecological cycles according to distinct worldviews.

In operative paragraph 25, the Court recommended that States ensure recognition of different care models and value traditional, local, and Indigenous knowledge that conceives care for people and the environment as inseparable, under the parameters defined in paragraphs 293 and 294.

In other words, what communities in territories such as the Upper Rio Negro had long defended—that caring for people also means caring for rivers, forests, animals, and other non-human beings—became a regional legal standard.

The L.T.B. case: a child, a snakebite, and the practice of bahsese

The public notification of Advisory Opinion OC-31/2025 took place on August 7, 2025. One month later, an appeal was dismissed in the L.T.B. case, which the DHDA/UEA Clinic accompanies before the Inter-American Commission on Human Rights.

The story began in 2009, when L.T.B., a girl from the Yepamahsã (Tukano) people, suffered a snakebite near her community in the Upper Rio Negro Indigenous Territory, in São Gabriel da Cachoeira, northwestern Amazonas state.

The case reflects Tukano cultural resilience and the search for reconciliation between Indigenous traditional medicine and Western medicine in treatment and



Photo: Neil Palmer, CIAT

healing. The claim demands that the State fulfill its duty to respect and guarantee the right to health without stereotypes or discriminatory practices, recognizing the specificities of the Yepamahsã (Tukano) traditional knowledge system, including the practice of *bahsese*.

In upcoming stages before Brazilian courts and within the Inter-American System, the standards set in OC-31/2025 will be crucial. They allow the argument that denying or devaluing practices such as *bahsese* may also constitute a violation of the right to care and health of an Indigenous people.

A clinic amplifying Amazonian voices

This trajectory shows that the DHDA/UEA Clinic is far more than an outreach program; it is a strategic actor in international human rights law.

From a public university in the Amazon, it has:

- trained generations of students through real cases;
- built partnerships with Indigenous and riverine communities;
- joined regional and global networks such as the Amazonian Human Rights Clinics Network, the Brazilian Network of Law Clinics, the Alliance of Environmental Law Clinics of Latin America and the Caribbean, and UNEP's Global Mercury Partnership;
- actively contributed to the construction of Inter-American standards on environmental justice, Indigenous health, and the right to care.

From the Amazon rainforest to the Inter-American Court, the voices the Clinic helps channel remind us of something essential: human rights are not abstract concepts detached from territory.

Its history demonstrates the transformative power of academic advocacy: from a classroom in Manaus, it is possible to influence decisions shaping socio-environmental protection across the continent.

From the Amazon rainforest to the Inter-American Court, the voices the Clinic helps channel remind us of something essential: human rights are not abstract concepts detached from territory. They are nourished by local knowledge, ancestral care practices, and the struggles of those defending life in one of the planet's most threatened ecosystems.

The Human Rights and Environmental Law Clinic of UEA will continue occupying this vital space: a living laboratory where legal education, socio-environmental defense, and the construction of new standards for protecting Amazonian peoples and territories converge.

Sources and materials consulted

- BARRETO, João Paulo Lima. "O mundo em mim: uma teoria indígena e os cuidados sobre o corpo no Alto Rio Negro". Brasília: Editorial Mil Folhas, 2022.
- Corte INTERAMERICANA DE DERECHOS HUMANOS. "El Contenido y el alcance del Derecho al Cuidado y su interrelación con otros derechos" (Interpretación y alcance de los artículos 1.1, 2, 4, 17, 19, 24, 26 y 29 de la Convención Americana sobre Derechos Humanos; 34 y 45 de la Carta de la Organización de los Estados Americanos; I, II, VI, XI, XII, XIV, XV, XVI, XXX y XXXV de la Declaración Americana de Derechos y Deberes del Hombre; 7, 8 y 9 de la Convención Interamericana para Prevenir, Sancionar y Erradicar la Violencia Contra la Mujer; 1, 2, 3, 6, 7, 9, 10, 11, 13, 15, 16, 17 y 18 del Protocolo Adicional a la Convención Americana sobre Derechos Humanos en Materia de Derechos Económicos, Sociales y Culturales; 6, 9, 12 y 19 de la Convención Interamericana sobre la Protección de los Derechos Humanos de las Personas Mayores, y III de la Convención Interamericana para la Eliminación de todas las formas de Discriminación contra las Personas con Discapacidad). Opinión Consultiva OC-31/25 de 12 de junio de 2025. Serie A No. 31. Disponible en: https://www.corteidh.or.cr/opiniones_consultivas.cfm

- Corte INTERAMERICANA DE DERECHOS HUMANOS. Solicitud de Opinión Consultiva presentada por Argentina ante la Corte Interamericana de Derechos Humanos de 20 de enero de 2023. Disponible en: https://www.corteidh.or.cr/solicitud_opiniones_consultivas.cfm
- LOUREIRO, Sílvia Maria da Silveira, MEDEIROS, Bianca da Silva, SILVA, Isabella Benchaya da, BARRETO, João Paulo Lima, BRAGA, Júlia Coimbra , SILVA, Luciana Valois Coelho da. "Opinião Escrita da Clínica de Direitos Humanos e Direito Ambiental da Escola de Direito da Universidade do Estado do Amazonas em sede de Solicitação de Parecer Consultivo formulado pela República Argentina à Corte Interamericana de Direitos Humanos sobre o Conteúdo e o Alcance do Direito de Cuidar e sua Inter-relação com outros Direitos". Disponible em: https://www.corteidh.or.cr/observaciones_oc_new.cfm?lang=es&lang_oc=es&nId_oc=2639
- SILVA, Isabella Benchaya da, SILVA, Luciana Valois Coelho da, BARRETO, João Paulo Lima. "Argumentos Orais da Clínica de Direitos Humanos e Direito Ambiental da Escola de Direito da Universidade do Estado do Amazonas em sede de Solicitação de Parecer Consultivo formulado pela República Argentina à Corte Interamericana de Direitos Humanos sobre o Conteúdo e o Alcance do Direito de Cuidar e sua Inter-relação com outros Direitos". Disponible em: https://www.youtube.com/live/qaHk5v6gdOo?si=ncA2X1t2sv7BrZ9D. Minutos: 3:57:00 - 4:07:37



• Human Rights Clinic of the Amazon of the Postgraduate Program in Law of the Federal University of Pará (CIDHA/UFPA), Brazil

Clinical education, legal pluralism, and climate justice in the Amazon: the CIDHA/UFPA experience in training Indigenous and quilombola communities for the carbon market

Photo: Diego Pérez, SPDA

Lise Tupiassu is professor and Pro-Rector for International Relations at UFPA.
Bianca Miranda is a master's student in law (LLM) at Queen Mary University of London, United Kingdom.

Introduction

Brazilian legal education has historically been structured around Eurocentric, normativist epistemological matrices that are deeply disconnected from the social, territorial and cultural realities that make up the Brazilian state. This feature becomes even more evident when examining legal training applied to the Amazon, a region marked by singular socio-environmental complexity, persistent land conflicts and a long trajectory of public policies and development models imposed exogenously, often detached from local realities.

In this context, the Amazon cannot be understood merely as a physical space or a strategic biome for global climate balance. It is a living territory, inhabited by Indigenous peoples, quilombola communities and other traditional groups that have, for centuries, developed their own systems of social organization, territorial management and normativity. However, such systems continue to be rendered invisible by hegemonic state law, which tends to operate according to a homogeneous, abstract logic with little sensitivity to cultural diversity.

It is within this scenario that the experience of the Amazon Human Rights Clinic (CIDHA), linked to the Graduate Program in Law at the Federal University of Pará (PPGD/UFPA), is situated.

More than training legal practitioners, the clinic seeks to educate critical subjects capable of articulating scientific knowledge and traditional knowledge in the defense of human and territorial rights.

This article analyzes CIDHA's experience in the legal training of Indigenous and quilombola students, with special attention to its work in the field of the carbon market in the Legal Amazon. It argues that this experience represents a transformative milestone in Brazilian legal education by promoting a training model committed to legal pluralism, climate justice and the democratization of access to higher education and legal knowledge.

The Amazon, the law and the crisis of exogenous development models

The history of occupation and exploitation of the Amazon has been marked by successive waves of external intervention, almost always driven by economic interests unrelated to local populations. From traditional extractive cycles to large infrastructure, mining and agribusiness projects, the region has been treated as a space available for exploitation rather than as a territory inhabited by subjects of rights.

This logic has produced a structural condition of territorial insecurity, in which the lack of land regularization, overlapping titles, fragile land registries and state delays in granting titles to Indigenous and quilombola lands fuel conflicts and systematic violence. In this context, the law often acts as an instrument legitimizing these inequalities, whether through omission or through restrictive interpretations of constitutionally guaranteed territorial rights.

Traditional legal education, centered on normative abstraction and the uncritical reproduction of imported dogmatic categories, proves incapable of responding to these challenges. By ignoring Amazonian realities and the normative systems of traditional peoples, legal education contributes to perpetuating a colonial model of legal production in which the Amazon is an object of regulation rather than a subject of legal enunciation.

Clinical education as an epistemological rupture

The Federal University of Pará (UFPA) is the main public higher education institution in the eastern Amazon and one of the largest universities in Brazil, playing a strategic role in scientific knowledge production, human resource training and the promotion of social, environmental and cultural development in the Amazon region. UFPA integrates teaching, research and extension in permanent dialogue with territorial, urban, rural, riverside, Indigenous and quilombola realities, reaching populations historically excluded from educational policies and access to scientific knowledge.

In this context, CIDHA, created within a Human Rights Laboratory of UFPA's Graduate Program in Law in 2011, proposes a break with traditional legal education by adopting clinical teaching methodology and placing Indigenous and quilombola peoples at the center of legal knowledge production.

Within its institutional activities, the Amazon Human Rights Clinic develops structured work based on strategic axes oriented toward the protection of socio-environmental rights. Its action is guided by a cross-cutting human rights approach that recognizes the inseparability of environmental justice, territorial rights and human dignity, drawing on both domestic law and international human rights protection systems. CIDHA also operates systematically within the Inter-American Human Rights System, influencing and mobilizing decisions, advisory opinions and standards developed by the Inter-American Court of Human

Rights and the Inter-American Commission on Human Rights in its strategic legal work.

The clinical teaching methodology adopted by CIDHA is grounded in a direct critique of the hegemonic model of legal education. In contrast to a market-driven and sterile legal education model centered on memorizing codes and dissociating theory from practice, clinical education proposes learning based on real problems, service-based training and the inseparable integration of teaching, research and extension.

At CIDHA, the clinical space functions as a true legal laboratory in which students are invited to confront concrete cases of human rights violations, territorial conflicts and complex socio-environmental litigation. Learning occurs in a participatory manner, in a continuous movement of reflection and action often described as "spiral learning." It begins with students' concrete experiences—many of whom are directly affected by the issues analyzed—and moves toward incorporating new theoretical frameworks and formulating situated legal strategies.

This methodology breaks not only with the traditional way of teaching law, but also with who teaches and who learns. By including Indigenous and quilombola students as residents and master's students, CIDHA shifts the epistemological axis of legal production, recognizing these subjects as knowledge holders rather than merely recipients of public policies or objects of academic research.

The project "Ethnic-racial diversity in higher education" and the clinical residency

The project "Ethnic-Racial Diversity in Higher Education," funded by the Ford Foundation and the Climate and Land Use Alliance (CLUA), represents a milestone in the history of graduate legal education in Brazil. It is the largest ethnic-racial inclusion project ever implemented at this level, establishing a Law Clinical Residency Program specifically directed at Indigenous and quilombola participants.

The training was designed to address structural gaps left by undergraduate legal education, particularly regarding racial literacy, legal pluralism and technical capacity for the defense of collective rights. The theoretical phase included leveling modules on topics such as ethnic diversity, environmental law, international human rights protection systems and rural land regulation, always articulated with the lived realities of the students.

In the practical phase, residents were integrated into thematic Working Groups, conducting empirical research, drafting legal pleadings and technical reports, and engaging in strategic litigation. The COVID-19 pandemic required adapting the methodology to a remote format, creating significant challenges, especially due to connectivity difficulties in villages and quilombos. Nevertheless, the experience expanded the territorial reach of the program, enabling participation by students from various regions of the Legal Amazon and Brazil. The provision of technological support and scholarships was essential to ensure residents' permanence and full dedication.

The carbon market from the perspective of the Amazon

One of the central axes of CIDHA's practical work was the study of the carbon market within the project "Economic, financial and tax instruments for sustainable development in the Amazon," coordinated by Professor Lise Tupiassu. The Working Group dedicated to examining local interests within the growing carbon market began from a critical observation: although the carbon market is globally presented as one of the main strategies for mitigating climate change, its dynamics are often formulated and implemented without the effective participation of the communities that have historically protected the forest.

The residents carried out a detailed mapping of carbon sequestration projects across the nine states of the Legal Amazon. This survey showed that many projects operate in contexts of profound territorial insecurity, in which the lack of clarity regarding land ownership compromises the legal and ethical legitimacy of the initiatives.

Moreover, analysis of community involvement revealed recurring weaknesses in the observance of the right to Free, Prior and Informed Consent, as established in ILO Convention No. 169. In many cases, communities are treated as passive beneficiaries of projects designed by external actors, reproducing the colonial logic of territorial and environmental service appropriation.

The main product of the Working Group was the drafting of a policy brief aimed at guiding public and private decision-makers. The document argues that integrating the Amazon into the carbon market will only be legally valid and ethically acceptable if it is grounded in respect for territorial rights and the autonomy of traditional populations.

Among the central recommendations are the need for strict observance of Free, Prior and Informed Consent; the adoption of transparency mechanisms in transactions; the implementation of socio-environmental safeguards ensuring concrete benefits for communities; and the execution of accurate territorial diagnoses through instruments such as the Title Analysis Protocol.

The training of ethno-defenders and impacts on Amazonian reality

The CIDHA experience produced profound impacts on students' trajectories. For Munduruku, Xerente and Guaraní Kaiowá Indigenous participants and quilombolas from communities such as Itamatatiua and Subaé, the clinical residency represented a rupture with historical cycles of exclusion. By accessing technical knowledge and developing leadership, public speaking and political articulation skills, these individuals became ethno-defenders capable of navigating between state legal systems and their peoples' own normative systems. These trajectories were presented in the book "Indigenous and quilombolas at UFPA: trajectories and memories of the struggle for rights," where residents' own accounts reveal the impact of the experience on their realities.

The impacts go beyond the individual sphere. The work of these professionals in their territories contributes to halting predatory ventures, negotiating carbon contracts more equitably, strengthening territorial defense and influencing public policy formulation. It is a movement that can be described as "pluriversity-based," in which the university reconfigures itself as a space of shared knowledge production, breaking with the colonial logic of knowledge.

Conclusion

The experience of the Amazon Human Rights Clinic demonstrates that clinical legal education, when articulated with consistent affirmative policies, constitutes a powerful tool for promoting social, environmental and climate justice. Training on the carbon market did not merely transmit technical knowledge; it restored voice and protagonism to those who have historically protected the forest.

By training jurists who belong to the territory, CIDHA contributes to building a plural, situated law committed to good living. In a context of global climate crisis, the Amazon gains qualified defenders who, by defending their territories, also defend the planet's climate balance, reaffirming that there is no environmental solution without social justice or without the effective participation of peoples.

References

- "Indígenas e quilombolas na UFPA: trajetórias e memórias de luta por direitos". Almires Machado, Cristina Figueiredo Terezo Ribeiro, Jane Beltrão, Rosani Fernandes (Org.) Rio de Janeiro: Rio Books, 2023. 293 p.



- Espeletia – Network for Climate Governance of the Territory, Externado University of Colombia

How do you set up a climate clinic? The Espeletia case and its roadmap for action

Photo: Espeletia – Network for Climate Governance of the Territory

Valentina Herrera Gómez is a lawyer from Universidad Externado de Colombia, a thesis student and coordinator within the Espeletia Clinic since 2024.

We all have a story that begins with, "I have a friend, a friend of a friend who was invited and now invites me…" That was the case of Juan Herrera, a law student facing the uncertainty that comes with finishing coursework: deciding between writing a thesis or completing a judicial clerkship (or an internship, in other fields). In the midst of that moment, he accepted an invitation from his classmate Sofía Calpa to learn about an initiative to create a Law Clinic promoted by Constitutional Law professor Manuel Páez.

Juan met the professor, who explained that clinics are pedagogical spaces where students can apply their knowledge to promote social change and that this one, in particular, offered an innovative option for developing a graduation thesis. With that premise, he and eleven classmates joined what would become the founding team of the first Law Clinic at Universidad Externado de Colombia in Bogotá in 2024. One could say that this is where Espeletia – Network for Climate Governance of the Territory began, an initiative focused on defending human rights violated in the context of climate change.

From idea to the first climate clinic at Externado

Several professors, led by Manuel Páez and Daniela Díaz, wanted to fill gaps in the law program, starting with the absence of a Law Clinic, even though such spaces have existed for decades. Clinical education was born in the United States in 1933, proposing that law students apply theory to practical cases, much like in medical schools. From this tradition emerged legal aid offices; in practical terms, they are close relatives.

Clinics as we know them today arrived in Latin America between 1960 and 1980, with a second boom between 2000 and 2010, as Beatriz Londoño recounts in *Clinical Legal Education and Strategic Litigation in Ibero-America*. Unlike other countries in the region, Colombia experienced a third "boom" with Law 2113 of 2021, which incorporated the Law Clinic model into the services provided by legal aid offices. Only then did the Department of Constitutional Law decide to open its own clinic.

But the professors wanted to go further: not only to fill that institutional gap, but also to respond to the lack of autonomous spaces for learning and leadership. From the outset, they were clear: the clinic had to be by and for its students.

A clinic "by and for students"

Did they succeed? Juan described it this way:

"The experience in the clinic was completely different from everything that had been my educational process throughout law school. Academically, it was much more human, with greater dialogue, debate and closeness with professors (…). As students and founding members, we had significant power: the clinic belonged to us. The professor guided decisions, but they were ours. Although it was a great challenge, with trial and error in defining the course of action, in the end we learned to communicate, work as a team and developed enormous pride and a sense of belonging… What we signed as a clinic felt as if we were signing in our own name."

How did they define the clinic? As an educational and awareness-raising proposal for law students, aimed at researching, disseminating and eventually bringing judicial cases that promote social change and address issues of public interest. In Latin America, historically, that issue has been the defense of human rights.

The first decision, then, was to choose the public interest problem they would address and how they would do so. Water and climate change ultimately became the shared focus: a common concern, part of the triple planetary crisis, demanding urgent action and diverse knowledge.

They also identified a gap: no clinic existed focused exclusively on human rights violations generated by climate change or on advancing climate justice, understood as balancing burdens between those who generate the crisis and those most affected by it. There they found the "what" and the first piece of the clinic's name.

Governance, network and frailejones

As for the "how," they arrived at governance as both goal and method, an idea that became their core because it matched how they wanted to work: making decisions horizontally, where all actors or participants could speak and propose on equal footing, without hierarchies.

Within the team, this equality applied between students and professors, translating into assuming the same workload in time and effort, meeting to share progress and ensuring votes carried equal weight, giving voice to those who usually lack it.

In the context of climate change, governance seeks to coordinate and articulate different stakeholders to prevent, adapt to and mitigate the crisis's effects. Because each territory experiences climate variability differently, solutions must arise from their own needs. For this reason, governance is a key tool not only in the clinic's daily work but also in defending human rights.

They included the word "Network" in the name because they understood that complex problems require collective action, where many actors, professionals and communities join in—not just eleven law students eager to save the world.

They then added "Espeletia," the scientific name of frailejones, in tribute to this genus of plants in the Asteraceae family, native to Colombia, Ecuador and Venezuela, which function as true "water factories" and of which more than 40 hectares were destroyed during the 2024 wildfires near Bogotá. Thus the full name was formed: Espeletia – Network for Climate Governance of the Territory.

Three phases: training, research and advocacy

With that framework, the next decision was how to organize activities. They established three phases that all clinic members would complete: training, research and advocacy. This scheme has been implemented in the two teams that have participated (2024 and 2025).

During the first phase, they focused on learning strategic litigation. They concluded that it is a kind of compass for guiding social change: a way of using law not only to resolve a case, but to open uncomfortable conversations, question established practices and move the pieces sustaining a problem. It does not begin in courtrooms, but much earlier, with a deep diagnosis of causes, effects and actors surrounding a situation.

From there, litigation becomes a range of strategies—regulation, public policy, communications, education or social mobilization—seeking solutions that transcend the original claimants and reach those living the problem daily. It is, essentially, combining legal rigor with every possible tool to transform the social mindset that allows the problem to persist.

They later complemented this with tools from other disciplines, depending on the knowledge required for each litigation path.

Building the toolboxes

In Juan's team (2024), they worked on "the right to access water through the proper provision of public water and sanitation services." This took place during the El Niño phenomenon in Bogotá, marked by fires in the eastern hills and in the Santurbán páramo, as well as water rationing. The city faced reduced availability of the resource and rising utility bills.

To determine where they could intervene, they learned the logical framework methodology for designing impactful social programs and projects, allowing them to identify root causes and develop small, measurable activities. This was useful in such a complex context as public services. They also had to learn how to pitch their ideas and understand how water and sanitation bills operate in Colombia, their specific area of intervention.

The 2025 team, with more lines of action, sought experts for comprehensive case approaches: an environmental engineer to understand climate change scientifically; a hydrologist to study impacts on the water cycle; and a social work expert to learn about do-no-harm principles and create a community engagement protocol.

Although their recommendations were not adopted, strategic litigation does not always seek to "win" traditionally; sometimes placing ideas on the public agenda is enough.

In the research phase, both teams committed to drafting documents serving as inputs for litigation strategies and as their graduation theses.

Bringing ideas to the regulatory agenda

Regarding the right to water, they identified reduced availability and rising bills in the capital. With that diagnosis, they examined tariff components that could be adjusted to reduce costs; the need to standardize the minimum vital water supply; and the urgency of public policies responding to climate change to prevent risks and adapt. All of this could improve service delivery and guarantee water access even in crisis.

Their advocacy strategy involved using participation spaces offered by authorities when issuing regulations. The most significant example was presenting their three axes—tariff components, minimum vital supply and public policies—before the Water and Basic Sanitation Regulatory Commission (CRA), a key decision-maker. They aimed to influence regulation and public policy by participating in the Commission's five-year regulatory agenda-setting process (Decree 1077 of 2015).

Although their recommendations were not adopted, strategic litigation does not always seek to "win" traditionally; sometimes placing ideas on the public agenda is enough. In this spirit, they participated in the forum "The advisory opinion of the Inter-American Court of Human Rights on the climate emergency," publicly presenting their perspectives for the first time.

Building a network for climate governance of the territory

The team grew significantly in 2025, not only with the addition of master's students in law, but because other clinics, organizations and even institutions expanded the network and opened new litigation paths. Beyond legal strategies, the network fostered comprehensive training opportunities benefiting students and promoting dialogue with external actors.

In the first year, several actors participated in the diploma course "Human rights, governance and climate change," organized with the Department of Constitutional Law, combining law and science for application in advocacy projects.

With a more active network in 2025, spaces opened with national and international actors. Among them was the Public Forum "Tools and strategies of civil society organizations for a just energy transition in Colombia." There they discussed environmental challenges of the energy transition, strengthened ties with other clinics—such as that of Universidad del Magdalena—and engaged with the Colombian Network of Law Clinics and the Alliance of Environmental Law Clinics.

Challenges and lessons from a climate clinic

Throughout the process, they faced challenges, starting with the clinic's place within the university. As it is neither mandatory nor linked to the legal aid office, as in other institutions, Espeletia depends on students' willingness and available time, which varies with academic and work commitments.

In conclusion, Juan and his team's story leaves governance as a guiding principle—for working, relating and transforming collectively. Today, they continue promoting it within the clinic and in their professional paths.

For Espeletia's members, the commitment is clear: they believe in clinical and interdisciplinary education as key to creating real dialogue and actor networks, as well as to training student leaders capable of confronting climate change and advancing climate justice through law and from the territories.



- Human Rights Law Clinic of the University of Magdalena (Santa Marta), Colombia

Litigation, the press, and the community: the strategy that restored rights to Nueva Esperanza

Photo: Diego Pérez, SPDA

Melina Quintero Santos holds a Master's degree in law, is a university professor and researcher in human rights and gender. She is a researcher in the "Saberes Jurídicos" group and coordinator of the Human Rights Legal Clinic of the University of Magdalena. She is a member of the Ibero-American Network of Women for Climate Action.
Daniela Orozco López is an eighth-semester law student at the University of Magdalena and a member of its Human Rights Legal Clinic. She is a continuous learner in issues related to gender-based violence and holds a diploma in Pedagogies for Truth, Justice, Reparation, and Non-Repetition.
Román Medrano Peña is a social communicator with an emphasis on political journalism. He is a tenth-semester law student at the University of Magdalena and a member of its Human Rights Legal Clinic.

It was September 1, 2024, in the village of Nueva Esperanza, located in the foothills of Ciénaga, Magdalena (Colombia), through which the Toribio River flows. After the torrential rains of August 31, the only intermunicipal access road was found blocked by enormous rocks and large amounts of mud.

The downpour swept everything away: destroyed homes, flooded crops, and an access road in catastrophic condition. No one could leave or enter the area. Crops and small-scale farm production were completely stalled, animals were left without their usual feed, and the community's economy was on the verge of collapse.

Crossing the river to obtain basic necessities; allowing children to attend school; or traveling to medical centers so that pregnant women and older adults could receive timely care represented a greater risk than waiting for the administration to act.

That state response dragged on for as many days as the road remained destroyed. By September 5, 2024, there were still no responses or repair interventions.

When access to justice seems unreachable

It is precisely in this scenario of vulnerability and urgent need for road reconstruction that the Human Rights Law Clinic roots its actions and alliances, seeking to answer a question that challenges its strategic legal work: what happens to communities and territories where access to justice seems unreachable?

This question has guided its mission since 2014, when the Law Clinic of the University of Magdalena was founded as an academic initiative attached to the Legal Aid Office, committed to social impact. Since then, its pedagogical model has been redesigned and strengthened, articulating practices and interventions through three interdependent lines of action:

- Training school, aimed at disseminating legal tools, constitutional actions, and mechanisms for citizen participation in schools and communities;
- Research, as a path of reflection and socio-legal dissemination, in permanent dialogue with territories;
- Strategic litigation, as the genesis of research and a high-impact, socially transformative component.

Together, these strands contribute to the mission of promoting the guarantee of individual and collective human rights in contexts of vulnerability, exclusion, and inequality, incorporating a gender perspective and environmental justice.

The Nueva Esperanza case: from the downpour to the case file

In Nueva Esperanza, 280 families were affected by the overflow of the Toribio River, which destroyed the village's only intermunicipal access road. The community was left isolated. Vehicles carrying food, medicine, and harvests—bananas, cassava, and other products—could not circulate, causing significant economic losses.

Mobility was reduced to precarious attempts to cross the river on foot, carrying children in their arms or hauling sacks on their backs. Attending school became impossible. For many people, especially pregnant women, older adults, and persons with disabilities, the risk was too great.

Such was the case of two residents of the village who suffer from physical and intellectual disabilities and Alzheimer's disease, respectively. During this period, they were unable to access medical treatment or regular medications, as they needed to travel to Santa Marta or Barranquilla—something materially impossible.

Faced with this reality, community leaders turned to the media available to them to widely publicize the problem, while also announcing a possible blockade of the Troncal del Caribe highway as a pressure mechanism in response to institutional inaction.

In this context, Seguimiento.co became a key ally by publishing the first public report of the events. Given the existing connection between the news outlet and the Human Rights Law Clinic, immediate coordination was established to provide legal support to the community due to the violation of fundamental rights such as education, health, housing, and human dignity.

The seriousness of the situation was documented in an initial article titled "Toribio River flooding swept away road and left Nueva Esperanza village cut off."

Press, community and enforceability of rights

Media visibility had an effect. On September 8, 2024, the High Counselor for Peace of Ciénaga and the local corregidor arrived in the village to assess the damage and repair measures alongside community leaders. The Law Clinic accompanied the community at this meeting and began preparing a tutela action to demand protection of the violated fundamental rights.

At that meeting, it was agreed that machinery would be deployed to rehabilitate the road within no more than one week, and that a census of affected families would be conducted for humanitarian assistance, scheduled for Monday, September 9, 2025. These commitments were recorded in a second news article titled "After complaint, Ciénaga mayor's office promises to address emergency in Nueva Esperanza."

However, weeks passed, deadlines expired, and expectations faded in the face of government noncompliance. Rains worsened the situation, rights continued to be violated, and the harmful situation persisted.

With fieldwork, collected testimonies, and the voluntary backing of the community, the Law Clinic had sufficient grounds to file the tutela action, demanding protection of the fundamental rights to health and human dignity of the two older adults with disabilities.

The administration's failure to comply was again reported by Seguimiento.co on September 16, 2024, in a publication titled "Ciénaga mayor's office fails to comply with agreements and worsens crisis in Nueva Esperanza." It highlighted the absence of machinery and the lack of the promised census. The Risk Management Office even reported that it would merely meet to "see whether decisions could be made," further increasing community dissatisfaction.

Because in territories where justice seems unreachable, it is necessary to focus critically, legally, and humanely on individual and collective rights. Working in networks is indispensable: the law needs other fields to have meaning and effectiveness.



Photo: Diego Pérez, SPDA

Strategic litigation and public pressure

In this context, the community warned that if solutions were not provided, it would block the Troncal del Caribe as a pressure measure. By then, losses were incalculable. A woman with blood pressure problems died after being unable to be transported to a healthcare center, as recounted by Beatriz San Martín Mendoza, a friend of the victim: "She passed away; there was nothing to be done. She suffered from blood pressure issues. Because of the road situation, nothing could be done."

On October 2, 2024, the first-instance ruling was issued. The Second Mixed Family Court granted protection of the community's rights and ordered the Ciénaga mayor's office to convene, within 48 hours, a dialogue roundtable to define the manner and timeline for rehabilitating the road.

For the Law Clinic, although the decision protected rights, it was insufficient, as a prior meeting had already taken place whose commitments were not fulfilled. Therefore, the ruling was appealed.

In second instance, the Superior Court Civil-Family Chamber declared the proceedings null and void for failing to include key actors, forcing the process to restart. The new decision was again appealed for not fully complying with what had been ordered.

While the judicial process advanced slowly, media coverage remained constant. Through new reports, it became evident, for example, that machinery sent by the Departmental Government and the mayor's office remained inactive due to lack of fuel. This media pressure was decisive in prompting authorities to allocate the necessary supplies and begin the works.

Before February 5, 2025—the date on which the Court again declared the proceedings null and void—the community had already managed to restore the access road, thanks to combined community, media, and judicial pressure.

When the law opens a path

After six months of legal action and ongoing reporting, the required intervention was achieved to guarantee the rights to health, education, and human dignity. Freddy Timms Uribia, a community leader in the process, stated:

"Thanks to the legal actions, we managed to get attention for our sick residents and to open the road for children who had no way to go down to attend their classes."

Ana Ortiz De Arco, daughter of one of the petitioners who suffers from Alzheimer's, recalled that the episode *"was very difficult because I had no way to get him out of there or bring his medications. Thanks to the Legal Clinic of the University of Magdalena and to our community leader."*

In the Nueva Esperanza case, three media reports were decisive in achieving road reconstruction. The permanent support of the Legal Clinic in each judicial action ensured that the situation ceased to be just another item on the state's pending list and became a central issue.

Because in territories where justice seems unreachable, it is necessary to focus critically, legally, and humanely on individual and collective rights. Working in networks is indispensable: the law needs other fields to have meaning and effectiveness.

From this experience, one clear lesson remains: when the road breaks, the law can open a path. The Legal Clinic stands as a bridge between community, press, and State.



- Human rights Law Clinic of the University of Magdalena and the Energy Transition Research Seedbed (STEUnimagdalena), Colombia

Territory and interdisciplinary work: the co-creation process between La Jagua de Ibirico, the Human Rights Law Clinic and STEUnimagdalena

Photo: Diego Pérez, SPDA

Loraine Lorena Lora Laguna is an economist and young researcher with STEUnimagdalena, committed to a just energy transition, labor reconversion, and social and gender transformation in territories transitioning away from coal mining.
Juliana Andrea Romero Satizabal is a law student, certified conciliator in law, and research seedbed member of the Saberes Jurídicos Research Group at the University of Magdalena, committed to human rights, the defense of vulnerable populations, and gender issues.
Melina Quintero Santos holds a master's degree in law and is a university professor and researcher in human rights and gender. She is a researcher in the Saberes Jurídicos group and coordinator of the Human Rights Law Clinic of the University of Magdalena. She is a member of the Ibero-American Network of Women for Climate Action.

At the end of March 2025, in a school in La Jagua de Ibirico (a municipality in the department of Cesar, Colombia, marked by decades of coal mining), something remarkable took place: eleventh-grade students, members of the LGBTIQ+ community, cisgender women and men sat in a circle to speak about what is almost never named. Through four workshops organized around empathy maps, social cartographies, individual memos, and semi-structured interviews, moments of listening and collective reflection were created. Participants named their fears, their histories of violence, and their socioeconomic and gender-based needs following the closure of the mines that had sustained the local economy for years.

In those meetings, voices were heard, experiences were shared, collective learning gained strength, and, above all, concrete proposals emerged that now seek to transform the territory through gender-sensitive public policies built from within the community.

Behind those four workshops were the Human Rights Law Clinic of the University of Magdalena and the Energy Transition Research Seedbed (STEUnimagdalena), two academic research groups that have worked for several years with communities in the Colombian Caribbean. Their purpose in La Jagua de Ibirico was clear: to listen to the voices of those who have borne the costs of extractivism and to co-create, alongside them, gender-focused public policy recommendations for a more just energy transition. What was said and reflected upon there made it possible to understand not only the impact of mine closure on daily life, but also how to prevent inequalities and gender patterns from being reproduced in the territory's future.

The Law Clinic and the Seedbed: law and energy for social justice

Since its creation in 2014, the Human Rights Law Clinic of the University of Magdalena has functioned as an academic space that brings together students and professors in the real practice of law, through applied research, fieldwork, and legal action in cases affecting rural and urban communities in Magdalena and the Caribbean region. Each year, the Clinic works with 15 to 20 students guided by three professors, with the aim of bringing justice closer to communities and supporting them in defending their rights. To achieve this, it promotes strategic litigation in emblematic cases that make structural problems visible, produces applied research to influence public policy, and trains its students in fieldwork and legal accompaniment for historically excluded groups, to whom it provides advice, representation, and rights-based education.

Although the Clinic's legal focus serves as its guiding compass, the case of La Jagua de Ibirico gave it a renewed mission: to accompany communities in deconstructing gender patterns in pursuit of a just energy transition. This commitment links it with STEUnimagdalena, an interdisciplinary space of young researchers and professors working with Caribbean communities to promote a just, humane, and participatory energy transition. Through research, art, technology, and dialogue among different forms of knowledge, STEUnimagdalena supports organizations, women, LGBTIQ+ communities, youth, and workers in transition in addressing the impacts of extractivism and building more dignified and sustainable alternatives.

Through community projects, educational content, strategic litigation, and cultural processes, these groups amplify territorial voices and promote a transition conceived from the ground up, grounded in social, environmental, and gender justice, to imagine more equitable futures alongside those who inhabit these spaces.

When the end of mining unleashes a crisis in La Jagua de Ibirico

The workshops conducted in La Jagua de Ibirico with different population groups provided firsthand insight into the deep socioeconomic and gender impacts left by the abrupt closure of coal mines that had been established in the territory for decades, rapidly transforming the municipality's economy and productive structure. Mining extractivism became the main economic driver: it generated dependency through direct and indirect employment, boosted local commerce, and attracted people seeking opportunities. However, this dependency deepened gender gaps: the mining sector absorbed most of the available labor force, predominantly male, relegating women to tertiary jobs, mostly washing clothes, cooking, or cleaning houses.



Photo: Diego Pérez, SPDA

The situation worsened in 2021, when Prodeco S.A. abruptly ceased mining operations, citing economic losses due to the international drop in coal prices and the effects of the COVID-19 pandemic. The company's departure was widely covered in the media because it did not include a closure plan, failed to assume socio-environmental responsibility, and did not propose labor reconversion alternatives for the thousands of workers dismissed. The local economy collapsed immediately, and families that had depended almost entirely on mining income were left without a clear horizon (Cardoso et al., 2023).

This rupture intensified pre-existing tensions, including the gender patterns that shaped daily life in the municipality. With mass layoffs, these structures fractured, and previously hidden inequalities surfaced. Economic stress and uncertainty triggered gender-based violence in the territory: according to Colombia's Integrated Information System on Gender-Based Violence (SIVIGE), between 2021 and 2024 cases of gender-based violence steadily increased. In 2024 alone, 102 cases were recorded, mainly involving physical violence, sexual violence, and neglect.

Diverse voices confronting violence and the energy transition

In the workshops, voices from different groups repeated accounts of institutional, domestic, psychological, symbolic, and labor-related violence, as well as discrimination based on gender and sexual orientation. Participants shared experiences lived firsthand, by relatives, and even by people they did not know directly but whose stories were widely known in the municipality. Their testimonies showed that most forms of violence do not appear in official records: women distrust institutional pathways, men feel ashamed to report, youth feel forgotten, and LGBTIQ+ populations have historically been ignored.

Among LGBTIQ+ participants, many testimonies indicated that due to inequality and lack of job opportunities, sex work was sometimes the only economic option. Kelsy, leader of the Association of Trans Women of Cesar, explained how the departure of coal aggravated the vulnerability of trans women engaged in sex work: *"When the miner leaves, that's one less client for sex workers… If we talk about workplace violence, no trans woman has access to a public institution… So we become the epicenter and the object of ridicule within these sectors."*

Among cisgender women, two main issues emerged. Breadwinners denounced gender-based violence and discrimination in the few jobs available to them within the mine. Caregivers, who depended economically on their miner husbands, saw how the crisis intensified cases of gender-based violence. The mine closure also affected those who rented rooms, women who washed clothes, and men who worked as motorcycle taxi drivers: many caregiving families were left unemployed or with drastically reduced incomes.

Young people expressed concern about their future. With the closure of the mines, labor and personal plans they had largely adopted by admiring relatives and acquaintances working in mining collapsed. They were also unfamiliar with many gender-related issues and felt their schools lacked clear pathways to protect them from gender-based violence and discrimination.

Conversations with men offered a new perspective on gender-based violence. With a genuine willingness to learn and question how they have related to others, they acknowledged that such violence does not only affect women or gender-diverse populations, but can also affect them directly, especially those who break with traditional masculine roles. They spoke of mistreatment based on sexual orientation, gender expression, and even self-care practices considered "non-masculine," showing how the system conditions and punishes those who deviate from what is traditionally understood as masculine.

Across all groups, collective fatigue emerged in response to the repetition of diagnoses, workshops, and interviews that do not translate into real solutions or tools to improve quality of life. For this reason, the Human Rights Law Clinic and STEUnimagdalena emphasize that this work is not an exercise in academic extractivism. On the contrary, it arises from and for the community, with the purpose of making historically ignored gender issues visible and providing concrete inputs to strengthen their organizational processes.

Only then can the productive transition already underway in La Jagua de Ibirico also become a gender and social justice transition, in which decisions are not made behind the backs of those who sustain daily life in the municipality.

From the territory to the National Mining Policy

This exercise led to a review of Colombia's 2023 National Mining Policy, the instrument that defines strategies and guidelines for the mining sector in the country. The analysis revealed deep gaps between the policy and the lived realities of the people of La Jagua. The policy ignores the impact of mining on women's bodies and community fabric, renders LGBTIQ+ populations invisible, lacks clear proposals for economic reparation for communities, and overlooks territorial conflicts and the differentiated impact of mining. It also reflects an inadequate use of prior consultation.

Each of these omissions demonstrates the State's disconnection from the community realities of mining-affected territories. In response, and grounded in respect for community voices—without allowing the clinical-legal exercise to impose measures on their needs—public policy recommendations were co-created to provide La Jagua de Ibirico with inputs for a just, gender-focused energy transition.

Co-created recommendations for a just, gender-focused transition

Just as each population group clearly identified its problems, it also recognized the guidelines that should shape its energy transition. Cisgender women reiterated the importance of ensuring women's economic autonomy so that they are not relegated again to economic dependency or become the most affected during crises. The diverse population was unequivocal in highlighting the need to fully include LGBTIQ+ people in both the creation and implementation of policies, so they cease to be invisible to the State and economic actors.

Men agreed on the importance of gender education from childhood through adulthood, especially regarding gender-based violence and reporting pathways. They acknowledged that achieving cultural change requires questioning traditional masculine mandates and opening spaces for dialogue. Young people emphasized the need for their voices to be heard and for gender perspectives to be incorporated throughout the transition, so new generations do not inherit the same patterns of inequality and violence.



Photo: Diego Pérez, SPDA

Shared obligations for the Clinic, the Seedbed and the community

The case of La Jagua de Ibirico gave renewed meaning to the clinical-legal exercise. The co-creation process exemplifies the importance of practicing law from an interdisciplinary approach, guided by community voices. The realities revealed in the workshops reflect the need to strengthen state institutions and to incorporate a human rights and gender perspective in all social spheres, even where it may not seem evident. The struggle for environmental justice must join the struggle for gender equality, where men, women, and diverse populations of all ages live free from violence and discrimination.

The experiences of La Jagua de Ibirico create obligations for the Law Clinic, for STEUnimagdalena, and for the community itself. As part of academia, these inputs must reach policy advocacy spaces and generate participatory scenarios with organizations and institutional actors. Progress has already been made through community-based dissemination events, meetings with the Secretariat for Women of La Jagua de Ibirico, and engagement with national and international organizations. An editorial process is also underway for the publication of a booklet and a book.

However, none of this will matter if the community does not appropriate these inputs and use them in political spaces to support its struggles to transform the territory. Only then can the productive transition already underway in La Jagua de Ibirico also become a gender and social justice transition, in which decisions are not made behind the backs of those who sustain daily life in the municipality.

Finally, we express our gratitude to NRGI for funding this project, to the University of Magdalena for its institutional support, and to the organizations and associations of the territory—ASOCUDIJAI, AMMUCIJAI, ASOMUTRANS, ASPROTUV, NEXUS, and other grassroots organizations—that made this process possible through their participation, commitment, and collective work.

References

- SEI. (2024). *Capacidades institucionales para una transición justa en regiones carboniferas: El caso de La Jagua de Ibirico, Colombia.* Obtenido de https://www.sei.org/wp-content/uploads/2024/10/transicion-justa-la-jagua-sei-2024.pdf
- Cardoso, A., et.al. (2025) Elementos para una transición justa a la salida del carbón: el caso de La Jagua de Ibirico, Cesar, Colombia. Editorial Unimagdalena.
- Grupo Prodeco. (s.f.). Obtenido de https://www.grupoprodeco.com.co/es/nosotros/Terminaci-n-de-las-operaciones-mineras
- SIVIGE. (2024). Obtenido de https://www.sispro.gov.co/observatorios/onviolenciasgenero/Paginas/home.aspx



- Law Clinic on Climate Change, Interculturality, Environment and Human Rights, Fidélitas University, Costa Rica

A law clinic to connect law with real-world conflicts

Photo: Diego Pérez, SPDA

Daniel Araya González is Coordinator of the CIAD Law Clinic at Fidélitas University, Costa Rica. He holds a master's degree and specialization in Constitutional Justice and Human Rights from the University of Bologna, Italy, and a specialization in Agrarian and Environmental Law from the University of Costa Rica. He is an associate professor and coordinator of the Climate Change, Interculturality, Environment and Human Rights Law Clinic at the Faculty of Law of Fidélitas University, Costa Rica.

The Law Clinic on Climate Change, Interculturality, Environment and Human Rights (CIAD) of Fidélitas University in Costa Rica was created as a disruptive and unconventional project aimed at closing a persistent gap: the distance between the law taught in university classrooms and the real conflicts affecting territories, communities, and ecosystems in Costa Rica and across Latin America.

From the outset, CIAD was built on a fundamental premise: its clinical areas of work—climate change, interculturality, environment, and human rights—are not isolated sectoral issues, but complex, interconnected, and multilevel phenomena. They challenge traditional legal categories and demand new ways of researching, understanding, and engaging in legal advocacy.

On this basis, CIAD defines itself as a legal-creative and pedagogical laboratory, where law becomes a living tool for critical analysis, learning, and social contribution, grounded in an ecosocial vision of legal sciences.

Early impact and engagement in public debates

One of the most distinctive features of the CIAD model is that students do not merely study law in the abstract; they produce legally relevant knowledge. In this process, they engage in dialogue with public actors, take part in public policy debates at different levels, interact with directly affected communities—listening and learning from them—and develop concrete skills in drafting reports and technical-legal inputs.

A particularly significant milestone was the production and publication of the academic article *Law status of Food and Nutritional Security in Costa Rica: Climate and Human Rights Perspectives*, published in the Ibero-American Journal of Environmental Law and Natural Resources, No. 50, in December 2024. This work emerged from a collective process of critical research based on data analysis, national and international legal frameworks, jurisprudence, and in-depth discussions within the clinic.

The article was co-authored by faculty and students, marking a turning point in the traditional university dynamic. On the one hand, it strengthened students as active agents in academic production; on the other, it positioned a climate-legal perspective on food and nutritional security within academic and regional debate spaces, connecting it to broader agendas on sustainable development, human rights, and climate justice.

Following this research, CIAD was invited to participate in various national and international academic forums, where students—together with the Clinic's coordination—played a leading role in presenting findings and reflections to diverse audiences. This experience reinforced the university-institution engagement approach, demonstrating that legal impact is not limited to litigation but also includes the generation of critical diagnoses, technical inputs, and legal narratives capable of influencing public decision-making.

Origins and evolution of CIAD

CIAD was formally established in September 2022, in an institutional and national context characterized by limited familiarity with the clinical legal model. Its creation was preceded by a comparative analysis of the development of this model in South America, which received strong support from university authorities.

During 2023, with the first generation of CIAD students, the Clinic refined its identity, objectives, and scope. In this process, it consolidated itself as a flexible and experimental space, integrating clinical methodologies and STEM approaches promoted by Fidélitas University. This path involved curricular adjustments, collective learning, and ongoing dialogue between faculty and students.

As a result, CIAD evolved into a clinical training platform with institutional projection, capable of articulating teaching, applied research, and legal action. Following its creation, the School of Law at Fidélitas University promoted the establishment of four additional law clinics addressing different topics, reflecting the progressive incorporation of the clinical legal model into the program's academic structure.

Clinical methodology and areas of work

CIAD's methodological framework is structured around three main areas:

- contributions to students,
- contributions to faculty, and
- socio-academic impact.

With respect to students, CIAD is conceived as a formative experience distinct from ordinary courses, aimed at promoting comprehensive, interdisciplinary, creative, and practical training. The Clinic encourages exchanges with students from other Latin American universities and from other regions of the world, as well as curricular and public recognition of students as researchers.

Its pedagogical goal is to equip students with the skills and competencies to address different types of cases—particularly those with high social impact—strengthening their capacities in research, legal reasoning, and the drafting of strategic reports, alongside a deep understanding of complex national and regional contexts.

In terms of socio-academic impact, CIAD seeks to renew legal scholarship, inform society about the rights of vulnerable groups and communities, influence the legislative sphere through critical studies and normative proposals, analyze cases of public interest in collaboration with affected communities, promote legal-technological tools for greater public understanding of the law, act as amicus curiae, and contribute to generational renewal within the university, as many clinics function as incubators for future faculty and researchers.

Pedagogical lessons from clinical work

The CIAD experience has generated profound insights. From an educational perspective, it has demonstrated that legal learning is enhanced when built around real-world problems and guided by a clear sense of social responsibility.

One of the most significant lessons has been the horizontalization of knowledge. Within CIAD, students are not passive recipients but critical interlocutors who engage in dialogue with faculty, peers from national and international universities, present at conferences, and connect with territorial and community-based issues. This experience strengthens competencies that are difficult to acquire in traditional courses, such as critical thinking, active listening, interdisciplinary collaboration, and the ability to translate socio-environmental complexities into solid legal arguments.

Although CIAD does not primarily function as a litigation clinic, this characteristic has oriented its work toward strengthening applied legal research. The Clinic embraces methodological pluralism, combining legal, socio-environmental, and intercultural approaches, while promoting legal creativity in the presentation of its findings. Indirectly, it has participated in litigation processes as amicus curiae before Costa Rica's constitutional jurisdiction in the country's first climate case, aimed at incorporating the climate variable into environmental impact assessments.

CIAD is a dynamic process in constant construction—a space where the classroom opens to the world and where an unwavering principle is upheld: learn and contribute.



Photo: Diego Pérez, SPDA

Institutional impact and regional projection

Implementing the clinical model within a legal-academic system largely unfamiliar with this approach required significant institutional learning, including initial resistance, adaptations, and the gradual construction of pedagogical legitimacy. This process not only strengthened CIAD but also opened broader spaces for reflection on legal education and its methodologies.

At the institutional and regional levels, the Clinic has helped to highlight emerging socio-environmental issues and to generate legal inputs that feed public and academic debates. A notable example was CIAD's participation through a technical opinion in the process leading to Advisory Opinion OC-32/25 on climate emergency and human rights issued by the Inter-American Court of Human Rights. This intervention marked the first technical opinion submitted by the School of Law of Fidélitas University before the Court, positioning CIAD within the Inter-American Human Rights System and contributing to the development of regional legal standards on climate matters.

Likewise, CIAD's progressive integration into national and international academic networks—particularly the Alliance of Environmental Law Clinics of Latin America and the Caribbean—has expanded its institutional impact and strengthened its comparative vocation, establishing it as a pioneering experience in Costa Rica and Central America.

Projection and meaning of the CIAD experience

The experience of CIAD demonstrates that it is both possible and necessary to rethink legal education from a critical, creative, and committed perspective attuned to contemporary and future challenges. Its evolution shows how legal clinics can become spaces of institutional innovation, articulating teaching, applied research, strategic litigation, legislative advocacy, and participation in public policy processes.

CIAD's ongoing commitment is to train jurists capable of formulating precise questions, understanding the complexity of contemporary problems, and constructing contextualized, ecologically aware, and institutionally responsible legal responses.

CIAD is a dynamic process in constant construction—a space where the classroom opens to the world and where an unwavering principle is upheld: learn and contribute.



● Berta Cáceres Law Clinic for Environmental Justice, Department of Law, Universidad Iberoamericana, Mexico City, Mexico

Feldspar mining in the municipality of Zacatlán, Puebla, Mexico

Photo: Berta Cáceres Law Clinic for Environmental Justice

Axa Ballesteros Cueto is a law student at Universidad Iberoamericana, Mexico City.
Daniela Chelminsky is a student in environmental sustainability at Universidad Iberoamericana, Mexico City.

We all say that human sacrifices are unacceptable. It is almost a universal ethical agreement. But when sacrifice is disguised as "development" or "progress," that clarity becomes blurred. Other forms of sacrifice then emerge: slow, normalized, and structural. In Mexico, these forms have a name: sacrifice zones. Entire territories handed over to sustain an economic model that benefits a few while degrading the lives of thousands. Whole towns, communities, families, mothers, fathers, and children offered up by a nation that calls itself developing. All share strategies of dehumanization under the narrative of progress.

Zacatlán as a sacrifice territory

The municipality of Zacatlán, in Puebla, is a direct example of this dynamic. Specifically, in the communities of Metepec (1st and 2nd sections), Atexca, Las Lajas, Metlaxixtla, and other surrounding areas, a sustained increase in environmental pollution linked to mining activity has been identified.

Mining arrived in the 1960s, when the region became a national reference point for the extraction of non-metallic minerals, especially feldspar. Since then, national and foreign companies gradually took control of the territory, the institutions, and the few employment opportunities, becoming part of the landscape. The local environmental committee estimates production at close to 5,000 tons of feldspar per month, a figure that reflects excessive pressure on the territory, turning the municipality of Zacatlán into a locality particularly vulnerable to mining overexploitation, without effective regulatory or environmental compensation mechanisms.

Extraction in Zacatlán is carried out through open-pit mining, which involves completely clearing forests, removing topsoil, and leaving the land exposed. This causes irreversible damage to ecosystems, aquifers, and ecological structure. The mineral then undergoes processes requiring large quantities of water and, in some cases, hydrofluoric acid, a highly toxic compound. In addition, drilling and crushing release respirable crystalline silica, a recognized carcinogen that can cause silicosis. Nearby communities have reported increases in respiratory diseases, entirely consistent with daily exposure to mining dust.

Water: the breaking point

Water is one of the most critical issues. Mining uses thousands of liters daily, and in several cases excessive or even illegal extraction from springs and community wells has been documented. This directly contradicts Article 4 of the Constitution and reforms that prioritize human use in contexts of water stress.

This is compounded by contamination of springs, streams, and lagoons such as Atexca, where mining waste has altered the color, odor, and quality of the water to the point of making it unusable for agriculture or domestic use. It has a direct impact on the region's water security. The effects do not appear in the form of large, visible disasters, but through slow changes: rivers turn white, clouds grow denser, and the lungs of children attending preschool in front of the mine begin to feel the feldspar dust. These are transformations that rarely make headlines or trigger official responses, yet they completely reshape life in the territory.

Children bear a disproportionate impact. Not only because of their greater respiratory vulnerability, but because they are denied their right to a healthy, protected environment free from environmental risks. This constitutes a direct violation of the best interests of the child.

This situation also erodes the social fabric: the community becomes divided between those who depend on the mine and those who seek to denounce its effects. That fragmentation makes collective organization more difficult and benefits the companies.

The evidence is there: in the water, in the soil, in the air, and in the health of the population. All point to violations of the right to water and to a healthy environment.

The narrative of employment and progress

The Inter-American Court of Human Rights, in the case of La Oroya v. Peru, declared that sacrifice zones are areas where environmental contamination is so severe that it constitutes a systematic violation of the human rights of their residents. "Some lives and ecosystems become disposable and sacrificable, fed by structural forces, both historical and contemporary."

As in the municipality of Zacatlán, the narrative repeats the same arguments: "the mines provide jobs," "it is necessary for the economy," "this is progress." In this way, certain bodies and territories are expected to bear the cost and be sacrificed. We have reached the point of accepting that some lives are expendable in the name of capital.

Although it is insisted that mining is essential for national development, its contribution to GDP barely reaches around 2%, according to figures from the National Institute of Statistics and Geography (INEGI). Even so, the industry remains politically untouchable. A few concentrate the profits; thousands absorb the environmental, health, and social impacts.



Photo: Berta Cáceres Law Clinic for Environmental Justice

This model works because the idea has taken hold that as long as there is employment, any sacrifice is justifiable. Even the affected communities are convinced that their deterioration is a price they must pay. In 2020, according to data from the Ministry of Economy, Mexico had 20.7 million hectares under mining concessions, equivalent to 10.35% of the national territory. Of that total, 14.7 million hectares were in private hands and 6 million under the control of the Mexican Geological Service.

The false balance between economy and environment

Mexican mining is positioned as one of the strategic sectors within the National Development Plan 2025–2030. The Secretary of Economy, Marcelo Ebrard, argues that "the president's commitment is to strengthen the country's technical and technological capacity in 21st-century mining: sustainable, socially responsible, and respectful of the environment and water stress." This is difficult to believe considering that, according to the General Directorate of Mines of the Ministry of Economy, more than 270 accidents related to mining activities occurred in Mexico in the past decade alone. These accidents include tailings leaks (sludge and toxic waste remaining after extraction processes) and spills of toxic compounds into rivers and other bodies of water.

Thus, the discourse of "national development" drowns in a lie, because it is not development for the nation but for a handful of business owners who benefit from collective misfortune. Mining generates enormous profits for mine owners, while in the populations where it operates it has produced conditions of precarity, contamination, and insecurity. What is the price of life? What is the price of health, clean air, and drinking water? What is the price of fertile soils and living forests?

Environmental crises exacerbate inequality; the most vulnerable groups are the most affected by their impacts and usually have less capacity to adapt and recover. Mining companies take advantage of this cycle of persistent poverty that they themselves generate, where rural communities with lower incomes are poisoned, lose their fertile soils and drinking water, and are driven to seek employment in the mine in order to meet their basic needs.

The position of the Mexican government reproduces the idea of a "balance" between economy and environment; however, in practice, the balance always tilts toward companies. In this sense, a series of contradictions arise in the territory that make no sense. There is no water, yet the mining industry requires large amounts of it to function. So there is water—just not for the people.

Over time, the idea of "progress" gains greater prominence, along with technologies that allow extraction to be faster and more intensive, making extraction rates incompatible with any life cycle. In Mexico, canceling a mining concession for causing contamination is practically impossible. There is not a single case in which the authority has revoked a concession exclusively due to environmental damage.

The legal framework favors the permanence of the extractive project over any evidence of harm, even when fundamental rights are violated. The reality experienced by the communities of Metepec (1st and 2nd sections), Atexca, Las Lajas, Metlaxixtla, and other surrounding areas in the municipality of Zacatlán, Puebla, bears witness to all of these assertions.

Our participation has not remained at the level of understanding the problem; it has gone further by allowing us to engage in building solutions alongside the affected communities. This has enabled us to acquire new professional skills while putting our knowledge at the service of people and territories suffering the consequences of mining predation.

The work of the Law Clinic in Zacatlán

From the Law Clinic for Environmental Justice Berta Cáceres (CJJA) at Universidad Iberoamericana, Mexico City campus, we have been working for more than a year with the affected communities. In the face of institutional inaction, the clinic has provided support in environmental and human rights matters, enabling the documentation of harms, the systematization of evidence, and the construction of a strong bond with those mobilizing against mining activity in the region. It has been possible to give names and faces to those whose health, territory, and future have been affected by mining activity.

Having the enormous privilege of being part of this process has allowed us, as students, to experience rights violations and impacts on people's lives that are understood differently when not only read about, but lived through conversations, site visits, and direct observation of the serious consequences mining has in these territories.

Our participation has not remained at the level of understanding the problem; it has gone further by allowing us to engage in building solutions alongside the affected communities. This has enabled us to acquire new professional skills while putting our knowledge at the service of people and territories suffering the consequences of mining predation.



- Environmental Law Clinic of the Environmental Law Workshop (TDA) of the Peruvian Society of Environmental Law (SPDA), Peru

Evidence, youth, and justice: the SPDA Environmental Law Clinic in action

Photo: Diego Pérez, SPDA

Carol Mora is director of Environmental Policy and Governance at SPDA and promoter of the Environmental Law Clinic.
Francisco Rivasplata is legal advisor for Environmental Policy and Governance at SPDA.
Wendy Ancieta is legal coordinator for Environmental Policy and Governance at SPDA.

In 2022, on Chorrillos beach in the district of Chancay, Lima province, a set of geotubes—geosynthetic structures filled with sand to prevent coastal erosion—installed along the shore began to alter the coastline. These structures, part of a large-scale port infrastructure project intended to maintain coastal morphology, raised concern among local residents due to their visible impact on the landscape and wildlife, as well as the way they transformed the community's relationship with the coastal environment.

This was one of the cases analyzed in the first edition of the Environmental Law Clinic of the Environmental Law Workshop (TDA) of the Peruvian Society of Environmental Law (SPDA). A group of students chose to study the legal implications of the potential environmental impact of the geotube installation in the context of the Chancay megaport project, now considered one of the region's most important infrastructure developments.

The starting point was a set of central questions: What are the implications of this intervention for people's right to enjoy a balanced and adequate environment, recognized in the Political Constitution of Peru? What do the environmental management instruments approved for the construction and execution of the megaport stipulate regarding the installation of these geotubes? Based on these concerns, the student group proposed the case according to previously agreed selection criteria and applied the SPDA's clinical methodology: mapping the institutional framework, reviewing and analyzing the regulatory framework, gathering evidence-based information, and working closely with affected communities.

After several months of research and analysis, students María Nilda Palacios Aronés, Alexander Huamaní Ortiz, Lesly Gallardo Nuñez, and Freddy Gonzalo Rivera Maguiña visited the intervention area to collect evidence, interviewed various stakeholders, analyzed the information, and produced a findings and legal report identifying risks, gaps, and opportunities for improvement in environmental governance related to the project. The report was submitted to the competent

institutions and stakeholders. A few months later, the geotubes were removed—a milestone that, within this edition, reinforced the idea that rigorous, collaborative, evidence-based work can contribute to public decision-making and access to environmental justice.

The Chancay story did not begin in a courtroom but in a classroom. This is precisely where the SPDA Environmental Law Clinic seeks to operate: as a laboratory in which youth explore, under expert guidance and with real cases, how the law can serve society and the public interest.

40 years of SPDA and 25 years of TDA: a renewing tradition

For 40 years, the SPDA has promoted the design and implementation of public policies that structurally integrate the environmental variable into human development. Over time, the SPDA has become both a learning space and a platform for teaching and building knowledge through various educational and exchange modalities.

Within this framework, 25 years ago, the first edition of the TDA began—a training and research program that has educated law and related field students nationwide on the most important environmental challenges. These young people gain their first academic or professional experience in environmental matters while seeking to deepen their specialization and consolidate their trajectory in environmental law.

For more than five months, students attend specialized environmental law sessions twice a week in a hybrid format, allowing participation from across the country and fostering the exchange of ideas and experiences. Notably, from its first edition, the TDA has been free, accessible, and without financial barriers. Sessions are led by national and international experts. In recent years, the program has received over 500 applications per edition, reflecting strong youth interest in environmental causes.

At the end of the TDA, students must submit a research article as part of the assessment system. Since 2025, the most outstanding students join an extension of the TDA: a three-month program in the SPDA Environmental Law Clinic.

The clinic functions as a laboratory for social change and a platform to identify structural weaknesses in Peru's environmental justice system that need to be addressed.

The Environmental Law Clinic: learning environmental law through experience

The SPDA Environmental Law Clinic is an applied space that integrates legal institutions and concepts developed during the TDA's theoretical phase. It aligns with the SPDA's mission as a civil society organization committed to Peru's environmental causes, environmental law dissemination, high-impact litigation, and finding real solutions to socio-environmental problems. The clinic functions as a laboratory for social change and a platform to identify structural weaknesses in Peru's environmental justice system that need to be addressed.

The first edition of the SPDA Environmental Law Clinic began in February 2025, aiming to expand the TDA's impact and integrate law's social and practical functions. The process drew on the experiences, achievements, and values cultivated by environmental legal clinics in the Regional Alliance of Environmental Law Clinics of Latin America and the Caribbean over the years.

The clinic's inaugural edition convened 16 young graduates from the TDA's 23rd edition, who demonstrated outstanding participation and received high marks for their research articles. Students selected timely cases to apply research and analytical tools under the mentorship of SPDA experts and through sessions on legal strategies and the clinical legal model.

The SPDA clinic developed ten sessions following a sequential methodology:

- Initial sessions to present the clinical model and jointly select public-interest cases proposed by students;
- Planning sessions where students diagnosed chosen cases, identified relevant state and private actors, highlighted key legal issues, and designed potential legal strategies;
- Implementation sessions for executing the designed legal strategies;
- Evaluation sessions where students reviewed results with feedback from instructors and peers, identifying improvements and lessons learned.

This edition included students from diverse fields (law, biology, journalism, among others), resulting in a wide variety of cases. Selected cases addressed odor pollution, environmental impacts from megaprojects, regulatory regression regarding protected natural areas, and coastal environmental impacts from extractive industries. Multidisciplinary teams enabled analysis from multiple perspectives and strategy development.



Photo: Diego Pérez, SPDA

The SPDA clinical model integrates methodologies from Peruvian and Latin American law faculties, adapted to the dynamics of a civil society organization and research center, fostering experiential learning and the use of innovative legal tools. SPDA contributes its institutional experience in strategic litigation and monitoring public-interest cases to encourage students to develop critical analysis, evidence-based research, and law's social function.

Networks that multiply impact: from the Regional Alliance to the National Network of Environmental Clinics

SPDA emphasizes alliances with academia, research centers, and youth capacity building, recognizing youth as the present and future protagonists in the pursuit of environmental and climate justice. The SPDA clinic's conception and incubation were inspired by environmental law clinics at national universities such as Pontificia Universidad Católica del Perú (PUCP), Universidad Científica del Sur, Universidad Antonio Ruiz de Montoya, and Universidad del Pacífico.

Regionally, the experience and legacy of clinics from Universidad del Rosario, Universidad Externado, Universidad de los Andes (Colombia), Universidad de Chile, Universidad Iberoamericana (Mexico), Universidade Federal do Pará, Universidade do Estado do Amazonas, and Universidad Fidélitas (Costa Rica) were critical to the SPDA clinic's foundation and development.

Without a doubt, willingness, receptivity, and shared values focused on teaching have been fundamental in achieving coordination between academia and a civil society organisation. Thus, since 2024, the SPDA has been part of the Latin American and Caribbean Environmental Law Clinics Alliance.

Similarly, following a process of exchange and joint commitment in Arequipa (Peru), the environmental law clinics of the law faculties of various universities in the country developed and committed to the creation of a National Network of Environmental Law Clinics. This is an important milestone in strengthening clinical teaching in Peru, as it enhances coordination and the exchange of knowledge, experience and contexts for identifying and monitoring joint cases of public interest in environmental matters.

The National Network of Environmental Law Clinics, created after the First Meeting of Environmental Law Clinics, was formally established with the Declaration of Arequipa in 2025, signed by thirteen law clinics from various universities in Peru. Our Environmental Law Clinic, together with the Environmental Management Clinic of the University of the Pacific and the Faculty of Law of the University of San Agustín in Arequipa, have assumed the Technical Secretariat of the Network, as well as the commitment to promote this space.

Looking ahead: new editions, territories, and rights

In 2026, the SPDA will hold the second edition of its Environmental Law Clinic, selecting 22 students with outstanding performance from the 24th TDA edition (2025). Cases from Loreto and Madre de Dios will be incorporated to decentralize learning.

Additionally, the clinic will introduce analysis of rights recognized in recent Inter-American Court of Human Rights rulings, such as the right to science and the right to a healthy and safe climate, challenging students to explore how these rights are integrated into national law.

As part of the National Network of Environmental Law Clinics' Secretariat, SPDA will consolidate the network and promote the creation of new environmental law clinics across universities, developing materials to guide institutions in applying the clinical method to environmental cases.

Youth, evidence, and environmental justice

The clinical methodology is a powerful tool to inspire new generations in pursuing environmental justice, enabling them to lead legal and social changes with tangible impact. SPDA remains committed to providing a safe, critical, academic, and high-quality space for young professionals to apply TDA learnings and expand their professional tools.

SPDA will continue promoting clinical methodology for environmental cases requiring attention, public advocacy, and academic debate. The organization will strengthen alliances with existing network clinics and use the Second National Meeting of Environmental Law Clinics to showcase these tools, clinic achievements, and results, inspiring other universities, institutions, and youth to engage in public-interest environmental issues.



- Environmental Management Clinic of Universidad del Pacífico (CGA), Peru

Artisanal and small-scale mining in Peru: the law that can organize chaos or deepen it

Photo: Diego Pérez, SPDA

Milagros Granados is an attorney specializing in environmental law and public policy. She coordinates the Environmental Management Clinic of Universidad del Pacífico, focusing on applied research and policy analysis related to the environment, mining, and other extractive activities.

For more than two decades, artisanal and small-scale mining (ASM) has grown in Peru under a weak legal framework, repeatedly extended, with visible consequences for territories, the environment, and state governance. Today, as Congress debates a new law intended to regulate this activity, the risk of repeating past mistakes remains high.

In this context, the Environmental Management Clinic of Universidad del Pacífico intervened in the legislative debate with empirical evidence and concrete proposals, focusing on critical points in the gold production chain and the regulatory gaps that have allowed informality and illegality to expand.

In Madre de Dios, areas once covered by forests are now deeply altered by artisanal and small-scale mining.

Gold extraction has displaced large volumes of soil and modified watercourses, leaving extensive degraded areas that no longer perform basic ecological functions. A significant portion of deforested areas is contaminated and unlikely to recover in the short term.

This deterioration has direct consequences for local populations. Exposure to mercury, loss of water sources, and territorial transformation affect health, food security, and living conditions in communities that have coexisted with poorly regulated mining for years. In many cases, state presence is weak or intermittent, allowing these activities to operate outside effective rules.

What occurs in Madre de Dios is not exceptional. It reflects a broader problem: for more than twenty years, ASM grew under a formalization process repeatedly extended without demanding real compliance with environmental, technical, or safety obligations. This design allowed informality to consolidate, alongside the expansion of illegal economies and violence.

Currently, the Peruvian Congress is debating a law that aims to comprehensively regulate ASM. Its content will determine whether the country corrects accumulated failures or reproduces, under a new legal framework, the same problems that have weakened territories and the state itself.

In this scenario, the Environmental Management Clinic of Universidad del Pacífico intervened with evidence and concrete proposals.

What ASM is and why it is now a structural problem

Artisanal and small-scale mining is not marginal in Peru. It accounts for 20–30% of gold production and provides income for hundreds of thousands of people. It is estimated that 300,000–500,000 people work directly in ASM, while roughly one million depend on it indirectly through services, trade, and related local economies.

However, its economic relevance contrasts sharply with the precarious framework that has governed it for more than twenty years. The 2002 formalization process was conceived as a transitional regime aimed at progressive compliance with environmental and technical obligations. In practice, its temporary nature was lost. Successive extensions allowed thousands of operators to continue functioning without minimum standards or effective oversight.

This design produced a known effect: formalization ceased to be a pathway to legality and became, in many cases, an administrative cover to operate outside the rules. Informality persisted, environmental impacts accumulated, and the state's capacity to regulate the activity weakened.

Today, ASM is not just an environmental or production challenge—it is a structural governance problem. Where regulation is weak, spaces open for illegal economies, territorial control by criminal networks, and erosion of public authority. Understanding this dimension is key to evaluating any new regulatory attempt.

The law under discussion and the risk of repeating errors

In this context, Congress is debating a bill to comprehensively regulate ASM. The proposal seeks to reorganize the activity, introduce traceability tools, and replace the current formalization registry. On paper, this represents progress compared to the insufficient previous regime.

The problem is not the existence of a new law but its design. As drafted, the project retains the same elements as the previous model: declarative registrations, authorizations without prior verification, and controls based on documents

A law with these features risks repeating past errors. Changing the registry name or digitizing processes does not guarantee greater control or reduced informality.

rather than territorial oversight. It also introduces critical provisions, such as authorizing alluvial mining despite its prohibition due to severe and persistent impacts.

A law with these features risks repeating past errors. Changing the registry name or digitizing processes does not guarantee greater control or reduced informality. Without clear, enforceable, and verifiable rules, the new regulation could consolidate practices it seeks to correct. Thus, the debate concerns not just sectoral reform but the state's ability to regain control over a complex activity.

Evidence-based diagnosis: real ASM impacts

ASM's effects manifest in cumulative impacts on the environment, society, and the economy. Environmentally, soil displacement, river alteration, and mercury use have degraded Amazonian and Andean ecosystems. In regions such as Madre de Dios, some deforested areas remain permanently affected, with persistent contamination and limited recovery potential. Air quality issues also directly affect local populations.

Social consequences are equally severe. ASM often occurs in informal contexts, with precarious labor conditions and exposure to health risks. In areas where informal and illegal mining coexist, conflicts, insecurity, and distrust in authorities increase. It is not coincidental that districts with high homicide rates overlap with zones of strong illegal mining presence.

Economically, the control gap is evident. In 2024, Peru exported around 200 tons of gold, of which only 90 tons were officially declared. Over 100 tons entered the international market without verifiable origin, fueling a parallel economy valued at billions of dollars and strengthening criminal networks.

These impacts are interconnected and reveal a central problem: the absence of an effective control system across the entire production chain, from territorial access to final gold commercialization.

The law and critical points in the production chain

Analysis of the bill shows that many of ASM's most severe problems are not effectively addressed, and in some cases, new risks are introduced.

A major concern is territorial access. The bill allows alluvial mining under a special regime, despite prohibition due to severe damage to rivers, soils, and Amazonian ecosystems. Experience in Madre de Dios has shown that this method causes deep degradation and environmental liabilities difficult—or impossible—to recover. Allowing it under weak state oversight could significantly expand these impacts.

During extraction, the law does not differentiate risk levels by operation type. Subsurface mining differs from intensive seasonal extraction, but the bill treats them similarly. This prevents enforcing basic environmental and safety measures tailored to operation type. Mercury regulation, a major health and environmental hazard, remains partial and insufficient.

Another critical point is processing plants, where gold is refined before sale. These facilities concentrate much of the problem, as mineral of legal, informal, and illegal origin converges there. While the bill introduces registries and digital platforms, oversight remains declaration-based without on-site inspections or independent audits, limiting effectiveness against illegal gold entering the market.

In commercialization, the law fails to close gaps between production, transport, and export. Without effective controls and real information exchange among state entities, the parallel gold economy persists, directly impacting security, the environment, and public revenue.

Finally, formalization remains a challenge. The bill proposes replacing the REINFO registry with RENAPMA, but the change is largely nominal. The new registry retains the declarative approach without effective prior verification, risking the repetition of granting the appearance of formality without real oversight.

Clinic proposals and intervention

The Environmental Management Clinic of Universidad del Pacífico approached the legislative debate with a comprehensive perspective. Its work assumes that regulating ASM requires understanding the full production chain and designing enforceable rules.

Based on applied research and input from law, economics, environmental, and safety specialists, the Clinic proposed concrete measures to strengthen the bill. These include technical and territorial criteria for concessions, explicit prohibition of alluvial mining, comprehensive mercury regulation, and enhanced oversight of processing plants.

A fully integrated traceability system connecting production, transport, processing, and commercialization is proposed, alongside a shift in formalization towards ongoing and prior compliance verification.

Experience shows that without effective control mechanisms, regulation remains paper-based and state presence absent. The law must enable real oversight to prevent repeating past mistakes.

The Clinic's experience demonstrates that academia can directly inform public policy, linking technical knowledge to concrete decisions and strengthening democratic debate.

Why this academic intervention matters

Debates on ASM oscillate between tolerating informality and repressive responses. Academic intervention plays a distinct role: providing evidence, identifying design flaws, and translating complex problems into viable solutions.

The Clinic's experience demonstrates that academia can directly inform public policy, linking technical knowledge to concrete decisions and strengthening democratic debate.

This intervention also has a formative effect, involving students and young professionals in analyzing real public problems and constructing solutions in the general interest. In contexts of institutional distrust, this connection between academia, policy, and citizens is especially valuable.

Conclusion

- In territories like Madre de Dios, decades of informality have left degraded landscapes and communities exposed to ongoing risks. Legislative decisions will determine whether these harms continue or whether the state regains capacity to regulate.
- Regulating artisanal and small-scale mining does not deny its economic importance but establishes clear limits and effective control mechanisms. Without real verification, full traceability, and oversight at critical points, any new law will remain insufficient.
- When normative decisions have direct consequences for territories, lives, and safety, evidence cannot be ignored. For this reason, academia has intervened—and it will not return to silence.



- Scientific Environmental Litigation Clinic of the Faculty of Law and Economics at the Universidad Científica del Sur (Lima), Peru

The Scientific Environmental Litigation Clinic in defense of the environment in the context of the formalization process of small-scale and artisanal mining in Peru

Photo: Diego Pérez, SPDA

Andrés Dulanto Tello is Dean of the Faculty of Law and Economics at the Universidad Científica del Sur (Lima, Peru) and a member of the IUCN World Commission on Environmental Law.
Helmut Olivera Torres is Director of the Scientific Environmental Litigation Clinic of the Faculty of Law and Economics at the Universidad Científica del Sur (Lima, Peru).
Lilibeth Diaz Dueñas is a member of the Scientific Environmental Litigation Clinic, an environmental engineer, and a Law student at the Universidad Científica del Sur (Lima, Peru).

On April 5, 2025, the department of Apurímac, Peru, was the scene of a tragedy: three young artisanal miners—two of them practically adolescents—lost their lives inside a mine shaft after allegedly attempting, for fifteen days, to extract gold illegally and without even the minimum framework of protection. The probable cause of death was intoxication, highlighting the mortal danger faced by those who carry out this work under precarious conditions and the significant limitations of the State in preventing such activities.

While this situation is extremely harmful to the health, integrity, and lives of mining workers, it also negatively impacts the broader population due to the environmental damage it causes—damage that, in the Amazon, has translated into harm to rivers, the clearing of thousands of hectares of forest, and ecosystem degradation. Moreover, in certain areas, these activities are accompanied by crimes such as human trafficking and contract killings. The deaths of these young men thus reflect a chain of problems with nationwide environmental implications.

This event invites deep reflection on the factors that lead such young people to risk their lives in the depths of a clandestine mine. It is therefore fair to ask: how did we get here? Why do young people risk engaging in activities that endanger their lives and harm the environment?

The structural problem: the illusion of gold and the failure of REINFO

Over the last quarter century, the price of gold has increased fifteenfold, rising from 284 dollars per ounce in 2000 to 4,318 dollars in December 2025. At the same time, mining activity in certain departments has contributed to reductions in poverty, as is precisely the case in Apurímac.

The convergence of these two factors—the increase in gold prices and poverty reduction in some regions of Peru—has created disproportionate incentives for the growth of illegal mining under the promise of high and quick earnings. This dynamic affects not only workers' safety but also public health and environmental protection.

To address this reality, the Peruvian State adopted the Comprehensive Mining Formalization Registry (*Registro Integral de Formalización Minera*, REINFO) in order to formalize small-scale and artisanal mining. Under this scheme, registered miners are not required—during the process—to meet certain environmental requirements (such as those contained in an environmental impact assessment) and are not prosecuted for the crime of illegal mining. Although these measures were conceived as temporary, repeated extensions have effectively turned them into a permanent policy.

Despite these incentives, REINFO has proven inefficient, formalizing just over 2% of registered miners despite multiple extensions. This demonstrates that, rather than serving as a pathway to formalization, REINFO has encouraged polluting activities within a framework of environmental flexibility, weak oversight, and a criminal law regime that ultimately incentivizes impunity.

Who we are and why we intervene

In light of this situation, the Scientific Environmental Litigation Clinic (CLAC) has taken an active role by conducting research and generating spaces for debate, determined to effectively influence State institutions in defense of the environment against illegal mining activities.

CLAC is an initiative of the Universidad Científica del Sur (Peru), composed of Law students and students from sustainability-related programs. Through strategic litigation, it intervenes to defend, guarantee, and promote environmental protection in response to laws, public policies, and actions by both the State and private companies. At the same time, it enhances students' learning through the clinical method.

CLAC's research indicates that there may be more than 300,000 small-scale and artisanal mining operators, many without environmental authorization or safety measures, producing over 15 tons of gold per year.

During 2025, CLAC focused its efforts on analyzing how the formalization rules for small-scale and artisanal mining affect the environment. This led to the preparation of a multidisciplinary technical-legal report, which was submitted to the Congress of the Republic of Peru to warn of the harmful ecosystem impacts that would result from the approval of bills seeking to expand REINFO's scope.

The evidence: science speaks clearly

CLAC's research indicates that there may be more than 300,000 small-scale and artisanal mining operators, many without environmental authorization or safety measures, producing over 15 tons of gold per year. This activity amounts to approximately 500 million dollars, yet operates without adequate controls—helping explain why environmental damage has spread across various regions of the country.

The number of illegal miners in Peru has grown dramatically, generating devastating environmental impacts that coincide with successive REINFO extensions, which have allowed thousands of operators to continue working without meeting environmental standards.

One of the most striking findings is the expansion of illegal mining into 49 sectors nationwide, including highly ecologically sensitive areas such as the Tambopata National Reserve and the Amarakaeri Communal Reserve. Between 2015 and 2017, illegal mining activities were recorded in 18 national parks, sanctuaries, national reserves, landscape reserves, communal reserves, and other protected areas.

The most severe impacts fall on Amazonian ecosystems. The Ministry of the Environment reported that in Madre de Dios, alluvial mining has already devastated more than 50,000 hectares of forest and contaminated soils and waters with mercury and cyanide. Forest loss has shown a growing trend: 5,603 hectares in 2001, 14,286 hectares in 2010, and 23,142 hectares in 2021—evidence of accelerating ecosystem deterioration.

REINFO's flexibility—allowing operations based solely on sworn statements and without environmental impact assessments—has created an environment where environmental degradation occurs without prior evaluation or sanction. As Peru's Constitutional Court has warned, regulatory regimes cannot become a "refuge of impunity," permitting polluting activities to continue under the guise of formalization.

The legal strategy: defending the Constitution

Several members of Congress introduced bills to extend REINFO's validity (whose latest extension expired in December 2025). These bills were consolidated into a report issued by the Congressional Energy and Mines Committee, proposing to extend the formalization process until December 31, 2027, suspend the procedure for removing miners from REINFO, and reinstate those previously excluded.

In response, CLAC deemed it essential to intervene in the parliamentary process by submitting a report urging Congress not to approve the proposal. The report argued that extending REINFO's formalization regime violates the right to a healthy environment and the reinforced due diligence obligations required by the Inter-American Court of Human Rights. Although intended as temporary, the regime has been repeatedly extended without producing real results, allowing thousands of operators to continue working without meeting minimum environmental standards.

Additionally, maintaining this regime allows operations without approved environmental studies and shields those responsible for illegal mining from criminal conviction—violating environmental principles and exacerbated by the proposal to reinstate previously excluded miners.

Regarding the proposed suspension of exclusion procedures—which would prevent the removal of operators who fail to meet environmental obligations—CLAC warned that this would enable the continuation of activities already causing severe impacts, contrary to the State's duty to protect the right to a healthy environment.

Congress: from bill to law no. 32537

Between 2024 and 2025, four bills favoring the formalization of small-scale and artisanal mining were introduced and evaluated by the Congressional Energy and Mines Committee. On November 24, 2025, a consolidated report was approved containing the following measures: (i) extension of the formalization process until December 2027, (ii) suspension of REINFO exclusion procedures, and (iii) reinstatement of miners excluded from REINFO.

The report moved to the plenary for debate and voting. On December 4, 2025, prior to the debate, CLAC sent its report to spokespersons of all congressional caucuses and to legislators known for their commitment to environmental protection, recommending rejection of the proposal.

That same day, Congress approved (in first vote) a legislative proposal partially aligned with CLAC's recommendations. The exclusion procedure remained in force, and previously expelled miners were not allowed to re-enter REINFO, preventing the adoption of measures contrary to the right to a healthy environment. Although REINFO's validity was extended, it was limited to December 2026 rather than 2027.

The bill was approved in second vote on December 17, 2025, and Law No. 32537 was published on December 26, 2025, entering into force the following day.

What changed for people and the environment

CLAC's intervention helped prevent the passage of a legislative proposal that threatened environmental sustainability. The law now establishes that the mining formalization process and REINFO's validity will not extend beyond December 2026. It also blocked the reinstatement of infringing miners, preventing

intensified damage to critical ecosystems—especially in Amazonian regions where vulnerable Indigenous populations depend on resources threatened by illegal mining.

Lessons and next steps

Following its legislative advocacy, CLAC disseminated its findings through national television and social media, explaining the impact of its environmental defense. This communication strategy aimed to raise public awareness and demonstrate that organized civil society can positively influence legislative design. It reinforced the idea that citizen oversight is a real tool for ensuring laws aligned with environmental protection.

CLAC's work in this case shows that evidence-based academic participation is crucial to improving the quality of laws in Peru. Nevertheless, it remains essential to monitor compliance with environmental measures contained in mining formalization regulations.

Accordingly, CLAC remains committed to overseeing the implementation of Law No. 32537, seeking to safeguard the environment as effectively as possible during what is ideally the final year of the small-scale and artisanal mining formalization regime.

Closing

- The memory of the three young miners who died in Apurímac reminds us of the devastating consequences of illegal mining for life, health, and the environment. While past tragedies cannot be undone, such events underscore the importance of vigilance—by both the State and civil society (including academia)—in defending the environment within their respective spheres.



• Environmental Law Clinic of the Faculty of Law at the Pontificia Universidad Católica del Perú (PUCP)

Looking back at the Earth through the eyes of law

Photo: Waldir Giraldo, SPDA

Andrea Mariana Dominguez Noriega is a Peruvian environmental lawyer and professor, trained in the PUCP Environmental Law Clinic, where she has been a student, assistant, and now professor. From this space, she promotes clinical learning as a driver of environmental justice, weaving networks across Latin America and contributing to the construction of a global network of environmental legal clinics committed to protecting life and the planet.

Milagros Elizabeth Sotelo Fiestas holds a law degree from PUCP. Her experience in the Environmental Law Clinic course—first as a student and now as a volunteer—rekindled her vocation to dedicate herself to Environmental Law.

- Is there life on other planets? Are we alone in the universe?

These questions have accompanied humanity throughout history and were, at first, what propelled us to cross the atmosphere and dream of other worlds. Yet while we fixed our gaze on the stars in search of answers, we lost sight of the value of the only planet we know sustains life.

In Latin America, that loss is not merely a scientific abstraction. It manifests in polluted rivers, devastated forests, fragmented territories, and communities bearing the costs of a deeply unequal development model. The so-called triple planetary crisis—climate change, biodiversity loss, and pollution—has a face, a name, and social conflict.

What does it take to redirect our gaze toward the environmental problems we face today? Perhaps we must symbolically become astronauts and experience what inspired William Anders to say that the most important part of the journey to the Moon was precisely "discovering the Earth." The Overview Effect describes that profound shift in consciousness that occurs when observing our planet from space: fragile, interconnected, and without visible borders—awakening an urgent desire to protect it.

Not all of us will travel to space. But we can—and must—change the way we look at the territory we inhabit. From the perspective of Law, one possible response to this challenge has been clinical legal education. In particular, environmental law clinics have become spaces where students, professors, and volunteers learn to look back at the Earth—this time from the territory, from lived experience, and from environmental justice.

It is from this conviction that the Environmental Law Clinic of the Pontificia Universidad Católica del Perú (PUCP) works: as a formative space where Law ceases to be an abstract discipline and becomes a living tool in the face of real environmental conflicts.

Learning law by looking around

We—professor and student, two women at different stages of legal education—agree on something: environmental law is not understood solely by reading statutes. It is understood when conflict ceases to be hypothetical and becomes a concrete reality that demands engagement.

At the PUCP Environmental Law Clinic, the first assignment is not to memorize concepts, but to pause and observe. To identify a real environmental issue—nearby or invisible—that requires legal intervention. It might be a threatened wetland, a community exposed to contamination, an ecosystem lacking effective protection, or environmental defenders at risk.

That first step—careful observation—seems simple, but it is profoundly transformative. Students discover how the environmental variable cuts across daily life, bringing into the classroom issues that may previously have gone unnoticed—even by themselves.

Imagine you are a law student and also a competitive athlete who trains weekly at the National Sports Village in Lima. One day, upon receiving this assignment, you notice a concrete factory operating right next to the training grounds. A question arises: does it have the necessary authorizations to operate?

That concern reaches the classroom. After thorough research, the group identifies regulatory gaps, omissions, and conflicts of jurisdiction among public entities. This happened in 2010, when Clinic students revealed that the Concrete Beams and Slabs Factory for the Electric Train had been built without submitting the environmental impact assessment required by existing regulations, and that it was unclear which authority was competent to conduct environmental supervision and oversight. The findings were communicated to the Ministry of the Environment.

Academic work made it possible to expose a problem that might otherwise have remained anonymous, with direct impacts on air quality, noise levels, and public health. In that moment, Law ceased to be reactive and became an active tool to demand accountability.

As professors, our role is not to provide closed answers but to guide more complex questions: Who decides? Who bears the costs? What information is missing? What silences does the file reveal?



Photo: Diego Pérez, SPDA

From the classroom to the field: when the case comes alive

Throughout the academic term, the chosen case takes shape class by class. Actors are identified, information is gathered, public information requests are submitted, interviews are conducted, and, where possible, field visits are carried out. The case file is co-created and grows—but so too does the understanding of the problem and its possible solutions.

During field visits and interviews, a key moment occurs from the student perspective: when the case comes alive. It stops being a document and becomes a place, an ecosystem, people with their own histories. Directly observing the territory and listening to those who live daily with environmental impacts completely transforms one's understanding of Law's role.

As Rosaly Minaya expressed at the end of the course:

"The visit to Bufadero–Curayacu made me truly understand the situation and become involved in a more real way. The area stopped being just a spot on a map and became a place I want to help protect. And this bill, beyond its ultimate fate, became proof that law can be a tool to care for what matters."

The case concerning the conservation of the Curayacu–Bufadero marine-coastal area emerged and developed through dialogue with local authorities and residents of the district of San Bartolo. This process allowed for a detailed understanding of the environmental challenges they face and the design of a legal strategy that was both technically and socially viable. The chosen path was to draft a bill to address the regulatory gap in protection, conservation, and sustainable management of the area. The proposal was presented to State authorities, who expressed interest in submitting it to Congress.

Although the law has not yet been enacted and we are aware that a long road remains, the work helped make the problem visible and underscored the urgency of preventing degradation of this natural heritage and the loss of the biodiversity it sustains.

Ripple effects

This recalls a case worked on years earlier, when Clinic students brought forward an almost invisible issue in the country: light pollution and its effects on health and ecosystems. In a context where no specific regulation existed, academic reflection became a public question—and then a proposal.

The discussion did not occur in isolation. It was part of a broader process involving civil society organizations, public entities, the private sector, and citizens. Yet it is deeply significant that one of the first seeds was planted in the clinical classroom: a space where students began by researching, questioning, and proposing viable legal alternatives. They drafted a regulatory proposal and held meetings with the Ministry of the Environment.

Years later, in 2020, a new generation of students—working alongside key civil society actors—contributed to Bill No. 7193/2020-CR, proposing a Law for the Prevention and Control of Light Pollution, which was ultimately approved by Congress. The process was led by Professor Mariano Castro, founder of the PUCP Environmental Law Clinic alongside Jimpson Dávila, and included active student participation. Symbolically, Congressman Alberto de Belaunde later sent a letter to the Clinic and its students thanking them for their involvement and contributions. Years earlier, he himself had been a Clinic student—thus recognizing the transformative role of youth in shaping public policy.

The course thus becomes more than an academic space; it becomes a starting point—a place where initiatives are born that can influence public policy and strengthen environmental governance. Even if results are not immediately visible at the close of the academic term, those who experience clinical education understand that their actions can generate ripple effects that, over time, translate into concrete changes for environmental justice.

The power of information and legal action

One of the most powerful lessons of the clinical methodology is the strategic use of access to public information. Many students encounter, for the first time, practical requests for public information—discovering in them a fundamental tool for strengthening case analysis. It is not merely about receiving answers from the State, but about critically analyzing, cross-checking, and, when necessary, challenging them.

As professors, our role is not to provide closed answers but to guide more complex questions: Who decides? Who bears the costs? What information is missing? What silences does the file reveal?

Thinking about the environment through multiple forms of knowledge

The Clinic also teaches that legal knowledge alone is not enough. Environmental problems are complex and require dialogue with other disciplines: biology, engineering, sociology, economics, among others. Learning to listen to specialists and communities is central to training—something that seems obvious, yet is often distant from traditional legal education.

Understanding that the environmental dimension is part of everyday life—and that it often exceeds the tools of Law—is a key lesson. Law thus ceases to be an end in itself and becomes one language among many in a collective process of seeking fair and viable solutions.

From the neighborhood to the international stage

Over time, the Clinic's cases expanded in scale. From local urban issues, attention moved to conflicts in the Peruvian Amazon involving highways, environmental defenders, and Indigenous territories, and later to cases with both international implications and impacts.

The creation of the Alliance of Law Clinics of Latin America and the Caribbean, along with advances in communication platforms, facilitated collaborations that had once seemed impossible due to distance. In 2021, members of the PUCP Environmental Clinic and students from the Human Rights and Environmental Law Clinic of the Universidade do Estado do Amazonas (Brazil) prepared and published a report on the legal implications of the Pucallpa–Cruzeiro do Sul highway regarding the right to a healthy and sustainable environment.

A few years later came an even more ambitious project: drafting a report on the climate emergency and human rights submitted to the Inter-American Court of Human Rights in response to an advisory opinion requested by Chile and Colombia. This project involved environmental law clinics from Peru, Chile, Colombia, and Brazil, as well as the Institute for Democracy and Human Rights of PUCP (IDEHPUCP) and the Peruvian Society for Environmental Law (SPDA).



Photo: Waldir Giraldo, SPDA

In 2025, Clinic members, together with students from the University of Southampton Global Law Clinic and the Clinique Juridique de Montpellier, prepared a report on the European Union Deforestation Regulation (EUDR), which was submitted to the British Embassy in Peru. The aim was to provide a more comprehensive perspective on the country's compliance and the challenges involved in implementation.

The evolution of these cases reflects something deeper: local environmental conflicts are connected to global dynamics. Training lawyers capable of understanding that interconnection is essential to confronting the climate crisis from Latin America.

Looking again so as not to be indifferent

Long before questioning life on other planets, human beings asked about the meaning and purpose of their own existence. Today, these questions remain latent and, during university years, often appear in forms such as: Why did I choose to study Law? Why this path and not another?

For many students, the Clinic represents a turning point—a space where vocation is confirmed or discovered, and where Law acquires purpose, impact, and trace.

As former student Jenny Aliaga expressed:
"The PUCP Environmental Law Clinic is much more than a course. It changed the way I saw Law; it stopped being a set of abstract rules and dense books and became a concrete tool to accompany struggles that have always mattered to me—water, animals, forests, and the lives of communities. It taught me that neither life nor law are just norms, but stories and human connections, which to this day continue to guide my work in public policy, Indigenous peoples' rights, and climate justice."

By the end of the course, something changes. Not because all answers have been found, but because it is no longer possible to look at one's surroundings with indifference. The clinical process leaves an ethical mark: the awareness that Law can—and must—intervene when life, ecosystems, and rights are at risk.

Perhaps we do not need to travel into space to experience our own Overview Effect. Sometimes it is enough to pause, look around, and dare to act—from the classroom, from the territory, from the Law we chose as our life's path.

In time, we realize that the question posed at the beginning—What do you want to study?—actually concealed a deeper one: What change are you willing to promote?

Perhaps we do not need to travel into space to experience our own Overview Effect. Sometimes it is enough to pause, look around, and dare to act—from the classroom, from the territory, from the Law we chose as our life's path.



- Legal Aid Clinic of the School of Law at the University of Puerto Rico

Clinical education for ethical and transformative legal training

Photo: NGO “Para La Naturaleza”

José Arturo Maldonado Andreu is a professor in the Environmental Law Clinic at the School of Law of the University of Puerto Rico. His academic research focuses on the impacts of colonialism on environmental law and on the relationship between humans and nature.
Adianez Vélez Martínez is a final-year Juris Doctor student at the School of Law of the University of Puerto Rico and a master's student in Planning at the Graduate School of Planning of the University of Puerto Rico. Her interests and prior experience focus on community economic development, public participation, and environmental public policy.
Carolina I. Fernández Massas is a third-year Juris Doctor student at the School of Law of the University of Puerto Rico. She serves as spokesperson for the Environmental Law Pro Bono initiative, and her interests include environmental and criminal law, as well as community-centered advocacy.

From the classroom to socio-environmental conflicts

Discussing law inside a classroom can make it seem detached from reality, as the legal system is analyzed from a neutral or sanitized perspective. Environmental law does not allow for such distance: it encompasses controversies that people must confront in their daily lives. Experiences such as legal clinics enable students to immerse themselves in these circumstances and establish direct relationships with affected communities. By building these bonds of support, greater awareness is created of those who bear the greatest impact, and the commitment to provide assistance deepens.

Clinical environmental education is a way of training lawyers through direct experience: learning law in real contexts of socio-environmental conflict, accompanying communities and organizations facing coastal developments, pollution, and other forms of environmental inequality. Instead of limiting themselves to studying rules in the abstract, students engage with living and urgent cases, where law can mean the difference between protecting an ecosystem and its destruction, between defending a community and its displacement.

Each year, before graduating, ten students enroll in the Environmental Law Clinic as part of the Law Aid Clinic of the School of Law at the University of Puerto Rico. During that academic year, they assume real responsibilities: conducting research, drafting pleadings, appearing before agencies and courts, and sitting at the table with communities demanding environmental justice. In a country shaped by the climate crisis, territorial vulnerability, and social inequalities, this training takes on an increasingly urgent tone.

How the Environmental Law Clinic was born and why it matters

The Law Aid Clinic of the School of Law was founded in 1952 with the aim of providing free legal services to low-income individuals and communities while training legal professionals with a strong social commitment. Over time, clinical experience revealed that environmental disputes were taking on growing importance in everyday life in Puerto Rico: conflicts over coastal developments, industrial pollution, infrastructure projects affecting wetlands, forests, and communities.

In that context, three decades ago, the Environmental Law Section—known as the Environmental Clinic—was created. Its establishment responded to a simple yet forceful observation: the environmental crisis is not merely a technical issue of enforcing laws, but also a matter of justice. Those who pollute the least are often those who suffer most from the impacts of climate change, poor urban planning, or governmental decisions made without effective public participation.

The Environmental Clinic therefore seeks to address injustices generated by environmental degradation and the prevailing development model, while training lawyers capable of questioning the limits of the law and contributing to its transformation.

Who we are and what we do

The Environmental Clinic is part of the Law Aid Clinic, a teaching and service institution that provides free legal representation to indigent or economically disadvantaged individuals. It is staffed by final-year students who work under the close supervision of professors with experience in litigation, community engagement, and public policy.

Enrollment in the Clinic is a graduation requirement for students at the School of Law. Through this experience, future professionals encounter the human dimension of law: they learn not only to manage case files, but also to listen, to translate technical language into accessible terms, and to make decisions alongside affected individuals.

The Clinic maintains ties with numerous nonprofit organizations, community collectives, and environmental networks through which many cases arise.

The Law Aid Clinic includes fifteen sections organized by different areas of law. One of them is the Environmental Law Section, which addresses a wide variety of disputes, from litigation over permits and coastal developments to cases related to urban planning, pollution, renewable energy, and climate change. In all of them, the core principle is the same: defending the environment as a condition for a dignified life.

What the Environmental Law Clinic does

The Environmental Clinic offers students comprehensive experience in litigation, community accompaniment, and public policy advocacy. Students conduct legal research, participate in administrative and judicial hearings, draft comments on regulations, prepare public policy proposals, and accompany processes of community organizing and civic participation.

Throughout its history, the Clinic has participated in landmark cases for environmental protection in Puerto Rico, including disputes over coastal developments and infrastructure projects threatening fragile ecosystems, as well as challenges to the authorization for importing methane gas into San Juan Bay. These cases have made it possible to articulate, together with communities and organizations, a strong defense of the commons and of human rights in the face of powerful economic interests.

In addition, the Clinic is actively involved in discussions of environmental and climate public policy. Students and faculty prepare analyses, appear at public hearings, and collaborate with civil society organizations to improve laws and regulations affecting land management, natural resource protection, and responses to the climate crisis.

The educational dimension is inseparable from social impact: each case is an opportunity to learn law, but also to unlearn traditional professional habits and experiment with more horizontal, creative, and collaborative forms of legal practice.

The struggle against the Esencia mega-tourism project on the southwest coast of Puerto Rico, for example, affects not only local communities but the entire archipelago. In this scenario, the role of the Environmental Clinic expands beyond supporting a single community and entails the involvement of multiple sectors, as well as a structural reconfiguration of the planning processes that enable the destruction of habitats and the displacement of communities.

Rights of nature and environmental justice

One of the recent cases taken on by the Environmental Clinic relates to the struggle for recognition of the rights of nature in Puerto Rico. It is a collective effort to challenge the traditional view that reduces nature to property or an exploitable resource, and instead to propose that rivers, forests, and other ecosystems be understood as subjects with the right to exist, regenerate, and be restored.

The Boricua Coalition for the Inherent Rights of Nature is a collaboration composed of various environmental organizations and committed individuals seeking to change the paradigm. Using public policy as a tool, the Coalition questions the current rule-of-law framework and explores which legal figures might serve as alternative avenues for promoting a modern perspective that moves away from anthropocentrism.

Since this year, several Clinic students have worked on this case, preparing research, draft complaints, proposed legislative language, and educational materials. Along the way, they have encountered a Western legal tradition that generally does not recognize nature as a rights-bearing subject, but rather as an object within private or state property relations.

The case has served as a laboratory for examining how existing law might be adapted to new ethical and political conceptions of the relationship between human beings and nature. It has also revealed tensions between an extractivist vision of territory and community practices that, for generations, have cared for rivers, mountains, and coasts.

Equally relevant is Puerto Rico's status as a territory of the United States, which raises particular dilemmas in the recognition and defense of environmental rights and protections. In this context, the Clinic has had to navigate simultaneously the legal and regulatory frameworks of Puerto Rico and the United States in order to formulate innovative legal strategies that, to the extent possible, overcome geopolitical limitations and ensure effective territorial protection.

Applied ethics: learning law with and from communities

The clinical experience confronts students with ethical dilemmas rarely discussed in depth in traditional courses. How should cases be selected when resources are limited? What does it mean to "win" a case if a community still loses part of its territory? How can community processes be supported without replacing the voices of those directly affected?

In the Environmental Clinic, these questions are not answered with abstract formulas but through the concrete reality of each case. In seminars and working meetings, the group discusses the implications of its decisions, identifies existing power relations, and reflects on professional responsibility beyond the minimum ethical standards of the profession.

In one instance, the Clinic faced the challenge of recognizing its responsibility to ensure the highest possible quality of ongoing work, even if that meant declining new cases. A complex case arose that would have required the participation of several students, collaboration with external entities, and extensive research that conflicted with active cases. After lengthy deliberation, it was decided to refer the matter to another organization to guarantee effective representation for the communities with whom there was already a commitment. Such experiences compel students to weigh alternatives and make difficult decisions, preparing them for the realities of legal practice after graduation.



Photo: NGO “Para La Naturaleza”

This exercise in applied ethics seeks to form lawyers who understand their work as part of building social and environmental justice, rather than merely providing a technical service.

Educational and social impact

When clinical education achieves its pedagogical goals, it leaves lasting marks. Students discover in practice that law can serve both to reproduce structures of oppression and to challenge them. They learn to read statutes, case law, and regulations critically, attentive to whom they benefit, whom they exclude, and what silences they produce.

The Environmental Clinic promotes transformative legal practice: it fosters interdisciplinary work, ongoing dialogue with communities, attention to inequalities of class, race, and gender, and the defense of human rights through an environmental lens. Rather than simply “resolving cases,” it advances a vision of lawyering that also seeks to change rules, institutions, and narratives.

Social impact is reflected in remedies obtained—protective measures, halting harmful projects, improvements in public participation processes—but also in strengthening community organizing capacities. Supporting the creation of environmental committees, assisting collective deliberation processes, or helping neighbors appropriate legal tools may be less visible in court rulings, but they are fundamental to democratic governance.

Lessons and replicability

Recently, the Environmental Clinic celebrated the retirement of Professor Pedro Saadé, a key figure in its development. The gathering brought together dozens of former students now working in universities, civil society organizations, private firms, and government agencies. Their testimonies confirmed that the clinical experience decisively shaped their understanding and practice of law.

From that conversation emerged a central idea: the combination of litigation, community accompaniment, ethical reflection, and network-building works. The Environmental Clinic organizes its work around three axes: collaboration with communities and organizations; critical, interdisciplinary legal training; and advocacy before administrative and judicial forums, as well as the Legislative Assembly and other government bodies.

The Clinic maintains ties with numerous nonprofit organizations, community collectives, and environmental networks through which many cases arise. At the same time, individuals and communities approach the Clinic directly seeking guidance and representation.

This model has proven effective in Puerto Rico and offers lessons for other law schools seeking to integrate environmental justice into their curricula. It requires rethinking what is taught, how it is taught, and for what purpose students are trained: not only to pass a bar exam, but to actively participate in defending territory and human rights.

Planting the seeds of hope in times of climate crisis

The Environmental Law Clinic demonstrates that legal education can be both rigorous and deeply committed to social transformation. By accompanying concrete cases and complex community processes, students learn that law is not a closed manual but a field of struggle in which cracks can be opened for environmental and climate justice.

In the face of the progressive erosion of protections for natural resources, the classroom becomes, week after week, a laboratory for crafting legal responses to environmental controversies of varying scales.

In a context of climate emergency and persistent inequalities, experiences such as the Environmental Clinic are more necessary than ever. They allow law to cease being a distant tool and become a resource available to those facing the consequences of economic and political decisions made without their participation.

The struggle against the climate crisis calls upon all sectors of society, and particularly future generations of legal professionals. In the face of the progressive erosion of protections for natural resources, the classroom becomes, week after week, a laboratory for crafting legal responses to environmental controversies of varying scales. Between cases and public policy analyses, we shape not only the kind of lawyers we aspire to be, but also the place we will choose to occupy in this historic struggle for environmental and social justice.



Photo: Diego Pérez, SPDA

Postface

Environmental Law Clinics: environmental legal education and strengthening socio-environmental justice and the rule of law in Latin America and the Caribbean

Mariano Castro SM is former founding coordinator of the Alliance of Environmental Law Clinics of Latin America and the Caribbean.

The profound socio-environmental transformations that have affected territories and broad urban and rural social sectors in Latin America and the Caribbean in recent decades continue to test the capacity of states to prevent and regulate negative environmental impacts, as well as to guarantee people's right to live in a clean, healthy, and sustainable environment. In this context, strengthening the socio-environmental rule of law and environmental justice mechanisms has become a central challenge for our societies.

In the face of these growing challenges, it can be observed that since the creation of the first environmental law clinics in Latin America and the Caribbean in the early 2000s, they have contributed both as a pedagogical innovation in university legal education—based on developing creative, critical students committed to environmental protection—and as an expression of university social responsibility through solutions to environmental problems of public interest.

Cooperation among law clinics also helps consolidate both regional and national perspectives on the challenges of environmental governance and access to justice, as well as shared problems related to climate change, biodiversity loss, and socio-environmental conflicts.

Through environmental law clinics, law schools that have decided to incorporate them into their academic programs are promoting a new teaching methodology that links the study of the theoretical foundations of environmental law with a direct understanding of the environmental and climate issues affecting our societies. Rather than limiting themselves to doctrinal or normative analysis, law clinics allow students to actively participate in improving national environmental performance by designing and implementing legal strategies to address concrete cases of public interest.

Students learn to identify real environmental legal problems in their social or national context, analyze relevant facts, understand the applicable substantive law, and design legal strategies that may include administrative actions, strategic litigation, legislative proposals, the preparation of technical reports, or public advocacy activities. This learning process takes place through constant interaction between theoretical and practical classes, teamwork, and direct contact with social actors, government authorities, civil society organizations, and communities affected by environmental problems. In this way, legal education is enriched by a deeper understanding of the relationship between law, public policy, and social reality.

Beyond their educational value, environmental law clinics also play an important role in improving environmental regulation and ensuring the effective application of existing rules. In many countries in the region, environmental regulatory frameworks have advanced significantly in recent decades; however, significant gaps persist between legislation, its implementation, and emerging needs. Law clinics help reduce these gaps by analyzing concrete cases, developing proposals for regulatory reform, promoting jurisprudential standards, and supporting administrative or judicial processes related to environmental protection. In this sense, they serve as a bridge between academia, society, and public institutions, providing legal evidence and proposals that can improve the quality of environmental public policies.

Likewise, these clinics contribute to strengthening environmental justice, understood as the capacity of legal systems to ensure that environmental and climate impacts do not fall disproportionately on the most vulnerable populations. In Latin America and the Caribbean, many environmental conflicts are closely linked to social, territorial, and cultural inequalities. Environmental law clinics have addressed cases related to pollution, deforestation, the protection of water sources, illegal wildlife trafficking, the degradation of protected natural areas, the rights of Indigenous peoples and local communities, access to environmental information, citizen participation, and climate change, among other issues of major public relevance.

The development of these experiences has also led to growing regional coordination among universities and academic programs committed to this form of legal education and action. In this context, the Alliance of Environmental Law Clinics of Latin America and the Caribbean was created in 2019 as a space for academic cooperation that promotes the exchange of teaching methodologies, strategic litigation experiences, legal research, and public interest actions among the region's different clinics.

Today, the Alliance brings together environmental law clinics located in Argentina, Brazil, Colombia, Chile, Ecuador, Peru, Bolivia, and Mexico, reflecting the growing interest of law schools in strengthening environmental law education and actively contributing to the protection of environmental public goods. This network makes it possible to share lessons learned, develop joint projects, and create a regional academic community committed to building legal solutions to contemporary environmental challenges.

Additionally, in the case of Peru, the first national network of environmental law clinics was created in 2025. This cooperation among professors, students, and law schools will promote academic exchanges and strategic actions aimed at improving the performance of the socio-environmental rule of law in Peru.

Cooperation among law clinics also helps consolidate both regional and national perspectives on the challenges of environmental governance and access to justice, as well as shared problems related to climate change, biodiversity loss, and socio-environmental conflicts. In this context, the exchange of legal and academic experiences helps strengthen institutional capacities, promote regional standards for environmental protection, and encourage the development of new generations of professionals committed to sustainability.

In short, environmental law clinics today represent a key instrument for training jurists capable of addressing growing environmental challenges, strengthening the socio-environmental rule of law, and promoting effective environmental justice in our region. By integrating law theory, professional practice, and social commitment, these initiatives contribute not only to improving the teaching of law but also to building more democratic, sustainable societies that respect human rights and the environment.



SPDA

Alianza de Clínicas Jurídicas Ambientales de Latinoamerica y el Caribe

Latinoamérica21