



Seeking an Advisory Opinion from the International Court of Justice on Human Rights and Climate Change.

Bringing the world's biggest problem to the world's highest court: the Pacific CSO Alliance is supporting the Vanuatu Government in seeking an advisory opinion from the International Court of Justice, to contribute to the progressive development of international law on human rights and the climate crisis. The Alliance is seeking the support of state and non-state actors in a bid to break the deadlock on climate justice and to secure the rights of present and future generations.

Human rights and the climate crisis

The link between the climate crisis and human rights is now well established. Climate impacts have been shown to exacerbate pre-existing inequalities and human rights challenges such as poverty, well-being, wealth inequality, gender relations, and many others, and to affect vulnerable groups most acutely. Many people's current and future ability to enjoy their human rights to life, water and sanitation, food, education and self-determination will be greatly impacted as the climate changes. The Human Rights Council's recent recognition of the right to a healthy environment and the establishment of a mandate for a Special Rapporteur on Human Rights and Climate Change are a watershed moment in recognising environmental degradation and climate change as interconnected human rights crises. Achim Steiner, Executive Director of UNDP, stated

"(...) While the United Nations and national governments acknowledge that climate change and the responses to it can impact human rights, there is less agreement on the corresponding obligations of governments and private actors to address this problem." An authoritative clarification of the 'depth of obligations' is needed."

This demand for authoritative guidance from the Court on climate justice was initiated by students from the University of the South Pacific. This leadership, guided and informed by moral clarity, has received the backing of 139 CSOs and inspired youth worldwide to join efforts and push for global cooperation to seek climate justice for current and future generations.

The Advisory Opinion

By giving an advisory opinion, the Court can provide impetus for more ambitious action under the Paris Agreement, provide authoritative baselines for state action on mitigation and international cooperation and assistance, integrate areas of international law that are currently separate, namely human rights and environmental law, provide impetus and guidance for domestic, regional and international adjudications, and cement consensus on the scientific evidence of climate change.

With young people having contributed the least to historic CO2 emissions, but increasingly facing adverse climate impacts, it is not surprising that **youth all over the world are seeking climate justice** for current and future generations.





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Requesting the Advisory Opinion

The influence of international courts typically resides not in the coercive enforceability of judgements but instead in the moral and legal authority carried by the considered views of a respected judicial body. The ICJ is the principal judicial organ of the United Nations (“UN”). Organs of the UN and UN specialised agencies are eligible to request an advisory opinion from the ICJ. The UN General Assembly (“UNGA”) and the Security Council may request an advisory opinion in respect of ‘any legal question’. We aim to request an advisory opinion through the UNGA. We believe requesting the Advisory Opinion is of interest to youth and citizens around the world. We hope for the ICJAO to become a conversation starter, the spark for more ambitious human rights-centred climate action and an authoritative analysis on existing obligations under international law, which are presently scattered across different sources of international law.

We the Civil Society Alliance

We are working towards securing global state and non-state support for the ICJ advisory opinion. The campaign has received the support of the UN Special Rapporteur on human rights and the environment, David Boyd, eminent persons and experts such as Mary Robinson, Prof Jorge Vinuales, and Prof Michael Gerrard among others. Youth and civil society are uniting to bring attention to the positive potential of an Advisory Opinion. We are spreading the word by story-telling in our communities, communicating with our governments, and peer-educating on the role of international law and the inherent connection between the climate crisis and human rights.

For more information please visit www.pisfcc.org.

This September, the Government of Vanuatu will present a resolution to the UNGA requesting the ICJ to provide an advisory opinion on climate change. It will require a majority vote of the UNGA for the matter to be referred to the ICJ and we are calling on all states to support the ICJ advisory opinion campaign.

We, the Alliance, are hopeful on this journey to the International Court of Justice to secure the human rights of present and future generations. We hope to see you stand with us.



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