



General Assembly

Seventy-seventh session

64th plenary meeting
Wednesday, 29 March 2023, 10 a.m.
New York

Official Records

President: Mr. Kőrösi (Hungary)

The meeting was called to order at 10 a.m.

In the absence of the President, Mr. Dang (Viet Nam), Vice-President, took the Chair.

Agenda item 70 (continued)

Report of the International Court of Justice

Draft resolution (A/77/L.58)

The Acting President: I would like to acknowledge the presence at this meeting of the Secretary-General of the United Nations and His Excellency Mr. Alatoi Ishmael Kalsakau, Prime Minister of the Republic of Vanuatu.

I now give the floor to the Secretary-General of the United Nations, His Excellency Mr. António Guterres.

The Secretary-General: Earlier this month, the Intergovernmental Panel on Climate Change (IPCC) confirmed that humans are responsible for virtually all global heating over the past 200 years. The IPCC report showed that limiting the overall temperature rise to 1.5°C is achievable, but time is running out. The window for averting the worst effects of the climate crisis is closing rapidly. This is the critical decade for climate action. It must happen on our watch. And those who have contributed the least to the climate crisis are already facing both climate hell and high sea levels. For some countries, climate threats are a death sentence. Indeed, it is the initiative of those countries, joined by so many others — along with the efforts of young

people all over the world — that is bringing us together. Together, we are making history.

The General Assembly is meeting today to consider draft resolution A/77/L.58, which requests that the International Court of Justice render an advisory opinion on the obligations of States in respect of climate change. Advisory opinions of the Court — the principal judicial organ of the United Nations — have tremendous importance and can have a long-standing impact on the international legal order. Advisory opinions can provide much-needed clarification on existing international legal obligations. If issued, such an opinion would assist the General Assembly, the United Nations and Member States in taking the bolder and stronger climate action that our world so desperately needs. It would also guide the actions and conduct of States in their relations with one another, as well as towards their own citizens, and that is essential. Climate justice is both a moral imperative and a prerequisite for effective global climate action. The climate crisis can be overcome only through cooperation between peoples, cultures, nations and generations. But festering climate injustice feeds divisions and threatens to paralyse global climate action.

For those on the front lines, already paying the price for global warming that they did nothing to cause, climate justice is both a vital recognition and a tool. It is a recognition that all people on our planet are of equal worth, and it is a tool for building resilience to the spiralling effects of climate change. I have presented an acceleration agenda aimed at closing the emissions gap and massively fast-tracking climate action by every country and every sector in every time frame. We have

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never been better equipped to solve the climate crisis. Let us work together to get the job done. It has been said that there is nothing more powerful than an idea whose time has come, and now is the time for climate action and climate justice.

The Acting President: I thank the Secretary-General for his statement.

I now invite His Excellency Mr. Alatoi Ishmael Kalsakau, Prime Minister of the Republic of Vanuatu, to introduce draft resolution A/77/L.58.

Mr. Kalsakau (Vanuatu): I am making this statement on behalf of a core group of States that includes Angola, Antigua and Barbuda, Bangladesh, Costa Rica, Germany, Liechtenstein, the Federated States of Micronesia, Morocco, Mozambique, New Zealand, Portugal, Romania, Samoa, Sierra Leone, Singapore, Uganda, Viet Nam and my own country, Vanuatu.

We are pleased to introduce draft resolution A/77/L.58, entitled “Request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change”. We would also like to express our gratitude and deep appreciation to the membership for its active engagement and support as we navigated the drafting process.

Climate change is the defining existential challenge of our times. The science is settled. In its *Sixth Assessment Report*, the Intergovernmental Panel on Climate Change (IPCC) states, in the clearest terms, that anthropogenic emissions of greenhouse gases are unequivocally the dominant cause of the global warming that has been observed since the mid-twentieth century. The evidence demonstrates that climate impacts and risks are already advanced, including in low-lying coastal cities and settlements and small islands. At the same time, the IPCC underlines that in all sectors, options exist to at least halve emissions by 2030, thereby paving the way for a long-term and sustainable limiting of global warming to 1.5°C, as well as reducing the impact of climate change.

The global impact of climate change has been devastating to many countries and populations around the world, and the prospect that in the absence of bold and immediate action the situation may become much worse is profoundly unsettling. Earlier this month, my own country, Vanuatu, was struck by two consecutive category 4 cyclones within days of each other. Mere weeks ago, Cyclone Freddy battered Mozambique,

making landfall twice in the space of a month and breaking records for the duration and strength of tropical storms in the southern hemisphere.

Moreover, there have been continued droughts in the Horn of Africa and the Sahel, centenary floods in Bangladesh, Pakistan and Viet Nam, and, last summer, extreme heat in Canada and Southern Europe, not to mention the floods in Germany — all causing death and destruction. The countries hit the hardest are often those contributing least to global greenhouse-gas emissions. Sadly, catastrophic and compounding impacts of climate change like this are growing in number around the world.

Faced with challenges of such magnitude, it is the firm belief of the core group that we must use all the tools at our disposal to address the climate crisis and its threats to human, national and international security. The United Nations Framework Convention on Climate Change and the Paris Agreement have provided an invaluable platform for cooperation and action on climate change. But as we all know, the level of ambition under current nationally determined contributions is still far from what is needed to achieve its target of limiting the increase of global average temperature to 1.5°C above pre-industrial levels.

It is in this context that the core group is leading the initiative to seek an advisory opinion from the International Court of Justice to clarify the rights and obligations of States under international law in relation to the adverse effects of climate change, especially with respect to small island developing States and other developing countries particularly vulnerable to the adverse effects of climate change, and importantly to achieve climate justice. As the principal judicial organ of the United Nations, and a judicial body considered as a World Court, the International Court of Justice is uniquely positioned to make this contribution. An advisory opinion is a constructive and unconflictual route to pursue such an initiative. It is not legally binding; however, it does carry enormous legal weight and moral authority. We believe the clarity it will bring can greatly benefit our efforts to address the climate crisis and further bolster global and multilateral cooperation and State conduct in addressing climate change.

The core group is in many ways representative of the United Nations membership: cross-regional, with wide-ranging interests, perspectives and levels

of development. A task of this core group was to conceptualize and balance the text of the draft resolution and legal questions to go to the International Court of Justice. The core group deliberated in great depth and at great length on the draft resolution before sharing it with United Nations membership in November 2022. This then led to the core group presenting the draft text, which was followed by three rounds of informal consultations and several informal expert consultations and engagements with the broader membership. These consultations were used to gather comments and feedback to put into what is now the final text we have introduced in the General Assembly. The intense and engaged negotiations within the core group and with the broader United Nations membership were an indication of both the importance of this initiative and the collective desire to work towards addressing the climate crisis. This is not a silver bullet, but it can make an important contribution to climate action, including by catalysing much higher ambition under the Paris Agreement.

The legal questions contained in the draft resolution represent a careful balance achieved after extensive consultations while safeguarding its integrity. At the heart of the question is a desire to further strengthen our collective efforts to deal with climate change, give climate justice the importance it deserves and bring the entirety of international law to bear on this unprecedented challenge. We believe the International Court of Justice can do this.

This initiative builds upon prior endeavours, and in our efforts, we stand on the shoulders of those who first began this conversation. I also wish to highlight the important role of the young law students in the Pacific who inspired this initiative and who brought it to the attention of the Vanuatu Government in 2019. This initiative has spurred a movement around the world, and we celebrate the efforts of these groups in broadening awareness and mobilizing support for the initiative.

The world is at a crossroads, and we, as representatives of the international community, have an obligation to take urgent action to protect the planet. We believe in and are committed to the values of multilateralism, values that bring us together at the United Nations to work for a better future. This initiative is an embodiment of those values.

We seek the support of all Member States present today to adopt this draft resolution. It and the advisory

opinion it seeks will have a powerful and positive impact on how we address climate change and ultimately protect present and future generations. Together, we will send a loud and clear message, not only around the world, but far into the future, that on this very day, the peoples of the United Nations, acting through their Governments, decided to set aside differences and work together to tackle the defining challenge of our times, climate change.

Finally, we take this opportunity to thank the 121 countries that have joined in co-sponsoring draft resolution A/77/L.58, and we humbly encourage all others to do so as well. I pray that we may be bound in one accord.

The Acting President: We shall now proceed to consider the draft resolution A/77/L.58. There are no statements in explanation of position before action is taken on the draft resolution.

The Assembly will now take a decision on draft resolution A/77/L.58, entitled "Request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change".

I now give the floor to the representative of the Secretariat.

Mr. Abelian (Department for General Assembly and Conference Management): The present statement pertaining to the relevant operative paragraph of the current draft resolution, A/77/L.58, is made in the context of rule 153 of the rules and procedures of the General Assembly. The present statement has also been distributed to Member States.

The request contained in the operative paragraph would constitute an addition to the workload of the International Court of Justice and entail additional resource requirements in the amount of \$236,000 net of staff assessments in 2024. Detailed cost estimates and their underlying assumptions for the requirements are provided in the annex to this statement as distributed. Accordingly, should the General Assembly adopt draft resolution A/77/L.58, additional resource requirements estimated in the amount of \$236,000 for 2024, \$57,200 for 2025 and \$3,000 for 2026 would be included in the respective proposed programme budgets under section 7, International Court of Justice, for the consideration of the General Assembly at its seventy-eighth, seventy-ninth and eightieth sessions, respectively.

The statement I have just read out will also be available in the United Nations Journal under the e-statements link for today's meeting.

The Acting President: I thank the representative of the Secretariat.

For the Assembly's information, the draft resolution has closed for e-sponsorship.

I now give the floor to the representative of the Secretariat.

Mr. Abelian (Department for General Assembly and Conference Management): I should like to announce that, since the submission of the draft resolution, and in addition to those delegations listed in document A/77/L.58, the following countries have also become sponsors of the draft resolution: Afghanistan, Armenia, the Plurinational State of Bolivia, Bosnia and Herzegovina, Botswana, Burundi, Dominica, Ecuador, El Salvador, Equatorial Guinea, Ghana, Haiti, Indonesia, Israel, Japan, Kyrgyzstan, Malaysia, Mali, Mongolia, Niger, Peru, the Philippines, Poland, the Republic of Korea, San Marino, Tajikistan, Thailand, Timor-Leste and Uruguay.

The Acting President: May I take it that the General Assembly decides to adopt draft resolution A/77/L.58?

Draft resolution A/77/L.58 was adopted (resolution 77/276).

The Acting President: Before giving the floor for explanations of position after adoption, may I remind delegations that explanations are limited to 10 minutes and should be made by representatives from their seats.

Mr. Alwasil (Saudi Arabia) (*spoke in Arabic*): I deliver this statement on behalf of the delegations of Iraq and of my own country, the Kingdom of Saudi Arabia.

The delegations of our two countries decided to join the consensus on resolution 77/276, entitled "Request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change". Our decision reflects our acknowledgement of and firm support for the inherent right of States to request the International Court of Justice to set forth an advisory opinion on important and controversial issues.

We recognize the importance of uniting efforts to implement the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris

Agreement. We attach great importance to climate issues and are making every effort to limit the causes of climate change. We are committed to implementing international standards and conventions. We also acknowledge that requesting an advisory opinion from the International Court of Justice on the obligations of States in respect of climate change reflects the desire of the requesting countries for Member States to live up to their international legal obligations. We participated in the negotiations on the resolution and provided our comments and observations.

Accordingly, we stress the need for having multifaceted solutions to address the problem of climate change and climate issues in accordance with the international climate conventions, foremost among which are the UNFCCC and the Paris Agreement. The principle of common but differentiated responsibilities and capabilities among States requires that we take into consideration the special circumstances of the least developed countries when implementing the aforementioned international principles and conventions, as noted in the seventh preambular paragraph of resolution.

We must work together to support States in addressing the negative effects of climate-change policies. We must also take into account historical responsibility for emissions which should not adversely affect the efforts of States to achieve development.

Mr. Al-edwan (Jordan): We would like to thank the Permanent Missions of Vanuatu and Morocco for facilitating the informal meetings, and we wish also to extend our thanks to the core group for their tireless efforts.

Jordan considers resolution 77/276 to be of utmost importance and timely, as it touches upon a significant topic that our world and future generations face. This unprecedented challenge will tremendously affect the small island developing States in the near future, in addition to having negative impacts on other States, including landlocked States. In this regard, Jordan reiterates its unwavering support for the resolution.

We wish to underscore the urgency of tackling the issue of climate change globally. We therefore urge the International Court of Justice to consider, in accordance with the relative operative paragraph of the resolution, the legal consequences for States' acts and omissions that have caused significant harm to the climate system, with respect to all States, in particular

small island developing States, regardless of any State's degree of development or geographic circumstances.

The Acting President: We have heard the last speaker in explanation of position after adoption.

We will now hear statements after the adoption of the resolution.

Mr. Momen (Bangladesh): I wish to begin by congratulating the President of the General Assembly as well as all the members of the Assembly on this historic day. We have just adopted, without a vote, a resolution requesting an advisory opinion from the International Court of Justice on the obligations of States in respect of climate change (resolution 77/276). This is an important milestone in our decades-long struggle for climate justice, and Bangladesh, having been part of this historic process, is both proud and grateful. We thank all members of the General Assembly for supporting the resolution as a strong signal of unity in our common fight against global warming.

I wish to take this opportunity to express our most sincere appreciation to the Government of Vanuatu for its extraordinary leadership. I also thank all the fellow members of the core group for their commitment, passion and tenacity in drafting the resolution just adopted.

Climate change is an existential challenge for Bangladesh. We are a low-lying coastal State with great exposure to the hazards caused by climate change, sea-level rise and associated disasters. Apart from the increased frequency and intensity of floods, cyclones, droughts and loss of biodiversity, climate change is severely affecting our food, energy, water, health and economic security. The economic loss for Bangladesh is grossly disproportionate to its contribution to the problem of climate change. Climate-change-related weather events account for the loss of at least 2 per cent of our gross domestic product every year, whereas our carbon footprint is negligible, contributing less than 0.6 tons per capita emissions as compared to a global average of 4.5 tons. Climate change has also been directly or indirectly forcing millions of people to leave their homes and livelihoods, leading to widespread displacement and migration within and across borders.

Successive reports of the Intergovernmental Panel on Climate Change have alerted us to the risks that climate change poses to humanity. The latest synthesis report published this month, says,

“risks ... and projected adverse impacts and related losses and damages [from climate change] escalate with every increment of global warming”.

Moreover, it adds,

“[c]limate change impacts and risks are becoming increasingly complex and more difficult to manage... [M]ultiple climatic and non-climatic risks will interact, resulting in compounding overall risk and risks cascading across sections and regions”.

Those statements are based on the estimate of reaching the 1.5°C target in the near term in considered scenarios and projections. A greater rise in the global temperature is also being predicted, something the Secretary-General has called a road to climate hell. If we look at the current scenario of extreme weather events and losses and damages caused by climate change, it is easy to conclude that the implications of continued temperature rise will be deadly for the planet and its inhabitants. For Bangladesh, with its limited capacity as a least developed country to adapt, the questions of equity, justice and a just transition are not mere words, but questions of our very existence.

Bangladesh has demonstrated a strong commitment to fighting the impacts of climate change within its own means. That has led us to take many transformative measures to tackle the perilous impacts of climate change consistent with implementing the Paris Agreement and achieving the Sustainable Development Goals. During our term as Chair of the Climate Vulnerable Forum, we launched the Mujib Climate Prosperity Plan, which is aimed at putting Bangladesh on a sustainable trajectory from vulnerability to resilience and climate prosperity.

However, given the enormity of this global challenge, the efforts of Bangladesh, with a very low carbon footprint, can only be considered a drop in the ocean. We are deeply concerned that the global response to climate change is nowhere close to what is needed for the survival of humanity. There are serious gaps between projected emissions from implemented policies and those from nationally determined contributions, and financing flows fall far short of the levels needed to meet climate goals across all sectors and regions, particularly in adaptation efforts in developing countries.

We are still far removed from a convergence of views on the issue of climate displacements. There is also a huge trust deficit when it comes to climate financing.

There is no agreed definition of climate financing. Furthermore, despite greater needs in financing just transition and adaptation, we see growing expenditure in military budgets and armaments and in funding wars and conflicts, or even bailing out companies during financial crises.

Against this backdrop, resolution 77/276 presents a defining moment for us. We hope the resolution and the resultant advisory opinion will provide a better understanding of the legal implications of climate change under international law and the rights of present and future generations to be protected from climate change.

As a member of the core group, we will remain engaged throughout the process, including by making submissions to the Court, as and when invited to do so. We call upon all States Members of the United Nations to do the same.

Before I conclude allow me to repeat what Prime Minister Sheikh Hasina said in the General Assembly,

“The impact of climate change is one of the biggest threats to humankind. In the past, we have seen a vicious cycle of promises being made and broken. We must now change this course.”
(A/77/PV.11., p. 12)

We believe resolution 77/276, adopted today, is an important step in that direction.

Mr. Lippwe (Federated States of Micronesia): I make this statement on behalf of the 12 Pacific small island developing States represented in New York. I align our statement with the one to be delivered by the representative of Tonga on behalf of the Pacific Islands Forum.

On this momentous occasion, we warmly welcome one of our leaders from our region, His Excellency Mr. Alatoi Ishmael Kalsakau, Prime Minister of the Republic of Vanuatu, and his delegation from the capital to our meeting today. We thank the Prime Minister for his introductory remarks on this very important resolution just adopted (resolution 77/276) and for Vanuatu's excellent leadership and commendable work. We also want to thank the members of the core group for their leadership and commitment to the principles contained in the resolution.

We wish to draw particular attention to the following major elements of the resolution: climate justice and

equity, including in the context of legal consequences for loss and damage caused by climate change; the centrality of scientific consensus for climate action; the need for legal clarity on obligations to address climate change arising from multiple multilateral instruments and intergovernmental processes in addition to the United Nations Framework Convention on Climate Change; the key interlinkages under international law between climate change and the enjoyment of human rights by individuals and peoples, including by indigenous peoples and local communities; the status of small island developing States under international law as specially affected States in the context of their particular vulnerabilities to the adverse effects of climate change; and the need for urgent and ambitious action to counter the existential threat of climate change, including by limiting global average temperature increase to no more than 1.5°C above pre-industrial levels. These elements are important not only for the Pacific but for the world, and we urge the International Court of Justice to address these elements, among others, in the eventual advisory opinion.

Resolution 77/276 was born out of a call from Pacific youth to our leaders to use international law as an instrument to further highlight the pressing need to undertake ambitious action on climate change. I would also like to recognize the members of World Youth for Climate Justice for their passion and for bringing out this important issue in their own countries.

This call has been accepted and echoed at all levels in the Pacific, from our youth to our civil society organizations to our leaders, and we are heartened that it reverberates today in this great Assembly Hall through the sponsorship of more than 130 countries. We thank all delegations that co-sponsored the resolution and those that did not co-sponsor but supported it.

We commend the approach by Vanuatu and the core group in conducting open, consultative and transparent consultations that have enabled the wide participation of the entire United Nations membership. The remarkable attendance at all the informal consultations demonstrates not only the importance of this critical issue to the wider United Nations membership but also our increased willingness to work together as a global family.

Today's adoption comes at a pivotal moment, at a time when multilateralism is regaining momentum. In November 2021 and 2022, we saw the successful

adoption by consensus of major cover decisions for the twenty-sixth and twenty-seventh sessions of the Conference of the Parties to the United Nations Framework Convention on Climate Change, in Glasgow and Sharm El-Sheikh, respectively, which create a path forward on climate ambitions. In December 2022, parties to the Convention on Biological Diversity agreed to the Kunming-Montreal Global Biodiversity Framework to halt and reverse biodiversity loss. And earlier this month, States agreed on the text for an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

The adoption of this resolution is yet another marker that multilateralism is still one of our most effective tools to solve the problems we have together. The fact that the resolution was adopted with such wide support sends a powerful, unambiguous signal to the Court of the strong interest and commitment of Member States to protect the climate system and give confidence to the Court to provide a comprehensive and robust answer to the international community.

In conclusion, we want to remind all Member States that today's adoption, while important, is just the beginning of the process, and we call on all States and stakeholders at this meeting today to begin preparing for the next phase of submissions. We encourage good faith submissions done in concert and constructively that will support and assist the Court in answering the question that we, the General Assembly, have asked of it. Climate change affects us all, and we should ensure all our voices and concerns are heard by the Court to enable a robust and effective advisory opinion on climate change.

This is a significant moment for all of us as we steer the world from climate devastation. We call on all States to turn their attention to the essential actions that we need to address the existential threat of climate crisis and to create a world where our children and future generations can live and thrive in a clean, safe and healthy environment.

Mr. Skoog (European Union): It is an honour to address the General Assembly on a historic day such as this one, and I will do it on behalf of the European Union (EU) and its 27 member States.

The candidate countries North Macedonia, Montenegro, Serbia, Albania, Ukraine, the Republic

of Moldova and Bosnia and Herzegovina; the potential candidate country Georgia; as well as Monaco and San Marino align themselves with this statement.

We would like to extend our appreciation to Vanuatu for its leadership and the core group as a whole for the initiative and the extensive consultation process that led to resolution 77/276 being adopted today. The EU and its member States are united in their support for the strict observance and the development of international law. We are also committed to promoting the individual and collective action of States to prevent and respond to the threat of climate change and to show solidarity with those particularly vulnerable to the impacts of climate change.

The EU is at the forefront of climate action. Strong and ambitious mitigation action is the best tool to prevent increased adaptation needs and to reduce loss and damage associated with the adverse effects of climate change. In the light of the findings of the Intergovernmental Panel on Climate Change (IPCC), we have been taking determined and decisive action to reduce our net greenhouse-gas emissions by at least 55 per cent by 2030 as compared to 1990 levels to reach and achieve climate neutrality by 2050 at the latest and to aim for negative emissions thereafter.

At the same time, we are the world's biggest contributors of climate financing to developing countries. The EU Strategy on Adaptation to Climate Change contains a strong international dimension, in particular in terms of increasing support, including financial, for international climate resilience and preparedness and strengthening global engagement and exchanges. Lastly, the EU is and will remain committed to scaling up assistance to developing countries that are particularly vulnerable to the adverse effects of climate change in responding to loss and damage. For those reasons, we supported the decision to establish new funding arrangements responding to loss and damage at the twenty-seventh Conference of the Parties to the United Nations Framework Convention on Climate Change and look forward to contributing to the work of the Transitional Committee.

Although legally non-binding, the requested advisory opinion of the International Court of Justice has the potential to make a significant contribution to the clarification of the current state of international law. The EU and its member States appreciate the choice of engaging the Court through advisory proceedings,

whose non-contentious nature avoids disputes and encourages the continued pursuit by the international community of further ambitious and effective action, including through international negotiations, to tackle climate change.

We recall in that regard the pre-eminent role of the Paris Agreement on Climate Change and the regular meetings of the Conference of the Parties in reflecting the most recent and dynamic expression of States' understandings of their commitments and their nature, as well as their responsibilities in respect of climate change. That includes the unique legal character of each provision of the Paris Agreement.

States' obligations and State practice under treaties other than the Paris Agreement may contribute, within their respective scope of application, to achieving the Paris Agreement goals. They can further shed light on how those goals are to be achieved.

With the aforementioned in mind, the EU and its member States welcome the explanation provided by Vanuatu that its intention in leading this effort has been that the Court "will not place additional obligations or responsibilities" on States, but rather "provide legal motivation for all nations, including emerging and high-emitting developing countries, to build greater ambition into their Paris Agreement nationally determined contributions and to take meaningful action to curb emissions and protect human rights".

Thus, in line with the aim and the content of the resolution, we expect the advisory opinion to, first, answer the legal questions on the basis of the current state of international law and with regard to all States; secondly, identify and, to the extent possible, clarify the obligations of States under applicable international law and the legal consequences for all States for the breach of those obligations. The resolution does not prejudge whether and when breaches have occurred, are occurring or will occur in the future but rather focuses on the consequences thereof for all States.

The EU and its member States have an unwavering commitment to limiting global warming to 1.5°C, which is the best way to mitigate climate change and its effects, as the recent IPCC synthesis reminded us. In the pursuit of those objectives, we are determined to deepen international cooperation. While the present statement of the EU and its member States is naturally without prejudice to the content of our possible submissions before the International Court of Justice and other

courts and tribunals, our eventual involvement in the advisory proceedings initiated by the resolution will be guided by that commitment and by our understanding of the applicable law, as well as the aim and content of the resolution.

The EU and its member States are pleased to have constructively engaged in the process that led to the adoption of this resolution by consensus and commend Vanuatu once again for its leadership. All EU countries have co-sponsored the resolution. As an intergovernmental organization that is also a party to the Paris Agreement and other international agreements referred to directly and indirectly in the request, we look forward to contributing to the proceedings before the International Court of Justice.

We see today's resolution as another step adding urgency and unity to our collective action.

Ms. Vea (Tonga): I have the honour to deliver these remarks on behalf of the members of the Pacific Islands Forum with presence at the United Nations, namely, Australia, the Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Palau, Papua New Guinea, the Republic of Marshall Islands, Samoa, Solomon Islands, Tuvalu, Vanuatu, and my own country, Tonga. We also acknowledge the guidance and support of the Cook Islands as Chair of the Pacific Islands Forum (PIF).

In their 2022 communiqué, our leaders called on the General Assembly to adopt a resolution requesting the International Court of Justice to provide an advisory opinion on the obligations of States under international law to protect the rights of present and future generations against the adverse impacts of climate change and looked forward to close collaboration on the development of the specific question to ensure maximum impact in terms of limiting emissions to 1.5°C, including the obligations of all major emitters past, present and future.

I would like to express the gratitude of our PIF member States to fellow Forum member Vanuatu for its commendable and wide-ranging efforts which have brought us from that call to the historic adoption today. We recognize the significant engagement and coordination efforts undertaken by all members of the International Court of Justice core group in support of Vanuatu, including the Federated States of Micronesia, New Zealand and Samoa, members of our Forum family and fellow stewards of our Blue Pacific continent.

We welcome the sovereign recognition by the more than 120 sponsors of resolution 77/276 of this important endeavour and the utmost urgency of this cause. We are optimistic that today will join other landmark junctures of global leadership in accelerating deeper global cooperation on climate change, which our leaders have confirmed as the single greatest existential threat facing the Blue Pacific.

Our leaders have accordingly declared a climate emergency in our region, underscoring the urgency of limiting global warming to 1.5°C through rapid, deep and sustained reductions in greenhouse-gas emissions. Our resolve has been further demonstrated in the PIF Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-level Rise and the currently under way regional Conference on Preserving Statehood and Protecting Persons which explores legal options and institutional responses to the impacts of sea-level rise in the context of international law.

While we sit in the General Assembly today, our Forum is conscious of the many individuals and groups who have brought us to this point. We recognize that much of this work began with our Pacific youth, whose energy and vision we continue to draw inspiration from, but who also stand to lose the most if we let the goal of 1.5°C slip from our collective grasp.

We further recognize our civil society representatives who have worked at the margins of society to mainstream the voices of women and girls, minorities, the disabled, the disadvantaged and otherwise too often unheard into our regional perspective, further legitimizing our Blue Pacific narrative.

We pay tribute to the voices of indigenous peoples in the Pacific region and to those in local and coastal Pacific communities who face the reality of a warming climate every day. We pay further tribute to our scientists and the holders of traditional knowledge in the Pacific region who continue to work tirelessly to harness our collective wisdom in the fight against climate change.

Much work remains to be done, and the Pacific calls on the global community to embrace the spirit of solidarity demonstrated by today's adoption. Our Forum family remains committed to fully implementing the Paris Agreement on Climate Change, including our collective aim to achieve carbon neutrality in the Pacific by 2050. And we invite development partners to commit to providing more support to Forum Island

countries in reaching that goal in line with our 2050 Strategy for the Blue Pacific Continent endorsed by PIF leaders.

In conclusion, our members look ahead to the twenty-eighth conference of the parties to the United Nations Framework Convention on Climate Change in Dubai with great anticipation and to working alongside our United Arab Emirates hosts and the global community to continue this most important work of combating the climate crisis for the sake of present and future generations.

Ms. Chan Valverde (Costa Rica) (*spoke in Spanish*): Costa Rica is proud of the historic adoption of resolution 77/276. It is a milestone for multilateralism in the fight against climate change and a giant step forward for international law, climate justice and human rights.

Today we are concluding a process that was inspired by the youth of the world. It is the largest generation of young people in the history of humankind, and they are calling for a radical change of course, for a better future and, especially, a viable future for their generation and future generations.

Costa Rica had the honour of endorsing the initiative of the Republic of Vanuatu from its very early stages, convinced of the legal and moral value of the draft resolution. It was also honoured to have contributed to the core group that led the intergovernmental negotiations to ensure a resolution that was balanced and inclusive, and above all ambitious and visionary, in line with the magnitude of the challenge posed by the triple planetary crisis of climate change — pollution of the land, sea and air — and the accelerated loss of biodiversity.

My country thanks the Assembly for its support and welcomes the co-sponsorship of a strong majority of Member States, reflecting a clear resolve to intensify climate and environmental action, as well as to obtain clear, comprehensive and fundamental answers based on international law and human rights to the crucial questions raised in the draft resolution.

I come from a small country whose first line of defence is international law, and which, like other small and large States, has placed in it its hopes and political will for the determination of its obligations and rights, the peaceful settlement of disputes, human rights and peace.

Costa Rica today welcomes the decision made by consensus in the General Assembly to entrust the principal judicial organ of the United Nations with addressing the existential issue of climate change in an unprecedented context and with an unequivocal focus on human rights, redistributive justice and intergenerational equity.

Indeed, the fight against climate change concerns us all, but it also affects us differently. In its sixth and most recent assessment report, the Intergovernmental Panel on Climate Change gave us a final warning to reduce emissions by half by 2030 if we want to avoid what, in the words of the Secretary-General, would be a “death sentence”, especially for countries whose geographic circumstances and level of development are particularly vulnerable to climate change.

Actions taken and commitments made at the global level remain inadequate to achieve our climate goals and will lead to a catastrophic rise in temperature by at least 3°C by the end of the century. Paradoxically, it is the most vulnerable countries that are stepping up their adaptation and mitigation efforts, while the largest carbon emitters and those responsible for the climate disaster continue to perpetuate a status quo that, according to science, we know is unsustainable.

The climate crisis is undoubtedly the greatest threat to the enjoyment and realization of all human rights, be they health, food, water or adequate housing. However, even in the midst of this bleak context we can see signs of hope. Less than a year ago, the General Assembly recognized through resolution 76/300 the universal human right to a clean, healthy and sustainable environment, solidifying a long history of linking human rights and environmental law. The recognition of that fundamental right affirmed the transformative potential of adopting a human rights approach to climate change.

At the most recent Conference of the Parties to the United Nations Framework Convention on Climate Change (COP), COP 27, we reached a landmark agreement to establish and operationalize a loss and damage fund, which was a crucial step towards climate justice.

Just a few weeks ago, the United Nations agreed on another historic treaty on the biodiversity of the high seas, after nearly two decades of negotiations, which keeps alive the promise to protect 30 per cent of the world’s oceans by 2030. Those milestones

form a multilateralism that is more relevant than ever and more focused on addressing, from a human rights-based perspective, the greatest existential threat to humankind. It also reflects the international community’s willingness to act, with all the tools available, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, as stated in the Preamble of the Charter of the United Nations, and to promote social progress and better standards of life in larger freedom.

The adoption of the resolution therefore is a giant step forward when it comes to clarifying the legal obligations of States in addressing climate change. The request for an advisory opinion will provide the International Court of Justice with the opportunity to consider, through the lens of human rights, the experience of those people most affected by climate change, as well as the obligations of Governments to protect their rights. We hope that the understanding of those legal consequences will contribute to States ramping up their efforts, for example, to put an end to the dependence on fossil fuels that have caused and continue to exacerbate the climate emergency.

The gap between the current promises of the States and what is actually needed to address the warnings of science is a source of serious concern, especially for present and future generations in the communities and nations geographically most vulnerable to the effects of climate change.

The Court’s advisory opinion could help guide other courts that are ruling in cases of climate disputes on whether the commitments of nations under the Paris Agreement on Climate Change are sufficiently robust and what would be needed to strengthen human rights and international justice.

The questions posed to the Court in the resolution are complementary and comprehensive, with the promising potential to establish a common language that facilitates more ambitious commitments by States in future climate negotiations.

Finally, the advisory opinion of the International Court of Justice could clarify what happens in circumstances of the potential death of a State due to loss of territory as a result of climate change, as stated years ago by the Head of State of Palau, and address the obligations of the nations that are causing global

warming for those that are already bearing that burden, as well as for future generations.

For all those reasons, Costa Rica reaffirms its full support for the resolution and its hope in the next stages of the request for an advisory opinion to the International Court of Justice.

We affirm, together with the youth of the world, that we are all Vanuatu. And we urge the international community to redouble its commitment in words and actions with truly transformative climate action anchored in human rights for our brothers and sisters, our children and future generations.

Mr. Browne (Trinidad and Tobago): Trinidad and Tobago is pleased to have joined the overwhelming majority of Member States that have co-sponsored resolution 77/276 to seek an advisory opinion from the International Court of Justice on one of the most significant challenges of our time — climate change.

I would like to express my delegation's deepest appreciation to the core group for meaningfully engaging the membership in bringing forward this request to the General Assembly for consideration, and I commend Vanuatu for its outstanding leadership throughout this process.

At the outset, I wish to underscore that this initiative has been fully endorsed at the highest levels of the Government of Trinidad and Tobago from its inception. We firmly believe that the adverse impacts of climate change not only threaten lives and livelihoods, but also directly impede our aspirations to achieve sustainable development.

The most recent report of the Intergovernmental Panel on Climate Change, released just last week, issued a dire warning to world. We are running out of time. Global emissions have continued to increase, extreme weather events and climate extremes have worsened. Accordingly, in the absence of deep, rapid and sustained reductions in carbon emissions, global warming is likely to exceed 1.5°C, with catastrophic consequences, especially for vulnerable communities. We remain extremely concerned that the climate financing commitments made by developed countries have not materialized.

We must act now. The urgent need to scale up climate action and support, through financing, capacity-building and technology transfer, to address the adverse effects of climate change, as well as to

minimize the associated loss and damage, particularly in small island developing States, such as Trinidad and Tobago, cannot be overstated, as the very existence and viability of small island States are being threatened.

While the Court's opinion is non-binding, Trinidad and Tobago is of the view that such an represents a major step in gaining greater understanding and clarity on how international law can promote climate justice, especially for those on the front line of this existential threat, many of whom are already disproportionately shouldering this heavy burden.

For many small island nations, who have contributed little or nothing to climate change and sea level rise but who are the most affected, today's landmark adoption by the General Assembly restores faith in the multilateral process. It is our hope that the Court's opinion can lend weight to strengthening international law and the obligations of Member States to ensure the protection of the global climate system for present and future generations.

On that note, and in conclusion, I would like to reassure Member States of Trinidad and Tobago's commitment, as a responsible member of the international community, in ensuring that our obligations under the Paris Agreement on Climate Change remains unwavering.

Ms. Ershadi (Islamic Republic of Iran): At the outset, I would like to begin by thanking the core group, especially Vanuatu, for submitting resolution 77/276 on the request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change.

Extreme climate change can undermine the sustainable development of all countries. The international community has been striving to address that challenge through the actions and measures contained in various agreements, particularly the United Nations Framework Convention on Climate Change (UNFCCC), as the cornerstone of actions and commitments, and the Paris Agreement under the UNFCCC, in pursuit of the objective of the Convention and its principles, in particular the principle of common but differentiated responsibilities and respective capabilities.

Like other developing countries, climate change has taken its toll on Iran. A serious decline in rainfall and an increase in temperature and the incidence of dust storms and sandstorms, thereby exposing Iran to the adverse

impacts of climate change and affecting the country. The sustainable use of scarce water resources, together with protecting wetlands and combating dust storms and sandstorms with mainly transboundary origins, are among the relevant pressing national challenges.

Iran attaches great importance to combating severe climate change and its environmental ramifications. In that regard, our Supreme Leader endorsed the general policies for the protection of the environment, a forward-looking manifesto for sustainable development with significant impacts on the environment in Iran. It also serves as a strong sign of commitment to the protection of our planet Earth. It is obvious that humankind is facing a global crisis, which not only is all-consuming, complex and multifaceted but also has immense impacts on all aspects of human life, as well as global affairs. Such a cross-border and common challenge requires common solutions and joint efforts in order to be tackled. The nature, scope and consequences of the challenge have an immediate and direct linkage with the nature, scope and level of the commitments and responsibilities of States. The Paris Agreement has recognized the differentiation among developed and developing countries in terms of their specific needs and different levels of capacities to deal with the major areas, such as mitigation, adaptation, technology transfer and development, financing and capacity-building.

In addition, there are situations and circumstances that prevent States from fulfilling their environmental obligations in full or in part. Bearing that in mind, it is up to the Court to consider the well-established principle of common but differentiated responsibilities, as set out in principle 7 of the Rio Declaration on Environment and Development.

We regret that the final text does not incorporate my delegation's suggestion to explicitly request the Court to identify and consider situations and circumstances that also preclude States' required actions. It also unduly focuses on one assumed cause of climate change. We believe that it is necessary for the resolution to ask comprehensive questions and for the Court to consider the matter holistically and comprehensively. The current resolution does not bring such clarity and therefore lacks the much-needed balance.

On global issues such as climate change, we all are in the same boat. We are facing the same crises and are condemned to the same destiny, but all do not share the

same capacities and capabilities to counter that common challenge. Furthermore, all do not have similar roles and responsibilities regarding the challenge and its elusive future. We can forgive those who were historically involved in degrading our planet and its environment, but we cannot ignore their historical responsibilities and subsequent obligations to fulfil their commitments to redressing it.

It is unfortunate that those in the global North who have the historical responsibility for the emerging global challenge continue to disregard their international responsibilities through their actions or omissions, especially towards developing countries. In addition to the lack of development, technology, know-how and adequate financial resources, the imposition of unilateral coercive measures is the most crucial barrier, preventing targeted countries from meeting their environmental obligations. Unilateral coercive measures prevent us from accessing the relevant technologies, knowledge and financial resources. As an example, my country has been denied Global Environment Facility resources during its recent cycles simply through the pressures exerted on the implementing agencies to withhold from and refuse Iran's projects. There are clear and specific reasons as to why we proposed an amendment to the draft resolution during the negotiations and what we expect the International Court of Justice to take into consideration when reflecting on the obligations of States and their legal consequences.

Even in the absence of unilateral coercive measures, it is hard for developing countries to fulfil their environmental obligations if the means of implementation are not adequately available. While we have previously highlighted the nature of environmental crises and the challenges that the world continues to face, there is a dire need to be clear: we are not talking about the voluntary commitment of or contributions by the global North. It is the obligation of developed countries to provide the means of implementation, such as capacity-building, the transfer of technologies related to the mitigation of the environmental crisis to fulfil international obligations and the provision of support, as well as the mobilization of climate financing for developing countries.

In addition, all protections emanating from intellectual property rights for environmental inventions and technologies, which significantly contribute towards mitigating climate change and helping countries to meet their environmental obligations,

must be removed. We expect the International Court of Justice to address the obligatory nature of developed countries' international commitments when it comes to their environmental obligations towards the rest of the world. The Court is also expected to stand by the principle of the sovereignty of States, while also taking into consideration their national priorities in State policy-making.

While recognizing the mutually reinforcing link between the need for a healthy environment and the realization of economic, social and cultural rights, as well as the right to development, the Islamic Republic of Iran underlines that the linkage between human rights and the environment lacks not only a clear definition but also an understanding among States and does not appear at the core of international human rights treaties.

In conclusion, the Islamic Republic of Iran has announced its readiness to mitigate its greenhouse-gas emissions, as compared to the business-as-usual scenario, subject to the termination of all sanctions and access to financial resources and the required technologies. Accordingly, Iran welcomes cooperation and partnership in the implementation of our globally agreed agenda.

Mr. Wenaweser (Liechtenstein): The International Court of Justice, the principal judicial organ of the United Nations, is often called the world's court. In its important role, it is able to give advisory opinions when requested by the main organs of the United Nations authorized to do so, including the General Assembly. That provides the Assembly with a key tool to promote the rule of law and help to provide the international community with clearer legal understandings.

The importance of the International Court of Justice's advisory role is mirrored in the relevance of its engagement with pressing issues of global concern. Indeed, the historic resolution 77/276, which we adopted this morning, begins, in its first preambular paragraph, by:

“Recognizing that climate change is an unprecedented challenge of civilizational proportions and that the well-being of present and future generations of humankind depends on our immediate and urgent response to it”.

There is no issue of more pressing global concern than climate change, which is in many ways the defining crisis of our time. The report of the Intergovernmental

Panel on Climate Change issued last week is an urgent reminder of the limited window that we have to deal with the climate crisis. From weather extremes to sea level rise, all regions of the world are affected by the devastating consequences of climate change. In the words of Secretary-General Guterres, “we are in the fight of our lives”.

The 2030 Agenda for Sustainable Development provides us with a blueprint for the prosperity of our planet and recognizes the interlinkage between the fight against climate change and tackling poverty, hunger and other challenges. Recent meetings of the Conference of the Parties to the United Nations Framework Convention on Climate Change have fallen short of the promise to build on the Paris Agreement. It is clear that an exclusive focus on that path, as indispensable as it remains, will nevertheless not be enough. We therefore also need to pursue other avenues. In that respect, many stakeholders have already chosen different legal avenues at the national, regional and international levels in order to move forward in the fight against climate change.

Today we opened a new legal avenue together. That is why Liechtenstein was proud to be a member of Vanuatu's core group on this initiative. The group was responding to a global youth movement, in particular to act, and to act ambitiously. We commend the youth for calling on all of us to take up this issue, and we thank Vanuatu for its leadership in mobilizing support for this initiative. In many ways, the core group is a testament to effective multilateralism. It was small enough to be effective, but at the same time representative of the United Nations membership, and both cross-regional and inclusive in terms of national perspectives, as well as deliberative and thorough in its approach. The engaged negotiations within the core group and with the broader United Nations membership should be a model to follow for similar international initiatives. Last but not least, the initiative is further testament to the ability of small States to place crucially important initiatives before the General Assembly. We thank our friends from Vanuatu for that as well.

We are confident that the International Court of Justice will provide us with clarity regarding the complex questions of international law pertaining to climate change through its advisory function. The advisory opinion of the International Court of Justice will provide important authoritative guidance, including on questions at the intersection of climate change and

human rights. Climate change is indeed one of the greatest threats to the human rights of our generation, posing a serious risk to the fundamental rights to life, health, food and an adequate standard of living for individuals and communities across the world.

We are encouraged that the resolution, adopted by consensus today, prominently references the Universal Declaration of Human Rights and recalls the relevant resolutions of the Human Rights Council on climate change and human rights. It is in that vein that Liechtenstein strongly supports this resolution, which we hope will result in one of the landmark decisions in the long and rich history of the International Court of Justice.

Mr. Fepuleai (New Zealand): New Zealand associates itself with the statement made by the representative of Tonga on behalf of the Pacific Islands Forum members with a presence at the United Nations and the Cook Islands as Chair of the Pacific Islands Forum.

Aotearoa New Zealand is pleased to be a member of the core group supporting the International Court of Justice advisory opinion and commends Vanuatu for its leadership on this important initiative. The sheer number of co-sponsors reflects a growing international consensus that climate change requires us to develop global solutions.

The best available science is unequivocal. Human influence is warming the atmosphere, ocean and land. That is causing wide-ranging harmful impacts, from sea level rise to the increased frequency and intensity of extreme weather events.

New Zealanders are acutely aware of the devastating impacts that such events can have. Just last month, Cyclone Gabrielle caused widespread damage and displacement across our country, leading to New Zealand declaring a national state of emergency for just the third time in our history.

In our broader region, the Blue Pacific, climate change remains the single-greatest threat to livelihoods, security and well-being. Globally, more than 3 billion people live in contexts that are highly vulnerable to climate change.

Addressing those pressing challenges requires the collective ambition of all countries. It is critical that the international community employ all the tools at its disposal. Utilizing the advisory jurisdiction of

the International Court of Justice is one such tool. New Zealand considers that an advisory opinion can play a helpful role by bringing clarity and coherence to international climate law. In doing so, it can help to ensure ongoing compliance with international obligations, lift ambition and inspire action.

The request for an advisory opinion is not about the merits of climate science. The science is unequivocal. Rather, it is about States' obligations under international law.

The question before the General Assembly reflects months of careful deliberation by the membership of the core group, in consultation with a wide range of other States Members of the United Nations. That group includes a diverse range of interests and perspectives, but the common goal of finding global solutions to climate change.

The scope of the question is intended to empower the Court to consider the full slate of relevant international law, consistent with its mandate. The question is broad, but climate change is broad too. It impacts every aspect of the world in which we live.

In that context, Aotearoa New Zealand is pleased that resolution 77/276 was adopted by consensus. In this Hall today, we took an important step towards a safer, more prosperous and more sustainable future.

Mr. Fifield (Australia): What an important day this is. Climate change is an urgent global challenge and the single-greatest threat to the livelihoods, security and well-being of the Pacific. That is why it is so important that Pacific voices are at the centre of international climate discussions. We commend Vanuatu's climate leadership, including in driving this important initiative, in partnership with the core group, for an International Court of Justice advisory opinion on climate change.

We know that climate change is increasing the frequency and severity of disasters globally. Indeed, as we meet today, Vanuatu is recovering from the devastating impacts of two consecutive category 4 cyclones earlier this month. Our hearts are with Vanuatu. Together with the rest of the Pacific family, Australia will continue to support the Ni-Vanuatu people as they recover and strengthen their resilience to the increasing impacts of climate change.

Today's request for the International Court of Justice to clarify the obligations and the related legal consequences for all States under international law to

ensure the protection of the climate system can provide impetus for global efforts to accelerate climate action in order to keep the 1.5°C temperature goal within reach.

As Pacific Islands Forum leaders called for in their July 2022 communiqué, and as they reaffirmed in February, the International Court of Justice will provide an advisory opinion on the obligations of all States, including all major past, present and future emitters.

The broad co-sponsorship of resolution 77/276 affirms that there is a shared responsibility for all States to act on climate change and a shared commitment to do so. We strongly welcome the resolution's priority focus on small island developing States and least developed countries, given their particular vulnerability to the impacts of climate change.

We recognize that climate change has broad and cross-cutting impacts and requires action across a range of international agreements and initiatives. In that regard, we note that the United Nations Framework Convention on Climate Change remains the central, indispensable forum for international cooperation on, and commitments to, climate action.

We welcome the resolution's potential to make a real contribution to achieving the goals of the Paris Agreement on Climate Change and accelerating ambitious climate action. Australia is proud to co-sponsor this resolution. We urge all Member States to support a strong, forward-looking and collective outcome today and in the process ahead.

Mr. Gafoor (Singapore): Singapore aligns itself with the statement that was delivered by the Prime Minister of Vanuatu on behalf of the core group of countries. Singapore fully supported resolution 77/276, adopted today, and we welcome the fact that it was adopted by consensus. The resolution that we adopted requests the International Court of Justice to provide an advisory opinion on States' obligations in relation to climate change, especially with respect to small island developing States. We are honoured to have been part of the core group of countries that drafted the resolution and that led that initiative. We are happy that the resolution enjoyed overwhelming support in the General Assembly today. On this significant and historic occasion, I wish to make three points.

First, Singapore is confident that the resolution will result in an advisory opinion that will advance our collective, multilateral and rules-based efforts

to address climate change. Like other small island developing States, Singapore is disproportionately vulnerable to the impacts of climate change, and we have consistently advocated for solutions founded on international law to address that most existential of global challenges.

Secondly, the request for an advisory opinion on climate change is very timely. The recently released sixth assessment report of the Intergovernmental Panel on Climate Change makes it abundantly clear that there is an urgent need to accelerate action and raise the level of ambition. There is therefore no doubt that the planet is at a crossroads with respect to the climate crisis. The increasing frequency of extreme weather events around the world and rising sea levels are clear warnings that time is running out. We must therefore use all available tools to assist us in our efforts to address the climate crisis. At this stage, one of the most important potential tools that had not been utilized was the advisory jurisdiction of the International Court of Justice. The resolution adopted today is therefore significant because it seeks an advisory opinion from the International Court of Justice, which will help to clarify the state of international law and thereby provide impetus for further climate action.

The third point that I want to make today is that the request for an advisory opinion seeks to clarify the law, having regard to all relevant sources, including the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement on Climate Change. The resulting advisory opinion will therefore be complementary to the existing climate regime. That is very important for Singapore, as we fully support the multilateral framework of cooperation on climate change under the UNFCCC. We are confident that the advisory opinion of the International Court of Justice will have a positive impact on the ongoing processes within the UNFCCC framework, including by accelerating mitigation action, climate financing and the political will for increased climate ambition to meet the goals of the Paris Agreement.

I wish to conclude by highlighting the fact that the adoption of the resolution today takes place shortly after the successful conclusion of the negotiations on an international legally binding instrument on the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (BBNJ). The conclusion of the BBNJ treaty a few weeks ago and today's consensus adoption of a resolution seeking

an advisory opinion from the International Court of Justice are small steps of victory for multilateralism and a victory for the United Nations and the governance of the global commons. Our successes in recent weeks send a clear and positive signal that the United Nations can deliver results when nations work together for the common good. But we cannot take our successes and become complacent. We must continue to work together here in the General Assembly in order to achieve results for our people.

Mrs. Le (Viet Nam): Never before was a resolution requesting an advisory opinion of the International Court of Justice adopted by consensus (resolution 77/276). Never before was such a resolution co-sponsored by such a large number of States Members of the United Nations. Rarely did such a resolution command so much attention and support worldwide, from communities in Vanuatu to victims of the unprecedented floods in Pakistan. Such a phenomenon speaks volumes.

First, it speaks of the magnitude of the consequences of climate change — an existential threat that knows no borders. As the Prime Minister of Vanuatu just said, those impacts have been devastating to many countries and populations around the world. They threaten the well-being of future generations. The latest report of the Intergovernmental Panel on Climate Change, issued just a few days ago, made it clear that the impacts and risks of climate change have already increased, including in low-lying coastal cities and settlements and small islands.

Secondly, such a phenomenon speaks of the urgency for further bold actions. Under international frameworks, including the United Nations Framework Convention on Climate Change, the Kyoto Protocol and the Paris Agreement on Climate Change, countries have strived to strengthen the global response to the threat of climate change by mitigating greenhouse-gas emissions and increasing support and cooperation in national adaptation efforts. National and international commitments were made. Several States, including Viet Nam, issued net-zero commitments. However, the situation is getting worse.

Thirdly, it speaks of the belief and high expectation of the international community in the legal authority and moral weight of the International Court of Justice, the world court. This landmark resolution adopted by the General Assembly is fully in accordance with the Charter of the United Nations and the Statute of the

International Court of Justice. On that basis, the Court is requested to give an advisory opinion on an issue of long-term magnitude that touches the future of Member States and future generations. Such an opinion will be able to provide even greater momentum to global climate action. It will clarify our obligations under existing international law regarding climate change. In that regard, Viet Nam believes that this resolution could also help us to reaffirm the critical role of international law in addressing the most pressing global issues of our time.

Fourthly, the overwhelming support for this resolution stems, in large part, from the meticulous efforts and able leadership of Vanuatu since the very beginning. Viet Nam is proud to join other members of the core group in supporting Vanuatu's initiative. We are grateful for the active engagement of all Member States, especially those that co-sponsored the resolution. We are also deeply thankful to the Secretary-General for his leadership on climate action, and for his valuable support for this resolution in particular.

This resolution will be another clarion call for further actions and for support to all actors that strive tirelessly for our planet and future generations. Our consensus today sends a powerful message to the international community that we are committed to those ends.

However, this resolution is just the beginning of a longer process. It is now up to us to ensure that the International Court of Justice is able to carry out its work effectively and efficiently. Like other members of the core group, we call for, and look forward to, the active participation of Member States in the proceedings of the International Court of Justice so that the Court is presented with evidence and submissions to the greatest possible extent when it takes up this request in the months ahead.

Let me conclude by reiterating Viet Nam's consistent commitment to stronger climate action for the well-being of our world and future generations.

Mr. Turay (Sierra Leone): The delegation of Sierra Leone aligns itself with the statement delivered by Mr. Alatoi Ishmael Kalsakau, Prime Minister of the Republic of Vanuatu, on behalf of the core group of States, including Sierra Leone.

Sierra Leone thanks the Government and the people, in particular the young people, of Vanuatu for

conceiving of and leading the initiative that culminated in the submission and adoption of resolution 77/276. Acting on behalf of the people of Sierra Leone, in particular its young people, the Government of Sierra Leone is honoured to be part of the core group of States, recognizing the importance for States to take action to address the adverse effects of climate change, compelled by the principle of intergenerational equity. As the resolution outlines, climate change is an unprecedented challenge of civilizational proportions, and the well-being of current and future generations of humankind depends on our immediate and urgent response to it. The science is incontrovertible. Anthropogenic emissions of greenhouse gases have unequivocally been the dominant cause of the global warming observed since the mid-twentieth century.

Sierra Leone faces multiple risks from climate change. We are ranked as the third-most vulnerable nation to the adverse effects of climate change. It has been noted that our vulnerable population has a low capacity to adapt to climate change, and the rural population is the most affected because of its high dependence on rain-led agriculture and natural resource-based livelihoods. According to the science of climate change, those impacts are likely to continue to affect Sierra Leone in the future, despite it being least responsible for the problem, since Sierra Leone's contribution to global emissions of greenhouse gases is negligible. Sea level rise threatens low-lying coastal areas and will cause coastal regions to experience more frequent coastal flooding events and an increase in average precipitation. Heavy rainfall events may induce more flooding and increase stream-flow rates. Regrettably, on 14 August 2017, for instance, a mudslide reportedly killed more than 1,000 people in the mountain parts of the capital of Freetown, sweeping away houses and leaving residents desperate and extremely vulnerable. The mudslide occurred after three days of torrential rain.

A core function of the International Court of Justice is to render advisory opinions on the legal questions put to it by the General Assembly, in accordance with Article 96 of the Charter of the United Nations. As such, in delivering advisory opinions in accordance with its Statute, the Court contributes to promoting and clarifying international law and strengthening the multilateral international legal order. The importance of the advisory opinions on legal questions referred to the International Court of Justice, including the request

contained in resolution 77/276 for an advisory opinion on the obligations of States in respect of climate change, cannot be overstated, as the recognition of the urgency of the climate crisis must at least be matched by the level of climate action necessary to prevent a civilizational catastrophe. Fully respecting the rules and working methods of the Court, Sierra Leone will appeal to the Court to adopt the level of efficiency, rigour and judiciousness it would accord to a request of that nature by General Assembly.

Let me conclude by thanking all co-sponsoring delegations and all Member States for adopting resolution 77/276 by consensus.

Ms. Leendertse (Germany): This is a historic and hopeful moment for both multilateralism and climate action. After a long process, the General Assembly today adopted by consensus resolution 77/276 to seek an advisory opinion from the International Court of Justice.

Germany aligns itself with the statement made by the Prime Minister of Vanuatu on behalf of the core group and the statement made by the observer of the European Union.

Climate change is the defining challenge of our time, posing a grave threat to humankind as a whole and an existential threat to the most vulnerable populations. Sea level rise, for instance, threatens to render low-lying island nations uninhabitable, while more frequent and severe extreme weather events have already resulted in immense suffering throughout the world. While the international community has recognized the urgency of the climate crisis, our progress to date has fallen far short of achieving the level of climate action necessary to prevent environmental catastrophes. Germany takes that challenge very seriously. In the Federal Climate Change Act, Germany committed to achieving greenhouse-gas neutrality by 2045. In addition, emissions in Germany must be reduced, as compared to 1990 levels, by at least 65 per cent by 2030, and by at least 80 per cent by 2040.

Germany is a proud member of the core group leading the initiative to seek an advisory opinion from the International Court of Justice to clarify the rights and obligations of States under international law in relation to the adverse effects of climate change. We trust that seeking an advisory opinion is a constructive route to addressing the climate crisis and shaping States' conduct as it pertains to dealing

with climate change. That trust is based on the firm belief in the crucial contribution that the Court, when asked to give its advisory opinion, can make to clarify the extent and status of relevant obligations under international law with regard to all States. Given the urgency of taking climate action that keeps a warming limit of 1.5°C within reach, we especially share Vanuatu's intention to provide a legal motivation for all nations, including emerging and high-emitting developing countries, to build greater ambition into the Paris Agreement on Climate Change and nationally determined contributions and take meaningful action to curb emissions and protect human rights. Germany hopes that the initiative will contribute to further strengthening international cooperation, which is key for achieving the Paris Agreement objectives. Such cooperation is possible even in politically sensitive areas, as the Global Shield Against Climate Risks, jointly initiated by the Vulnerable 20 and the Group of Seven, has shown.

Vanuatu deserves recognition for bringing together a representative core group, encompassing various perspectives and interests. Vanuatu is to be commended for steering a process that today allowed us to adopt a critical initiative by consensus. In that process, Germany's goal was to formulate paragraphs and questions for submission to the Court that are future-oriented. The aim was to produce a text that clearly addresses the current obligations of all States on the basis of the current state of the law with regard to future developments on the issue of climate change. While the resolution does not limit the Court in its analysis, especially with regard to the time horizon, we believe that the core group could have gone further in that respect in order to make the initiative even stronger in its potential to promote climate action. At the same time, we fully recognize the enormous success reflected in the number of sponsors, and we reiterate our trust in the Court's deliberations. The adoption of resolution 77/276 by consensus sends a strong and clear message underlining our collective preparedness to address climate change. It attests convincingly to our commitment to the values of multilateralism.

Mr. Ikondere (Uganda): My delegation aligns itself with the statement delivered by the Prime Minister of Vanuatu, Mr. Alatoi Ishmael Kalsakau, on behalf of the core group, of which Uganda is a member.

We would first like to express our thanks and deep appreciation to the United Nations membership

for its active engagement and support as we navigated the process.

Climate change is a defining challenge of our times and one of the greatest challenges we face. Our collective effort to fight climate change is an irreversible process that must continue. However, we are compelled to point out that despite contributing an insignificant amount of global greenhouse-gas emissions, the African continent — like many developing regions of the world — suffers the effects of climate change to a disproportionate degree. Uganda, for instance, continues to experience prolonged droughts, the melting of ice caps on its highest mountain, Mount Ruwenzori, floods, erratic rainfall patterns and landslides. Uganda is extremely vulnerable to climate change and variability. Its economy and its people's well-being are inextricably linked to climate. Climate change caused by humans has the potential to halt or reverse the country's development trajectory in the coming century. In particular, it is likely to result in increased food insecurity, shifts in soil erosion and land degradation, flood damage to infrastructure and settlements and shifts in agricultural and natural resource productivity.

The request for an advisory opinion allows the International Court of Justice to make a unique contribution to the issue of climate change. As the principal judicial organ of the United Nations, the Court is uniquely positioned to make that contribution and the General Assembly must give it the opportunity to do so. To be clear, an advisory opinion is the most constructive and non-confrontational route within the entire palette of international adjudication for pursuing such an initiative. An advisory opinion could give clarity and greatly benefit our efforts to address the climate crisis. Furthermore, the legal weight and moral authority of such an advisory opinion could further bolster State conduct as it pertains to dealing with climate change.

The legal questions contained in resolution 77/276 represent a careful balance achieved after extensive consultations. At the heart of the question is a desire to further strengthen our efforts to deal with climate change, give climate justice the importance it deserves and bring the entirety of international law to bear on that unprecedented challenge.

In conclusion, Uganda is committed to the values of multilateralism — values that bring us together at the

United Nations to work for a better future. This initiative is an embodiment of those values. Uganda thanks all Member States for their support in adopting today's resolution, which will have a strong and positive impact on how we address climate change and ultimately on our ability to protect present and future generations.

Mr. Pildegovičs (Latvia): Latvia aligns itself with the statement delivered on behalf of the European Union and appreciates the contribution of the core group of States.

Today is truly historic. The adoption by consensus of resolution 77/276 has shown that Vanuatu and other small island developing States and vulnerable countries around the world are not alone in their fight against the effects of climate change. Vanuatu has played a unique role in shaping the response to the global climate crisis by demonstrating that climate change is an environmental issue that unquestionably reaches beyond the legal framework on international environmental law.

International courts and tribunals can play an important role in the formulation and development of the rules of international law that guide the conduct of States and other actors in dealing with the causes and implications of the climate crisis. We appreciate Vanuatu's historic initiative in requesting an advisory opinion on climate change from the International Court of Justice on climate change and international law. Latvia was proud to be a sponsor of the resolution and is seriously considering involvement in the advisory proceedings in order to contribute to the development of international law.

The International Court of Justice has made landmark contributions to the development of the rules of international law addressed by the request. As long ago as 1996, in its advisory opinion on the *Legality of the threat or use of nuclear weapons* (A/51/218, annex), the Court recognized that the environment is not an abstraction but represents the living space, the quality of life and the very health of human beings, including generations unborn. The existence of the general obligation of States to ensure that activities within their jurisdiction and control respect the environment of other States or of areas beyond national control is now part of the corpus of international law relating to the environment. In later decisions, the Court has explained and developed international law on the environment, the law of the sea and human rights law in other important respects. We are confident that the requested

International Court of Justice advisory opinion will bring greater legal clarity on the climate crisis.

As we continue to respond to the crises unfolding across the world, we must not lose sight of the commitment to working together to create a sustainable and resilient world for all nations, large or small.

Mr. Feruță (Romania): Romania aligns itself with the statement delivered on behalf of the European Union. I would also like to thank the Prime Minister of Vanuatu for the statement he delivered on behalf of the core group of States and to put on record our appreciation for the important role that Vanuatu played in the lead-up to today's adoption of resolution 77/276. The adoption that we have just witnessed in the General Assembly is a major achievement, and its success is made even greater by the fact that it was adopted by consensus. Romania is proud to have been able to contribute directly and substantially to that extensive effort as a member of the core group of initiators, led by Vanuatu. The significance of our actions today is twofold.

First, the resolution we just adopted reflects the united voice of the General Assembly and the international community in recognizing the importance of fighting climate change and standing up for the most vulnerable countries and peoples. Romania has long recognized the negative effects of climate change and their wider implications for peace and security around the world. Our interest and efforts have especially targeted the legal aspects of climate change and its effects, including from the perspective of sea level rise. While debates on connected topics are ongoing in the International Law Commission and the Legal Committee of the Assembly, today we have added a missing link by entrusting the International Court of Justice with clarifying existing obligations in connection with climate change.

Secondly, placing the responsibility of analysing that crucial topic on the International Court of Justice is a very clear sign of the full trust of the international community in the activity and professionalism of the Court. The advisory jurisdiction of the Court is a very important tool at our disposal and the General Assembly has once again shown its willingness to make good use of it. Beyond its advisory function, the Court is being asked more often than ever to play a role in the overall international community's efforts to preserve peace and security and stability. In our view, this is a momentous

time to look into ways of encouraging wider use of the Court's jurisdiction.

With that goal in mind, Romania has presented an initiative to promote the broader recognition of the International Court of Justice's jurisdiction, building on previous efforts in the area. Together with a group of supporting countries, we have formulated and issued a declaration that lists the main arguments for accepting the Court's contentious jurisdiction and encourages States to confer jurisdiction on the International Court of Justice by any of the means envisaged in its Statute, as deemed appropriate. The document reaffirms the Court's important contribution to the peaceful settlement of disputes and the promotion of the rule of law globally and invites States to make better use of that potential. The text is open for endorsement by all States as a renewed expression of their adherence to international law. And we would like to take advantage of this occasion to renew our call to all States to sign the declaration and take an additional step in support of the Court, following the historic resolution we have just adopted today.

Mr. Kariuki (United Kingdom): We thank Vanuatu and the core group of States that presented resolution 77/276 for the positive and constructive approach they took towards negotiations. We particularly welcome the presence of Prime Minister Kalsakau at this meeting.

The United Kingdom is committed to taking ambitious action to tackle climate change, biodiversity loss and environmental degradation. We were proud to host the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change (COP26) in Glasgow, where all 197 parties agreed to the Glasgow climate pact. At COP26, nature also moved from the margins of the debate on climate change to the heart of it. The United Kingdom will continue to lead and engage with regard to climate change and nature to ensure that promises are kept and delivered to the highest standards, working with all partners to maintain momentum.

The United Kingdom is especially proud of its work with small island developing States (SIDS) and least-developed countries, both in its capacity as President of COP26 and beyond. The United Kingdom recognizes that all States are vulnerable to the impacts of climate change and that SIDS are some of the most vulnerable. In that regard, the United Kingdom set up climate and development ministerial meetings to focus on the

priorities of climate-vulnerable States. We co-lead with Fiji the Taskforce on Access to Climate Finance to improve access for SIDS and climate-vulnerable States. We have also created programmes such as the Small Island Developing State Capacity and Resilience programme and the Infrastructure for Resilient Island States facility. In addition, the United Kingdom was instrumental in securing agreements and funding to set up and develop the Santiago Network to provide technical assistance for the implementation of approaches for averting, minimizing and addressing loss and damage.

We welcome the International Court of Justice considering the current obligations of all States under international law to ensure the protection of the climate system and other parts of the environment from anthropogenic emissions of greenhouse gases, as well as the legal consequences when States, by their acts or omissions, breach such obligations, causing significant harm. By looking at the obligations as they are today, the questions are clearly focused on assisting States in understanding their obligations under international law so that they are able to comply with them in the future and understand the consequences if they breach them. In particular, we are pleased to make the following four observations on the questions. First, they are not determinative of whether there are obligations or where they flow from. Secondly, they do not prejudge whether breaches have occurred, are occurring or will occur, but look at the consequences if and when they do. Thirdly, they are not limited to considering the obligations and legal consequences for any specific State or States. Fourthly and lastly, they are not determinative of whether any States have been specially affected or injured.

The United Kingdom's sponsorship of the resolution today is without prejudice to its position on, and interpretation of, the obligations, instruments and concepts to which resolution 77/276 refers, or to any submissions by His Majesty's Government before the International Court of Justice and other courts and tribunals. We also note that the first question is focused on the obligations relating specifically to anthropogenic emissions of greenhouse gases. Increasing climate action is a top priority for the United Kingdom. The Intergovernmental Panel on Climate Change says that, in order to keep the 1.5°C target alive, we need emissions to peak in 2025, halve by 2030 and reach net zero by 2050. We recognize the United Nations

Framework Convention on Climate Change (UNFCCC) as the primary intergovernmental negotiating forum for climate action. An advisory opinion of the International Court of Justice may help us refocus efforts to deliver on climate commitments in this critical decade, which would support the agenda of the UNFCCC. We are pleased to have sponsored resolution 77/276 today.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): Mexico welcomes the request for an advisory opinion from the International Court of Justice that we adopted in resolution 77/276, which will surely make it possible to determine with greater precision the legal regime relating to the legal obligations and consequences of States with respect to climate change. The adoption of that resolution reflects the importance that the international community attaches to climate change in particular, and to the climate crisis in general. It is also a reaffirmation of our confidence in the International Court of Justice as the principal judicial organ of the United Nations. Furthermore, we are strengthening today the trend of resorting to international law to better deal with the various issues that, as a result of their global nature, concern us all, as they affect us all. That holds especially true with regard to environmental matters. A few days ago, we were able to reach a historic agreement on the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. We are confident that the implementation agreement under the United Nations Convention on the Law of the Sea will soon be translated into a legally binding instrument.

Moreover, the International Law Commission is working on sea level rise in relation to international law. At the same time, the International Tribunal for the Law of the Sea has also received a request for an advisory opinion on the impact of climate change on the oceans, while the Inter-American Court of Human Rights has received a request for an advisory opinion on the effects of the climate emergency on human rights. All those processes, including the one that concerns us today, are specific in character but have complementary effects. They also send a clear and forceful message: we must urgently address the climate crisis, and international law is one of the best tools available to us for that purpose. Everything I just said takes on greater importance in the light of the most recent alarming report by the Intergovernmental Panel on Climate Change.

Mexico appreciates the advisory powers of the International Court of Justice and its capacity to prevent and resolve conflicts. Despite 29 appeals in its entire history, its advisory jurisdiction can play an extremely meaningful role in moving forward issues that are of pressing concern for the international community and preventing new disputes by strengthening the rule of law at the international level. As we have repeatedly stated, that is why we believe that the Secretary-General must have the authority to request advisory opinions from the Court. That option, which was originally proposed by former Secretary-General Javier Pérez de Cuéllar, is perhaps today even more urgent, as it involves a mechanism for strengthening the Secretary-General's preventive diplomacy efforts. We must also prioritize expanding the Court's jurisdiction to settle disputes. Therefore, we urge those States that have not yet done so to recognize its jurisdiction as compulsory, withdraw their reservations, negotiate and accept the provisions that grant it jurisdiction under international treaties, and join the declaration on promoting the jurisdiction of the International Court of Justice, which 33 countries have already signed.

In conclusion, Mexico reiterates its support for the International Court of Justice in both its advisory and judicial work, and acknowledges its valuable contribution to the peaceful settlement of disputes and the progressive development of international law.

Mr. Moon (Republic of Korea): First of all, the Republic of Korea appreciates the work done by Vanuatu and the core group. We welcome today's consensus adoption of resolution 77/276, which requests the International Court of Justice's advisory opinion on climate change, in which we are pleased to have participated as a sponsor.

No one in the world is immune to the impact of climate change. No State is free from the burden of tackling that global crisis, which poses existential threats, especially to small island developing States. The recently published report of the Intergovernmental Panel on Climate Change warns — alarmingly — that limiting warming below 1.5°C will not be possible with the nationally determined contributions announced at the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change. It is undeniable that more ambitious and coordinated efforts from the international community are essential. The Republic of Korea has been doing everything it can to contribute to strengthening climate action. Our

Government recently drafted our first national plan for carbon neutrality and green growth, based on our framework act on carbon neutrality and green growth for coping with the climate crisis, which lays out our climate action by sector and year. In line with that, we will expand our green official development assistance with our financial contributions to the Global Climate Partnership Fund, the Global Green Growth Institute, the Adaptation Fund and others. In Seoul in 2021 we also hosted the P4G Summit, with a declaration that reiterates the importance of public-private partnerships and green recovery from the pandemic. We will strengthen our international engagement with multilateral initiatives, including the Global Methane Pledge, the Partnership for Action on Green Economy and the Rising Nations Initiative.

The international community has been working to address the climate crisis on multiple fronts, and the Republic of Korea supports climate action by the international community through the United Nations Framework Convention on Climate Change, the primary intergovernmental forum for such action. In that regard, my delegation would like to mention a few points.

First, just as the questions in the resolution we have just adopted are framed in terms of law, the opinion that the resolution seeks from the Court is firmly based on law. The applicable law in this case is meant to be existing international law rather than law in the making. My delegation is of the view that the established distinction between *lex lata* and *lex ferenda* still remains valid in this evolving area of international law. We therefore expect the Court to maintain a clear legal focus and uphold judicial integrity, distancing itself from any legislative moves.

Secondly, it should be noted that the questions in the resolution do not presuppose any existence of obligation or breach. Moreover, the second question addresses the issue of legal consequences, if and when any breaches of obligation occur, and serves as a forward-looking catalyst. We trust that the endeavour is not intended to apportion responsibility for the past but to find collective wisdom for the future from legal sources in order to galvanize our resolve to tackle the challenge common to all of us.

Thirdly, we recognize that resolution 77/276 is intended to help us better understand legal aspects of the area of climate change, especially the obligations of States. The ensuing process will be advisory in nature,

with a non-binding outcome, but its opinion will be far-reaching in its implications beyond any limited disputants. In the absence of any disputing parties in its advisory proceedings, the Court is supposed to arrive at an opinion with the help of all the elements of the information available to it. Given the complexity of the issues, my delegation hopes that the Court will draw on sound scientific and technical expertise, and when necessary obtain the views of States with regard to their practices and *opinio juris*.

I would be remiss if I did not mention the other international legal bodies working in parallel. The International Law Commission has been working on the topic of sea level rise in relation to international law. The International Tribunal for the Law of the Sea recently received a request for an advisory opinion with regard to that issue. While no entity has an exclusive mandate on climate-related legal matters, we hope that some convergence will ultimately emerge.

The resolution's significant number of sponsors and adoption by consensus are a demonstration of the common understanding of Member States that the climate crisis should be addressed with all the tools at our disposal. After all, it is our collective resolve that is fundamental to overcoming the climate crisis. The Republic of Korea will continue to engage in every effort by the international community, including the advisory proceedings of the International Court of Justice.

Mr. Hilale (Morocco) (*spoke in French*): First of all, my delegation would like to thank the Prime Minister of Vanuatu for his statement made earlier on behalf of the core group.

In its latest report, entitled *Provisional State of the Global Climate 2022*, the World Meteorological Organization notes that the last eight years have been the warmest on record. The degradation of the environment is an undisputed fact, including with regard to the effects of climate change that threaten us all and that the international community must face together. The various scientific reports of recent years are extremely alarming, and all indicate that climate change is the number-one existential challenge of our time. Morocco is concerned about the current and future adverse effects of climate change, such as rising ocean temperatures, ocean deoxygenation, sea level rise and ocean acidification. Despite the fact that my country is a low emitter of greenhouse gases, through

its non-financial defined contribution the Kingdom of Morocco is committed to reducing its greenhouse-gas emissions by 42 per cent by 2030 and hopes to exceed that threshold. Likewise, we are resolutely committed to the renewable energy sector. Morocco has set a goal of ensuring that such sources account for 52 per cent of its national electricity production by 2030.

The consequences of inaction in the face of the climate crisis will be disastrous for current and future generations. By 2030, as many as 118 million of Africa's poorest people could be directly threatened by extreme weather events. That is why, as Member States, we now have an opportunity and a duty to support resolution 77/276, so as to demonstrate the shared and collective commitment of the States Members of the United Nations to human rights and the environment. It was based on those beliefs that Morocco joined the core group that submitted the draft of today's resolution, entitled "Request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change".

As the principal judicial organ of the United Nations, the International Court of Justice is called on to contribute to clarifying the rights and obligations of States under international law with regard to the adverse effects of climate change. Resolution 77/276 is the result of negotiations among geographically diverse countries in both the northern and southern hemispheres, including both States that are vulnerable to the climate crisis and some of the historically largest emitters. It represents the culmination of the best kind of multilateral effort, in which compromise is key, as we saw in the fact that it was sponsored by 130 delegations and adopted by consensus. The resolution thereby strikes a delicate balance between climate justice and a forward-looking perspective. It acknowledges that we must learn from the past if we are to build a just and sustainable future and that international law has a role to play in righting our current course. It is because we believe in the power of multilateralism that we helped to bring this initiative forward, in order to clarify this important issue for current and future generations. We earnestly hope that the Court's response will strengthen the negotiating position of developing countries and solidarity with those that are most vulnerable to the effects of climate change.

Lastly, it is important to underscore that the view of the Court could highlight the issue of compensating victims of climate disasters for loss and damage,

which was a key multilateral topic of the twenty-seventh Conference of the Parties to the United Nations Framework Convention on Climate Change. It is now our collective duty to continue working together on the progress that has been made and supporting the countries most vulnerable to climate change.

Mr. Valtýsson (Iceland): At the outset, let me thank Vanuatu and other core group members for this important initiative and the constructive approach that they took to the negotiations on the text of resolution 77/276.

Iceland became a sponsor of the resolution in recognition of the fact that climate change is the defining issue of our time and of how important it is for small island developing States and other States that are particularly vulnerable to the effects of climate change. Throughout the process leading up to the adoption of the resolution, it has been clear that more than anything else, our hope is that the initiative becomes part of a collective push towards greater climate action. Likewise, in response to the report of the Intergovernmental Panel on Climate Change released earlier this month, the Secretary-General submitted a plan to supercharge efforts — namely, the Acceleration Agenda. The time to act is now. Iceland is committed to climate action. Our Government has set an ambitious emissions reduction goal, as well as a national carbon neutrality target, through climate legislation. That means that our laws state that Iceland must achieve carbon neutrality no later than 2040. In addition, Iceland must reach full energy conversion no later than 2040, which will make Iceland fully free of fossil fuels. Also, our Government will not issue any licences for oil exploration in our exclusive economic zone. Internationally, Iceland has stepped up its contributions to climate financing by doubling its commitment to the Green Climate Fund during the past two years and joining the Adaptation Fund. We thereby recognize the crucial role of adaptation, for which the need can be most dire within the States and among the people who have least contributed to climate change. Our multilateral development cooperation is also increasingly focused on climate financing.

Regarding the text of resolution 77/276, we welcome the request for an advisory opinion of the International Court of Justice to shed light on the obligations of States under applicable international law and the legal consequences for all States for breaching those obligations. We expect the Court to answer the legal questions on the basis of the current obligations of

all States to ensure the protection of the climate system and other parts of the environment from anthropogenic emissions of greenhouse gases. The questions to the International Court of Justice and the resolution as a whole do not prejudice the nature of such obligations and do not pertain to whether breaches have occurred, are occurring or will occur. Furthermore, we note that the preambular part refers to a number of matters that are not related to legal obligations, and as such would not be expected to have any bearing on the Court's advisory opinion. Our sponsorship is without prejudice to our position on, and interpretation of, the obligations, instruments and concepts that the resolution refers to, or to any eventual submissions before the International Court of Justice and other courts and tribunals.

Iceland actively and constructively participated in the process that led to the adoption of resolution 77/276 today. We were positive about the idea from the outset and happy to have become one of the resolution's sponsors. We remain committed to climate action and recall the primary role of the United Nations Framework Convention on Climate Change and the Paris Agreement, in that regard.

Ms. Zacarias (Portugal): I would like to align my statement with the statements delivered by the representative of the European Union in its capacity of observer and the representative of Vanuatu, and I would like to add a few remarks in my national capacity.

Climate change is the defining issue of our time. As highlighted by the Secretary-General, now is the defining moment to do something about it. As we learned just a few days ago from the most recent synthesis report of the Intergovernmental Panel on Climate Change, time is running out. There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all. There is still a feasible pathway to avoid humankind's defeat, but it will require accelerated, bold and effective climate action on all fronts. The initiative led by Vanuatu, which Portugal is proud to have supported from its inception as a member of the core group that developed resolution 77/276, is yet another important tool — a tool to promote climate action, incentivize cooperation at all levels, raise the level of ambition in our collective efforts and further advance the crucial dimension of climate justice and solidarity, which is particularly crucial with respect to those most affected and most vulnerable to the effects of climate change, especially small island developing States. In doing so, the initiative supports the concurrent

efforts being carried out within the framework of the United Nations Framework Convention on Climate Change, the Paris Agreement on Climate Change and discussions in forums such as the International Law Commission.

Portugal is a staunch supporter of international law, the peaceful settlement of disputes and the key role played by the International Court of Justice, as a bedrock that both upholds and promotes the multilateral order underpinned by those core tenets. We therefore recognize the Court's ability to support the fight against climate change and the promotion of climate justice. By contributing to the clarification and development of international law, the Court's advisory jurisdiction is a tool that, coupled with other instruments developed by the international community to that end, can encourage further action to tackle climate change and bring justice to its victims. The historic adoption by consensus of resolution 77/276 and the fact that more than 120 States co-sponsored it are a clear testament to the significance of the initiative, the crucial role that the international community ascribes to the International Court of Justice and the urgency of taking further and accelerated action to address climate change for present and future generations.

Ms. Morel (Seychelles): Seychelles commends the Republic of Vanuatu and the core group for the notable initiative taken to seek an advisory opinion on climate change from the International Court of Justice, especially at a time when the urgency of this existential crisis is becoming ever-more accentuated.

The most recent — sixth — assessment report of the Intergovernmental Panel on Climate Change sounds the alarm on the dismal realities of our world today and the calamitous future that we could face if we do not take action now. The report warns us that the current pace and scale of climate action are insufficient and that extreme risks escalate with every increment of global warming. Climate change is having detrimental impacts on planetary health and human well-being everywhere, but it is the most vulnerable populations, which historically contributed the least to the unfolding climate calamity, that are being disproportionately affected by its consequences. Small island developing States such as Seychelles face both immediate and slow-onset impacts from the rise in temperatures, ranging from extreme weather events to coastal erosion and sea level rise. Undoubtedly, that renders us the

least resilient and the least able to respond to the severe threats posed by climate change.

Such an important advisory opinion will put a spotlight on the obligation of States to ensure that we all have the right to a clean, healthy and sustainable environment. The process being proposed today through resolution 77/276 reminds us that the inextricable link between climate change and human rights exists and that States have an obligation to protect our precious planet. Seychelles stands behind the resolution, and we are encouraged to see that the General Assembly has given it the broadest possible support, which it deserves, as a symbol of our commitment to incite transformative climate action that will give the next generations the promise of a sustainable future.

Mr. Ruidíaz Pérez (Chile) (*spoke in Spanish*): Chile thanks Vanuatu and the core group for submitting the important resolution 77/276, which my country co-sponsored. We believe that it strikes a balance among the various positions of delegations. We therefore commend the General Assembly for having adopted it by consensus. Chile believes that requesting an advisory opinion on climate change from the International Court of Justice is timely and useful, as it will make way for important clarifications on the obligations of the States on that subject, which will ultimately have the significant effect of enabling the promotion of greater cooperation among States in order to respond more decisively to the climate emergency. My delegation would like to make three general remarks.

First, for Chile, there is a very clear link between human rights and the obligations of States to address climate change. We therefore support the references in the resolution on the human right to a clean, healthy and sustainable environment, as well as other universal human rights instruments. In that regard, I would like to mention that on 9 January Chile and Colombia requested an advisory opinion from the Inter-American Court of Human Rights on the climate emergency and human rights, which we will provide to the International Court of Justice as a precedent for its consideration. That request is in addition to the request submitted by the Commission of Small Island States to the International Tribunal for the Law of the Sea, and both initiatives complement the request that has been submitted to the main judicial organ of the United Nations.

Chile believes that the human right to a clean, healthy and sustainable environment derives from the

principle of respect for human rights and is consistent with the obligation to prevent transboundary damage. Both of those are relevant principles that can be used to apply general international law to inter-State relations on climate change.

The second aspect that I would like to highlight is that it is relevant for the International Court of Justice to enlighten us on the obligations of States in this matter. To that end, in addition to considering the various treaties identified in the resolution, the Court may inquire into the legal value and content of other sources of international law, including general principles and norms of customary international law, such as the international responsibility of States, the duty of due diligence and the duty to cooperate, from all of which derive general and specific obligations for States in the context of the climate emergency.

It is also relevant for the Court to bear in mind other principles such as equity, the principle that the polluter pays and the principle of territorial integrity and legal stability in relation to the maintenance of baselines and the outer limits of maritime zones in accordance with the United Nations Convention on the Law of the Sea, as well as the non-refoulement obligations of third States with respect to persons affected by sea level rise, which have also been discussed by the Study Group of the International Law Commission on sea level rise in relation to international law.

Finally, I would like to highlight adaptation, which within the response to climate change should be seen not as an option but an imperative need. The climate crisis forces us to look carefully at our jurisdictional obligations to protect the most vulnerable. What is essential for those groups is the ability to adapt to the new realities imposed by global warming, which threatens their food security, housing, access to water, health and ultimately their lives. It is important to analyse the obligation of States to take public action vis-à-vis their own inhabitants in situations of vulnerability, but also to ensure that the developed countries honour their obligation to mobilize funding for developing countries in a way that maintains a balance between mitigation and adaptation.

Chile trusts that the International Court of Justice will thoroughly review the practice and opinions of the States on these matters, and in that regard it will certainly be able to count on the assistance of States,

which we hope will actively intervene both in writing and in future oral debates held before the Court.

Ms. Juul (Norway): As one of the sponsors of resolution 77/276, Norway would like to thank Vanuatu and the core group for this important and timely initiative and to congratulate them on its successful adoption.

Climate change poses an existential threat to both current and future generations. Protecting the climate system and the environment from human-made emissions of greenhouse gases, will be, to quote the Secretary-General, “the defining issue of our age”. Addressing that issue is a top priority for Norway.

All States are vulnerable to the impacts of climate change, and we recognize that small island developing States will be among those especially affected. In its sixth and most recent Assessment Report, the Intergovernmental Panel on Climate Change estimates that 896 million people from low-lying coastal zones will be particularly exposed to changes in the ocean and the cryosphere, notably through sea level rise and the associated loss of biodiversity. The factual consequences of those changes prompt important and complex questions of international law. The changing coastlines may affect the location of maritime limits. National boundaries may be affected, and in certain instances particularly vulnerable States risk losing the land territory that is the basis for their existence. People may be forced to leave their homes to find assistance and protection abroad. Those issues pertaining to sea-level rise in relation to international law are on the agenda of the International Law Commission, and we welcome the Commission’s contribution to assisting States in clarifying and exploring the international law relating to this pressing and topical issue.

Norway welcomes the consideration by the International Court of Justice of the current obligations of States under international law to ensure the protection of the climate system and the environment, as well as the legal consequences where by their acts or omissions States breach such obligations, causing significant harm. We believe that improved legal clarity is important to strengthening our shared ability to comply with those obligations in the future. From Norway’s perspective, the greatest value of the resolution is in the elaboration it presents on current obligations, and through that, its ability to lay a foundation for improved future compliance and greater ambition on climate action.

We are therefore pleased that the questions posed to the Court are focused on improving the understanding of existing obligations under international law with a view to preventing future breaches. We also welcome that the questions are related to obligations and possible legal consequences for all States, and are not limited to a specific State or group of States. We note that the questions are not determinative of whether there are such obligations or where they flow from. We also note that the questions posed to the Court do not prejudge the nature of such obligations or their consequences, but are openly paraphrased. Furthermore, we note that the questions do not assume that breaches of any relevant obligations have already occurred or are occurring now, but look rather to clarify the existence and content of obligations and the legal consequences if breaches occur.

Norway’s sponsorship of the resolution is without prejudice to its position on or interpretation of the obligations, instruments and concepts to which the resolution refers. It is also without prejudice to any submission made by Norway before the International Court of Justice or any other court, tribunal, or treaty body on the issues to which the resolution refers.

Responding to climate change will require both practical and legal solutions. Discussions about the legal consequences of climate change must therefore be conducted in tandem with our political determination to address this pressing issue, and must not overshadow it. Recognizing that the United Nations Framework Convention on Climate Change, together with the Paris Agreement on Climate Change, is the primary negotiating forum for developing and implementing international climate framework, it is our hope that the Court’s consideration of the questions put to it through the resolution will contribute constructively to strengthening both global and national climate action and raising our ambitions.

Mr. Mead (Canada) (*spoke in French*): Canada recognizes that climate change is one of the major global challenges of our times. All actors should take concrete and ambitious action to address this immense challenge and build a more sustainable world. We are doing our part by taking ambitious measures at the national level and supporting international cooperation.

(*spoke in English*)

At home, we are advancing a broad range of measures to reduce Canada’s emissions by 40 to 45 per

cent by 2030, and have enshrined our commitment to meet net-zero emissions by 2050 into domestic law. Internationally, we support the full and effective implementation of the Paris Agreement on Climate Change and work with global partners to promote concrete action, including through the Global Carbon Pricing Challenge and the Powering Past Coal Alliance. Canada also doubled the amount of its international climate financing to \$5.3 billion over the period 2021–2026 in order to support developing countries in the fight against climate change, which includes a commitment of 40 per cent for adaptation financing, supporting local action on the ground, women's rights and the rights of indigenous peoples.

Canada joined others in co-sponsoring resolution 77/276, on the request for an advisory opinion from the International Court of Justice on the obligations of States in respect of climate change. In Canada's view, it is important that the Court look at States' obligations in the context of the instruments and principles mentioned in the resolution. Due regard needs to be given to whether the instruments mentioned are binding or not, the fact that States are bound only by those treaties to which they are parties and the specific temporal and territorial limits of certain obligations. Canada would also like to note that there is currently no common, internationally agreed understanding of a number of concepts referred to in the resolution, such as the right to a clean, healthy and sustainable environment. Canada's co-sponsorship of resolution 77/276 is without prejudice to its position on the various instruments and aspects mentioned therein, or to any submissions Canada may eventually present to the International Court of Justice or other adjudicative bodies.

Resolution 77/276 seeks the advice of the International Court of Justice with regard to what obligations and legal consequences for current or future breaches States face, or could face, pursuant to both various international treaties and the well-established obligations of customary international law. The Paris Agreement on Climate Change is built on the need to mitigate future emissions, because that is the only way to avert the worsening impacts of climate change.

(spoke in French)

Canada hopes that the opinion rendered by the International Court of Justice will contribute to advancing the negotiations of the United Nations Framework Convention on Climate Change, the Paris

Agreement and other forums. We hope that the opinion will enable all States to enhance their ambition to combat climate change so that we can all collectively focus on addressing that global challenge.

Mr. Hill (United States of America): Addressing the climate crisis is of the highest priority for the United States, both at home and abroad. In that context, the United States reaffirms its fundamental view that diplomacy is the best pathway for achieving our shared climate goals. Domestically, President Biden has taken the strongest climate action in United States history. Through the Inflation Reduction Act and other efforts, we are on track to achieve our ambitious nationally determined contribution under the Paris Agreement, which is consistent with keeping a 1.5°C temperature limit within reach.

Internationally, the United States has put the climate crisis at the centre of our foreign policy and diplomacy. President Biden, Secretary of State Blinken, Special Presidential Envoy for Climate John Kerry, Cabinet officials across the United States Government and our diplomats around the world have worked tirelessly to advance global climate ambitions in order to keep a 1.5°C limit on temperature rise within reach and help countries adapt to and manage climate impacts, and more. That has taken many diplomatic forms.

For instance, President Biden has convened fellow leaders of the world's largest economies three times since taking office — and will do so again in April — to press for countries to enhance their ambitions in line with what the science tells us is needed to keep the 1.5°C limit within reach, complementing our broader efforts to drive the ambitious implementation of the Paris Agreement on Climate Change at the meetings of the Conference of the Parties to the United Nations Framework Convention on Climate Change and other key milestone events to be held throughout the year. We have also been promoting emission reductions in sectoral forums such as the International Civil Aviation Organization and the International Maritime Organization, spearheading bilateral and multilateral cooperative initiatives, such as the Global Methane Pledge and the Green Shipping Challenge and launching the President's Emergency Plan for Adaptation and Resilience — PREPARE — initiative, aimed at working together with developing countries to help more than 500 million people worldwide adapt to climate change.

And we are focused on mobilizing resources to support developing countries as they address the climate crisis, not only by providing assistance with our own public resources but also by mobilizing support from the private sector and the multilateral development banks — including by holding critical and ongoing discussions about their reform and evolution — and other sources and by working to align broader global financing flows with the goals of the Paris Agreement. We are also focused on minimizing the risks of sea-level rise for small island and low-lying States and working to address its impacts through our policies and support. That includes our commitment to preserving the legitimacy of States' maritime zones and the associated rights and entitlements that have been established consistent with international law. In that context, the United States engaged in the discussions on resolution 77/276 with a view to considering how best we can advance our collective efforts. We considered that carefully, recognizing the priority that Vanuatu and other small island developing States have placed on seeking an advisory opinion from the International Court of Justice with the aim of advancing progress towards climate goals.

However, we have serious concerns that that process could complicate our collective efforts and will not bring us closer to achieving those shared goals. We believe that launching a judicial process, especially given the broad scope of the questions, will likely accentuate disagreements and not be conducive to advancing ongoing diplomatic and other processes. In the light of those concerns, the United States disagrees that the initiative is the best approach to achieving our shared goals and takes this opportunity to reaffirm our view that diplomatic efforts are the best means by which to address the climate crisis.

While we recognize that this process will go forward, in the light of the significant support enjoyed by the resolution, we underscore our continuing belief that successfully tackling the climate crisis is best achieved by doubling down on the types of diplomatic efforts that we are engaged in, including multilateral engagement under the Paris Agreement and other forums, plurilateral initiatives and bilateral efforts that advance solutions to the multifaceted challenges caused by the climate crisis. The United States will welcome the opportunity to share our legal views and engage with States and the Court on the questions posed. For

now, we would like to share a few observations with respect to the text of resolution 77/276.

First, with respect to the chapeau of the question, while the Paris Agreement sets forth a number of climate change obligations, as well as many non-binding provisions, the reference to other treaties should not be understood to imply that each of those treaties contains obligations to ensure the protection of the climate system. In addition, we emphasize that references to certain principles and duties should not be understood as reflecting any conclusion about the nature, scope or application of any such principles or duties to the question at hand.

Secondly, we note that the question asks about obligations and the related legal consequences under those obligations for all States. The question does not prejudice the nature of any such obligations or the legal consequences for any breaches of those obligations. Neither does it presuppose that such breaches have occurred or are occurring, but asks about the consequences if and when they do, whether now or in the future.

Thirdly and lastly, with respect to the preambular paragraphs, we note that several of them, such as those related to non-binding goals, address matters that are not related to legal obligations, and therefore are not relevant to the questions posed. In that regard, the matters addressed in the preambular paragraphs should not be assumed to have any bearing on the Court's advisory opinion.

Mr. Luteru (Samoa): Today is a historic day for climate justice. As a member of the core group, Samoa aligns itself with the statement made by the Prime Minister of Vanuatu. Samoa fully supports the Assembly's historic consensus adoption of resolution 77/276, which seeks an advisory opinion from the International Court of Justice on the obligations of States in respect of climate change. The key principles of human rights and justice are well enshrined in our Charter of the United Nations and supported by international treaties — principles and values that bind us as citizens and custodians of planet Earth.

We are currently witnessing unprecedented and unparalleled changes in our climate system that will have long-lasting effects if we do not come together and reverse the current trend in greenhouse-gas emissions. The Sixth Assessment Report of the Intergovernmental Panel on Climate Change is yet another stark reminder

of how urgent it is that we act now. The science is clear and irrefutable.

Vanuatu's initiative in bringing resolution 77/276 to the General Assembly is timely. It is also an urgent global call to action. The right to the environment is now accepted as a universal human right by the Human Rights Council and by the Assembly through its resolution 76/300, which recognized the right to a clean, healthy and sustainable environment. This is about climate justice, and it is a human rights issue that will affect both current and future generations. At the moment, the financial burden of climate change falls almost entirely on the nations affected and not on those most responsible for its adverse effects. Seeking an advisory opinion to clarify the rights and obligations of States under international law pertaining to climate change is morally the right thing to do. As a small, vulnerable State, Samoa relies on the rule of law as one of the few shields we have to protect its people. We firmly believe that the rule of law will also assist in the future work of the United Nations and the United Nations Framework Convention on Climate Change.

I commend Vanuatu and all Member States for championing this vitally important initiative for all of us, and I assure the Assembly of Samoa's continued unwavering support. We encourage Member States to stay engaged in the next phase and to share their ideas and comments with the International Court of Justice in due course. As members of the global community affected by climate change in one way or another, let us move forward together, in line with the principles of climate justice and human rights. I call for the Assembly's continued valuable support for this initiative.

Mr. Marschik (Austria): Austria aligns itself with the statement delivered on behalf of the European Union.

First, let me join others in congratulating Vanuatu on starting and leading this successful initiative. We appreciate that Vanuatu, together with a core group of States, conducted an extensive and inclusive consultation process resulting in our adoption today of resolution 77/276. For Austria, the possibility for the real involvement of all interested parties is essential to the legitimacy and success of such an initiative. As the Assembly is aware, Austria is a steadfast supporter of multilateralism and international law. The resolution before us strengthens both of those, with the objective of countering climate change altogether. Climate change

is the prime example of a challenge that we cannot address alone — we know that. We need concerted global action and multilateral coordination, and we need international legal clarity.

As a small, independent country, Austria relies on other States' compliance with international law for security. In short, international law keeps our citizens safe. We therefore have full sympathy and understanding for States whose existence and security depend on global efforts to address climate change and that want to make use of the obligatory power of international law to help keep their citizens safe and make life on their territories sustainable. International law should keep their citizens safe too.

Austria has been and will remain a steadfast supporter of strong global action on climate change and the environment. Last year we supported the Assembly's landmark resolution 76/300, which recognized the right to a safe, healthy and sustainable environment. Today's resolution will help generate further legal clarity with regard to States' obligations on climate change. The commitment to international law and the rule of law includes the strict observance and equal application of existing laws and norms and the continued development of the law, principles that we have agreed must be respected and implemented by all States, large and small, developed and developing. Advisory opinions of the International Court of Justice can be useful in clarifying legal obligations, and since the process leading to today's adoption was inclusive and transparent, enabling all interested parties to participate, we expect that a subsequent advisory opinion will have a positive impact by clarifying the legal obligations of all States in respect to climate change, which in turn will help us all meet those obligations.

Mr. Rai (Papua New Guinea): Let me begin by extending Papua New Guinea's warm welcome to Prime Minister Kalsakau and the delegation of the Republic of Vanuatu, our fellow Melanesian Wantoks and Pacific neighbours, to today's very important meeting. We thank Vanuatu for its excellent leadership and work on the landmark initiative on requesting an advisory opinion on climate change by the International Court of Justice. We welcomed Mr. Kalsakau's resounding statement today. I also want to recognize the important role played by the members of the core group of countries, as well as the many other delegations, including my own, that have supported Vanuatu and the core group in this process. And I would like to say

a special word of thanks to the young people of the Pacific region, supported by their peers around the world, who sowed the seeds of this initiative, which has so remarkably sprouted and been given life. It augurs well for intergenerational equity and leadership on the climate agenda, which must be further encouraged. We would also like to convey our profound appreciation to all the sponsors of resolution 77/276 — a two-thirds majority — and for the support of others who may not be sponsors. Their support for today's resolution is a distinct legacy on the right side of history.

Today is indeed a historic day, with the resounding consensus adoption for the very first time in this Hall of a General Assembly resolution (resolution 77/276) on an advisory opinion on climate change from the principal judicial organ of the United Nations, namely, the International Court of Justice. The outcome today also attests to what multilateralism can deliver when it is inclusive and consultative and leaves no one behind. From that standpoint, we appreciate the inclusive, open and transparent manner of the process and the adequate time afforded to progressing such important work. That historic outcome today will no doubt set the stage for the important days ahead.

The climate change narrative for all of us, in particular small island developing States (SIDS), including those from our Blue Pacific continent, is well known. Suffice it to say that, as canaries in the coal mine, the strong commitment and advocacy of Papua New Guinea and our other Pacific SIDS in combating climate change with a sense of urgency and comprehensively — including through partnerships under the multilateral architecture, such as the United Nations Framework Convention on Climate Change, the Paris Agreement on Climate Change and similar important forums — will remain steadfast, consistent and unrelenting, given our lived reality today. For us, the stakes are too high. That is not only due to our vulnerabilities and constraints in how we respond to climate change and the serious consequences for our sustainable development that stem from it, but more important, for some of our low-lying atoll members it is also an existential threat to their survival as peoples and nations. That is why the leaders of the Blue Pacific continent have declared climate change as the single-greatest threat to the livelihoods, security and well-being of the peoples of the Pacific. It is therefore critically important and urgent to address our vulnerabilities and build resilience through mitigation

and adaptation measures in cooperation with each other and with other development partners.

It is also why today, as we usher in this landmark development in our Blue Pacific continent, our leaders, officials and partners are now convening to discuss and plan for our increasing serious concerns over the question of statehood and the protection of persons affected by sea-level rise, given the increasing serious challenges posed by rising sea levels to our peoples' lives and livelihoods and the security of our communities and countries. We therefore welcome and strongly support today's milestone consensus by the General Assembly to request an advisory opinion of the International Court of Justice on the questions posed to it on climate change.

My delegation recognizes the critical importance of the mandate of the International Court of Justice. Since its establishment, the International Court of Justice has made significant contributions to the rule of law at the international level. It has a critical role to play in promoting stability, equity and the peaceful settlement of disputes. Its decisions and opinions, including its advisory opinions, have important implications for the international community, as they develop and clarify international law and strengthen the international legal system. Papua New Guinea therefore appreciates and strongly supports the work of the International Court of Justice.

Papua New Guinea notes that the advisory opinions of the International Court of Justice are not binding and that the Court has no enforcement power. However, they can have great impact. We are firmly supportive of the role of the International Court of Justice in issuing advisory opinions in accordance with its mandate. The important role of the International Court of Justice is particularly critical with regard to legal questions relating to the existential threat of climate change, by which Pacific small island developing States, including my own country of Papua New Guinea, are especially affected. An advisory opinion of the International Court of Justice on climate change could be the most authoritative statement to date of the obligations that international law imposes on States with respect to greenhouse-gas emissions. States that care about international law and international opinion will take that very seriously.

We also note that an increasing number of domestic courts around the world are considering the issue of

climate change and citing international agreements and the decisions of other countries' courts. An advisory opinion of the International Court of Justice could become the leading authority to which those domestic courts would look in framing their own decisions. Such an opinion would also be looked to by the international human rights bodies and tribunals that are considering climate change and its impacts. Going forward, we are committed to the important work in the next phase ahead of us, and to the final outcome of that process.

In conclusion, I align my delegation's remarks with those made by the representatives of the countries of the Pacific region.

Ms. Kabua (Marshall Islands): The Republic of the Marshall Islands aligns itself with the statements delivered by the representative of the Federated States of Micronesia, on behalf of the Pacific small island developing States, and by the representative of Tonga, on behalf of the Pacific Islands Forum.

The Marshall Islands is pleased to have joined as a co-sponsor of resolution 77/276 and congratulates Vanuatu and the other core group members on successfully facilitating a resolution that ultimately serves to strengthen understanding of the obligations and actions of States with regard to climate change under international law. It is important that the resolution was adopted with the strong support of the General Assembly. Even if there are reservations by some participants on the exact references or detailed terms, it is nonetheless imperative that the United Nations not shirk its wider global responsibility for enriching and engaging with international law. Such an outcome could be an important reference point and marker for future action between States. We must all look to a deeper responsibility and look past the divisions at the negotiating table. The advisory opinion is not an exercise in which the International Court of Justice will go further than where we ourselves, as Member States, have been able to reach. Without dispute and as emphasized repeatedly by the Secretary-General, global efforts are falling well short of what was agreed. The years of repetition have proved inadequate in implementing common obligations as the global community. Despite a stronger structure, ambition has repeatedly fallen short. Atoll nations such as my own are now the first to face some of the sharpest and harshest impacts of a wider global threat and crisis.

In the 1992 United Nations Framework Convention on Climate Change, States parties agreed to "prevent dangerous anthropogenic interference with the climate system". Those cannot be empty words, and they are not general terms, but that obligation in particular remains unmet, even though it serves as a driver for a stronger multilateral effort. While the international community has expanded its understanding into the Human Rights Council and its core treaties, the law of the sea and the Security Council, much more remains to be done to connect and better realize the common threads across international law.

As the Marshall Islands, we will remain as we are now on the political map under our boundaries and baselines. Even as seas rise, our Government is tirelessly committed to ensuring our right to remain, as well as the right of our youngest and future generations to live in and know our proud island nation and culture. Those are inalienable rights that cannot be denied. But the best protection of our population may demand complex outcomes and actions, locally and globally — and our pathway to achieving those is uncertain at best.

From the perspective of a low-lying atoll State and small island developing State, the current projections of sea level rise threaten to overtop our land with no higher ground. That certainly seems to be the result of the "dangerous interference" that the world is obligated to prevent. Even if it is difficult to understand further under international law what else, beyond the direct terms of international conventions, is a legal obligation, we should at least be able to comprehend that the dramatic scale of the projections for the Marshall Islands and other atoll nations ought not to happen. Everyone in this Hall today knows that such an outcome is wrong, unjust and beyond a lawful basis.

Today it is long overdue for the General Assembly to forge an opportunity to initiate strong and effective international action that may spur greater political will. We cannot afford to stay silent, no matter how complex the issue. As we look ahead to the comprehensive process of involving Member States in addressing an advisory opinion, we urge their wide and robust participation in the multilateral process. Whatever the different interpretations of law or negotiations may be, all of us Members of this organ should remind ourselves that we are all underpinned by an international rules-based order and that our collective progress must be driven by international law. We owe it to the world to spare no effort in achieving a strong and responsive

outcome. Today's adoption reminds all of us that this is exactly why the United Nations exists.

Mrs. González López (El Salvador) (*spoke in Spanish*): The Republic of El Salvador welcomed the presentation of resolution 77/276, which the General Assembly has just adopted by consensus. We consider it an important milestone in international environmental law, as well as a contribution to international efforts to fight against climate change.

My delegation recognizes that the triple planetary crisis of climate change, pollution and the loss of nature and biodiversity has many repercussions, including for the enjoyment of the human right to a clean, healthy and sustainable environment. Recognizing the importance of protecting the global climate for humankind's present and future generations, as well as the need to address its impact on our planet, is therefore of fundamental importance and should be a priority for the international community. With that in mind, El Salvador decided to become a sponsor of the resolution, in the light of our country's location in Central America's Dry Corridor, an area that is highly vulnerable to the effects of climate change and that is continually experiencing the kinds of loss and damage that mainly affect vulnerable populations.

We believe that clarifying the scope of States' obligations with regard to guaranteeing the protection of the climate system under international law, both conventional and customary, will facilitate the interpretation of how compliance with those commitments can systematically support the protection of the human rights of peoples, taking into account the various specificities of their regions. In that context, if we are to respond effectively to the adverse effects of climate change we must not forget the urgent need to scale up action and support — including through financing, capacity-building and the transfer of technology — to enhance adaptive, mitigation and resilience capacities and implement collaborative approaches.

Given the enormous benefit that the study of the legal issues raised in the resolution represents, El Salvador would like to emphasize the importance of acknowledging that the advisory opinion is not a form of judicial recourse for States, nor is it intended to be

functionally equivalent to it. It therefore represents the means by which the General Assembly and the Security Council, as well as other organs of the United Nations and those bodies specifically permitted to do so, in accordance with Article 96, paragraph 2, of the Charter of the United Nations, may seek an advisory opinion from the International Court of Justice to assist or facilitate their activities. In issuing an advisory opinion on the interpretation of the legal issues raised for consideration in the resolution, my delegation hopes that the International Court of Justice will always keep in mind the general and customary rule of the interpretation of international treaties that implies the simultaneous and joint application in good faith of the ordinary meaning of the terms used in the treaty concerned, as well as their context, object and purpose.

El Salvador also encourages the promotion of dialogue in the international court system so that the exercise of its advisory function may be carried out in a harmonized manner by providing the relevant clarifications to requests filed by States — for example, the efforts that have been promoted by the inter-American system to request an advisory opinion on climate emergency and human rights.

Finally, we express our support for the efforts of the Court in the exercise of its advisory function to provide elementary clarifications on matters of international law. However, let us not forget that the primary commitment to undertaking action-oriented measures and responding effectively to the adverse effects of climate change, as well as avoiding, minimizing and addressing loss and damage related to those effects, lies with us, the States Members of this Organization.

The Acting President: We have heard the last speaker for this meeting. I would like to thank the interpreters for extending their services to this late hour. We shall hear the remaining speakers this afternoon, immediately after the consideration of agenda item 29, entitled "The role of diamonds in fuelling conflict", at 3 p.m. in this Hall.

The General Assembly has thus concluded this stage of its consideration of agenda item 70.

The meeting rose at 1.20 p.m.