



1. Tell us more about the World's Youth for Climate Justice! Who are you, and how did it all start?

[World's Youth for Climate Justice](#) (WYCJ) is a global youth-led non-governmental organisation (NGO) advocating for an [Advisory Opinion](#) (AO) from the [International Court of Justice](#) (ICJ) on the issue of Climate Change and Human Rights. It works closely with [Pacific Islands Students Fighting for Climate Change](#) (PISFCC). PISFCC was established in 2019 when a group of students from the University of South Pacific, were inspired by Palau's effort in 2011-2012 to persuade the United Nations General Assembly (UNGA) to request an advisory opinion from the ICJ on state responsibility for climate change. Ergo, in 2019, these students established a movement called PISFCC. PISFCC's aim was to persuade the leaders of the Pacific Island Forum to take the issue of climate change and human rights to the International Court of Justice.

In September 2021, the Government of Vanuatu announced its support for this campaign and confirmed that it will route the request for an advisory opinion through the UNGA. The government of Vanuatu further stated that it "[recognises that current levels of action and support for vulnerable developing countries within multilateral mechanisms are insufficient.](#)" Later in 2022, the Caribbean Community and Common Market (CARICOM) alliance and the Pacific Island Forum announced their support for Vanuatu's initiative seeking the ICJ AO.

Regarding such an AO, it aims to clarify the obligations of states to protect the rights of current and future generations from the adverse effects of climate change. Consequently, the campaign advocacy revolves around the need to provide an understanding of a rights-based approach to address the climate crisis and also the need to utilize international legal mechanisms to clarify and develop the international environmental law in consonance with Humanitarian law. WYCJ published a [Legal report in July 2021](#) which elaborates on the legality underlying an Advisory Opinion from the ICJ and how it is a well-justified avenue to advance this development and complement the [United Nations Framework Convention on Climate Change](#) (UNFCCC) negotiations and the broader climate goals at the community, national, regional, and international level.

Several aspects have to be taken into account in order to reach that goal. For instance, only states are entitled to appear before the Court – not international organisations – but advisory proceedings are open to five organs of the United Nations and to its fifteen specialised agencies. Therefore, tabling resolutions before the United Nations General Assembly (UNGA) to request an Advisory Opinion from the ICJ appears like the easiest legal venue to follow.

Moreover, pursuing the UNGA route requires support from the majority of UN members present and voting. Which is the reason the stated support of such an initiative by the government of Vanuatu, the Pacific Island Forum and CARICOM, is the first milestone achievement for our campaign going ahead. What these did was give WYCJ the extra strength needed to make this campaign more visible. At this stage, WYCJ is looking forward to next is the 77th session of the UNGA, which happens in September this year hoping to present a resolution requesting an Advisory Opinion.



2. How do you believe that the Advisory opinion you are seeking from the International Court of Justice will help achieve climate justice, and how will it support Nature's living systems and their right to regenerate and thrive?

Advisory opinions are [not legally binding](#) as the Court has no enforcement power. Nevertheless, such an opinion holds strong moral authority and thus helps interpret established laws that may be relied on in subsequent cases. Furthermore, the ICJ has not yet dealt with any climate change case which creates an unprecedented opportunity.

In light of WYCJ's campaign, there are several legal outcomes such an advisory opinion could have on international (environmental) law, climate science, guidance to regional and domestic courts and impacts on climate justice and youth advocacy.

- (1) *Impact on international (environmental) law*: if the right question is asked to the ICJ, such an AO could have the potential to elaborate on the legality of a human rights-based approach that could mould international environmental law, perhaps, climate change law.
- (2) *Impact on climate science*: despite the wide acceptance of the [IPCC assessment reports](#), such a report is considered to be a tool for policymaking rather than expert scientific evidence before courts. Consequently, depending on the question asked, such an AO may offer an opportunity for the Court to cement consensus on the scientific evidence of climate change and provide an excellent forum to endorse the best scientific findings on anthropogenic climate change.
- (3) *Guidance for Regional and Domestic Courts*: considering the current trend happening before national and domestic courts on the grounds of climate change based on human rights law. The opinion, by clarifying international legal obligations of states to protect the rights of present and future generations from adverse effects of climate change, could provide a precedent to establish effective remedies for affected people as well as provide guidance on new national legislation that may impose stricter liability against private actors polluting the environment.
- (4) *Impact on the recognition of youth*: when dealing with climate justice 'young people are playing a fundamental role in driving climate change accountability in both formal and informal settings ([G. Gasparri et.al. p.100](#)). Consequently, WYCJ's campaign believes in the power of the youth-led campaign, to bring it to fruition by achieving a satisfying level of climate justice. Especially as it is the States' responsibility to assure the protection of their population and their human rights. States shall understand the gravitas of this responsibility in supporting the youth. Because, ultimately, it is the state's duty to oblige to the principle of intergenerational equity in the public interest ([CILJ, WYCJ Symposium](#)).

Finally, as developed by many scientific reports and experts, climate change is altering many of Earth's ecosystems. Consequently, such an AO by strengthening the link between the UNFCCC framework and human rights treaties and by clarifying States' obligations, could also pave the way for the legal recognition of other Nature's living systems and enhance their links with climate change and human rights.

Disclaimer: The views expressed in this article are that of our partners and does not reflect the position of Earth Advocacy Youth on the subject