

## INFORMATION & COMMUNICATION DIRECTORATE

Press Release:

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### **AFRICAN LEGAL ADVISORS STRENGTHEN LEGAL CASE FOR CLIMATE JUSTICE AHEAD OF ICJ HEARINGS**



In a coordinated effort to advance Africa's climate justice agenda, African legal advisors, the African Union Commission on International Law, and strategic partners gathered at the Permanent Observer Mission of the African Union to the UN in New York. The meeting, led by the African Union Office of the Legal Counsel, was aimed at preparing for the upcoming International Court of Justice (ICJ) oral proceedings on International Court of Justice Advisory Opinion on the Obligations of States in respect of Climate Change, scheduled for December 2024.

"Africa, despite contributing the least to global emissions, faces some of the harshest climate impacts". This reflection was at the center of discussion among others. The meeting underscored that the African Union's call for climate justice is not about seeking special treatment but about securing fair treatment grounded in international law. Guided by principles such as *"common but differentiated responsibilities"* and state responsibility, the AU advocates for a legal framework that recognizes Africa's unique vulnerabilities and demands accountability from all nations regarding their climate obligations. True climate justice, the AU asserts, requires major emitters to acknowledge their duty to mitigate harm and contribute equitably to climate solutions. Aligned with frameworks such as the Paris Agreement and customary international law, which affirm the duty of states to prevent environmental harm and protect future generations, the AU seeks a robust, fair legal standard that reflects Africa's needs and supports a global commitment to environmental responsibility.

The meeting covered two core questions raised by the ICJ regarding states' responsibilities in the climate crisis. The first session, *"Obligations of States Under International Law for Climate Protection,"* explored the duty of states to protect the environment for current and future generations. The discussion centered on AU's submissions to the ICJ, strategies to assert these obligations, and the legal foundations that support this responsibility.

The second session, *"Legal Consequences for States' Actions and Omissions Regarding*

*Climate Harm*," examined the accountability of states whose actions or inactions have intensified climate damage. Emphasizing the vulnerability of small island and developing states, the discussions highlighted the human rights implications of climate inaction and the need for global accountability to protect present and future generations.

Also showcased at the meeting, was AU's evolving role as a leader in shaping international law on climate. Recent AU involvements, from the ICJ's Chagos advisory opinion to the International Tribunal for the Law of the Sea, demonstrate Africa's commitment to influencing global legal standards and asserting its rights. "*Climate justice for Africa is a global call for fairness and accountability*," noted a representative from the African Group of Legal Advisors. "Africa is determined to make its voice heard, demanding a fair legal framework that reflects our realities and advocates for all vulnerable nations."

As the ICJ hearings approach, African Union Member States remain united in their resolve to assert a robust, cohesive voice for climate justice. This effort extends beyond Africa, symbolizing a broader push for fairness and equity on a global scale.

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