

1 March, 2023

KS-3 - Environment.

3. International court of justice has an important role in addressing the issues related to climate change & reparations.  
Analyse.

In 2021, Vanuatu, a small Island developing country issued Advisory opinion to United Nation General Assembly regarding International obligation of countries towards climate change. It has received support from 100 countries.

International court of justice - Role.

Things  
- Advisory jurisdiction - as one of its jurisdiction, where United Nation General Assembly can ask advisory to International court of justice on legal matters. Though non-binding, such opinion carry normative weightage.

Draft question of Vanuatu and Role of the Court.

1. International obligation on laws of climate changes - of countries towards prevention against effects of anthropogenic factors.

Role of court → can use 'no harm' principle to give clarity on the countries obligation, as given in Paris agreement



2. International obligation → Regarding the harm already done by historical emitters, by violating the International Law and compensation for losses.

eg: conference of parties - 27 ⇒ decision on Loss & damage fund - but decision has little clarity. → not included. The historic emission.  
Role of court → courts answer to this question, can enforce the loss & damage fund to the countries bearing heat of climate change.

Way forward

Advisory opinion alone cannot be a panacea. In order to save our planet a multi-pronged approach on climate change is required. & role of International court is crucial approach. Multilateral organization - like G20 - Environment & climate sustainability is one of important themes. India being G20 leader can take the lead through constant campaign on Lifestyle for environment.