Statement by the Pacific Small Island Developing States at the Adoption of a Resolution to Request an Advisory Opinion on Climate Change from the International Court of Justice

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Delivered by: H.E, Jeem Lippwe - Ambassador and Permanent Representative of the Federated States of Micronesia to the United Nations

Mr. President, Excellencies, Distinguished Delegates,

I make this statement on behalf of the 12 Pacific Small Island Developing States represented in New York. We align our statement with the one to be delivered by Tonga on behalf of the Pacific Islands Forum.

Mr. President, on this momentous occasion, we warmly welcome one of our leaders from our region His Excellency Prime Minister Alatoi Ishmael Kalsakau of the Republic of Vanuatu and his delegation from the capital to our meeting today. We thank His Excellency for his introductory remarks on this important resolution 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 of this resolution. We particularly draw attention to the following major elements of the resolution:

1) climate justice and equity, including in the context of legal consequences for loss and damage caused by climate change;
2) the centrality of scientific consensus for climate action;
3) 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;
4) 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;
5) the status of small island developing States under international law as specially affected States in the context of our particular vulnerabilities to the adverse effects of climate change; and
6) 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 degrees Celsius 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.

Excellencies, this resolution was borne from Pacific youth who called upon our leaders to use international law as an instrument to further highlight the pressing need to take ambitious action on climate change. This call has been accepted and echoed at all levels of the Pacific, from our youth to our civil society organizations to our leaders - and we are heartened that it reverberates today in this great hall through the co-sponsorship of over 120 countries. We thank all delegations who co-sponsored or supported the resolution.

We commend the approach by Vanuatu and the Core Group to conduct open, consultative and transparent consultations which have enabled the wide participation of the entire UN membership. The remarkable attendance at all the informal consultations demonstrates not only the importance of this critical issue to the wider UN membership but also our increased willingness to work together as a global family.

Excellencies, this adoption comes at a pivotal moment, at a time when multilateralism is regaining momentum:

- In November of 2021 and 2022, we saw the successful adoption by consensus of major cover decisions for the UNFCCC COP26 and COP27 in Glasgow and Egypt that create a path forward on climate ambition;

- 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 this 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.

Excellencies, in closing we want to remind you all that today’s adoption, while important, is just the beginning of the process and we call on all states and stakeholders here today to begin preparing for the next phase of submissions. We encourage good faith submissions done in concert and with constructivism 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.

I thank you.