



Monday July 15, 2024 | 10:30-12:30 | Uni Mail | MS150

The ITLOS Advisory Opinion on Climate Change and International Law

On May 21, 2024, the International Tribunal for the Law of the Sea (ITLOS) issued an advisory opinion on the request submitted by the Commission on Small Island States on Climate Change and International Law (COSIS). The judges unanimously affirmed that anthropogenic emissions of greenhouse gases into the atmosphere constitute pollution of the marine environment within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS). In addition, the Tribunal considered that the States parties to this Convention (169 to date), have particular obligations to protect and even anticipate the risks linked to the impacts of climate change and ocean acidification. According to the Tribunal, States parties have a high duty of care because the effects of climate change and acidification of the oceans represent serious and irreversible damage to the marine environment. Closely linked to the interpretation and application of UNCLOS provisions, the advisory opinion could serve as an important precedent for the other two undergoing consultative procedures before the International Court of Justice and the Inter-American Court of Human Rights.

The Faculty of Law of the University of Geneva, in collaboration with the International Law Seminar (UN), is organizing a reflection panel on this historic advisory opinion.

Introductory remarks: **Mara Tignino**, Senior lecturer (UNIGE)

Panelists:

- Lucius Caflisch**, Honorary Professor, Graduate Institute of International and Development Studies, Geneva; former Judge of the European Court of Human Rights; former member of the International Law Commission
- Rolf Einar Fife**, Special Adviser, Ministry of Foreign Affairs, Norway; member of the International Law Commission
- Penelope Ridings**, Honorary Professor, Auckland University Law School; member of the International Law Commission
- Mario Oyarzabal**, Ambassador of Argentina to the Netherlands; member of the International Law Commission
- Vittorio Mainetti**, Adjunct Professor, Università degli Studi di Milano; coordinator of the International Law Seminar (UN)

Moderator: **Frédéric Bernard**, Professor at the Department of Public Law, (UNIGE)

