

Statement by the African Climate Platform on the ICJ Advisory Opinion on Climate Change

*Ahmad Abdallah, Chair of the Board of Directors Egyptian Commission for Rights and
Freedoms: Egypt*

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Today, the International Court of Justice (ICJ), the principal judicial organ of the UN, will deliver its advisory opinion on the obligations of States in the context of the climate crisis. As the ICJ prepares to deliver its historic advisory opinion on climate change, the African Climate Platform—a coalition of civil society organizations, legal experts, and climate justice advocates across the continent—expresses our profound anticipation of a ruling that could reinforce the urgency of global climate action and complement our ongoing petition on climate crisis, that is before the African Court on Human and Peoples' Rights (AfCHPR).

Our Expectations from the ICJ Advisory Opinion

1. **Affirmation of State Obligations Under International Law-** We expect the ICJ to unequivocally affirm that states have binding legal obligations under international law—including human rights law, environmental treaties, and the principle of common but differentiated responsibilities—to take urgent, equitable, and science-based action to mitigate climate change. Such an opinion would strengthen our argument before the AfCHPR that African governments and high-emitting nations must uphold their duties to protect the rights of present and future generations.
1. **Recognition of Climate Harm as a Human Rights Violation-** The ICJ's opinion should clarify that climate-induced harms—including displacement, food insecurity, and loss of livelihoods—constitute violations of fundamental human rights, particularly for vulnerable communities in Africa. This would provide critical legal weight to our petition, which seeks redress for climate injustices disproportionately borne by African nations despite their minimal contribution to global emissions.
2. **Reinforcement of the Polluter Pays Principle & Climate Reparations-** We anticipate that the ICJ will underscore the responsibility of high-emitting states and corporations to provide financial and technical support for climate adaptation, loss and

damage, and a just transition in developing nations. This would bolster our demands for accountability and reparations before the AfCHPR, ensuring that African voices are central in global climate justice mechanisms.

3. **Support for Intergenerational Equity & Rights of Future Generations-** A strong ICJ opinion recognizing the rights of future generations would align with our petition's emphasis on safeguarding the ecological and socio-economic future of African youth and children. This would set a vital precedent for courts worldwide, including the AfCHPR, to enforce long-term climate protections.
4. **Strengthening African Climate Litigation-** The ICJ's advisory opinion should provide a foundational legal framework that African courts, including the AfCHPR, can rely upon to hold governments and transnational actors accountable. By affirming the gravity of climate injustice, the ICJ can catalyse stronger judicial enforcement of climate policies across the continent.

The Path Ahead

While the ICJ's opinion is non-binding, its moral and legal authority will be pivotal in shaping climate jurisprudence globally. We call upon African leaders, the African Union, and the international community to heed this opinion and take immediate, concrete steps to support the push back against the climate crisis. Today's ICJ ruling must mark a turning point—where legal, policy and human rights frameworks finally align with scientific and ethical imperatives to secure a liveable future for all. The African Climate Platform stands ready to leverage this opinion in our pursuit of justice, both in regional and international fora.

Signed,

The African Climate Platform

About the African Climate Platform (ACP):

The ACP is a broad coalition of African civil society organizations, grassroots climate defenders, legal professionals, Indigenous communities, women's groups, and youth movements working to amplify African voices in climate policy and justice.

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Statements of Solidarity

“It is ironically sad that Southern countries who suffer from extraction processes leading to increased emissions, now also have to see their present and future been mortgaged by the ineffective global climate change policy agenda. It is about time that polluter countries commit to strong actions to revert emissions

The concerns expressed by Vanuatu have a strong echo in Central Africa, where communities are engaged in a struggle for survival against the nature, and can't hope for a better future without strong actions from polluter countries to revert emissions”- Samuel Nguiffo, Executive Director: Centre for Environment and Development (CED)/ Cameroon and Goldman Prize Winner/ Africa/1999

“Countries in Southern Africa are disproportionately impacted by the climate crisis - with increasing droughts, floods, desertification, food insecurity and displacement - despite having contributed so little to the crisis in terms of emissions. Our countries have not adapted to these ongoing and foreseeable future environmental harms and natural disasters and require funding and support to do so. In the rush for solutions, mining of critical minerals and carbon credit projects are being rolled out in a manner that violate local communities' fundamental rights. These are all issues that we hope the ICJ will take the opportunity to address in its monumental Advisory Opinion.” – Fiona Iliff- Fiona ILIFF, Zimbabwean Human rights and environmental lawyer, Winterton's Legal Practitioners

"The forthcoming ICJ advisory opinion on climate obligations is expected to clarify state responsibility for transboundary environmental harm and reinforce principles such as intergenerational equity and international cooperation. This guidance could significantly influence how regional courts, including the African Court on Human and Peoples' Rights, interpret similar obligations under African human rights instruments in the context of climate change and environmental destruction. It may, in the future, help define the scope of widespread environmental harm as a human rights issue, guide the Court in framing contemporary legal concepts such as ecocide within Africa's legal context, and strengthen the case for recognizing ecocide as a violation of collective and intergenerational rights under the African Charter." James Gondi, Africa Director Stop Ecocide International

“From the millions of people from across the Congo Basin, the Lungs of African, it is our sincere expectation that the ICJ decision regarding the request for the consultative on the Advisory would carry the hope of millions of Congolese and Africans on obtaining a legal tool from regional practice to establish the right to climate disputes in Africa. It is our expectations that the ICJ decision would reform social safeguard, access to information, public participation and protection of climate defenders across the African continent and our respective countries. We anticipate the the ICJ decision will give the right directions to complement and reinforce the petition submitted by the African Climate platform before the African Court”, Olivier Ndole Executive Director ACEDH/ DRC

The AO by the ICJ whilst not the panacea for the many climate challenges facing the world at this moment, it advances the course of climate justice by opening yet another frontier. It is imperative that other regional courts like Africa Court engage with these issues too as they impact human rights, dignity and quality of life, and sustainability of biodiversity.

Thuli Brilliance Makama Africa Director: Oil Change International/ Goldman prize Winner 2010/Africa

“Climate change is more than just an environmental issue; it’s a matter of justice, survival, and human rights. As the ICJ prepares to issue its opinion, we hope it will reaffirm what frontline communities have always known: that states have clear legal obligations to prevent harm, protect the most vulnerable, and take meaningful action rooted in fairness and solidarity. For us in Africa, this opinion could serve as a strong boost to our regional legal fight before the African Court and remind us that international law should serve the people, not polluters.” *Radiatu H. S. Kahnplaye, Climate Justice Activist, Green Advocates International/Policy Advisor/ Natural Resources Women’s Platform/ Liberia*

“As the International Court of Justice (ICJ) releases its historic Advisory Opinion on states’ obligations in addressing climate change, we stand in solidarity with frontline communities and nations that have long borne the greatest burdens of a crisis they did not cause. This moment affirms the moral and legal responsibility of states to prevent harm, remedy damage, and uphold justice in the face of the climate emergency. Even though the petition itself did not expressly request for the human rights obligations of states as did the African petition lodged in the African Court on Human and Peoples’ rights, we anticipate a pronouncement by the court that will definitely affect the human rights situation regarding climate change. We would like to honor the courage of those who brought this case forward and reaffirm our commitment to using this opinion as a tool to hold polluters accountable, demand reparations, not loans, for affected communities and to defend environmental defenders who have long suffered in the defense of the right to a clean and healthy environment.” *June Cynthia Okelo, Climate Justice Lead and Economic Governance Officer at Pan-African Lawyers Union*

“The climate crisis is a profound justice issue—one that threatens lives, rights, and the survival of entire communities. As the International Court of Justice prepares to deliver its Advisory Opinion, we express our solidarity with those on the frontlines who have long carried the weight of a crisis they did not create. We hope the Court will clearly affirm that states are legally bound to prevent environmental harm, protect those most at risk, and respond to the crisis with integrity, equity, and urgency. While the ICJ request did not place human rights at its centre in the way the African Court petition does, we believe the opinion will carry significant implications for climate-related human rights obligations. For African communities, it could lend critical strength to ongoing regional legal efforts and reinforce the principle that international law must serve people before polluters. We honour those who brought this case forward and will continue to use every legal avenue to hold major emitters

accountable, to demand justice and reparations—not debt—for affected communities, and to defend those who risk their lives to protect our shared environment.” *Lucien Limacher Head of Programmes, Natural Justice*

“As the ICJ delivers its pivotal advisory opinion, my deepest hope is that its wisdom will unequivocally side with the silent sufferers of climate change. For Egypt, already grappling with intensified heatwaves, water scarcity and rising sea levels threatening our precious delta, the ruling must serve as a resounding affirmation of justice, compelling states to uphold their obligations and protect the livelihoods of the most vulnerable to a crisis they did not create

This imperative extends far beyond Egypt’s borders, encompassing the entire North African region, where communities face escalating climate impacts. From the devastating floods and infrastructure failures, such as the catastrophe witnessed in Derna, to the prolonged droughts and desertification, the human cost of climate change is undeniable. The ICJ decision must acknowledge these widespread vulnerabilities and provide a robust legal framework to ensure accountability and protection for all affected people across our region and the entire planet.”

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