



## **Workshop on Seeking an Advisory Opinion on Climate Change Obligations by APCEL and WY CJ**

On 31 January 2024, **APCEL** and the **World's Youth for Climate Justice (WY CJ)** collaboratively held a workshop on the advisory opinions sought from the International Tribunal for the Law of the Sea (ITLOS) and the International Court of Justice (ICJ) on climate change.

The WY CJ is an umbrella organisation comprising of youths around the world, which originated from a group of law students in the Pacific Islands coming together to fight climate change.

In the past two years, ITLOS and the ICJ have received historic requests for advisory opinions on states' obligations in relation to climate change from the Commission of Small Island States (COSIS) and the United Nations General Assembly (UNGA) respectively. ITLOS has received state submissions and conducted hearings, while the ICJ will receive submissions in March 2024.

Given that the advisory opinions have the potential to significantly clarify states' obligations under international law, and provide a catalyst for future climate action, APCEL and WY CJ held a workshop for youths to understand this milestone development.

The workshop comprised of three separate panels providing: (1) an overview of the requests for advisory opinions; (2) Singapore's approach to the ITLOS advisory opinions; and (3) a youth perspective on climate change and sustainability challenges. Well attended by a youthful audience, the event was a robust learning experience for the participants.

### Overview of the Current Requests for Advisory Opinions before the ICJ and ITLOS

In the first panel, **Dr Nilüfer Oral**, Director of the Centre for International Law – who attended the ITLOS hearings in person in September 2023 – introduced the questions that ITLOS was asked to answer in the advisory opinion: the obligations of states to prevent, control and reduce marine pollution; and to protect and preserve the marine environment under the United Nations Convention on the Law of the Sea (UNCLOS).

**Ms Nicole Ponce**, Asian Front Convenor, WY CJ, spoke about WY CJ's campaign for states to vote in favour of the UNGA resolution to request that the ICJ issue an advisory opinion on climate change. She also introduced WY CJ's Youth Climate Justice Handbook meant for youth activists and the youth briefs prepared by youth representatives for their states to use in written submissions to the ICJ.

**Dr Linda Yanti Salistiawati**, Senior Research Fellow at APCEL, moderated the discussion which saw many questions asked on the impacts of the advisory opinions. Dr Oral responded that while the advisory opinions by ITLOS and ICJ will not be legally binding, they will be very authoritative. Ms Ponce shared that the advisory opinions would have influence and moral authority and states will hopefully take them on board.

### Singapore's Approach to the ITLOS Advisory Opinion

In the second panel, **Ms Amanda Chong**, Deputy Senior State Counsel, International Affairs Division, Attorney-General's Chambers, gave the audience a rundown of Singapore's submissions to ITLOS. She shared that Singapore's approach was premised on Singapore being vulnerable to climate change and

rising seas levels; Singapore's strong support for a multilateral approach to the collective problem of climate change; and fidelity to UNCLOS which Singapore played a significant role in developing.

She explained that under the UNCLOS provisions, external legal norms are incorporated and states must fulfil the Paris Agreement obligation of limiting temperature increase to 1.5 degree Celsius.

**Dr Tara Davenport**, Deputy Director of APCEL, moderated the discussion, where Ms Chong shared that Singapore wants to be proactive in the climate change space and that the responses received for Singapore's submissions to ITLOS were positive.

#### Youth Panel Discussion, "Climate Change and Sustainability Challenges and Beyond"

The event was capped off with a youth panel on how youth have been and can be advocates for climate action.

**Ms Natalie Goh**, Programme Management Lead, Singapore Youth for Climate Action (SYCA), shared about SYCA's work in organising the Local Conference of Youth (LCOY) in Singapore; tracking COP28; engaging with the government; and holding youth-led conversations.

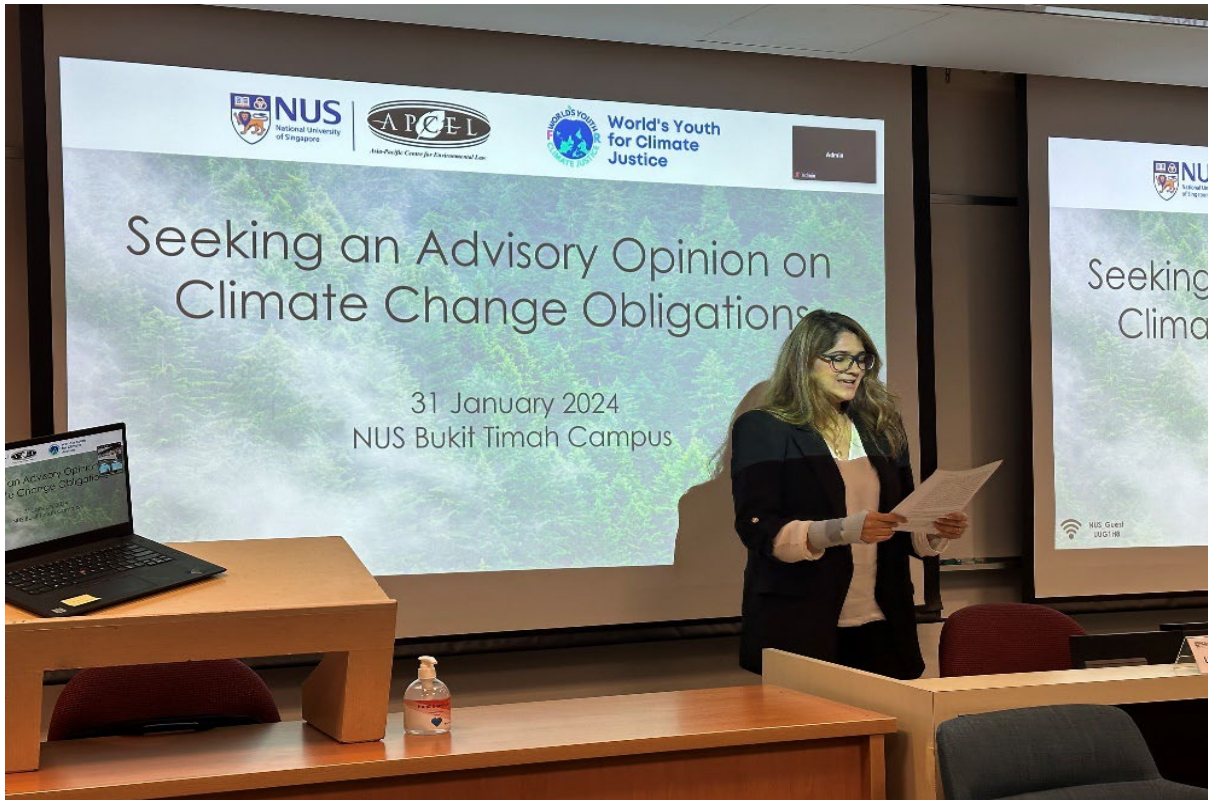
**Mr Ho Xiang Tian**, Co-Founder, LepakInSG, shared about their engagement with government agencies including on land use planning issues and the Singapore Green Plan 2030; their NetWalk initiative to bring sustainability and nature groups together; and their campaign to reduce food waste.

**Mr Ajay**, Representative, SG Climate Rally, spoke about how climate justice entails thinking about the surrounding people who may be affected, such as green projects that involve forced relocations.

**Ms Terese Teoh**, President, SYCA, moderated the discussion. The panellists shared that they hoped for more opportunities for public participation and open consultation in Singapore.

In all, the event allowed the audience to learn about the advisory opinions and gave much food for thought on climate action.

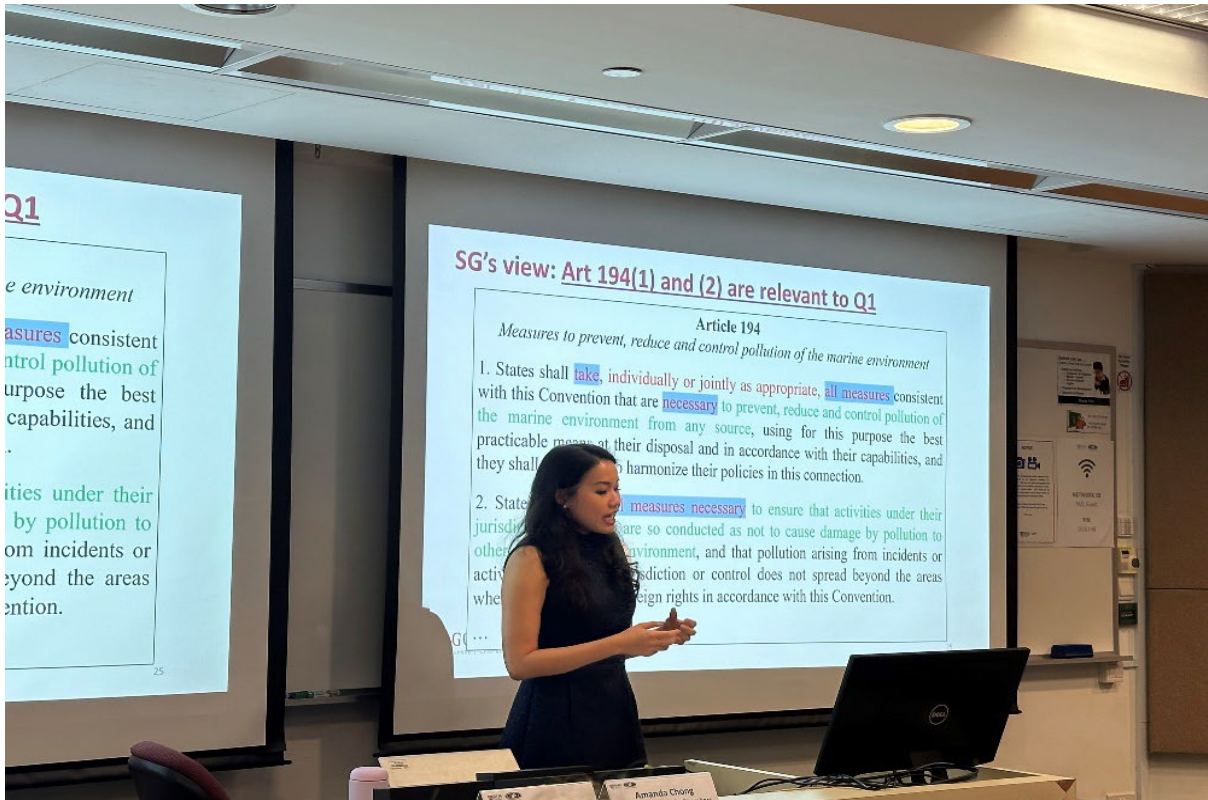
APCEL will continue the discussion on the advisory opinions at our upcoming visitor lecture on 20 February 2024 (Tuesday) by Professor Ellen Hey, Professor of International Law, Erasmus University Rotterdam. Register here: <https://law.nus.edu.sg/apcel/events/distinguished-visitor-lecture-climate-change-before-the-international-tribunal-for-the-law-of-the-sea-itlos-and-the-international-court-of-justice-ici/>



*Dr Tara Davenport, Deputy Director of APCEL, giving her opening remarks*



*The first panel on the requests to ITLOS and the ICJ for advisory opinions*



The second panel: Ms Amanda Chong giving a presentation on Singapore's submissions to ITLOS



The third panel: Youths sharing their views on climate action in Singapore