

4. International Court of Justice (ICJ)

Why in News?

- Recently, The United Nations General Assembly (UNGA) has asked the International Court of Justice (ICJ) by passing a Resolution to give its opinion on countries' obligations towards Climate Change based on the U.N. Framework Convention for Climate Change (UNFCCC).

Highlights

- The UNGA asked the ICJ to answer two questions,
- What are the obligations of states under international law to ensure the protection of the climate system for present and future generations?
- What are the legal consequences under these obligations for states where they, by their acts and omissions, have caused significant harm to the climate system, particularly for Small Island Developing States (SIDS) and for people who are harmed.
- The resolution refers to international agreements like the Paris Agreement and the United Nations Convention on the Law of the Sea (UNCLOS).
- The ICJ will take around 18 months to give its opinion.
- India has not taken a clear stance on the UN resolution, but it generally supports climate justice and accountability for Global Warming.
- The Indian government has referred the resolution to legal authorities to assess its implications and international ramifications.
- India has updated its NDC (Nationally Determined Contributions) commitments and plans to source half its electricity from renewable sources by 2030, but it did not co-sponsor the draft resolution.
- India is closely watching how major powers like the U.S. and China respond to the resolution, as their support is crucial for its implementation.
- India has emphasized that the ICJ process can only address climate change issues broadly and cannot name or profile any one country, also stressing that any attempt to impose an opinion in a “top-down” manner would be resisted.