

Headline: Intervene in ICJ climate change case, PH gov't urged

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Senior Associate Justice Marvic Mario Victor F. Leonen. (File photo by RYAN LEAGOGO / INQUIRER.net)

Senior Associate Justice Marvic Mario Victor F. Leonen. (File photo by RYAN LEAGOGO / INQUIRER.net)

MANILA, Philippines — Supreme Court Senior Associate Justice Marvic Leonen has called on the Philippine government to get involved in the pending International Court of Justice (ICJ) case on climate change

“If we are to remain true to our advocacy for climate justice, being one of the states that stand to be most affected ... we need to intervene in this pending ICJ case for an advisory opinion on climate change,” Leonen said in a statement.

He also made the same call to the University of the Philippines (UP) community as he noted “the skills we have as lawyers and public rights advocates.”

Leonen challenged the UP community, including the UP National College of Public Administration and Governance and the UP College of Law, “to become the active public intellectuals that they are to provide our government with the needed draft for an intervention.

“You are well placed to craft an interdisciplinary pleading. You are well placed to organize and mobilize. Become the iskolar ng bayan that you are meant to be,” he said in his speech at a recent UP event where he was a guest speaker.

“Engage in issues surrounding the climate crisis and our democracy,” he told them.

The United Nations General Assembly adopted earlier this year a resolution requesting an advisory opinion from the ICJ regarding states’ obligations on climate change.

Consultations with UN officials further refined the draft into the present resolution, which later gained the support of other states.

According to Leonen, in the resolution, the ICJ was asked to give its opinion on the legal consequences of states’ “acts and omissions” which have affected the climate system.

He said that this was in the context of the injury that small island developing nations face due to the adverse effects of climate change.

The opinion from the ICJ is also supposed to refresh the commitment of states under international law to protect the climate system, he added.

The Philippines was among the nations that welcomed the initiative for the UN General Assembly to request an advisory opinion from the ICJ on the rights of present and future generations to be

protected from the consequences of climate change.

In December last year, Ambassador Antonio Lagdameo, Permanent Representative to the United Nations, had expressed support for the initiative and concurred that climate change is indeed an “unprecedented challenge of civilizational proportions” that required a united effort led by the United Nations.

Leonen cited the climate crisis that the world is currently facing, especially in the Philippines.

“In the Philippines, communities are continuously ravaged by the detrimental effects of climate change. We are a nation whose geographical location has made us vulnerable to natural disasters. As an archipelago, we are often found in the path of typhoons and are prone to earthquakes, volcanic eruptions, and tsunamis,” the high court official lamented.

“We are reliant on agriculture and fisheries, to which we must consider the impact of natural disasters both on the livelihoods of our farmers and fisherfolk, and on our own survival as a nation,” he said.

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“Actual people have lost their livelihoods, homes, and loved ones because of the continuing climate crisis, and it is in their best interests that we must act on it before it is too late,” he added.