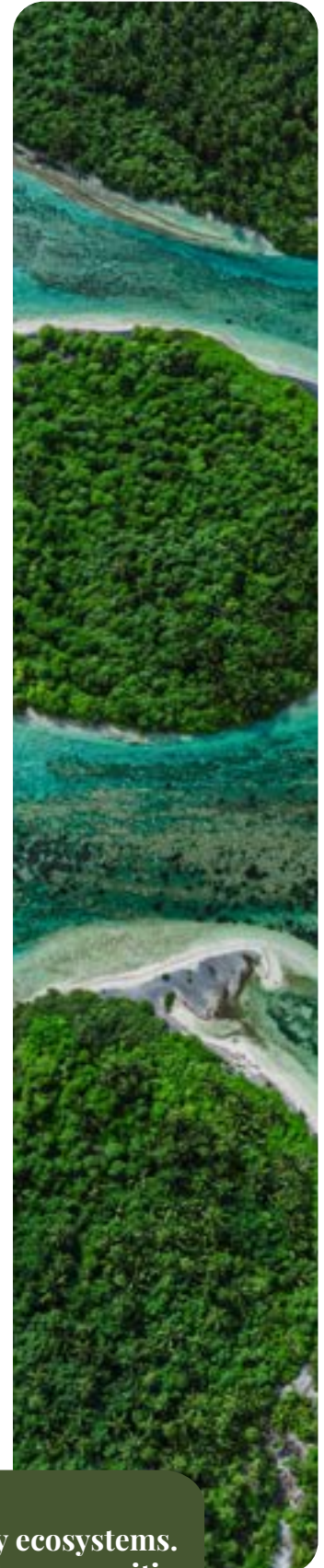


ISLANDS ON THE RECORD

A Handbook for Biodiversity and Climate Action in Light
of the International Court of Justice Advisory Opinion on
Climate Change

This handbook translates the International Court of Justice Advisory Opinion on Climate Change into practical guidance for islands. It supports governments, practitioners, communities, and partners in strengthening biodiversity, climate resilience, and inclusive environmental governance, now and for the future.



**Healthy ecosystems.
Resilient communities.
Island leadership.**

Suggested Citation

Islands on the Record: A Handbook for Biodiversity and Climate Action in Light of the International Court of Justice Advisory Opinion on Climate Change. Global Island Partnership (GLISPA), 2026.

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Special thanks to Dr. Francesco Sindico, Professor of International Environmental Law at the University of Strathclyde Law School, and intern Blair Goodwin, for their legally focused technical contributions.

Acknowledgements

This handbook was developed by the Global Island Partnership and its members to support island governments, territories, Indigenous Peoples, local communities, conservation practitioners, policymakers and development partners in understanding the implications of the International Court of Justice (ICJ) Advisory Opinion on Climate Change for biodiversity conservation and climate action. It draws upon the Court's Advisory Opinion, existing international environmental and human rights law, and the practical experience of island practitioners working to strengthen resilience through ecosystem stewardship, collaborative governance and sustainable development.

This handbook also recognises the extraordinary leadership of Pacific Islands Students Fighting Climate Change (PISFCC), whose vision and sustained advocacy helped catalyse the international process that resulted in the International Court of Justice Advisory Opinion on Climate Change. Working alongside Pacific governments, civil society, Indigenous Peoples, legal experts and youth movements worldwide, PISFCC demonstrated how informed, principled youth leadership can help shape international law and inspire global action for climate justice.

The handbook is intended as a practical resource that translates complex legal concepts into accessible guidance for decision-makers and practitioners.

It is not legal advice, nor does it replace the authoritative text of the Advisory Opinion. Readers are encouraged to consult the Opinion and the referenced international agreements directly where legal interpretation is required.

For the young people and island communities around the world whose leadership continues to shape a more just, resilient, and sustainable future.

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Introduction: How to Use This Handbook

On 23 July 2025, the International Court of Justice (ICJ) issued its Advisory Opinion (AO) on Obligations of States in Respect of Climate Change, providing the most authoritative interpretation to date of States' obligations under international law in responding to climate change.

The ICJ-AO is more than a legal milestone. It provides greater clarity about how existing obligations under international climate and environmental law apply in practice, reinforcing the importance of healthy ecosystems, science-based decision-making, cooperation, and long-term resilience.

The campaign that led to the ICJ-AO began with a group of Pacific law students who believed that the communities most affected by climate change should help shape the international response to it. Their leadership demonstrates how informed, collaborative and persistent advocacy can influence international law and inspire global action.

This handbook has been developed to help island governments, practitioners, Indigenous Peoples, community organisations, educators, researchers, and young leaders understand what the Advisory Opinion means for islands and how it may inform practical action. Although the Advisory Opinion is directed to States, many of its implications extend to island jurisdictions, territories, municipalities, and the institutions responsible for managing land, freshwater, coastal, and marine environments. The handbook therefore focuses on implementation, recognising that many of the actions needed to strengthen climate resilience occur at the local and regional levels. This publication is not intended to provide legal advice or a comprehensive commentary on the Advisory Opinion. Instead, it explains the Court's reasoning in plain language, highlights where biodiversity and healthy ecosystems fit within the Court's analysis, and identifies practical opportunities for islands to strengthen existing climate action.

The handbook is organised around seven practical questions, set out in the **How This Handbook is Organised** chapter.

This handbook:

- Explains the Court's reasoning
- Shows where biodiversity fits
- Identifies island action opportunities

This handbook is NOT:

- Legal Advice
- A replacement for the Opinion
- A full legal commentary

In short: this handbook is designed to complement the Advisory Opinion itself. Its purpose is to help translate international law into practical action that supports healthy ecosystems, resilient communities and sustainable island futures. It is offered in the same spirit of the youth-led advocacy that helped bring about the Advisory Opinion, with hopes of carrying that momentum into the next stage of turning legal clarity into practical action for islands.

Executive Summary

Climate change presents one of the greatest challenges facing islands. Rising sea levels, changing weather patterns, biodiversity loss, ocean warming, and increasing pressure on freshwater, food systems, and cultural heritage are already affecting communities across the Pacific and around the world. Healthy ecosystems are increasingly recognised as essential infrastructure for building resilience and supporting sustainable development.

On 23 July 2025, the International Court of Justice (ICJ) issued its Advisory Opinion on Obligations of States in Respect of Climate Change. The Opinion provides the clearest explanation to date of how existing international law applies to climate change. Rather than creating new legal obligations, it clarifies how States' existing obligations under international law should be understood and implemented in light of the best available science.

Although biodiversity is not the primary focus of the Advisory Opinion, the Court's reasoning reinforces its importance. Healthy ecosystems help prevent environmental harm, reduce climate risks, support adaptation, protect human rights, and contribute to sustainable development. The Opinion also confirms that climate obligations should be interpreted alongside other relevant areas of international law, including biodiversity conservation, protection of the marine environment, and human rights.

For islands, the Advisory Opinion provides greater legal certainty at a time when governments, communities, practitioners, and young people are already working to strengthen resilience, protect biodiversity, restore ecosystems, and prepare for future climate risks. It reinforces the importance of integrated approaches that recognise healthy ecosystems as essential to climate resilience, sustainable development, and community wellbeing.

This handbook translates the Court's legal reasoning into practical guidance for island governments, practitioners, educators, researchers, community organisations, Indigenous Peoples, and young leaders. It explains what the Advisory Opinion means in practice and highlights opportunities to strengthen existing work rather than create entirely new approaches.

The publication also recognises the extraordinary leadership of Pacific Islands Students Fighting Climate Change (PISFCC), whose vision helped catalyse the international process that led to the Advisory Opinion. Working alongside Pacific governments, Indigenous Peoples, civil society organisations, legal experts, and youth movements worldwide, the campaign demonstrated how informed, collaborative leadership can influence international law. The next chapter is implementation, and islands are well placed to continue leading by example.



“For islands, this is not new law to learn. It is stronger ground to stand on as we lead.”

**Kate Brown,
Executive Director, GLISPA**

Five Key Messages from the Advisory Opinion

1. Climate change engages binding obligations under international law.

The Advisory Opinion clarifies that climate change is governed by existing international legal obligations. States are required to prevent significant environmental harm, exercise due diligence, cooperate internationally, and fulfil relevant human rights obligations. Rather than creating new obligations, the Court explains how existing duties apply in the context of climate change and the best available science.

2. Healthy ecosystems are central to effective climate action.

Healthy ecosystems help prevent environmental harm, reduce climate risks, strengthen resilience, protect human rights, and support sustainable development. The Advisory Opinion reinforces the importance of biodiversity by clarifying that climate obligations should be interpreted alongside other areas of international environmental law, including the Convention on Biological Diversity and the United Nations Convention on the Law of the Sea.

3. Science must guide climate decision-making.

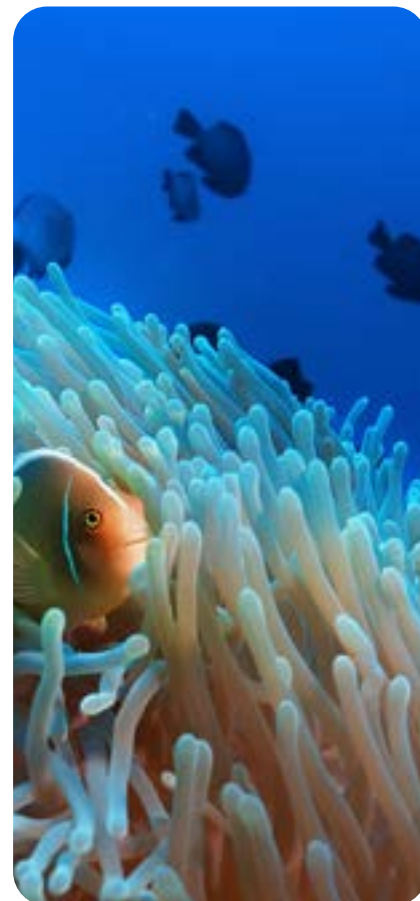
The Court clarifies that responding to climate change requires a stringent standard of due diligence, informed by the best available science and appropriate to each State's capabilities. Environmental monitoring, biodiversity assessments, attribution science, environmental impact assessment, and Indigenous and local knowledge all contribute to informed decision-making and continual improvement.

4. Islands are already demonstrating climate leadership.

Across the Pacific and beyond, island governments, Indigenous Peoples, local communities, researchers, educators, and young leaders are already implementing integrated approaches to biodiversity conservation, ecosystem restoration, climate adaptation, and sustainable resource management. The ICJ-AO strengthens the legal foundation supporting many of these existing efforts, amplifying calls for funding, policy reform, and proactive climate risk reduction actions.

5. The next chapter is implementation.

The Advisory Opinion provides a stronger legal framework for future action. By strengthening governance, integrating biodiversity into climate planning, investing in monitoring and restoration, and continuing to share knowledge across regions and generations, islands can continue demonstrating climate leadership while advancing resilient and sustainable futures.



**Existing law.
Clearer duties.
Stronger foundations.**

**With islands already
leading the way.**

How This Handbook is Organised

The handbook is organised around seven practical questions that reflect the decisions facing island governments and practitioners:

1. Why Does the ICJ Advisory Opinion Matter for islands?
2. What Can Governments Do Now?
3. Why is Biodiversity Central to Climate Action?
4. How Can Healthy Ecosystems Demonstrate Climate Leadership?
5. What Does This Mean for Island Governments and Territories?
6. How Can Islands Apply the Advisory Opinion?
7. Where Do We Go From Here?

Each section follows a consistent format:

Why This Matters; What the Court Clarified; and Key Actions for Islands

Together, these sections are intended to support practical implementation while remaining grounded in the Court's reasoning and the best available science. The handbook concludes with a reference toolkit containing a glossary, key legal concepts, an overview of the legal architecture of the Advisory Opinion, a paragraph guide, references, and additional resources for practitioners. These materials are provided to support further learning without interrupting the flow of the main handbook.



Islands are already leaders in climate action and biodiversity advocacy.

We hope this Handbook will be useful and used in the campaign for a more just and equitable future for all.

Why Does the ICJ-AO Matter for Islands?

On 23 July 2025, the International Court of Justice confirmed that climate change engages binding obligations under international law. For islands, the Advisory Opinion provides an important opportunity to strengthen climate action, biodiversity conservation and environmental governance through a clearer understanding of existing legal obligations.

Why This Matters

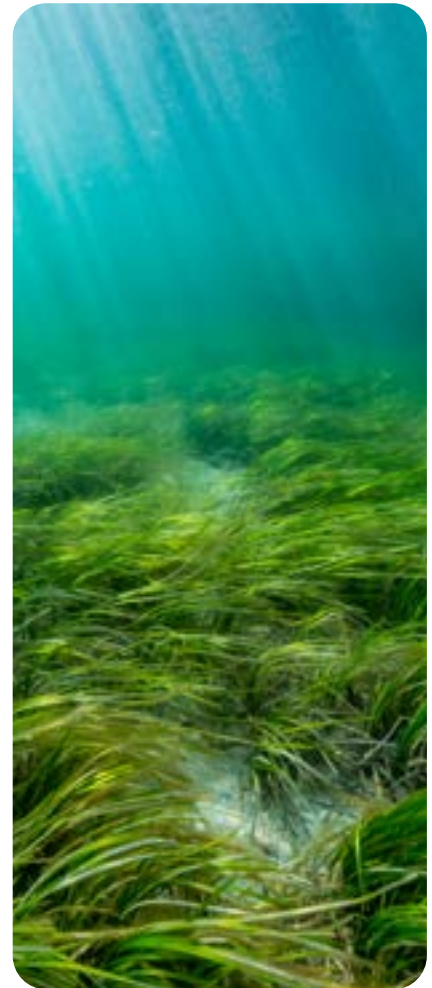
Island communities have long understood that climate change is not simply an environmental issue. It affects freshwater supplies, food security, public health, infrastructure, livelihoods, cultural heritage, and the ecosystems that support them. For many islands, responding to climate change has never been about a single policy or sector; it has required integrated approaches that recognise the close relationship between people, nature, and long-term resilience.

Against this backdrop, the International Court of Justice's Advisory Opinion provides timely legal clarity. It explains how existing international law applies to climate change and reinforces the importance of preventing environmental harm, relying on the best available science, cooperating internationally, and protecting human rights.

For islands, the Advisory Opinion does not represent a new starting point. Rather, it provides a stronger legal foundation for many actions that governments, Indigenous Peoples, communities, researchers, and young leaders are already undertaking to build resilient and sustainable futures. The ICJ-AO is particularly significant because climate change cannot be separated from biodiversity. Coral reefs, mangrove forests, seagrass meadows, wetlands and native forests protect coastlines, regulate freshwater, support fisheries, store carbon and sustain livelihoods. When these ecosystems decline, climate risks increase.

Although the Court was asked to consider climate change rather than biodiversity specifically, its reasoning recognises the close relationship between protecting the climate system and protecting the environment more broadly. As a result, biodiversity conservation becomes increasingly relevant to demonstrating effective climate governance.

The ICJ-AO therefore encourages a more integrated approach. Rather than treating climate action and biodiversity conservation as separate agendas, it provides a framework that recognises their interdependence. For islands, where healthy ecosystems underpin resilience, sustainable development and cultural wellbeing, this integrated approach reflects realities that have long been understood in practice.



Climate change and biodiversity cannot be separated.

The Advisory Opinion turns that long-held island reality into clearer legal obligation.

Why Does the ICJ-AO Matter for Islands?

What the Court Clarified

The Advisory Opinion confirms that climate change engages obligations arising under existing international law. These obligations are informed by a range of legal frameworks, including climate law, the law of the sea, human rights law, and other relevant international environmental agreements (AO ¶132–138).

The Court also explains that responding effectively to climate change requires consideration of the best available science. Scientific understanding is not separate from international law; it helps inform how existing legal obligations should be interpreted and implemented in practice (AO ¶62–65; ¶278–281). In this context, governments are expected to continually strengthen their efforts as scientific knowledge develops and circumstances evolve.

Importantly, the Advisory Opinion recognises that climate change presents an exceptional global challenge requiring cooperation among States, acknowledging data collection and climate action as ongoing obligations. While implementation will differ according to national circumstances and capabilities, all States share responsibilities for addressing climate change under international law (AO ¶282–285). For islands, these clarifications reinforce the importance of integrated approaches that recognise the connections between climate resilience, biodiversity conservation, sustainable development, and community wellbeing.

Key Actions for Islands

- Leverage the ICJ-AO as a reference point to strengthen climate and biodiversity governance and implementation actions, building on existing climate adaptation, biodiversity, and resilience initiatives.
- Integrate climate and biodiversity objectives across planning and decision-making.
- Continue investing in ecosystem protection and restoration as foundations for resilience.
- Strengthen environmental monitoring and the use of scientific evidence.
- Foster collaboration across government agencies, Indigenous Peoples, local communities, and development partners.
- Reference the ICJ-AO as an opportunity to communicate the value of healthy ecosystems as essential infrastructure for resilient island futures to further support dialogue, partnerships, and international cooperation.

①

Existing law applies:

Obligations arise under climate law, the law of the sea and human rights law

AO ¶132–138

②

Guided by science:

Interpreted and implemented using the best available science

AO ¶62–65; ¶278–281

③

States must cooperate:

Shared responsibility, differing by national capacity and circumstance

AO ¶282–285

What Can Governments Do Now?

The Advisory Opinion confirms that governments are expected not only to make climate commitments, but to take meaningful, science-based action to implement them.

Why This Matters

The Advisory Opinion is not a blueprint for a single climate policy, nor does it prescribe a uniform approach for every country. Instead, it explains how existing international legal obligations can inform decision-making in light of climate change and the best available science, with a strong emphasis on implementation.

For island governments, many of the building blocks are already in place. Climate adaptation strategies, biodiversity conservation programmes, disaster risk reduction initiatives, environmental legislation, marine management plans, and community-led stewardship all contribute to stronger climate resilience. The Advisory Opinion provides an opportunity to consider these efforts collectively and identify where they can be further strengthened, integrated, or better coordinated.

Implementation is therefore less about creating entirely new systems than about making more effective use of existing knowledge, institutions, partnerships, and planning processes. Climate strategies, policies and legislation remain important, but the Court makes clear that commitments must be translated into practical action. Governments can and should regulate activities that contribute to climate change, base decisions on the best available scientific evidence, cooperate internationally and continually strengthen their responses over time. For islands, this approach is particularly relevant.

Island governments often manage extensive marine and terrestrial environments with limited institutional capacity. Decisions relating to land use, coastal development, freshwater management, fisheries, protected areas, and infrastructure all influence climate resilience. The Advisory Opinion reinforces the importance of integrating these decisions rather than addressing climate, biodiversity and development through separate processes.

The Court also recognises that international cooperation remains essential. Many island developing States require financial resources, technology transfer and capacity-building to implement effective climate action. The Opinion reinforces existing obligations to cooperate and provides additional legal context for strengthening international partnerships.

Ultimately, the ICJ-AO shifts the focus from ambition alone to implementation. It encourages governments to ask not only ***"What are our climate commitments?"*** but also ***"How are we demonstrating that we are acting on them?"***



The question shifts from what governments promise to how they show they are acting.

What Can Governments Do Now?

What the Court Clarified

The Advisory Opinion confirms that responding to climate change requires action across government rather than within a single ministry or sector. Climate obligations intersect with environmental protection, human rights, sustainable development, ocean governance, and other areas of international law, reinforcing the importance of coordinated and integrated decision-making (AO ¶132–138).

The Court also explains that implementation should be informed by the best available science. Scientific understanding helps governments identify foreseeable risks, evaluate options, monitor progress, and adapt policies as new information becomes available. Decisions informed by reliable scientific evidence are therefore central to demonstrating effective implementation of existing obligations (AO ¶62–65; ¶278–281).

At the same time, the Court recognises that governments retain discretion in determining how obligations are implemented. Approaches will differ according to national circumstances, capabilities, available resources, and local priorities. What matters is that decisions are informed, proportionate, and directed towards preventing significant environmental harm using appropriate measures (AO ¶278–281).

The Advisory Opinion also reinforces the importance of cooperation. Climate change cannot be addressed by governments acting in isolation. Collaboration across agencies, sectors, jurisdictions, scientific institutions, Indigenous Peoples, local communities, civil society organisations, and international partners strengthens implementation while supporting more resilient and equitable outcomes (AO ¶282–285).

Taken together, these clarifications support an approach to climate governance that is integrated, evidence-based, adaptive, and collaborative.

The Court also distinguishes between obligations of conduct and obligations of result. In general, governments are expected to demonstrate that they have taken reasonable, good-faith and science-based measures to address climate change. They are not judged solely on whether they can guarantee a particular environmental outcome.

Key Actions for Islands

- Review existing climate, biodiversity, disaster risk reduction, and sustainable development strategies to identify opportunities to strengthen integration.
- Apply the best available science, together with Indigenous and local knowledge, to inform planning, implementation, and adaptive management.
- Strengthen legislation, institutions, and coordination across sectors.
- Invest in long-term environmental monitoring to improve understanding of climate impacts, support attribution science, and evaluate management outcomes.
- Encourage collaboration among government agencies, researchers, communities, civil society organisations, regional organisations, and young leaders.
- Share lessons learned, good practices, and scientific information through regional and international partnerships.
- Build partnerships that support implementation, finance, technology transfer, and knowledge exchange.



What Can Governments Do Now?



Figure 1: From Legal Clarity to Climate-Resilient Action. An illustrative pathway showing how island governments can strengthen implementation of existing international climate obligations through integrated, science-informed, and collaborative decision-making, while supporting healthy ecosystems and resilient communities.

Why is Biodiversity Central to Climate Action?

Healthy ecosystems are not only essential for conserving nature — they are increasingly recognised as fundamental to effective climate action.

Why This Matters

For islands, biodiversity is far more than a conservation issue. Healthy ecosystems help reduce climate risks, strengthen resilience, sustain livelihoods, protect cultural heritage, and support community wellbeing. Coral reefs dissipate wave energy, mangroves stabilise shorelines, forests regulate water supplies, wetlands reduce flooding, and diverse ecosystems provide food, medicines, and other resources that support daily life.

These benefits also strengthen resilience to climate change. As climate impacts intensify, protecting and restoring healthy ecosystems becomes an increasingly important component of adaptation, disaster risk reduction, and sustainable development.

The ICJ-AO reinforces the legal significance of healthy ecosystems by clarifying how existing international obligations relating to climate change, environmental protection, human rights, and international cooperation should be understood and implemented. Taken together, these clarifications strengthen the role that biodiversity can play in helping governments prevent environmental harm and build resilient futures.

As ecosystems become degraded, their ability to protect people and absorb climate impacts is diminished, creating a cycle of increasing vulnerability. This relationship is particularly evident on islands.



Figure 2: International Climate Law enables biodiversity and healthy systems in islands and for Island Earth.

Why is Biodiversity Central to Climate Action?

What the Court Clarified

Although the Advisory Opinion does not establish a new biodiversity regime, it clarifies several principles that significantly strengthen the legal relevance of biodiversity conservation within climate governance. Together, these principles reinforce the important role that healthy ecosystems, the best available science, and integrated environmental management play in helping governments implement existing international climate obligations.

Prevention of Environmental Harm

The Court confirms that States have a binding obligation under customary international law to prevent significant environmental harm, including harm arising from climate change. This duty extends to protecting the climate system and the broader environment, bringing ecosystems and biodiversity within the scope of climate-related decision-making. In practice, this means taking reasonable and appropriate measures to avoid foreseeable environmental harm before it occurs. (AO ¶277–281)

Stringent Due Diligence

Recognising the seriousness and potentially irreversible nature of climate change, the Court clarifies that the duty to prevent significant transboundary harm requires a stringent standard of due diligence. The required standard is commensurate with each State's capabilities and level of development, recognising that implementation will differ according to national circumstances and available resources. Governments retain discretion over how they fulfil their obligations, but implementation should be informed by the best available science, exercised with heightened vigilance, and continually strengthened as scientific understanding evolves. Biodiversity monitoring, environmental assessment, climate observations, attribution science, and Indigenous and local knowledge all help governments identify foreseeable risks, evaluate the effectiveness of management actions, adapt policies over time, and demonstrate informed, science-based decision-making. Long-term environmental monitoring is therefore an important component of adaptive management and continual improvement. (AO ¶162–65; ¶278–281)

Integration of International Environmental Law

The Court makes clear that climate obligations should not be interpreted in isolation. Rather, they should be understood alongside other relevant rules of international law, including the Convention on Biological Diversity, the United Nations Convention on the Law of the Sea, the Convention to Combat Desertification, and international human rights law. This integrated approach reflects the close relationship between climate action, biodiversity conservation, sustainable development, and environmental stewardship, encouraging governments to consider climate and biodiversity objectives together rather than through separate policy frameworks. (AO ¶132–138)

Protection of the Marine Environment

The Advisory Opinion confirms that anthropogenic greenhouse gas emissions constitute pollution of the marine environment within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS). States therefore have obligations to prevent, reduce, and control marine pollution while protecting and preserving marine ecosystems. This clarification is particularly significant for islands whose economies, cultures, food systems, and livelihoods depend upon healthy oceans and thriving coastal ecosystems. (AO ¶211–214)

Human Rights and Environmental Interdependence

The Court recognises that severe environmental degradation, including climate change, can impair the enjoyment of fundamental human rights, including the rights to life, health, food, water, culture, housing, and an adequate standard of living. Because healthy ecosystems underpin many of these rights, biodiversity conservation contributes not only to environmental protection, but also to community wellbeing, cultural continuity, resilience, and intergenerational equity. For many island communities, protecting biodiversity is therefore inseparable from protecting people. (AO ¶166–69; ¶170–205)

Ecosystem Restoration as a Possible Remedy

Where a breach of climate-related obligations is established, the Court confirms that international law may require full reparation. Depending on the circumstances, this may include restitution aimed at restoring the situation that existed before the wrongful act. In environmental contexts, this may include restoring damaged ecosystems where restoration is scientifically and practically feasible. While every situation will differ, the Advisory Opinion recognises that restoring ecosystem integrity may form part of repairing climate-related environmental harm. (AO ¶444–445)

Why is Biodiversity Central to Climate Action?

What the Court Clarified (cont'd)

Taken together, these clarifications do not create new biodiversity obligations. Rather, they strengthen the legal significance of biodiversity conservation as a practical means of implementing existing obligations to prevent environmental harm, exercise a stringent standard of due diligence, protect the marine environment, safeguard human rights, and support sustainable development. For islands, they reinforce the value of integrated, science-informed approaches that recognise healthy ecosystems as essential infrastructure for resilient communities and climate-resilient futures.

Additionally, one practical implication of the Advisory Opinion is the growing importance of environmental monitoring. Governments cannot demonstrate that decisions are based on the best available science without maintaining and using reliable scientific information. Long-term monitoring of biodiversity, ecosystem condition and climate impacts therefore becomes more than good environmental practice. Rather, monitoring helps demonstrate due diligence, supports adaptive management, strengthens attribution science and provides evidence that governments are taking appropriate measures to prevent foreseeable harm.

The ICJ-AO does not require governments to create entirely new monitoring systems. Rather, it reinforces the importance of strengthening, coordinating and making effective use of existing scientific, environmental and reporting processes to demonstrate implementation of existing international obligations. Examples of such existing mechanisms relevant in this context include:

Existing International Process	Why it matters after the ICJ AO
 Nationally Determined Contributions (NDCs)	Demonstrate implementation and continual improvement under the Paris Agreement.
 National Adaptation Plans (NAPs)	Highlight commitments to science-based adaptation planning and risk reduction.
 National Biodiversity Strategies and Action Plans (NBSAPs)	Enable integrated biodiversity and climate governance.
 Global Biodiversity Framework national reporting	Document ecosystem protection, restoration, and monitoring.
 IPCC inventories and assessments	Provide the scientific basis for due diligence and adaptive actions to foreseeable impacts.
 Protected area monitoring	Demonstrates appropriate measures and prevention.
 Environmental Impact Assessment (EIA)	Supports due diligence by identifying and managing foreseeable risks before decisions are made.
 Strategic Environmental Assessment (SEA)	Integrates climate and biodiversity considerations into broader planning and policy.

In this context, monitoring and information sharing are not simply good environmental practices. Increasingly, this data and informed decision-making processes help governments demonstrate that they are fulfilling obligations recognised by the Court.

Why is Biodiversity Central to Climate Action?

Key Actions for Islands

- Prevent environmental harm through integrated planning.
- Apply the best available science through monitoring and adaptive management.
- Integrate biodiversity across climate and development planning.
- Protect and restore marine and coastal ecosystems.
- Recognise biodiversity as supporting human rights and community wellbeing.
- Invest in ecosystem restoration and in maintaining the integrity of intact ecosystems where appropriate.
- Strengthen long-term environmental monitoring and share knowledge across sub-national, national, regional, and international networks.

For island governments and partners, the ICJ-AO provides more than legal clarity—it provides a stronger foundation for action. The same principles reflected in the key actions—prevention, best available science, ecosystem protection and restoration, participation, monitoring, and cooperation—can inform both formal processes and community-led action.

In practice, stakeholders can bring these principles into public consultations, environmental assessments, management and restoration planning, legislative and policy processes, protected-area governance, climate and biodiversity planning, and regional and international forums. They can also strengthen implementation informally by documenting environmental change, contributing Indigenous and local knowledge, participating in restoration and monitoring, building community awareness, forming partnerships, and using evidence to advocate for stronger protection and management.

The Pacific experience demonstrates the potential of this engagement. Youth-led advocacy helped move a community concern from island classrooms and communities to the world’s highest court. The next opportunity is to use that legal clarity at home: to engage and ask questions, participate in decisions, strengthen ecological management, hold institutions accountable to existing commitments, and help shape solutions that protect biodiversity and the communities that depend upon it.

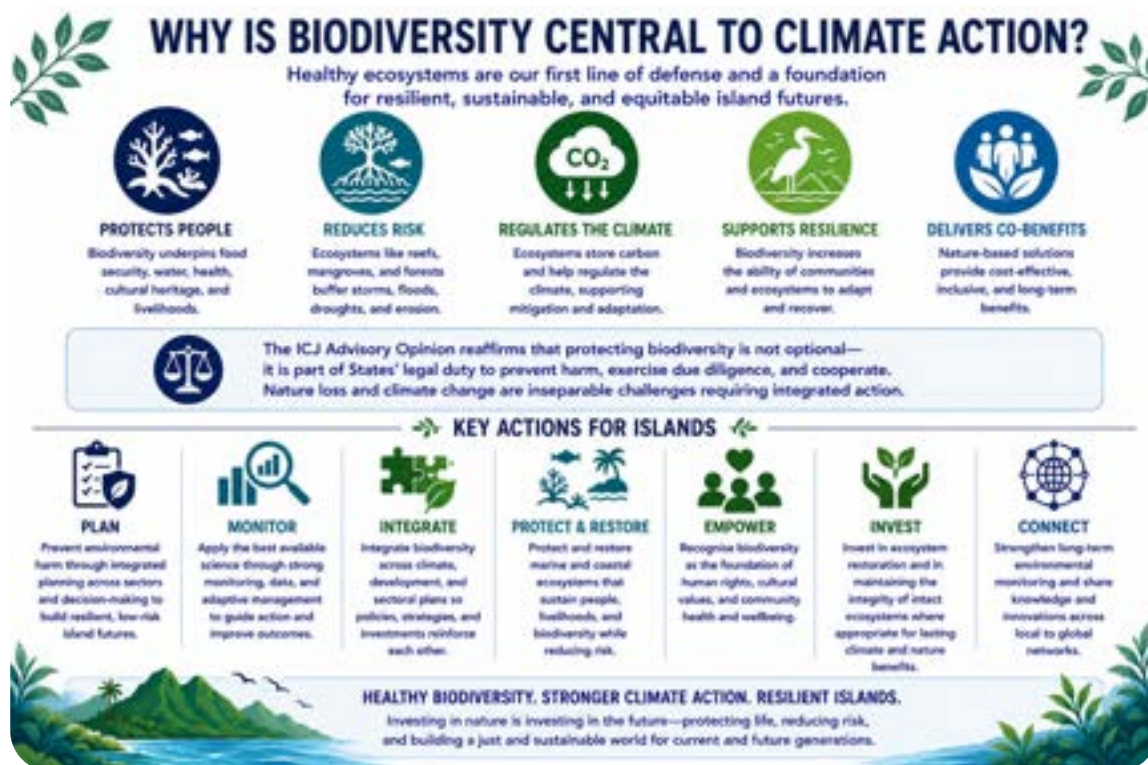


Figure 3: Biodiversity as a Foundation for Climate Action. Linking healthy ecosystems, climate resilience, and priority island actions.

How Can Healthy Ecosystems Enable Climate Leadership?

Healthy ecosystems provide visible, measurable evidence that climate action is being translated into practice.

Why This Matters

For many islands, climate leadership is already being demonstrated through actions that protect, restore, and sustainably manage the natural systems upon which communities depend. From restoring coral reefs and mangroves to strengthening watershed management, conserving native forests, and supporting Indigenous stewardship, healthy ecosystems are helping islands reduce climate risks while sustaining biodiversity, livelihoods, and cultural identity.

The Advisory Opinion reinforces the importance of these efforts by clarifying that climate action is not limited to reducing greenhouse gas emissions. Preventing environmental harm, applying the best available science, protecting human rights, and strengthening resilience all contribute to effective implementation of existing international climate obligations. Healthy ecosystems therefore become more than environmental assets—they are essential infrastructure supporting resilient island futures. For many island governments, the challenge is no longer whether biodiversity should be considered in climate decision-making, but how ecosystem-based approaches can be more consistently integrated across planning, investment, and governance.

What the Court Clarified

The Advisory Opinion recognises that climate change must be addressed through integrated implementation of existing international obligations rather than through isolated policy measures. Healthy ecosystems contribute to many of the objectives reflected throughout the Court's reasoning, including preventing environmental harm, strengthening resilience, protecting the marine environment, safeguarding human rights, and supporting sustainable development (AO ¶132–138; ¶211; ¶277–281).

The Court also emphasises that implementation should remain adaptive. As scientific understanding evolves, governments should continually evaluate whether existing measures remain appropriate and effective. This reinforces the importance of long-term ecosystem monitoring, adaptive management, and periodic review of climate and biodiversity policies (AO ¶278–281).

Although the Advisory Opinion does not prescribe particular conservation measures, it provides a stronger legal context for actions that many islands are already undertaking, including ecosystem restoration, watershed protection, integrated coastal management, sustainable fisheries, and nature-based approaches that reduce climate risks while delivering wider environmental and social benefits.

Taken together, these clarifications reinforce the value of investing in healthy ecosystems as part of broader strategies for climate resilience and sustainable development. Although the Court does not prescribe nature-based solutions, its reasoning supports approaches that reduce climate risks while protecting environmental integrity.



How Can Healthy Ecosystems Enable Climate Leadership?

Key Actions for Islands

- Protect and restore ecosystems that reduce climate risks.
- Invest in ecosystem-based adaptation and resilient natural infrastructure.
- Monitor ecosystem condition and climate outcomes.
- Use ecological indicators to demonstrate resilience benefits.
- Communicate ecosystem outcomes through climate reporting and finance.

Effective climate leadership recognises healthy ecosystems as essential infrastructure for resilient island communities. Protecting and investing in nature can reduce exposure to climate hazards while strengthening biodiversity, livelihoods, food and water security, health, and cultural connections to place. This makes ecosystem stewardship not simply a conservation objective, but an integral part of climate risk reduction and resilient development.

For islands, leadership also means demonstrating that these approaches work. Long-term monitoring, ecological indicators, and adaptive management can show where interventions are reducing risk, where conditions are changing, and where management needs to adjust. Making these outcomes visible strengthens the evidence base for policy decisions, climate reporting, finance, and continued investment in ecosystem-based approaches.

This creates a reinforcing cycle: healthy ecosystems strengthen community resilience, while effective climate leadership provides the policies, resources, partnerships, and knowledge needed to sustain them. By connecting ecological outcomes with climate and development priorities, islands can demonstrate the wider value of investing in nature and build stronger support for action over time. The figure below illustrates these interconnected benefits and the leadership needed to sustain them.



Figure 4: The ICJ-AO underscores that States can implement existing environmental obligations through integrated, science-informed climate risk reduction actions that support healthy ecosystems, protect biodiversity, and strengthen resilience.

What Does This Mean for Islands?

The Advisory Opinion provides island governments and territories with a stronger legal foundation for integrated climate, biodiversity and development planning.

Why This Matters

Island governments and communities have long understood that climate resilience, biodiversity conservation, disaster risk reduction, and sustainable development are closely connected. Limited financial, technical, and institutional capacity often requires islands to achieve multiple objectives through the same investments, partnerships, and programmes.

The Advisory Opinion reinforces this integrated approach. Rather than treating climate change, biodiversity conservation, and sustainable development as separate policy areas, the Court's reasoning supports coordinated governance that recognises their interdependence. This creates opportunities to maximise environmental, social, cultural, and economic benefits while making more efficient use of limited resources.

For islands, this is not simply a matter of legal interpretation. It is an opportunity to strengthen existing approaches that already recognise healthy ecosystems as essential infrastructure for resilient communities. The ICJ-AO therefore provides more than legal clarification. It can be read to support a framework for improving governance and coordinating resources management for multiple co-benefits.

What the Court Clarified

The Advisory Opinion recognises that governments retain discretion in determining how existing international climate obligations are implemented. The means may differ according to national circumstances, capabilities, and levels of development, provided implementation is informed by the best available science and directed towards preventing significant environmental harm (AO ¶278–281).

Importantly, the Court's reasoning supports integrated approaches to governance. Climate obligations can be interpreted alongside other relevant areas of international law, including biodiversity conservation, protection of the marine environment, human rights, and sustainable development, rather than through separate legal or policy frameworks (AO ¶132–138).

This integrated approach can be particularly valuable for islands, where limited financial and institutional capacity often requires governments to achieve multiple objectives through the same programmes and investments. Coordinated, comprehensive planning can strengthen biodiversity conservation, climate adaptation, disaster risk reduction, water security, food systems, and community resilience simultaneously, while reducing duplication and improving long-term outcomes.



Figure 5: Co-benefits of healthy ecosystems enable climate resilience outcomes, including enhanced coastal protection, water and food security, carbon storage, enhancement of livelihoods and culture, and more. Biodiversity is a foundation and a potential outcome of such coordinated nature-based solutions and resource management efforts.

What Does This Mean for Islands?

What the Court Clarified (cont'd)

The ICJ-AO also strengthens the case for investing in prevention. Preventing environmental harm is a fundamental principle of international law, and the Court confirms that responding effectively to climate change requires informed, forward-looking action based on the best available science (**AO ¶1277–281**). For islands, protecting ecosystems before they are degraded is often more effective, less costly, and more resilient than attempting to restore them after significant damage has occurred. Similarly, integrating biodiversity considerations early in planning and decision-making can reduce long-term risks while delivering multiple environmental, social, cultural, and economic co-benefits.

Taken together, these clarifications provide more than legal certainty. They offer a practical framework for integrated governance, coordinated investment, and adaptive resource management that recognises healthy ecosystems as a foundation for resilient island futures.

Key Actions for Islands

- Align climate, biodiversity, disaster risk reduction, and sustainable development planning and implementation frameworks to strengthen integration and achieve co-benefits.
- Invest in ecosystem-based monitoring and management approaches to restore critical habitats and protect healthy ecosystems before significant degradation occurs.
- Prioritise investments that deliver multiple environmental and social benefits.
- Strengthen institutional coordination across sectors to enhance collaboration between environment, planning, finance and infrastructure agencies.
- Use the Advisory Opinion to support funding proposals and international cooperation.
- Share lessons and good practice with other island governments and regional organisations to support collaborative partnerships.



How Can Islands Apply the Advisory Opinion?

The greatest value of the Advisory Opinion lies not only in what it says, but in how it can be applied to strengthen decision-making, governance, and resilience.

Why This Matters

The Advisory Opinion reinforces that implementing existing international climate obligations requires informed, forward-looking decision-making. The Court explains that the duty to prevent significant environmental harm requires a stringent standard of due diligence, informed by the best available science and commensurate with each State's capabilities and level of development (AO ¶278–281).

For islands, this means that implementation is not defined by a single policy or project. It is demonstrated through decisions that identify foreseeable environmental risks, apply reliable scientific evidence, and adapt over time as knowledge evolves.

Long-term environmental monitoring, biodiversity assessments, climate observations, environmental impact assessment, attribution science, and Indigenous and local knowledge all help governments understand changing conditions, evaluate management actions, and continually strengthen decision-making.

What the Court Clarified

The Court explains that governments retain discretion over how they implement their obligations, provided decisions respond to foreseeable environmental risks and are strengthened as scientific understanding evolves (AO ¶278–281).

This reinforces the importance of adaptive management. Biodiversity monitoring, ecosystem assessments, climate observations, environmental assessment, attribution science, and Indigenous and local knowledge help identify environmental change, evaluate management outcomes, and continually improve planning and decision-making. For islands, investing in environmental information systems not only strengthens governance and integrated planning, but also provides the evidence needed to demonstrate continual improvement and strengthen proposals for climate finance by showing how biodiversity conservation contributes to resilience and sustainable development.

For islands, the Advisory Opinion reinforces the value of building upon existing climate, biodiversity, and sustainable development initiatives. The following actions illustrate practical ways to strengthen decision-making, reduce environmental risks, and support resilient island futures through informed, adaptive, and collaborative action across sub-national, national, regional, and international scales, while building on longstanding island traditions of collective stewardship and community-led resource management.



How Can Islands Apply the Advisory Opinion?

Key Actions for Islands

- Apply the best available science, together with Indigenous and local knowledge, to inform planning and decision-making.
- Assess foreseeable environmental risks early to strengthen prevention, resilience, and long-term sustainability.
- Monitor biodiversity, ecosystems, and climate impacts to support adaptive management and strengthen the evidence base for climate finance.
- Integrate environmental data as well as climate and biodiversity considerations across planning, environmental assessment, policy, and investment decisions.
- Strengthen partnerships for implementation and learning among governments, Indigenous Peoples, local communities, researchers, civil society, and regional organisations, with a focus on building capacity and place-based knowledge for youth.
- Share knowledge, innovation, and successful approaches through regional and international collaboration.

Islands Action Framework

Applying the ICJ Advisory Opinion through science-informed, adaptive decision-making

ACTION		WHAT IT MEANS FOR ISLANDS	HOW TO APPLY (EXAMPLES)	OUTCOME
1	 APPLY the best available science	Decisions are informed by the best available science, together with Indigenous and local knowledge, commensurate with capabilities and level of development.	• Use climate projections, ecosystem assessments, and species data. • Incorporate Indigenous and local knowledge. • Document the evidence used to inform decisions.	 Decisions are evidence-based and demonstrate informed due diligence.
2	 ASSESS foreseeable environmental risks early	Identifying and assessing foreseeable harm enables prevention and strengthens long-term resilience.	• Screen policies, plans, and projects for climate and biodiversity risks. • Use scenario planning and vulnerability assessments. • Prioritise actions to avoid or reduce harm.	 Risks are understood and managed before harm occurs.
3	 MONITOR ecosystems and climate impacts	Monitoring provides the information needed to track change, evaluate actions, and guide adaptation.	• Monitor biodiversity, habitats, water, coasts, and climate indicators. • Use consistent methods and long-term data sets. • Share results across agencies and communities.	 Actions are evaluated, and management is continually improved.
4	 INTEGRATE scientific evidence into planning and investment	Science should shape policies, environmental assessments, and investments across sectors and scales.	• Embed evidence in coastal planning, infrastructure investment, and sector strategies. • Require environmental impact assessments informed by science. • Align with national and regional frameworks.	 Investments are aligned with evidence and deliver multiple benefits.
5	 ADAPT policies and management as knowledge evolves	As science and conditions change, so too should policies, plans, and management approaches.	• Review policies and management regularly. • Adjust measures in response to new evidence or changing conditions. • Strengthen learning within institutions.	 Governance remains relevant, flexible, and future-focused.
6	 SHARE knowledge and strengthen regional collaboration	Cooperation and knowledge-sharing amplify impact and support stronger collective action.	• Share monitoring data, lessons learned, and innovations. • Collaborate with regional organisations, neighbours, and partners. • Support capacity building and peer learning.	 Stronger partnerships enhance collective resilience and climate leadership.
		The ICJ Advisory Opinion reinforces that implementing existing climate obligations requires a stringent standard of due diligence— informed by the best available science, consideration of foreseeable harm, and action that strengthens long-term climate resilience. AO ¶¶27B–281		

Figure 6: The Island Action Framework demonstrates how islands can translate the Advisory Opinion into informed decision-making through science, monitoring, adaptive management, and collaboration.

Where Do We Go From Here?

The Advisory Opinion marks an important milestone, but it is not the end of the journey. Its greatest value will be measured by how it informs future decisions, strengthens collaboration, and supports more resilient island communities.

Why This Matters

The ICJ Advisory Opinion provides the clearest explanation to date of how existing international law applies to climate change. For islands, however, its greatest significance lies not only in legal clarification, but in the opportunity to strengthen integrated approaches that are already underway.

Across the Pacific and beyond, island governments, Indigenous Peoples, local communities, researchers, educators, civil society organisations, and young leaders have long demonstrated that healthy ecosystems, collaborative governance, and community stewardship are essential foundations for resilient futures. The Advisory Opinion reinforces these efforts by providing a stronger legal framework for integrated, science-informed, and preventative approaches to climate action.

The coming years will provide numerous opportunities to apply the Court's reasoning. Governments will continue updating climate strategies, biodiversity plans, national adaptation plans, and sustainable development priorities. International discussions under the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, and other multilateral agreements will continue shaping global responses to climate change, biodiversity loss, and sustainable development. Rather than treating these commitments as separate agendas, the Advisory Opinion encourages greater coherence across them. For islands, this integrated approach can help maximise limited resources, strengthen prevention, reduce environmental risks, and deliver multiple environmental, social, cultural, and economic benefits through coordinated action.

The Advisory Opinion also reinforces the importance of international cooperation. By continuing to strengthen partnerships, share knowledge, invest in healthy ecosystems, and support informed decision-making, islands can build upon longstanding traditions of collective stewardship while helping shape climate action at sub-national, national, regional, and international scales.



Where Do We Go From Here?

What the Court Clarified

The Advisory Opinion reinforces that:

- climate action is an ongoing responsibility that evolves as scientific knowledge develops;
- cooperation remains fundamental to effective implementation;
- preventing environmental harm is strengthened through informed, science-based decision-making;
- healthy ecosystems contribute to resilience, sustainable development, and human wellbeing; and
- long-term progress depends upon collaboration, adaptive governance, and continual improvement.

Together, these principles provide a durable foundation for future decision-making and help strengthen implementation across existing international climate, biodiversity, and sustainable development commitments.

Key Actions for Islands

- Continue integrating climate, biodiversity, and sustainable development.
- Invest in healthy ecosystems as long-term natural infrastructure.
- Strengthen partnerships for implementation and innovation.
- Apply monitoring and scientific evidence to inform adaptive management.
- Share island innovation and practical experience through regional and international cooperation that demonstrates practical solutions for resilient island futures.
- Continue demonstrating practical, science-informed climate leadership.



Figure 7: From Legal Clarity to Collective Island Action.

Conclusion

The International Court of Justice has provided important legal clarity on one of the defining challenges of our time. For islands, the Advisory Opinion reinforces what governments, Indigenous Peoples, practitioners, and communities have long recognised: healthy ecosystems are fundamental to climate resilience, human wellbeing, and sustainable development.

Rather than creating new climate obligations, the Advisory Opinion strengthens the legal framework within which existing commitments are implemented. It encourages integrated, science-informed, and preventative approaches that recognise the close relationship between climate action, biodiversity conservation, human rights, and sustainable development. In doing so, it provides islands with greater confidence to continue building upon existing strengths while aligning action across international, regional, national, and local commitments.

One of the Advisory Opinion's most enduring lessons is that meaningful change can begin with determined people working together toward a shared vision. The campaign initiated by Pacific Islands Students Fighting Climate Change demonstrated how youth leadership, grounded in lived experience and strengthened through partnerships, can help shape international law and inspire collective action far beyond the Pacific.

The next chapter of this story will be written through implementation. For islands, that means continuing to strengthen partnerships, invest in healthy ecosystems, apply the best available science, and learn from one another. By building upon longstanding traditions of stewardship, innovation, and collaboration, island communities can continue demonstrating practical leadership that benefits both people and nature. The ICJ-AO does not ask islands to begin again. It provides greater legal clarity to continue moving forward together.

The future that the Advisory Opinion seeks to protect will ultimately be shaped by those who inherit it. Ultimately, the Advisory Opinion is best understood not as an end point, but as a foundation upon which future action can continue to grow.

KEY TAKEAWAYS

- Climate action is a **legal responsibility**.
- Healthy ecosystems **reduce** climate risks.
- Biodiversity **strengthens** climate resilience.
- Integrated governance **improves** implementation.
- Science **supports** accountability.
- Islands are **already leading**.
- The Advisory Opinion **strengthens** the legal foundation for continuing that leadership.

*Our islands.
Our responsibility.
Our future.
Together.*



The Advisory Opinion reminds us
that climate action is not measured
only by the commitments we make,
but by the choices we make
every day.



By protecting healthy ecosystems,
strengthening partnerships, investing
in knowledge, and learning from
one another, islands can continue
demonstrating that resilience,
stewardship, and collaboration are
among the world's most powerful
climate solutions.



Glossary

TERM	DEFINITION
All Means at Their Disposal	Governments should use all of the legal, financial, technical and institutional tools already available to reduce climate risks and prevent environmental harm.
Appropriate Measures	The practical laws, policies, regulations, investments and actions that governments should take to address climate change and protect the environment.
Attribution and Attribution Science	The scientific discipline that identifies how human-caused greenhouse gas emissions contribute to observed climate impacts. The ICJ recognised that this science is now sufficiently robust to inform legal decision-making and strengthen accountability.
Best Available Science	The most reliable and up-to-date scientific knowledge available to inform decision-making.
Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC)	The principle that all countries share responsibility for addressing climate change, but those with greater historical emissions and greater capacity are generally expected to contribute more.
Due Diligence	The obligation for governments to act with reasonable care by taking appropriate measures to prevent foreseeable environmental harm.
Foreseeable Harm	Environmental harm that governments know—or reasonably should know—may occur based on the best available scientific evidence.
Nature-based Solutions	Actions that protect, restore or sustainably manage ecosystems while addressing societal challenges and providing benefits for people and biodiversity.
Obligation of Conduct	A legal obligation requiring governments to take appropriate and reasonable action, rather than guaranteeing a specific outcome.
Obligation of Result	A legal obligation requiring a specific outcome to be achieved. The ICJ explains that climate obligations are generally obligations of conduct rather than obligations of result.
Precautionary Approach	The principle that governments should take preventive action where there is a risk of serious or irreversible harm, even if some scientific uncertainty remains.
Prevention of Significant Harm	The long-established obligation under international law requiring States to avoid causing serious environmental damage to other States or areas beyond national jurisdiction.
Significant Environmental Harm	Environmental damage that is more than trivial and requires preventive action under international law.
State Responsibility	The legal consequences that may arise when a State fails to comply with its international obligations.
Stringent Due Diligence	The heightened standard of care required when responding to climate change because of its severe, cumulative and potentially irreversible impacts.

Key Legal Concepts Further Explained

Plain Language Definitions and Why They Matter in the ICJ Advisory Opinion

KEY LEGAL CONCEPT	WORKING LEGAL DEFINITION	PLAIN LANGUAGE	WHY IT MATTERS IN THE ICJ ADVISORY OPINION	PRIMARY LEGAL AUTHORITY
All Means at Their Disposal	States must employ all reasonably available legal authority, institutional capacity, financial resources, scientific knowledge and technical expertise to prevent significant harm.	Governments should fully use the tools and resources they already have to address climate change.	The Court makes clear that States cannot delay action while leaving existing legal or policy tools unused.	ICJ AO (2025); Bosnian Genocide Case
Appropriate Measures	States must adopt legal, policy, regulatory, financial, administrative, technical and institutional measures reasonably capable of preventing or minimising environmental harm.	Governments must use effective laws, planning, monitoring, enforcement and investment—not symbolic actions.	Climate obligations require implementation and continual improvement, not simply adopting climate plans without meaningful action.	ICJ AO (2025); Pulp Mills (2010)
Attribution and Attribution Science	Scientific methods determine whether and to what extent anthropogenic greenhouse gas emissions have caused or contributed to observed climate impacts.	Modern climate science can identify how cumulative historic and current greenhouse gas emissions contribute to many observed climate impacts, including those of the world's largest emitters.	The Advisory Opinion affirms that climate science is sufficiently robust to inform legal decision-making and strengthen assessment of causation, responsibility and prevention.	ICJ AO (2025); IPCC AR6; UNFCCC
Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC)	All States share responsibility for addressing climate change, but implementation reflects differing national circumstances, capabilities and historical contributions.	Everyone has climate obligations, but countries with greater capacity and historical responsibility are generally expected to do more.	CBDR-RC affects how obligations are fulfilled—not whether they exist.	UNFCCC Art.3; Paris Agreement Arts.2 & 4
Due Diligence	States must exercise reasonable care and take appropriate measures to prevent significant harm.	Governments must actively do what is reasonably expected—not merely adopt policies or make promises.	Responsibility depends on whether governments exercise appropriate care in preventing climate harm.	ICJ AO (2025); Pulp Mills (2010)
Foreseeable Harm	Harm is foreseeable when a State knows, or reasonably should know, based on the best available science, that its actions create a significant risk of environmental damage.	Governments cannot claim they did not know about climate risks because the science is well established.	The Court rejects arguments that climate harms are too uncertain or speculative to trigger legal obligations. The growing strength of attribution science means that governments can no longer credibly argue that the causes and consequences of climate change are too uncertain to require preventive action.	ICJ AO (2025); IPCC
Obligation of Conduct vs. Obligation of Result	Climate obligations generally require States to exercise the legally required standard of care rather than guarantee a specific outcome.	Governments are judged primarily by whether they make their best legally required effort.	Each State is responsible for exercising stringent due diligence within its capacity.	ICJ AO (2025); Pulp Mills (2010)
Precautionary Approach	Where there is risk of serious or irreversible harm, lack of full scientific certainty should not delay preventive measures.	Act before damage becomes irreversible rather than waiting for complete certainty.	Supports early action where credible risks exist.	Rio Declaration Principle 15; ICJ AO (2025)
Prevent Significant Harm	States must ensure activities under their jurisdiction do not cause significant environmental damage.	Countries have a legal duty to avoid causing serious environmental damage.	The ICJ confirms prevention of climate harm is a binding obligation under customary international law.	ICJ AO (2025); Trail Smelter; Corfu Channel; Pulp Mills
Stringent Due Diligence	Climate change requires a heightened level of vigilance and preventive action proportionate to the risks and capabilities.	Climate change requires governments to exercise an especially high standard of care.	The Advisory Opinion elevates the standard of due diligence for climate change.	ICJ AO (2025)

Legal Architecture of the ICJ-AO

Putting the Opinion to work

THE CORE LEGAL QUESTION	THE COURT'S DECISIVE ANSWER	SOURCE PARAGRAPH / REFERENCE
What is the legal status of climate change regarding the safety of nations?	Climate change poses a grave and escalating threat to human rights, ecosystems, and, in some cases, to the continued existence of States, particularly island States, engaging obligations under international law.	AO ¶70–75 (general reasoning)
What standard governs State conduct on climate action?	States are required to exercise stringent due diligence, using all reasonable means available to them, to prevent significant climate-related harm and contribute to agreed global temperature goals.	AO ¶279–282
How is compliance assessed?	Conduct is assessed against the best available science, including IPCC assessments, as the evidentiary benchmark for foreseeability, risk, and adequacy of action.	AO ¶277–280
What happens if a State fails to meet its obligations?	Breach of climate-related international obligations may engage State responsibility, triggering duties of cessation, non-repetition, and, where legally established, reparation.	AO ¶440–445

The ICJ-AO gives island advocates a stronger legal foundation to demand science-informed action, scrutinise whether governments are meeting existing obligations, and advocate for enhanced prevention, accountability, and remedies where they are not.

ICJ-AO Paragraph Guide

Key topics and where to find them in the ICJ-AO

TOPIC	KEY PARAGRAPHS
Climate obligations	62–75
Best available science	67, 283
Human rights	170–205
Marine environment and UNCLOS	211–224
Prevention of significant harm	277–283
Stringent due diligence	280–283
International cooperation	321–334
State responsibility	444–445



Full References and Further Reading

Want to Dig Deeper?

The ICJ Advisory Opinion does not create climate law from scratch. It brings together decades of international environmental law, treaty obligations, scientific evidence, and judicial decisions to clarify how existing legal duties apply to climate change. Earlier cases developed principles such as prevention of significant harm, due diligence, environmental assessment, cooperation, and obligations of conduct; the Advisory Opinion applies and strengthens this body of law in the context of the climate crisis. For islands, this provides a clearer legal foundation for advocacy, policy, environmental protection, and accountability.



Full References and Further Reading

Primary Source

- International Court of Justice (2025). *Obligations of States in Respect of Climate Change, Advisory Opinion of 23 July 2025*. [Link](#) - **the primary legal source for this handbook.**

Cases and Arbitrations

- *Corfu Channel* (United Kingdom v. Albania) (1949), Merits, Judgment, 1949 I.C.J. 4. [ICJ Case Materials](#). - **prevention and State responsibility where a State knows of risks.**
- *Application of the Genocide Convention* (Bosnia and Herzegovina v. Serbia and Montenegro) (2007), Judgment, 2007 I.C.J. 43. [ICJ Case Materials](#) - **obligations of conduct, prevention, due diligence.**
- *Pulp Mills on the River Uruguay* (Argentina v. Uruguay) (2010). Judgment, 2010 I.C.J. 14 (20 April). [ICJ Case Materials](#) - **environmental due diligence, cooperation, monitoring, EIA.**
- *Certain Activities Carried Out by Nicaragua in the Border Area* (Costa Rica v. Nicaragua) (2015). Joined with *Construction of a Road in Costa Rica Along the San Juan River* (Nicaragua v. Costa Rica), Judgment, 2015 I.C.J. 665 (16 December). [ICJ Case Materials](#) - **environmental harm, due diligence, transboundary obligations.**
- *Trail Smelter Arbitration* (United States v. Canada) (1941). 3 R.I.A.A. 1905. [UN Reports of International Arbitral Awards](#) - **transboundary environmental harm.**

Treaties, Agreements and Declarations

- International Law Commission (2001). *Draft Articles on Prevention of Transboundary Harm from Hazardous Activities, with Commentaries*. [Link](#) — **overview of the prevention principle, significant harm, due diligence, and cooperation.**
- United Nations Framework Convention on Climate Change (1992), 1771 U.N.T.S. 107. [Link](#) - **foundational international climate treaty.**
- Paris Agreement (2015), adopted under the UNFCCC. [Link](#) - **establishes the international framework for mitigation, adaptation, finance, and implementation.**
- Convention on Biological Diversity (1992), 1760 U.N.T.S. 79. [Link](#) - **establishes the international framework for biodiversity conservation, sustainable use, and benefit-sharing.**
- Kunming–Montreal Global Biodiversity Framework (2022), under the CBD. [Link](#)
- Rio Declaration on Environment and Development (1992), U.N. Doc. A/CONF.151/26 (Vol. I), Annex I. [Link](#) — **see especially Principle 15 and the precautionary approach.**
- United Nations Convention on the Law of the Sea (1982), 1833 U.N.T.S. 397. [Link](#) - **key legal framework for protection and preservation of the marine environment.**
- International Covenant on Civil and Political Rights (1966). [Link](#) - **sets out the rights to life, and to a fair legal process, central to the AO's human-rights reasoning.**
- International Covenant on Economic, Social and Cultural Rights (1966). [Link](#) - **sets out the rights to health, food, water, and an adequate standard of living, engaged by climate harm.**

Scientific Authorities

- IPCC Sixth Assessment Report (AR6, 2021–2023), including the Working Group I report (*The Physical Science Basis*, 2021) and the Synthesis Report (2023). [Link](#) - **scientific basis for climate risks, impacts, attribution, and response.**
- IPBES (2019). *Global Assessment Report on Biodiversity and Ecosystem Services*. [Link](#) - **scientific basis for global biodiversity loss, its drivers, and the state of ecosystems.**
- IUCN (2026). *Global Standard for Nature-based Solutions: second edition*. [Link](#) — **a framework for designing and assessing nature-based solutions to societal and environmental challenges.**
- UNEP (2021). *Making Peace with Nature*. [Link](#) — **a scientific blueprint linking the climate, biodiversity, and pollution crises and the responses to them.**

Full References and Further Reading

Practitioner and Regional Island Resources

- Secretariat of the Pacific Regional Environment Programme (SPREP). [Link](#) - **pacific ecosystem-based adaptation resources.**
- Pacific Community (SPC). [Link](#) - **regional technical resources and programmes for Pacific Island countries and territories.**
- International Union for Conservation of Nature (IUCN). [Link](#) - **global authority on nature conservation and sustainable resource use.**
- Green Climate Fund, *Readiness Programme*. [Link](#) — **resources supporting institutional capacity, planning and climate finance readiness.**
- Global Environment Facility (GEF). [Link](#) — **climate change, biodiversity and environmental financing resources.**
- Global Island Partnership (GLISPA). [Link](#) - **island leadership stories, conservation case studies, and partnership resources.**

Suggested Reading Guide

The resources that follow provide starting points for exploring the legal, scientific, policy, and practical foundations discussed throughout this handbook. They are intended to help readers move between the ICJ Advisory Opinion, international climate and biodiversity frameworks, climate science, and resources that can support implementation in island contexts. This is not an exhaustive list. Readers are encouraged to explore additional national, regional, Indigenous, community-led, and technical resources relevant to their own priorities and circumstances.

New to the ICJ Advisory Opinion?

Start with the Executive Summary, then read the Advisory Opinion alongside this handbook.

Interested in international climate law?

ICJ AO (2025), UNFCCC, Paris Agreement, Corfu Channel, Pulp Mills and Certain Activities.

Focused on biodiversity and ecosystem governance?

CBD, Kunming–Montreal Global Biodiversity Framework, IPBES Global Assessment and IUCN Global Standard for Nature-based Solutions: second edition.

Following climate science and attribution?

IPCC AR6, particularly the Working Group I report and Synthesis Report.

Supporting island implementation?

Use NDCs, NAPs, NBSAPs, protected-area management tools, ecosystem-based adaptation guidance and regional resources from SPREP and SPC.

Educators and youth leaders?

Pair this handbook with the ICJ Advisory Opinion and Pacific youth advocacy resources to support learning on climate justice, biodiversity and island resilience.

Continuing the Conversation

The Advisory Opinion is an important milestone, but its value will ultimately depend on how its principles are understood, shared, and put into practice. Continued learning can help island governments, practitioners, researchers, Indigenous Peoples, communities, educators, and young leaders connect evolving climate law and science with local knowledge, priorities, and experience.

These resources are therefore a starting point rather than an endpoint. Readers are encouraged to share lessons, tools, monitoring results, case studies, and emerging good practice across communities and networks. By continuing to learn from one another — and strengthening collaboration across islands, generations, disciplines, and institutions — islands can help translate legal clarity into stronger advocacy, better decisions, and sustained action for climate resilience and biodiversity.

