



THE AGENCY FOR PUBLIC INFORMATION

P.O Box 608, Kingstown, St Vincent and The Grenadines

Tel: (784) 456-1600, Fax (784) 456-2430

Email: apisvg2014@gmail.com

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SVG among small island states to welcome legal climate change victory

The International Tribunal for the Law of the Sea, a global maritime court, ruled on Tuesday that emissions from fossil fuels and other planet-warming gases that are absorbed by the oceans count as marine pollution.

In the landmark judgment delivered at the maritime court in Hamburg, Germany, the tribunal ruled that greenhouse gases constitute marine pollution, a major breakthrough for small island states threatened by the rise in sea levels caused by global warming.

In its ruling, the tribunal issued its advisory opinion noting that countries must go beyond the requirements of the 2015 Paris Agreement, a legally binding international treaty on climate change adopted by 196 countries, to protect the marine environment and the States that depend on it.

The ruling on Tuesday represents the first climate-related judgment heard by the International Tribunal for the Law of the Sea. The court ruled that States have a legal obligation to monitor and reduce the emissions that contribute to climate change and laid out specific requirements for their environmental impact assessments.

According to St. Vincent and the Grenadines' Sustainable Development Minister, Honourable Carlos James, the judgment represents a major victory for Small Island Development States, particularly large ocean territories in the Pacific and Caribbean regions.

Minister James noted, "this test case is the starting point of many more legal rulings and sanctions to come, as large ocean territories continue the legal and political fight for their survival."

"This is definitely a step in the right direction and it pushes the door further open for us to legally challenge the major emitters on their failure to act in averting a global climate crisis," Minister James said.

St. Vincent and the Grenadines was one of the nine states that brought the case to the International Tribunal for the Law of the Sea. The Commission of Small Island States (COSIS) on Climate Change and International Law requested the advisory opinion on behalf of the claimants, who are States Parties to the United Nations Convention on the Law of the Sea.

The other eight member states in the COSIS group that were parties to the case were Antigua, (co-chair) Tuvalu (co-chair), Palau, Niue, Vanuatu, St. Lucia, and St. Kitts and Nevis.

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