Dear Prime Minister Morrison

As Pacific island law students we respect Australia as the first member of the Pacific Island Forum to be honoured with a seat on the United Nations Human Rights Council. In this role we look to Australia to be a true global champion of human rights, for all of us.

We appreciate Australia’s co-sponsorship in 2018 of Human Rights Council Resolution 38/4: Human Rights and Climate Change, reminding the world that “climate change poses an existential threat for some countries, and... has already had an adverse impact on the full and effective enjoyment of the human rights enshrined in the Universal Declaration of Human Rights.” This is correct - our rights to exist, and all our rights, are now imperiled by anthropogenic climate change.

It is out of that respect and appreciation – and in response to calls we hear from our own communities - that we are writing with a simple, yet important, request. We are asking Pacific Island Forum leaders to urgently commence the process of seeking an advisory opinion from the International Court of Justice on the issue of climate change.

We agree with the eminent legal experts who have in recent years written and spoken in support of seeking the Court’s opinion. Benefits that may flow from an ICJ advisory opinion on climate change include:

- Cementing consensus on the scientific evidence of climate change;
- Providing impetus for more ambitious action under the Paris Agreement;
- Integrating areas of international law that are currently separate, such as human rights law and environmental law;
- Providing authoritative baselines for state action on mitigation and international cooperation and assistance; and
- Providing impetus and guidance for national, regional and international adjudications.

In summary, we look to an intervention by the ICJ to endorse at the highest level our fundamental moral and legal rights; to live with dignity without fear of climate change denying us and our children of that freedom.

We attach a briefing paper justifying our request in more detail, including references to speeches, academic papers and case reports. We would welcome any opportunity to communicate with you about this further.

Respectfully yours

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