

**ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION**



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**ENVIRONMENT AND SUSTAINABLE DEVELOPMENT**

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# **ENVIRONMENT AND SUSTAINABLE DEVELOPMENT**

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## **I. INTRODUCTION**

1. The Asian-African Legal Consultative Organization (AALCO) has been actively involved in the topic of environment and sustainable development for years, starting in the 1970s. The commitment began at Fifteenth Annual Session held in Tokyo in 1974 where the Government of India first proposed an examination of international law concerning the human environment. Since then, AALCO's discussions have expanded to cover many aspects of environmental law, including transboundary hazardous waste and preparations for major events like the UN Conference on Environment and Development (UNCED).<sup>1</sup>

2. A pivotal achievement in AALCO's journey was the adoption of the Statement of General Principles of International Environmental Law during its Thirty-First Annual Session held in Islamabad, Islamic Republic of Pakistan, in 1992. This landmark statement articulated the inherent interconnectedness of environment and development, recognizing them as a shared global concern. Crucially, it also championed the Principle of Common but Differentiated Responsibilities (CBDR), underscoring that the implementation of environmental standards by developing countries should be commensurate with their respective capacities and responsibilities.

3. Following the UNCED in 1992, AALCO actively promoted the ratification of the three seminal Rio Conventions: the United Nations Framework Convention on Climate Change (UNFCCC) 1992<sup>2</sup>, the Convention on Biological Diversity (CBD) 1992<sup>3</sup> and the United Nations Convention to Combat Desertification (UNCCD) 1994<sup>4</sup>. Upon their entry into force, AALCO's discussions transitioned to focus on the legal developments emerging from the Conferences of the Parties of these international agreements.

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<sup>1</sup> 'Report of the United Nations Conference on Environment and Development' 3-14 June 1992 UN Doc. A/CONF.151/26/Rev.1 (Vol. II).

<sup>2</sup> United Nations Framework Convention on Climate Change (adopted 9 May 1992, entered into force Mar. 21, 1994) S. Treaty Doc No. 102-38, 1771 U.N.T.S. 107.

<sup>3</sup> Convention on Biological Diversity (adopted 5 June 1992, entered into force 29 December 1993) 1760 UNTS 79.

<sup>4</sup> United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (adopted 14 October 1994, entered into force 26 December 1996) 1954 UNTS 3 (UN Convention to Combat Desertification).

4. AALCO has consistently prioritized the topic of Environment and Sustainable Development through dedicated meetings, these include discussions on “Effective Means of Implementation, Enforcement and Dispute Settlement” (Accra, Thirty-Eighth Annual Session, 1999), “Environment and Sustainable Development” (Nairobi, Forty-Fourth Annual Session, 2005), and “Environment and Sustainable Development” (Dar es Salaam, Forty-Ninth Annual Session, 2010). This sustained attention has ensured that the topic remains a central theme in subsequent Annual Sessions consistently from 2011 to 2015 and later from the Sixtieth Annual Session held New Delhi in 2022.

5. The dialogue at these sessions has kept pace with evolving global environmental challenges, consistently addressing the most critical current issues. The Sixtieth Annual Session in 2022 focused on Transboundary Air Pollution, particularly Sand & Dust Storms (SDS) and Haze Pollution, and the Conservation and Sustainable Use of Marine Biodiversity in Areas Beyond National Jurisdiction (BBNJ). The Sixty-First Annual Session held in Bali, the Republic of Indonesia, in 2023, brought two critical environmental issues to the forefront: the ongoing negotiations for an international legally binding instrument on plastic pollution and global initiatives to combat climate change. The Sixty-Second Annual Session held in Bangkok, the Kingdom of Thailand in 2024, extensively addressed advancements pertaining to plastic pollution and climate change.

## **II. TOPICS FOR FOCUSED DELIBERATION**

6. This Secretariat Report, prepared for AALCO’s Sixty-Third Annual Session seeks to provide Member States with a comprehensive update on significant developments in Environment and Sustainable Development since the Sixty-Second Annual Session. It is designed to facilitate focused deliberations on three critical topics:

1. The ongoing negotiations for an International Legally Binding Instrument on Plastic Pollution,
2. The International Legal Regime on Climate Change, and
3. The United Nations Sustainable Development Goals (SDGs): Select issues

### **III. AN INTERNATIONAL LEGALLY BINDING INSTRUMENT ON PLASTIC POLLUTION**

#### **A. Background**

7. Plastic pollution has emerged as one of the most pressing environmental challenges of our times.<sup>5</sup> Each year, more than 400 million tonnes of plastic are produced globally, a significant portion of which is single-use and ends up polluting rivers, coastlines, and marine ecosystems.<sup>6</sup> With an estimated 11 million tonnes of plastic waste entering the ocean annually,<sup>7</sup> this crisis is not just environmental but it has serious health, economic, and developmental consequences, particularly for countries in Asia and Africa. Plastic waste persists in the environment for hundreds of years, breaks down into microplastics that enter food chains,<sup>8</sup> and contributes to biodiversity loss and ecosystem degradation. The impacts are disproportionately felt by developing countries, which often lack adequate waste management infrastructure and are frequent recipients of imported plastic waste. Moreover, these regions rely heavily on healthy oceans for livelihoods, fisheries, tourism, and climate resilience.

8. In March 2022, through Resolution 5/14, the United Nations Environment Assembly (UNEA) called upon the Executive Director of the United Nations Environment Programme (UNEP) to establish an intergovernmental negotiating committee.<sup>9</sup> The committee's mandate is to create an International Legally Binding Instrument (ILBI) aimed at tackling plastic pollution including its effects on the marine environment through an inclusive framework that considers the entire life cycle of plastics from production and design to disposal and remediation.

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<sup>5</sup> Earth.org, 15 Biggest Environment Problems of our Life, <<https://earth.org/the-biggest-environmental-problems-of-our-lifetime/>> accessed 15 May 2025.

<sup>6</sup> United Nations, World must 'work as one' to end plastic pollution: Guterres, accessed from <<https://news.un.org/en/story/2023/06/1137322>> accessed 19 May 2025.

<sup>7</sup> Surfers against sewage, Plastic Pollution Facts and Figures <<https://www.sas.org.uk/plastic-pollution/plastic-pollution-facts-figures/>> accessed 15 May 2025.

<sup>8</sup> Pachauu Lalrinfelaa, Rebecca Vanlalsangia Khawlhling Lalrinzualib, Punuri Jayasekhar Babu, Environmental Pollution and Management 'Microplastics: Their effect on the environment, human health and plant ecosystems' (2024) 1 Environmental Pollution and Management 248-259.

<sup>9</sup> UNEP, UNEA Resolution 5/14 entitled "End plastic pollution: Towards an international legally binding instrument" <[https://wedocs.unep.org/bitstream/handle/20.500.11822/39812/OEWG\\_PP\\_1\\_INF\\_1\\_UNEA%20resolution.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/39812/OEWG_PP_1_INF_1_UNEA%20resolution.pdf)> accessed 7 May 2025.

9. UNEA Resolution 5/14 marks a pivotal step in the global response to the escalating crisis of plastic pollution. As plastic waste continues to contaminate ecosystems, harm marine life, and threaten human health, the resolution reflects a unified international commitment to address the issue through legally binding measures. By mandating the development of a comprehensive instrument that spans the full life cycle of plastics, the resolution acknowledges the complexity of the problem and the need for systemic solutions. It underscores the urgency of coordinated global action, offering a crucial platform for meaningful, equitable, and science-based policymaking to combat plastic pollution. The envisioned instrument was envisaged to incorporate both mandatory and voluntary measures while adopting a holistic approach that spans the entire life cycle of plastics. In doing so, it must also consider the principles set forth in the Rio Declaration on Environment and Development, while taking into account the diverse circumstances and capabilities of individual nations, as well as specific elements outlined in the resolution.

10. In line with the mandate to establish a legally binding international instrument on plastic pollution, the intergovernmental negotiating committee (INC) convened its first session from 28 November to 2 December 2022 at the Punta del Este Convention and Exhibition Centre in Uruguay.<sup>10</sup> The second session took place from 29 May to 2 June 2023 at the UNESCO Headquarters in Paris.<sup>11</sup> Subsequently, the third session was held at the United Nations Environment Programme (UNEP) Headquarters in Nairobi between 13 and 19 November 2023.<sup>12</sup> The fourth round of negotiations occurred from 23 to 29 April 2024 in Ottawa, Canada.<sup>13</sup> Most recently, the first part of the fifth session of the INC was held from 25 November to 1 December 2024 at the Busan in the Republic of Korea.<sup>14</sup>

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<sup>10</sup> UNEP, Report of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, on the work of its first session (INC-1 Report) <<https://wedocs.unep.org/bitstream/handle/20.500.11822/42282/INC1reportReissuedAdvance.pdf>> accessed 8 May 2025.

<sup>11</sup> UNEP, Report of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, on the work of its second session (INC-2 Report) <<https://wedocs.unep.org/bitstream/handle/20.500.11822/42953/FinalINC2Report.pdf>> accessed 8 May 2025.

<sup>12</sup> UNEP, Report of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, on the work of its third session (INC-3 Report) <<https://wedocs.unep.org/bitstream/handle/20.500.11822/44760/INC3ReportE.pdf>> accessed 8 May 2025.

<sup>13</sup> UNEP, Report of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, on the work of its fourth session (INC-4 Report) <[https://wedocs.unep.org/bitstream/handle/20.500.11822/45872/INC4\\_Report.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/45872/INC4_Report.pdf)> accessed 8 May 2025.

<sup>14</sup> UNEP, Draft report of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, on the work of the first part of its fifth session

11. For Asian and African countries, this process represents a critical opportunity to ensure that the global treaty reflects principles of equity, common but differentiated responsibilities, and the right to sustainable development. The AALCO Secretariat views this negotiation as a crucial moment for its Member States to engage actively and shape a treaty framework that is both environmentally ambitious and developmentally just.

**B. Deliberations at the Sixty-Second Annual Session of AALCO (9-13 September 2024, Bangkok, Kingdom of Thailand)**

12. **Mr. Yong Zhu, Deputy-Secretary-General of AALCO** in his opening remarks highlighted the emergence of plastic pollution as one of the most pressing environmental challenges facing ecosystems, human health and sustainable development. He commended the progress made by INC-3 and INC-4 towards the development of a global plastics treaty. He also noted that challenges remain on achieving a balanced approach that incorporates both binding commitments and voluntary actions while accommodating the diverse capacities and circumstances of Member States.

13. **The Delegate of the Kingdom of Thailand** noted the regular participation of his country in the Intergovernmental Negotiating Committee on Plastic Pollution, which was working towards developing an international legally binding instrument to address the impact of plastic pollution. It was hoped by the delegate that the treaty is concluded in a timely manner.

14. **The Delegate of the United Republic of Tanzania** expressed full support for the ongoing international efforts to develop a comprehensive international legally binding instrument for mitigating the adverse impacts of plastic wastes on the environment. In furtherance of this objective, it was noted that the country had participated in all four sessions of the INC held so far and had taken numerous efforts at the domestic level to regulate the environmental challenges posed by plastics. The delegate also noted the importance of broader engagement of all stakeholders for better results. The need and importance of a dedicated multilateral fund support for the implementation of the treaty was highlighted.

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<[https://wedocs.unep.org/bitstream/handle/20.500.11822/47162/INC\\_5\\_1\\_Report.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/47162/INC_5_1_Report.pdf)> accessed 8 May 2025.

15. The **Delegate of the Socialist Republic of Viet Nam** noted that the fight against plastic pollution is a top priority for the country and underscored that the country had taken a range of specific actions at multiple levels to tackle this problem. It was noted that the country was keen to collaborate with other countries on this matter and was actively involved in the negotiations for a global agreement on plastic waste. The delegate encouraged States to advance the creation and implementation of global mechanisms for mobilizing financial resources, transferring technology and sharing policy insights to drive the shift towards a circular economy for plastics. It was also noted that the country also promotes the establishment and operation of global and regional centres dedicated to monitoring, collecting and sharing information, research and best practices in managing plastic pollution as well as the importance of multi-stakeholder participation in this process. Furthermore, the importance of expanding community awareness initiatives on plastic waste especially through integration into school education programmes was highlighted.

16. The **Delegate of Malaysia** emphasized that the implementation of the plastics treaty should be nationally driven and embody elements of flexibility and adaptability. This would enable the country to set targets and actions according to its own national circumstances while allowing sufficient transition time for the country and markets to adjust in a step-by-step manner. On the issue of the role of the two *Ad Hoc* intersessional open-ended expert groups, it was noted that the two expert groups are not part of the negotiations under the INC and their roles were limited to informing and advancing the work of the INC. The country noted its support for the principle of sovereign equality and the principle of Common but Differentiated Responsibilities and Respective Capabilities (CBDRC). It was highlighted that the scope of the treaty must not include obligations or provisions related to the extraction of fossil fuels as these raw materials are also primarily used for other industrial productions other than plastic.

17. The **Delegate of Japan** noted that it was necessary to develop an effective and progressive legal instrument in which many countries including large consumers and emitters of plastics will participate. To address the issue of plastic pollution, it was necessary to promote the circulation of plastic resources throughout the full life cycle and establish a system to control the leakage of plastics into the environment including through recycling, reuse and environmentally sound waste management. The importance of establishing a circular economy of plastics was noted and in this

regard, environment friendly product design incorporating weight reduction and reduction of single-use plastics was highlighted. The delegate also noted the importance of reduction of emissions and appropriate treatment of plastic waste as the same would greatly contribute to the prevention of the leakage of plastics out of the circular loop into the environment. The importance of being ambitious about environmentally sound waste management practices was emphasized in this regard.

18. The **Delegate of the Republic of India** insisted that both financial and technical assistance as well as technology transfer should be integrated into the substantive provisions of the draft text. It was noted that there should be no binding targets or caps with respect to the production of plastic polymers. Given the critical importance of plastics in national development and economic growth, the global response to the problem should be based on the principle of equity and sustainable development including the principle of Common but Differentiated Responsibilities factoring in different national circumstances. The proposed ILBI, it was noted, should be implemented in rationally driven manner with due respect to national circumstances and capabilities. A consensus-backed approach as opposed to a voting-based approach was most suitable in this regard.

19. The **Delegate of the Republic of Indonesia** supported the work to develop an ILBI on plastic pollution. Efforts being made at the national and international efforts to tackle the problem of plastic pollution were highlighted. The delegate noted the support of the country for the treaty to cover the full lifecycle of plastics. A comprehensive approach that enhances circularity should stand as a core and overarching approach for the ILBI. Likewise, improved product design and environmentally sound waste management practices were key. Countries with special geographical features like archipelagic States and others with their unique capabilities and specific needs should have their situations and circumstances factored into at the negotiations stage. The principles of the Sustainable Development Goals (SDG) and Common but Differentiated Responsibility and Respective Capabilities (CBDR-RC) should be addressed in the ILBI. Likewise, support was extended to provisions pertaining to capacity building, technical assistance, and technology transfer based on States' needs especially for developing States to assure the effective implementation of the instrument.

20. The **Delegate of the Republic of Türkiye** noted that the alarming increase in plastic waste was a direct consequence of unsustainable production and consumption patterns. It was mentioned that AALCO Member States though contributing less to global plastic pollution were disproportionately sharing the consequences of the problem. In this backdrop, it was important to bring the voices of AALCO Member States to the forefront. The importance of the principle of Common but Differentiated Responsibility and the need to strike a balance between binding targets and flexible measures was underscored.

21. The **Delegate of the People's Republic of China** noted that it was a firm supporter of the INC negotiating process to develop an ILBI on the issue of plastic pollution and had actively engaged with the process. The delegate noted that plastic itself was not the issue but leakage of mismanaged plastic to the environment. In this regard, a balanced approach that would facilitate the use of plastics in daily life and at the same time addressing plastic pollution through practical and effective ways was necessary. The instrument, while strictly abiding by the mandate of UNEA Resolution 5/14 should factor in national circumstances and capabilities. The instrument should focus on plastic waste collection, recycle and disposal with a focus on the root cause of plastic pollution i.e. waste management instead of reduction of plastic production, which was a matter of industrial policy. It was hoped that all countries could work together with the spirit of openness, pragmatism and cooperation.

22. The **Delegate of the Republic of Korea** expressed its strong support to finalize the treaty text by the end of 2024 as was initially envisaged. It was anticipated that the new treaty would address the issue of plastic pollution throughout its entire lifecycle from production to consumption to disposal based on scientific evidence. The importance of the treaty being effective and enforceable was also noted.

23. The **Delegate of the People's Republic of Bangladesh** at the outset noted that the country had imposed a complete ban on polythene and polypropylene shopping bags in all superstores nationwide, effective from October 1, 2024. It was noted that the country was a strong advocate for the elimination of single-use plastic pollution including banning products with low utility and high littering potential and supports the ILBI process that was underway. The importance of global cooperation for the transition to a circular economy along with efficient management, reuse and

recycle of plastic waste was emphasized. Providing developing countries with adequate finance environmentally sound technologies capacity building, scientific and technical support was noted.

**C. Summary of Previous Negotiations of the International Negotiating Committee (INC-1 to INC-4)**

**i. Summary of the First Session of the International Negotiating Committee (INC-1) Punta del Este, Uruguay, 28 November–2 December 2022**

24. The Intergovernmental Negotiating Committee (INC) undertook comprehensive discussions on various foundational aspects of a future legally binding international instrument aimed at addressing plastic pollution including the marine environment.<sup>15</sup> Among the key areas of focus was the potential scope and overarching objectives of the treaty, as well as preliminary structural options. The INC also initiated deliberations on core obligations and control measures that could be incorporated, alongside voluntary approaches to a legally binding instrument on plastic pollution. Discussions extended to possible mechanisms for implementation, including provisions for capacity-building, technical support, and financial assistance. The committee also addressed the importance of establishing systems for monitoring and evaluating progress, as well as national reporting frameworks, to assess the effectiveness of the instrument over time. Further deliberations encompassed elements related to scientific and technical cooperation, research, public awareness, and coordination among relevant stakeholders. The committee also explored approaches to ensure inclusive stakeholder engagement and action across sectors. Finally, attention was given to standard treaty provisions, including final clauses that would govern the operation and enforcement of the future agreement.

25. The Intergovernmental Negotiating Committee requested the Secretariat to prepare, for consideration at the second session, a document presenting potential options for elements of an international legally binding instrument to address plastic pollution, including in the marine environment. The committee specified that the document should be developed in line with the

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<sup>15</sup> INC-1 Report (n 10).

comprehensive approach set out in United Nations Environment Assembly resolution 5/14, which calls for addressing the full life cycle of plastics. The document was to include, inter alia, a possible objective for the instrument; substantive provisions encompassing core obligations, control measures and voluntary approaches; as well as implementation provisions and means of implementation, including capacity-building, technical assistance and financial support. The committee further indicated that the document may reflect both legally binding and voluntary measures. It was emphasized that the purpose of the document was to assist the committee in its deliberations and that it was without prejudice to the outcome of negotiations, including with respect to the structure and content of the instrument to be developed.

**ii. Summary of the Second Session of the International Negotiating Committee (INC-2)  
Paris, 29 May–2 June 2023**

26. Pursuant to the mandate established at the first session of the Intergovernmental Negotiating Committee (INC-1), the Secretariat prepared a document outlining potential options for elements of an international legally binding instrument.<sup>16</sup> These options were developed within the framework of a comprehensive approach to addressing the full life cycle of plastics. The document set out possible elements including the objective of the instrument; substantive provisions such as core obligations, control measures, and voluntary approaches; implementation measures; and means of implementation. It was noted that the core objective of the international legally binding instrument could be either of the three options or a combination of the three:

- a. End plastic pollution; protect human health and the environment from its adverse effects throughout the life cycle of plastic.
- b. Protect human health and the environment from the adverse effects of plastic pollution throughout the life cycle.
- c. Reduce the production, use and discharge of plastics across their life cycle, including through the promotion of a circular plastics economy with a view to ending plastic

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<sup>16</sup> INC-2 Report (n 11).

pollution by X year and protecting human health and the environment from its adverse effects.

27. The document identified 12 possible core obligations that could be further deliberated. The options presented encompassed both legally binding and non-binding measures. The document was informed by the views expressed during the first session of the Committee, as well as 67 written submissions received thereafter, reflecting the positions of 119 countries. Another 176 submissions were received from stakeholders and stakeholder groups. In presenting the document, the Secretariat provided a brief overview of its contents, emphasizing that it be intended solely to support and facilitate the Committee's deliberations. It was expressly noted that the document does not in any way pre-empt or predetermine the Committee's decisions regarding the structure, content, or legal form of the future instrument.

28. The Intergovernmental Negotiating Committee decided to establish two contact groups with the objective of identifying areas of convergence and refining the range of potential options under consideration. The Contact Groups were tasked with advancing discussions to the fullest extent possible by gathering Members' views on the elements and options that may form the basis of a future international instrument. These deliberations were expected to help identify areas of convergence as well as any outstanding divergences or gaps. Each Contact Group was to report to the plenary in the form of a summary of discussions, to be prepared by the co-facilitators with the support of the Secretariat.

29. Core Group 1 discussed objectives and substantive obligations with a focus on the 12 possible obligations identified by the Elements Paper prepared by the Secretariat, whereas Core Group 2 focussed on implementation aspects.

30. The main outcome of INC-2 was the request for the INC Chair, with support from the Secretariat, to prepare a zero draft of the international legally binding instrument for consideration at INC-3, based on the views expressed during INC-1 and INC-2. Additionally, Members and observers were encouraged to submit written statements to the Secretariat to further inform the drafting process.

**iii. Summary of the Third Session of the International Negotiating Committee (INC-3)  
Nairobi, 13-19 November 2023**

31. A key outcome of INC-3 was the strong support for addressing toxic chemicals in plastics, with over 130 countries endorsing a proposal by Switzerland and Uruguay to regulate chemicals and polymers of concern.<sup>17</sup> The proposal called for the development of national standards aimed at eliminating harmful substances, alongside the establishment of globally harmonized criteria grounded in scientific evidence and robust data. In addition to this progress, discussions advanced on other substantive areas, including the regulation of plastic production, setting standards for fishing gear, and regulation of chemicals and polymers of concern. These developments marked important steps toward shaping the core obligations of the future legally binding instrument on plastic pollution.

**iv. Summary of the Fourth Session of the International Negotiating Committee (INC-4)  
Ottawa, 23–29 April 2024**

32. INC-4 witnessed both progress and persistent divisions among Member States. While areas of convergence emerged on topics such as plastic waste management and a just transition, sharp disagreements continued on key issues including the regulation of primary plastic polymers, chemicals and polymers of concern, and the relationship of the new treaty to existing international frameworks.<sup>18</sup> The scope of the future agreement proved to be the most contentious issue, with diverging views on whether the “full life cycle” of plastics should include production. Some countries advocated for regulating primary plastic polymers and avoidable plastic products, while others argued such measures exceeded the mandate of the UNEA resolution. Debate also centered around whether the treaty should adopt binding global rules or allow for voluntary, nationally determined approaches, particularly on product design, chemical regulation, and polymers of concern. Financing mechanisms remained a major sticking point, with proposals ranging from a new dedicated multilateral fund to reliance on existing structures like the Global Environment Facility. Extended producer responsibility provisions also generated differing opinions.

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<sup>17</sup> INC-3 Report (n 12).

<sup>18</sup> INC-4 Report (n 13).

Additionally, concerns were raised by developing countries about the potential socio-economic impacts of regulating fishing gear throughout its lifecycle. Delegates concluded INC-4 by agreeing to use a compilation of discussions as the basis for negotiations at INC-5 in November 2024. Another major achievement of INC-4 was the agreement to carry out formal intersessional work between till November 2024 on several key issues such as global bans on problematic plastics and chemicals, worldwide product design standards, and the development of a strong financing mechanism to ensure a just transition for developing countries.

**D. The First Part of the Fifth Session of the Intergovernmental Negotiating Committee (INC-5) (25 November to 1 December 2024, Busan, Republic of Korea)**

33. The First Part of the Fifth Session of the INC-5.1 was held from 25 November to 1 December 2024 in Busan, Republic of Korea. The second part of the fifth session (INC-5.2) is scheduled to take place from 5 to 14 August 2025 in Geneva, Switzerland. The resumed session will be preceded by regional consultations on 4 August 2025.

34. On 25 November 2024, Chair, Luis Vayas Valdivieso of Ecuador, formally opened the first part of the fifth session of the INC. The day marked 1000 days since the historic adoption of Resolution 5/14, which mandated the finalization of an international legally binding instrument to curb plastic pollution. The event brought together over 3,300 participants from governments, academia, civil society, the private sector, the UN, and international organizations.<sup>19</sup> The Chair noted that plastic pollution posed a critical and pervasive danger to ecosystems, economies, and human well-being. Given that the scale of the crisis was huge, absence of decisive action by the international community would lead to the volume of plastic entering the environment each year to almost double by 2040 compared to 2022. It was observed that the committee's deliberations in INC-5 carried historic significance and required careful, focused, and urgent attention, with a strong commitment to solidarity and consensus. It was noted that though there were differing perspectives on many of the issues under discussion, there was a shared recognition of the need to tackle plastic pollution through constructive cooperation. He called on all participants to embrace

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<sup>19</sup> IISD, Earth Negotiations Bulletin, Summary Report 25 November-1 December 2024, <<https://enb.iisd.org/plastic-pollution-marine-environment-negotiating-committee-inc5-summary>> accessed 16 May 2025.

the mechanisms of multilateralism to bridge their differences and develop a bold and effective treaty offering a lasting legacy of hope for the planet and generations to come.

**i. Core Negotiations and Outcome of the first part of INC-5**

35. During the deliberations, representatives expressed divergent views and opinions on different issues. Most of the comments pertained to the use of the Chair's non-paper as a starting point for the negotiations. Numerous representatives, including several speaking on behalf of country groups, expressed their willingness to use the non-paper as the foundation for discussions within the contact groups. They noted that doing so would help Member States make the most of the limited negotiation time left, even though, as several acknowledged, they did not agree with every detail and even remained critical of the text. Many observed that the non-paper included provisions still lacking formulated text, and several indicated their intention to submit specific proposals. It was also widely recalled that the compilation text adopted at the committee's fourth session remained a valuable reference. Many emphasized their readiness to approach the session in a spirit of compromise and expressed eagerness to begin substantive negotiations.

36. On the preparation of an internationally legally binding instrument on plastic pollution, the Chair highlighted the compiled draft text of the international legally binding instrument. He also referenced the third version of his non-paper, which had been published on the session's official website. However, parties were not able to reach an understanding on a new treaty and it was agreed that States would reconvene in 2025 to carry forward deliberations on the same.

37. Countries generally made the following observations:

- a. States reaffirmed their commitment to the process of drafting an international legally binding instrument on plastic pollution in general and the global problem of plastic pollution notwithstanding divergent positions on substantive aspects. In this respect, many States expressed their support for the Chair's non-paper as the basis for discussion.

- b. The principle of consensus in decision-making on substantive matters under multilateral environmental agreements reinforces the importance of collective decision-making and embodies a shared sense of responsibility and commitment in the best traditions of multilateralism. In this respect, the efforts underway to prepare an internationally legally binding instrument on plastic pollution must also follow this principle.
- c. Individual capacities, capabilities and resource base of countries must be respected while drafting obligations under the proposed instrument. Financial aspects, technology and capacity building aspects must be discussed taking into account these practical realities as economic capacities of countries vary to give effect to legal obligations.
- d. On technically complex matters, it may be better to afford greater flexibility to individual countries.
- e. States also noted the need to address the entire life cycle of plastics within the instrument as a means to promote plastic circularity and prevent its release into the environment.
- f. On core obligations, it was noted that robust control measures are essential to prevent plastic pollution. In this direction, bold actions to reduce single-use plastics was imperative. Encouragement of environmentally sustainable product design to influence consumer demand should be taken. Strengthening reuse, recycling and sound waste management practices was also deemed essential. A sector-specific approach could also be taken to ensure practical and effective implementation including the involvement of local communities, civil society, the private sector, and workers in informal and cooperative settings in advancing and enabling a just transition.
- g. One State noted that the text being negotiated lacked adequate provisions for biodiversity protection, which was deemed important in the context of tackling plastic pollution.
- h. One State noted that finding common ground and developing shared solutions that equitably benefit all parties is crucial in tackling plastic pollution. To ensure meaningful progress, processes must be efficient, inclusive, and transparent. It was noted that the

current proposal omits key elements such as principles, objectives, and scope, which are essential for creating an effective international legally binding instrument. Necessary revisions in the text to enable fair and balanced negotiations was deemed necessary.

#### **IV. INTERNATIONAL LEGAL REGIME ON CLIMATE CHANGE**

##### **A. Background**

38. The international legal framework governing Climate Change is primarily constituted by the United Nations Framework Convention on Climate Change (UNFCCC) of 1992,<sup>20</sup> its Kyoto Protocol of 1997,<sup>21</sup> and the Paris Agreement of 2015.<sup>22</sup> This “UNFCCC Regime” enjoys near-universal ratification underscoring its global significance.<sup>23</sup> The overarching objective of this regime is to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.<sup>24</sup>

39. The Paris Agreement, in particular, aims to hold “the increase in the global average temperature to well below 2°C above pre-industrial levels” and to pursue efforts to “to limit the temperature increase to 1.5°C above pre-industrial levels.”<sup>25</sup> It brings all nations together in a five-year cycle of increasingly ambitious climate action, with countries submitting Nationally Determined Contributions (NDCs) that are expected to reflect higher ambition over time. The Conference of Parties (COP) to the UNFCCC, the Meeting of Conference of Parties serving as Meeting of Parties to the Kyoto Protocol (CMP), and the meeting of the Conference of Parties serving as the Meeting of the Parties to the Paris Agreement (CMA), serve as the supreme decision-

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<sup>20</sup> United Nations Framework Convention on Climate Change, Adopted May 9, 1992; entered into force Mar. 21, 1994 S. Treaty Doc No. 102-38, 1771 U.N.T.S. 107.

<sup>21</sup> Kyoto Protocol to the United Nations Framework Convention on Climate Change, Adopted Dec. 11, 1997; entered into force Feb. 16, 2005, 2303 U.N.T.S. 162.

<sup>22</sup> Paris Agreement to the United Nations Framework Convention on Climate Change, Adopted Dec. 12, 2015; entered into force Nov. 4, 2016 T.I.A.S. No. 16-1104.

<sup>23</sup> The UNFCCC has 198 parties.

<sup>24</sup> <[https://unfccc.int/process/parties-non-party-stakeholders/parties-convention-and-observer-states?field\\_partys\\_partyto\\_target\\_id%5B512%5D=512&field\\_parties\\_date\\_of\\_ratifi\\_value=All&field\\_parties\\_date\\_of\\_signature\\_value=1&field\\_parties\\_date\\_of\\_ratifi\\_value\\_1=All&field\\_parties\\_date\\_of\\_signature\\_value\\_1=All&combine=>](https://unfccc.int/process/parties-non-party-stakeholders/parties-convention-and-observer-states?field_partys_partyto_target_id%5B512%5D=512&field_parties_date_of_ratifi_value=All&field_parties_date_of_signature_value=1&field_parties_date_of_ratifi_value_1=All&field_parties_date_of_signature_value_1=All&combine=>)> accessed 4 June 2025.

<sup>24</sup> <https://unfccc.int/process-and-meetings/what-is-the-united-nations-framework-convention-on-climate-change#ref1> accessed 4 June 2025.

<sup>25</sup> <<https://unfccc.int/process-and-meetings/the-paris-agreement>> accessed 4 June 2025.

making bodies, convening annually to advance the regime’s objectives. Since the entry into force of these legal instruments, these bodies have been meeting on an annual basis. As of July 2025, twenty-nine COP meetings, nineteen CMP meetings and six CMA meetings have been concluded.<sup>26</sup>

40. This Report aims to present for consideration the key decisions adopted at the Baku Climate Change Conference (11-22 November 2024) and the prevailing momentum leading up to the 2025 UN Climate Change Conference, scheduled for 10-22 November 2025 in Belém, Brazil. Furthermore, it offers observations and comments from the Secretariat.

## **B. Deliberations at the Sixty-Second Annual Session of AALCO (9-13 September 2024 Bangkok, the Kingdom of Thailand)**

41. The topic was introduced by **Mr. Zhu Yong, Deputy Secretary-General of AALCO**. He shed light on the need for a strong political will and global cooperation for climate change. He stated that the outcomes of the Dubai Climate Change Conference (COP 28), the establishment of the Loss and Damage Fund, and the completion of the first Global Stocktake under the Paris Agreement, represented significant advancements in international climate law. He underscored the importance of reaching an agreement on the New Collective Quantified Goal on climate finance (NCQG), ensuring it aligns with the needs and priorities of developing nations at the forthcoming COP 29. He urged the AALCO Member States to actively participate in these negotiations, advocating for their shared interests. He concluded by highlighting the need to ensure that future legal frameworks are fair and effective while recognizing the principle of common but differentiated responsibilities.

42. **The Delegate of the Kingdom of Thailand**, emphasized the importance of climate change and recent developments in international law addressing this issue. The delegate noted the crucial role of international courts and tribunals in clarifying States’ legal obligations on climate change.

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<sup>26</sup> < <https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-cop> > ; <<https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-serving-as-the-meeting-of-the-parties-to-the-kyoto-protocol-cmp>>; < <https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-serving-as-the-meeting-of-the-parties-to-the-paris-agreement-cma>> accessed 4 June 2025.

He welcomed the recent ITLOS advisory opinion on marine environmental protection, and expressed active support for the ICJ advisory opinion process. The delegate highlighted the principle of common but differentiated responsibilities, and outlined Thailand's strengthened climate commitments, including enhanced NDCs, carbon neutrality targets, and new legislations. The delegate also advocated for climate justice through increased support for developing countries and notified that Thailand had ratified the Kigali Amendment to the Montreal Protocol. The delegate called for unified global cooperation and legal clarity to effectively combat climate change and protect vulnerable nations.

43. **The Delegate of the Republic of Kenya** talked about prioritizing the environment and natural resources as national priorities while working in collaboration with local and international stakeholders. The delegate reaffirmed Kenya's commitment to achieving Net Zero by 2050. The delegate also expressed gratitude to all AALCO Member States for their participation in the United Nations Environment Assembly (UNEA-6) in Nairobi, Kenya, which focused on implementing the environmental dimension of the 2030 Agenda for Sustainable Development. The delegate urged all Members to implement the resolutions and commitments adopted at the Assembly to mobilize urgent action on climate change and sustainable development.

44. **The Delegate of the United Republic of Tanzania**, claimed that climate change as one of the major environmental challenges which Tanzania was currently facing. The delegate stated that the economic costs for addressing climate change were estimated at 2–3% of their GDP annually. The delegate listed out the key policies; legal, institutional and regulatory instruments and national strategies, which their government had implemented. The delegate urged all Member States to prioritize environmental issues and take robust action to address these challenges.

45. **The Delegate of the Socialist Republic of Viet Nam**, characterized climate change as an international concern. He listed the diverse measures that Vietnam had implemented across multiple levels to address climate change, including submitting written and oral statements to the International Tribunal for the Law of the Sea (ITLOS) and playing a key role in drafting the UN General Assembly Resolution for an Advisory Opinion from the International Court of Justice

(ICJ). The delegate stressed that countries with significant historical emissions should be held responsible based on the principle of common but differentiated responsibilities.

46. **The Delegate of the Islamic Republic of Iran**, acknowledged the importance of CBDR-RC in addressing climate change. The Delegate emphasized the significance of climate change instruments, specifically the UNFCCC, the Kyoto Protocol, and the Paris Agreement. The delegate stated that Iran had submitted its written statement and comments to the ICJ for an Advisory Opinion concerning Obligations of States in respect of Climate Change. The delegate emphasized the importance of international cooperation in dealing with non-compliance of State commitments under the climate change regime.

47. **The Delegate of Malaysia**, stated that his country anticipated COP29 as a crucial opportunity to establish a fair and ambitious New Collective Quantified Goal on Climate Finance urging that discussions be guided by the principle of CBDR-RC and tailored to the needs of developing countries. The delegate reaffirmed Malaysia's support for the Loss and Damage Fund established at COP28, highlighting the World Bank's coordination role and the involvement of UNDP experts to ensure effective management.

48. **The Delegate of Japan** emphasized climate change as a critical issue in the international community. He stated that Japan aimed to reduce its greenhouse gas emissions by 46% in fiscal year 2030 from its fiscal year 2013 levels. He highlighted the need for global cooperation to achieve the 1.5°C climate goal, urging major emitters to commit to net-zero by 2050 and stressed the need for ambitious, economy wise Nationally Determined Contributions (NDCs). He stated that for COP29, Japan stressed the significance of inclusive climate finance through the NCQG, advocating for contributions from both developed and capable nations. He briefed about Japan's Climate financial commitments, including funds pledged for the Green Climate Fund, and the loss and damage fund. The delegate stated that Japan acknowledged the ITLOS Advisory Opinion on climate change under UNCLOS and will monitor its impact on global environmental discussions.

49. **The Delegate of the Republic of India** emphasized that climate change presented a significant developmental challenge, particularly for developing and disadvantaged nations. The

delegate emphasised on the need for global cooperation to achieve the Paris Agreement's 1.5°C target, and pointed to India's leadership through initiatives like the International Solar Alliance (ISA) and the Coalition for Disaster Resilient Infrastructure (CDRI). The delegate reiterated COP29's focus on enhanced ambition and enabled action and called for increased and equitable climate finance. The delegate took note of the advisory opinion delivered by the International Tribunal for the Law of the Sea (ITLOS) on States' obligations to protect and preserve the world's oceans from climate change impacts.

50. **The Delegate of the Republic of Indonesia**, expressed hope that COP29 would build on transformative outcomes of the COP28, particularly the adoption of the UAE Consensus and the UAE Framework for Global Climate Resilience. The delegate asserted that COP29 would serve as a pivotal moment for climate action by prioritizing the adoption of an ambitious and transparent NCQG that addresses the needs of developing countries and supports a just and affordable transition. The delegate emphasized on the importance of a party-driven, inclusive Global Stocktake process based on the CBDR-RC principle, continued progress on mitigation and just transition pathways work programs, along with the effective implementation of the UAE Framework for Global Climate Resilience.

51. **The Delegate of the Republic of Türkiye**, reaffirmed their commitment to combating climate change. He highlighted the severe impact faced by Asia and Africa, especially among vulnerable communities. The delegate emphasized AALCO's important role in advocating for these communities, shaping international legal norms, and supporting Advisory Opinions on key climate issues. He asserted that despite progress under the UNFCCC and Paris Agreement, challenges like insufficient finance, technology gaps, and disparities between commitments and action persisted particularly for developing countries. The delegate urged AALCO to uphold the principle of CBDR, push for fair support from developed nations, and help strengthen the international legal framework to ensure effective climate action and protection for the most vulnerable.

52. **The Delegate of the People's Republic of China**, emphasized that the UNFCCC must remain the central framework for addressing climate change, with other legal regimes (e.g.,

International Law of the Sea, International Human Rights Law) serving only as supplementary tools that do not conflict with UNFCCC principles. The delegate underscored the CBDR principle as the foundation of global climate action, stressing that developed nations due to historical emissions and greater capacity must lead in emissions reductions and provide financial and technical support to developing countries. The delegate stated that China was committed to collaborating with Asian and African nations to uphold the UNFCCC's primacy, ensure equity in climate governance, and foster cooperative global efforts for effective climate solutions.

53. **The Delegate of the State of Palestine**, reaffirmed their commitment to the Sustainable Development Goals (SDGs). The delegate stated that the State of Palestine had actively engaged in international environmental efforts by joining key agreements to advance its Sustainable Development Goals, like the UNFCCC and Paris Agreement. The delegate stated that despite minimal contribution to global emissions, Palestine faced severe climate impacts. This was compounded by illegal occupation, which restricted access to natural resources, hindered adaptation and mitigation, and exacerbated water scarcity, food insecurity, and environmental degradation. Ongoing conflict and occupation also led to widespread destruction of infrastructure, increased pollution, and unprecedented environmental damage, as highlighted by a recent United Nations Environment Programme (UNEP) assessment. The delegate emphasized that achieving sustainable development and climate resilience was impossible without addressing the political situation and ending the occupation, as ongoing restrictions and violence continued to undermine progress and the well-being of its people.

54. **The Delegate of the Republic of Korea**, described the first global stocktake and COP28 as a crucial turning point under the Paris Agreement. He reaffirmed his country's commitment to climate mitigation and international cooperation. He asserted that the Republic of Korea had been an active donor to the Green Climate Fund and Global Green Growth Institute, for strengthening global climate resilience and sustainability, and had also recently pledged USD 7 million to the Loss and Damage Fund to support vulnerable communities.

55. **The Delegate of the People's Republic of Bangladesh**, asserted that as a highly climate-vulnerable nation, his government stressed the urgent need for global action and intensified

international cooperation on climate mitigation and adaptation, particularly for countries with minimal emissions but severe impacts. The delegate called for integrated efforts aligned with the UN SDGs, fulfillment of financial commitments under the Paris Agreement, and the establishment of a Loss and Damage Fund to support climate-induced migration. The delegate emphasized the importance of technology transfer from developed to vulnerable countries and looked forward to meaningful financial commitments from UNFCCC COP29. The delegate appreciated AALCO's role in providing legal guidance on climate and environmental issues and urged continued monitoring and support for international agreements.

**C. Baku Climate Change Conference (11 November-22 November 2024, Baku, Azerbaijan)**

56. The Republic of Azerbaijan hosted the 29th United Nations Climate Change Conference (COP29) in Baku from November 11-22, 2024. The Conference included the twenty-ninth meeting of the Conference of the Parties (COP 29) to the UNFCCC, the nineteenth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 19), the sixth session of the Conference of Parties serving as the Meeting of Parties to the Paris Agreement (CMA 6) and the sixty-first sessions of the Subsidiary Body for Scientific and Technological Advice (SBSTA 61) and the Subsidiary Body for Implementation (SBI 61). COP29 was hailed as the “Finance COP” as it aimed to address critical financial commitments and advance collective climate action.<sup>27</sup>

57. The formal High-Level Segment of COP29 was structured across two main periods: an initial phase from November 12-13, followed by a resumed session from November 19-20, 2024. This segment provided a crucial platform for official statements from national delegations, led by numerous Heads of State and Government, Vice-Presidents, and other high-ranking officials from

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<sup>27</sup>Center for Climate and Energy Solutions, ‘Key Negotiations & Related Outcomes of the UN Climate Change Conference in Baku’ (January 2025) < <https://www.c2es.org/document/key-negotiations-related-outcomes-of-the-un-climate-change-conference-in-baku/> > accessed 23 May 2025.

nearly 200 countries.<sup>28</sup> The total number of delegates was estimated to be between 40,000 and 50,000 individuals.<sup>29</sup>

58. While achieving some notable successes, particularly in climate finance and the operationalization of key mechanisms, it also highlighted persistent challenges and areas requiring further ambition. Some of the key outcomes of this meeting are reported below.

#### **i. The New Collective Quantified Goal (NCQG) on Climate Finance**

59. A central outcome of COP29 was the agreement on the New Collective Quantified Goal (NCQG) on climate finance.<sup>30</sup> This landmark decision established a new target for developed countries to triple finance to developing countries, from the previous goal of USD 100 billion annually, to USD 300 billion annually by 2035.<sup>31</sup> Furthermore, the breakthrough agreement stipulated a concerted effort among all stakeholders to collectively increase the flow of finance from public and private sectors to developing countries to the amount of USD 1.3 trillion per year by 2035, recognizing the far greater needs of developing countries to meet their climate and nature-related goals.<sup>32</sup> To guide the scaling up of finance towards the \$1.3 trillion ambition, COP29 launched the “Baku to Belém Roadmap to 1.3T”.<sup>33</sup>

60. The NCQG text constitutes a singular component of the final document adopted at COP29. This comprehensive agreement, formally designated the Baku Climate Unity Pact,<sup>34</sup> encompasses agreements on mitigation (the reduction of emissions primarily via energy transition) for the

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<sup>28</sup>UNFCCC, ‘World Leaders Climate Action Summit at COP 29’ <<https://unfccc.int/cop29/high-level>> accessed 1 June 2025.

<sup>29</sup> <<https://enb.iisd.org/baku-un-climate-change-conference-cop29-summary>> accessed 1 June 2025.

<sup>30</sup> <<https://unfccc.int/NCQG>> accessed 1 June 2025.

<sup>31</sup> UNFCCC, ‘Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its sixth session, held in Baku from 11 November to 24 November 2024, Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session, Decision 1/CMA.6, UN Doc. FCCC/PA/CMA/2024/17/Add.1, pp. 2-6.

<sup>32</sup>‘NCQG Deep Dive: How We Reach \$300 Billion and \$1.3 Trillion’ <<https://www.wri.org/insights/ncqg-climate-finance-goals-explained>> accessed 23 May 2025.

<sup>33</sup> *ibid.*

<sup>34</sup> <<https://unfccc.int/cop29/auvs>> accessed 6 June 2025.

Mitigation Work Programme, and a stipulation concerning climate adaptation as the Global Goal on Adaptation.<sup>35</sup>

61. Despite these advancements, the NCQG outcomes received mixed reactions. Developed countries urged expanding the contributor base to include other parties in a position to contribute. Developing countries called for a higher quantum, with some calling for specific targets on the provision of public finance and the mobilization of finance, and Least Developed Countries (LDCs) and Small Island Developing States (SIDS) calling for minimum allocation floors for their groups.<sup>36</sup> Many developing countries expressed strong discontent, deeming the \$300 billion goal “abysmally poor” and insufficient to address the enormous challenges posed by climate change.<sup>37</sup> Concerns were raised about the lack of assurance that this finance would be delivered through grants rather than loans or private finance, which developing countries desperately need. This dissatisfaction underscores a recurring tension in climate finance negotiations, namely, the gap between the perceived needs of vulnerable nations and the commitments from developed countries. The compromise reached on the NCQG text does not fully ensure support for the transformations needed to meet the 1.5°C target, risking further distrust among governments and populations.

## **ii. Operationalization and Implementation of the Loss and Damage Fund**

62. Another important outcome of COP29 was the advancement towards the full operationalization of the Fund for Responding to Loss and Damage (FRLD).<sup>38</sup> The World Bank formally accepted its role as a host organization for the fund, a crucial step towards its implementation.<sup>39</sup> The FRLD aims to begin disbursing finance to vulnerable developing countries

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<sup>35</sup> Soenke Kreft Saskia Werners Kees van der Geest, United Nations University Institute for Environment and Human Security, ‘Unpacking COP29: A Base to Build On?’ (6 Dec 2024) <<https://unu.edu/ehs/series/unpacking-cop29-base-build>> accessed 6 June 2025.

<sup>36</sup> <<https://enb.iisd.org/baku-un-climate-change-conference-cop29-summary>> accessed 17 June 2025.

<sup>37</sup> Swetha Covaiselvan, Grace Mbungu, ‘A continent in focus: COP29 outcomes and implications for Africa’ (*Africa Policy Research Institute*, 13 January 2025) <<https://afripoli.org/a-continent-in-focus-cop29-outcomes-and-implications-for-africa>> accessed 17 June 2025.

<sup>38</sup> UNFCCC, ‘Report of the Conference of the Parties on its twenty-ninth session, held in Baku from 11 November to 24 November 2024, Part two: Action taken by the Conference of the Parties at its twenty-ninth session, Decision 5/CP.29’, UN Doc. FCCC/CP/2024/11/Add.1, pp. 14-17.

<sup>39</sup> Fund for responding to Loss and Damage, ‘Report of the Board of the Fund for responding to Loss and Damage to the Conference of the Parties at its twenty-ninth session and the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session’ (21 October 2024) FRLD/B.3/8.

in 2025, providing much-needed support to those already facing the devastating and unavoidable impacts of climate change. As of March 26, 2025, a total of USD 768.40 million has been pledged to the FRLD.<sup>40</sup>

63. While the operationalization marks a critical step, significant groundwork remains to be completed before the fund can fully function. Discussions at COP29 revealed that private sector involvement in L&D was notably limited, despite being considered essential for mobilizing additional resources. As the FRLD becomes operational, Parties and the FRLD Board will need to explore more effective ways to engage the private sector to support these efforts. The establishment of the fund reflects a growing recognition of the need for robust financial mechanisms to address climate impacts and underscores the importance of collective responsibility and equity in climate financing.<sup>41</sup>

### **iii. Advancements in the Global Goal on Adaptation (GGA) and Adaptation Strategies**

64. COP29 also saw progress on adaptation, building upon the UAE Framework for Global Climate Resilience agreed at COP28.<sup>42</sup> This framework established seven thematic targets and four iterative adaptation cycle targets to monitor global adaptation progress.<sup>43</sup> At COP29, Parties decided that there should be no more than 100 indicators for measuring this progress, which must be globally applicable and cover diverse adaptation contexts.<sup>44</sup> The final selection of these globally relevant indicators is expected to be completed by CMA7 in 2025. These indicators will be integrated into national adaptation communications and biennial transparency reports (BTRs), ensuring alignment with the Global Stocktake (GST).

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<sup>40</sup> <https://www.frlld.org/pledges> accessed 6 June 2025.

<sup>41</sup> n 36.

<sup>42</sup> UNFCCC, 'Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its fifth session, held in the United Arab Emirates from 30 November to 13 December 2023, Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fifth session, Decision 2/CMA.5', UN Doc. FCCC/ PA/CMA/2023/16/Add.1.

<sup>43</sup> <https://unfccc.int/topics/adaptation-and-resilience/workstreams/gga> accessed 6 June 2025.

<sup>44</sup> UNFCCC, 'Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its sixth session, held in Baku from 11 to 24 November 2024, Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session, Decision 3/CMA.6', UN Doc. FCCC/PA/CMA/2024/17/Add.1 p. 12; <https://www.sei.org/perspectives/did-cop29-advance-the-unfccc-global-goal-on-adaptation/> accessed 7 June 2025.

65. To guide the implementation of the UAE Framework, COP29 established the Baku Adaptation Roadmap.<sup>45</sup> Additionally, the Baku High-Level Dialogue on Adaptation was created as a platform to facilitate action on adaptation at future COPs.<sup>46</sup> A contentious issue was transformational adaptation; while some parties were hesitant to address it due to concerns about new conditions for accessing finance, others argued that incremental adaptation would be insufficient for the increasing scale of climate impacts.

66. Efforts to strengthen adaptation finance were a major focus, with renewed emphasis on the Adaptation Fund's role under the Paris Agreement and calls to triple annual contributions by 2030. Discussions on the GCF and Global Environment Facility (GEF)<sup>47</sup> highlighted the need for simplified access for Least Developed Countries (LDCs) and Small Island Developing States (SIDS).

#### **iv. Mitigation Work Programme and Article 6 Developments**

67. Parties adopted a decision to continue work of the ‘Sharm-el-Sheikh Mitigation Implementation and Ambition Work Programme’ (MWP).<sup>48</sup> Significant progress was made on Article 6 of the Paris Agreement, which outlines the operation of carbon markets. This included progress on bilateral agreements between countries (Article 6.2), carbon crediting mechanisms (Article 6.4), and the adoption of non-market approaches (Article 6.8) that focus on other types of cooperation to incentivize and scale carbon finance.<sup>49</sup> COP29 finalized outstanding elements of Article 6.4, defining aspects such as the authorization and registration of emission credits, the

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<sup>45</sup>UNFCCC, ‘Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its sixth session, held in Baku from 11 to 24 November 2024, Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session, Decision 3/CMA.6’, UN Doc. FCCC/PA/CMA/2024/17/Add.1 p. 13.

<sup>46</sup> *ibid.*

<sup>47</sup> UNFCCC, ‘Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its sixth session, held in Baku from 11 to 24 November 2024, Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session, Decision 9/CMA.6, 10/CMA.6’, UN Doc. FCCC/PA/CMA/2024/17/Add.2 p. 7.

<sup>48</sup> UNFCCC, ‘Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its sixth session, held in Baku from 11 to 24 November 2024, Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session, Decision 2/CMA.6’, UN Doc. FCCC/PA/CMA/2024/17/Add.1 pp. 3-4.

<sup>49</sup> UNFCCC Secretariat Mitigation Division, ‘Key Outcomes from COP29: Article 6 of the Paris Agreement’ (11 Dec 2024) <<https://unfccc.int/documents/644797>> accessed 7 June 2025.

sharing of proceeds for adaptation, and the transition of existing forestry activities to this new mechanism, known as the Paris Agreement Crediting Mechanism.<sup>50</sup> With these elements in place, the design of the Article 6.4 mechanism appears complete, allowing it to begin operating. This could be a significant outcome if the environmental integrity of the mechanism is ensured, with future work increasingly guided by its Supervisory Body. However, concerns were raised that the pressure to reach a deal compromised the improvement of transparency and accountability mechanisms, leading some parties to question the actual effectiveness of the mechanism in reducing CO2 emissions.

## **v. Transparency**

68. A significant outcome for transparency was the Baku Declaration on Global Climate Transparency.<sup>51</sup> This declaration offers a platform for signatory countries to submit their Biennial Climate Transparency Report (BTR) and National Inventory Report (NIR) by December 31, 2024.<sup>52</sup> To date, 13 Parties have submitted their first Biennial Transparency Reports (BTR) due from all Parties by the end of the year.<sup>53</sup>

69. In addition, all transparency negotiating items concluded successfully at COP29, with Parties expressing their appreciation for the timely completion of the Enhanced Transparency Framework (ETF) reporting tools, the technical trainings, the support provided to developing countries for reporting under the ETF that took place in 2024, and the successful launch of the review process.

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<sup>50</sup> <<https://unfccc.int/process-and-meetings/the-paris-agreement/article-64-mechanism>> accessed 7 June 2025.

<sup>51</sup> <<https://cop29.az/en/pages/baku-declaration-on-global-climate-transparency>> accessed 7 June 2025.

<sup>52</sup> <<https://unfccc.int/news/baku-high-level-dialogue-launches-global-climate-transparency-initiatives-ahead-of-cop29-highlights#:~:text=To%20support%20developing%20countries%20that,Change%20Executive%20Secretary%20Simon%20Stiell>> accessed 7 June 2025.

<sup>53</sup> <<https://unfccc.int/news/cop29-un-climate-conference-agrees-to-triple-finance-to-developing-countries-protecting-lives-and#:~:text=To%20date%2C%2013%20Parties%20have%20now%20submitted,Parties%20by%20the%20end%20of%20the%20year>> accessed 7 June 2025.

**vi. Gender and climate change**

70. Countries agreed a decision on gender and climate change, extending the enhanced Lima Work Programme on Gender and Climate Change for another 10 years,<sup>54</sup> reaffirming the importance of gender equality and advancing gender mainstreaming throughout the convention.<sup>55</sup>

71. They also agreed to develop a new gender action plan for adoption at COP30, which will set the direction for concrete implementation.

**D. Towards the 2025 UN Climate Change Conference (COP30, Belém, Brazil)**

72. The 2025 UN Climate Change Conference, formally designated UNFCCC COP 30, is scheduled to convene from November 10-21, 2025, in Belém, Brazil. This conference is anticipated to be a decisive milestone, marking the tenth anniversary of the Paris Agreement and the halfway point of the “critical decade” for changing course in the fight against climate change.<sup>56</sup>

73. The Troika aims to guide global efforts to achieve climate resilience by 2030, building on the UAE Consensus from COP28 and the Baku Climate Unity Pact from COP29.<sup>57</sup> The Troika will align finance, policy, and technology to achieve these goals, with COP30 being critical for accelerating action and ensuring a sustainable future.<sup>58</sup>

74. A major milestone leading up to COP30 was the deadline for countries to submit their new Nationally Determined Contributions (NDCs) by early February 2025. However, so far, only 21 countries have submitted their 2035 climate targets.<sup>59</sup> These NDCs are crucial as they are meant

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<sup>54</sup> UNFCCC, ‘Report of the Conference of the Parties on its twenty-ninth session, held in Baku from 11 to 24 November 2024, Part two: Action taken by the Conference of the Parties at its twenty-ninth session, Decision 7/CP.29’, UN Doc. FCCC/CP/2024/11/Add.1 pp. 23-26.

<sup>55</sup><https://unfccc.int/topics/gender/workstreams/the-enhanced-lima-work-programme-on-gender> accessed 7 June 2025.

<sup>56</sup> Troika Presidencies reaffirm commitment to global climate action and unveil Belem roadmap <<https://cop30.br/en/news-about-cop30-amazonia/troika-presidencies-reaffirm-commitment-to-global-climate-action-and-unveil-belem-roadmap>> accessed on May 23, 2025.

<sup>57</sup> *ibid.*

<sup>58</sup> <<https://www.globalethicalfinance.org/our-work/path-to-cop30/>> accessed 7 June 2025.

<sup>59</sup> IIED, ‘Six months out from COP30, only 21 countries have submitted updated climate targets’ (9 May 2025) <<https://www.iied.org/six-months-out-cop30-only-21-countries-have-submitted-updated-climate-targets>> accessed 7 June 2025.

to reflect a progression beyond each party's current NDC and demonstrate the highest possible ambition, in line with the principle of common but differentiated responsibilities and respective capabilities.

75. The first Global Stocktake (GST) at COP28 provided impetus for these new NDCs, calling for specific actions such as tripling renewable energy capacity globally by 2030, doubling the global average annual rate of energy efficiency improvements by 2030, and accelerating the phase-out of fossil fuels. At COP29, the parties could not reach agreement on the dialogue on the implementation of the outcomes of the Global Stocktake. There is a considerable 'implementation gap' between planned or enacted measures and the necessary climate targets.<sup>60</sup> The urgency for ambitious NDCs aligned with the 1.5°C trajectory for COP30 cannot be overstated.

76. COP30 in Belém is expected to mark a significant transition from the negotiation phase of the climate regime to a stronger focus on implementation. Brazil, as the host, aims for the discussions to provide a decisive push for protecting and expanding the institutional legacy of the COP, connecting negotiations to real-life outcomes.

77. The Path to COP30 campaign will mobilize global finance, leveraging the Baku to Belém Roadmap to \$1.3 Trillion, uniting financial institutions, policymakers, and civil society to direct capital where it is most needed.

## **V. UNGA REQUEST FOR ICJ ADVISORY OPINION ON STATE RESPONSIBILITIES IN CLIMATE CHANGE**

### **A. *Obligations of States in respect of Climate Change* (Request for Advisory Opinion)<sup>61</sup>**

78. The International Court of Justice (ICJ) Advisory Opinion on Obligations of States in respect of Climate Change represents a ground-breaking legal proceeding that could fundamentally

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<sup>60</sup> < <https://ccpi.org/overcoming-the-implementation-and-ambition-gaps/> > accessed 7 June 2025.

<sup>61</sup> *Obligations of States in respect of Climate Change* (Advisory Opinion) (Pending) < <https://www.icj-cij.org/case/187/press-releases> > accessed 10 June 2025.

reshape international climate law and State accountability. Initiated by a UN General Assembly resolution in March 2023<sup>62</sup> and spearheaded by the Pacific island nation of Vanuatu, this case seeks to clarify States' legal obligations regarding climate change under international law and determine the legal consequences for States that cause harm to the climate system. The proceedings have attracted unprecedented global participation, with a record 91 initial written submissions<sup>63</sup>, 62 comments<sup>64</sup>, and oral hearings in December 2024 involving 96 States and 11 international organizations.<sup>65</sup> While advisory opinions are not legally binding, this opinion has the potential to provide authoritative guidance on climate obligations, establish accountability mechanisms for climate damages, and influence future climate litigation worldwide.

## **i. Background**

79. The ICJ Advisory Opinion on climate change emerged from an initiative led by Vanuatu, a small Pacific island nation particularly vulnerable to climate change impacts. On 29 March 2023, the 77th session of the United Nations General Assembly adopted a Resolution, requesting an advisory opinion from the ICJ on the obligations of states with respect to climate change.<sup>66</sup> The request is based on Article 96 of the UN Charter<sup>67</sup> and Article 65 of the ICJ Statute.<sup>68</sup>

80. This resolution was co-sponsored by more than 130 countries, demonstrating broad international support for clarifying legal obligations in the climate context.

81. The timing of this initiative reflects the growing frustration with the inadequacy of current climate action under existing international frameworks. The resolution explicitly acknowledges

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<sup>62</sup> <UNGA Res 77/276 (29 March 2023) UN Doc A/RES/77/276> accessed 10 June 2025.

Request for an advisory opinion of the International Court of Justice on the obligations of States in respect of climate change, UNGA Res 77/276 (29 March 2023) UN Doc A/RES/77/276 (adopted without vote).

<sup>63</sup> <https://www.icj-cij.org/node/203897> accessed 10 June 2025.

<sup>64</sup> *Obligations of States in respect of Climate Change* (Advisory Opinion) (Pending) ICJ Press release 2024/61 <<https://www.icj-cij.org/case/187/press-releases>> accessed 10 June 2025.

<sup>65</sup> *Obligations of States in respect of Climate Change* (Advisory Opinion) (Pending) ICJ Press release 2024/81 <<https://www.icj-cij.org/case/187/press-releases>> accessed 10 June 2025.

<sup>66</sup> UNGA Res 77/276 (n1).

<sup>67</sup> Charter of the United Nations (signed 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI ('UN Charter') art 96.

<sup>68</sup> Statute of the International Court of Justice (adopted 26 June 1945, entered into force 24 October 1945) ('ICJ Statute') art 65.

that “climate change is an unprecedented challenge of civilizational proportions and that the well-being of present and future generations of humankind depends on our immediate and urgent response to it”. The UN General Assembly also emphasized the significant gap between States’ current nationally determined contributions under the Paris Agreement and the emission reductions required to limit global temperature increase to 1.5°C above pre-industrial levels.<sup>69</sup>

82. The initiative represents a novel approach to addressing climate change through international legal mechanisms. Unlike traditional climate negotiations that often result in non-binding commitments, this advisory opinion seeks to establish clear legal obligations and potential consequences for non-compliance. The resolution specifically references the importance of the UN Framework Convention on Climate Change<sup>70</sup> and the Paris Agreement while acknowledging their limitations in achieving necessary emission reductions.

## **ii. Legal Framework and Questions Posed to the Court**

83. The UNGA’s request to the ICJ encompasses two fundamental legal questions. First, the Court is asked to clarify the obligations of States under international law to ensure the protection of the climate system from anthropogenic greenhouse gas emissions for present and future generations. This question invites the Court to examine multiple sources of international law, including treaty law, customary international law, and human rights instruments, to determine the scope and nature of climate obligations.

84. The second question addresses the legal consequences of States’ acts and omissions that have caused significant harm to the climate system, particularly regarding States that are especially vulnerable to the adverse effects of climate change. This aspect of the case is particularly significant as it could establish precedent for climate reparations and accountability mechanisms, potentially paving the way for compensation claims by vulnerable nations against major emitting States.

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<sup>69</sup> Paris Agreement (adopted 12 December 2015, entered into force 4 November 2016) UN Doc FCCC/CP/2015/10/Add.1, Decision 1/CP.21 (‘Paris Agreement’).

<sup>70</sup> United Nations Framework Convention on Climate Change (adopted 9 May 1992, entered into force 21 March 1994) 1771 UNTS 107 (‘UNFCCC’).

85. The scope of the advisory opinion extends beyond existing climate treaties to encompass broader international legal obligations. The resolution explicitly references key human rights instruments, recognizing that a safe climate is considered by many to be a vital element of the right to a healthy environment and essential to human life and well-being.<sup>71</sup> The legal framework also incorporates scientific evidence, with the resolution taking note of the scientific consensus expressed in reports of the Intergovernmental Panel on Climate Change.<sup>72</sup>

### **iii. Significance of the case**

86. The ICJ Advisory Opinion proceedings have generated unprecedented participation from the international community, reflecting the global significance of climate change as a legal and political issue. The Court received a record 91 initial written submissions in the first phase of proceedings, representing the highest number ever recorded for an advisory opinion case. This included written statements submitted by 23 AALCO Member States.<sup>73</sup> This was followed by 62 additional comments in the subsequent phase, where states and international organizations could respond to one another's written statements. This included written comments submitted by 15 AALCO Member States.<sup>74</sup>

87. The oral hearings, conducted from 2-13 December 2024, witnessed remarkable participation with 96 States and 11 international organizations expressing their intention to participate. 28 Member States of AALCO participated in this public hearing.<sup>75</sup> Various States have

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<sup>71</sup> <<https://www.unep.org/news-and-stories/story/un-resolution-billed-turning-point-climate-justice>> accessed 10 June 2025.

<sup>72</sup> Intergovernmental Panel on Climate Change, *Sixth Assessment Report (IPCC 2021–2023)* ('IPCC AR6').

<sup>73</sup> These Member States are: People's Republic of Bangladesh, Burkina Faso, the Republic of Cameroon, the People's Republic of China, the Arab Republic of Egypt, the Republic of the Gambia, the Republic of Ghana, the Republic of India, the Republic of Indonesia, the Islamic Republic of Iran, Japan, the Republic of Kenya, the State of Kuwait, the Republic of Mauritius, Nepal, the Islamic Republic of Pakistan, the Republic of the Philippines, the Kingdom of Saudi Arabia, the Republic of Singapore, the Republic of South Africa, the Democratic Socialist Republic of Sri Lanka, the Kingdom of Thailand, and the Socialist Republic of Viet Nam.

<sup>74</sup> These Member States are: People's Republic of Bangladesh, Burkina Faso, the Republic of Cameroon, the Arab Republic of Egypt, the Republic of the Gambia, the Islamic Republic of Iran, Japan, the Republic of Kenya, the Republic of Mauritius, the Islamic Republic of Pakistan, the Kingdom of Saudi Arabia, the Republic of the Philippines, the Republic of Sierra Leone, the Democratic Socialist Republic of Sri Lanka, and the Socialist Republic of Viet Nam.

<sup>75</sup> These Member States are: People's Republic of Bangladesh, Burkina Faso, the Republic of Cameroon, the People's Republic of China, the Arab Republic of Egypt, the Republic of the Gambia, the Republic of Ghana, the Republic of India, the Republic of Indonesia, the Islamic Republic of Iran, Japan, the Republic of Kenya, the State of Kuwait, Republic of the Union of Myanmar, Nepal, the Islamic Republic of Pakistan, the Republic of the Philippines, the

submitted written replies to the questions that were posed by the Judges at the conclusion of the public hearing held on 13 December 2024.

88. The diverse participation includes both developed and developing nations, major emitters and vulnerable States, creating a comprehensive representation of different perspectives on climate obligations.

89. As of June 2025, the ICJ has completed its hearings and is in the process of final deliberations. The advisory opinion is anticipated to be issued in 2025. Its findings are expected to set a clear legal benchmark for State obligations on climate change and could mark a significant turning point in international climate law and justice.

#### **iv. Implications**

90. The ICJ Advisory Opinion has the potential to reshape the landscape of international climate action in several significant ways. Most importantly, it will provide authoritative guidance on the nature and scope of States' obligations regarding climate change under international law, serving as a non-negotiable threshold for equitable and effective climate action. This guidance could influence how States interpret and implement their commitments under existing climate treaties while potentially establishing new legal obligations beyond current frameworks.

91. The significance of the case lies not only in its potential to clarify existing legal obligations but also in its capacity to establish new frameworks for climate justice and accountability. By addressing questions of legal consequences for climate harm and the rights of future generations, the opinion could provide vulnerable nations with powerful tools for seeking redress and ensuring more ambitious climate action from major emitting States. As the international community awaits the ICJ's decision, the advisory opinion stands as a testament to the growing role of international

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Republic of Korea, the Kingdom of Saudi Arabia, the Republic of Senegal, the Republic of Sierra Leone, the Republic of Singapore, the Republic of South Africa, the Democratic Socialist Republic of Sri Lanka, the State of Palestine, the Republic of the Sudan, the Kingdom of Thailand, and the Socialist Republic of Vietnam.

law in addressing the climate crisis and the determination of vulnerable nations to seek justice through legal mechanisms.

## **VI. SUSTAINABLE DEVELOPMENT GOALS: SELECT ISSUES**

### **A. The 2030 Agenda for Sustainable Development: A Critical Juncture for Global Transformation**

92. United Nations’ “Transforming our World: the 2030 Agenda for Sustainable Development” stands as a historic global undertaking which came into force after being unanimously adopted by the United Nations General Assembly Resolution 70/1 on 25 September 2015.<sup>76</sup> This document was the result of the UN’s most inclusive consultation process involving governments, civil society, the private sector, and academia. At its core are 17 Sustainable Development Goals (SDGs)<sup>77</sup>, further defined by 169 targets and 231 indicators, providing a comprehensive plan for poverty eradication and sustainable development globally.

93. The Sustainable Development Goals (SDGs) represent a significant evolution from prior UN initiatives such as the Millennium Development Goals (MDGs). A crucial distinction lies in the SDGs’ universal applicability: they apply to all UN Member States, not just developing nations. This shift reflects a fundamental change in development philosophy, recognizing sustainable development as a collective global responsibility rather than solely an issue for developing countries needing external aid. This universal scope demands enhanced global governance coherence, as national policies worldwide must now align with and bolster global sustainable development, fostering an interconnected policy landscape.

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<sup>76</sup> Transforming our world: the 2030 Agenda for Sustainable Development UNGA Res 70/1 (21 October 2015) UN Doc A/RES/70/1.

<sup>77</sup> The 17 SDGs are : No Poverty; Zero Hunger; Good Health and Well-Being; Quality Education; Gender Equality; Clean Water and Sanitation; Affordable and Clean Energy; Decent Work and Economic Growth; Industry, Innovation and Infrastructure; Reduced Inequalities; Sustainable Cities and Communities; Responsible Consumption and Production; Climate Action; Life Below Water; Life on Land; Peace, Justice and Strong Institutions; Partnerships for the Goals.

94. The Agenda’s integrated approach is built around “Five Ps”: People, Planet, Prosperity, Peace, and Partnership. These principles are all linked, meaning progress in one area depends on progress in the others. This requires holistic and interconnected solutions. A core concept within this framework is ‘Leaving No One Behind’ (LNOB), which is based on human rights law and the UN Charter.

## **B. Implementation of the SDGs**

### **i. High-Level Political Forum**

95. The High-Level Political Forum on Sustainable Development (HLPF) plays a pivotal role in the global implementation and follow-up of the SDGs. The HLPF is the central United Nations platform for the follow-up and review of the 2030 Agenda for Sustainable Development and its 17 SDGs.

96. The HLPF was established at the United Nations Conference on Sustainable Development (Rio+20) in 2012 in its outcome ‘The Future We Want’. The Forum is convened annually under the auspices of the Economic and Social Council (ECOSOC) for eight days, including a three-day ministerial segment. The Forum conducts regular in-depth reviews of progress on the SDGs and includes Voluntary National Reviews where countries present the findings from national reviews of progress with a view to accelerate the implementation of the 2030 Agenda. The HLPF brings together ministerial and high-level representatives of governments, including wide range of stakeholders to adopt a negotiated ministerial declaration.

97. Every four years, the Forum is also convened at the level of Heads of State and Government under the auspices of the General Assembly and is referred to as an “SDG Summit”. This Forum adopts a negotiated political declaration. The first SDG Summit was convened in September 2019. The second SDG Summit was held in September 2023 and adopted the 2023 Political Declaration.

### **ii. 2025 HLPF**

98. In 2025, the HLPF was convened from 14 July to 23 July 2025. The theme of the 2025 ECOSOC and HLPF was “Advancing sustainable, inclusive, science- and evidence-based

solutions for the 2030 Agenda and its SDGs for leaving no one behind”. The SDGs reviewed in-depth are Goals 3, 5, 8, 14 and 17.

### **C. Global climate and SDG synergy Conference**

99. The crises facing the world are interconnected; climate change, inequality, biodiversity loss and financial instability are closely intertwined and require coordinated action. Over 80% of the Sustainable Development Goals (SDGs) are linked to climate action; yet fragmentation in approaches to tackling them have hampered progress. The 2015 adoption of both the 2030 Agenda for Sustainable Development and the Paris Agreement on climate change established a foundation for coherent implementation of climate action and sustainable development objectives. The many interlinkages between these suggest that integrated and synergistic implementation of both would lead to many benefits.

100. In recognition of this, the UN Department of Economic and Social Affairs (UN DESA) and the UNFCCC Secretariat jointly organized a global conference on strengthening synergies between the 2030 Agenda and the Paris Agreement in Copenhagen, Denmark, in April 2019. It sought to analyse gaps and challenges, and provide recommendations for strengthening synergies, increasing ambition, and advancing implementation action.

101. After a successful first event, UN DESA and the UNFCCC made the conference a regular occurrence. Speakers at these events include high-level representation from UN bodies and government, as well as key stakeholders such as youth and from academia. The programmes include interactive panel discussions, roundtable discussions, and thematic sessions focused on climate change and its impact on other areas linked to the SDGs.

102. The Sixth Global Climate and SDG Synergies Conference was held from 27-28 May 2025 in Copenhagen, Denmark. The conference was convened under the theme: “Unleashing Synergies Towards an Equitable, Climate-Resilient, and Sustainable Future.” The Key themes and focus areas included:

1. Integrated Policy Approaches – Aligning climate action with national development strategies;
2. Finance and Investment – Mobilizing resources to bridge climate and SDG funding gaps;
3. Innovation & Technology – Leveraging science and technology for sustainable solutions;
4. Country-Led Strategies – Showcasing case studies and best practices for synergistic action;
5. Multi-stakeholder Partnerships – Strengthening collaboration among Governments, private sector, civil society, and international organizations;
6. Global Milestones – Informing key discussions ahead of COP30, the next round of NDCs and the Fourth International Financing for Development Conference.

#### **D. Sustainable Development Goals Report**

103. Besides the HLPF, every year, the UN Secretary-General presents an annual Sustainable Development Goals Report (SDG report), which is developed in cooperation with the UN System, and based on the global indicator framework and data produced by national statistical systems and information collected at the regional level. The SDG Report is the only UN official report that monitors global progress on the 2030 Agenda for Sustainable Development. It aims to serve as a foundational resource with the latest data and evidence for developing recommendations and solutions to advance progress towards the SDGs. This annual SDG Report is prepared by United Nations Department of Economic and Social Affairs (UN DESA), in collaboration with the UN Statistical System, consisting of more than 50 international and regional agencies, based on data from over 200 countries and territories. Additionally, the Global Sustainable Development Report is produced once every four years to inform the quadrennial SDG review deliberations at the General Assembly. It is written by an Independent Group of Scientists appointed by the Secretary-General.

104. The SDG Report 2024 makes a detailed analysis of the SDGs and their growth for the past year. The 2024 report reveals significant obstacles in achieving the SDGs, presenting the latest data on setbacks and progress. It reveals that only seventeen per cent of SDGs targets are on track to be achieved, nearly half are showing minimal or moderate progress, and progress on over a third has stalled or even regressed. The early years of SDG implementation saw slow but steady

progress on some critical SDG indicators, but since 2019, national efforts have faced severe global headwinds. The COVID-19 pandemic, a growing number of conflicts, geopolitical and trade tensions and the ever-worsening effects of climate change have combined to leave the SDGs in peril. The report emphasizes the necessity for accelerated action, particularly in areas like climate change, peace and security, and inequalities, which are impeding SDG advancement. According to the report, with just six years remaining, current progress falls far short of what is required to meet the SDGs. Achieving the SDGs necessitates substantial investment and intensified efforts. Without decisive measures, the promise of the SDGs will remain unfulfilled.

105. The present brief focuses on select SDGs which are related to the principles of Rule of Law, Climate Action, Corruption, Biodiversity and Desertification and is based on the SDGs Report 2024.<sup>78</sup>

#### **i. Climate Change/Action**

106. Goal 13 urges States to take urgent action to combat climate change and its impacts. Targets 13.1, 13.2, 13.3, 13.a and 13.b set targets for States to tackle various aspects of climate change. As per the SDG Report, 2024, in 2023, climate records were shattered as extreme weather and disasters intensified globally, exacerbating human and economic losses. Global greenhouse gas emissions reached a record 57.4 gigatons in 2022, primarily from fossil fuels, putting the world on a 3°C warming trajectory. The report suggests that limiting warming to 1.5°C requires a 42% emissions cut by 2030, yet current pledges leave only a 14% chance of success.<sup>79</sup>

107. While the \$100 billion annual climate finance goal was met in 2022, trillions more are needed by 2030, with adaptation finance still lagging behind targets. Simultaneously, disasters have surged fivefold in 50 years, disproportionately impacting Least Developed Countries, where mortality rates are 170% higher, though improved preparedness has halved global disaster deaths since 2005. The 2025 NDC cycle offers a critical window for nations to adopt ambitious, economy-

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<sup>78</sup> The United Nations Department of Economic and Social Affairs (UN DESA), 'The Sustainable Development Goals Report 2024' (2024) < <https://unstats.un.org/sdgs/report/2024/>> accessed 9 June 2025.

<sup>79</sup> <<https://unstats.un.org/sdgs/report/2024/Goal-13/>> accessed 9 June 2025.

wide climate plans aligned with 1.5°C, demanding rapid emissions cuts by 2030, net zero by 2050, phased-out fossil fuel subsidies, and scaled up finance and resilience strategies to avert escalating crises.<sup>80</sup>

## **ii. Biodiversity**

108. SDG 14 is dedicated to preserving ocean health. It tackles critical issues like eutrophication, acidification, overfishing, warming, and pollution, all of which degrade marine habitats, reduce biodiversity, and harm coastal communities. Target 15.4 and 15.5 guide States to conserve biodiversity. The SDG Report 2024 indicates that rising ocean acidification is directly contributing to a decline in fish stocks, an increase in marine pollution, and widespread habitat destruction. The report suggests addressing these ocean challenges urgently by taking proactive steps. These include by ensuring that the Agreement on Fisheries Subsidies<sup>81</sup> enters into force as soon as possible; increasing participation in the Agreement on Port State Measures to combat Illegal, Unreported and Unregulated (IUU) fishing<sup>82</sup>; adopting a global plastic pollution instrument; and ensuring that the Agreement on Marine Biodiversity of Areas Beyond National Jurisdiction (BBNJ)<sup>83</sup> enters into force as soon as possible to ensure the long-term health and sustainability of oceans.

## **iii. The Third UN Ocean Conference (2025)**

109. The UN organises an annual Ocean Conference to support the Implementation of SDG 14. After the first two Conferences in New York (2017) and Lisbon (2022), France and Costa Rica jointly organized the third United Nations Ocean Conference (UNOC3) in Nice, from 9 to 13 June 2025. The overarching theme of the Conference was “Accelerating action and mobilizing all actors to conserve and sustainably use the ocean”. The Conference aimed to support urgent action to

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<sup>80</sup> n 75.

<sup>81</sup> Agreement on Fisheries Subsidies, Ministerial decision of 13 December 2017 (22 June 2022) (WT/MIN(17)/64). <[https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/ WT/MIN17/64.pdf&Open=True](https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/MIN17/64.pdf&Open=True)> accessed 9 June 2025.

<sup>82</sup> Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (entered into force 5 June 2016) 3161 UNTS 377.

<sup>83</sup> The Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement) (adopted on 19 June 2023) UN Doc. A/CONF/232/2023/4.

conserve and sustainably use the oceans, seas and marine resources for sustainable development and identify further ways and means to support the implementation of SDG 14. It aimed to build on existing instruments to form successful partnerships towards the swift conclusion and effective implementation of ongoing processes that contribute to the conservation and sustainable use of the ocean. The conference's outcome, known as the Nice Ocean Action Plan, is a two-part framework that comprised a political declaration and over 800 voluntary commitments by governments, scientists, UN agencies, and civil society.<sup>84</sup>

110. SDG 15 underscores the critical importance of biodiversity as humanity's life-support system. It emphasizes protecting, restoring, and promoting the sustainable use of terrestrial ecosystems, sustainably managing forests, combating desertification, and halting land degradation and biodiversity loss.

111. As per the SDG Report 2024, global trends underscore persistent challenges to biodiversity and forests. Global forest area continues to decline, the protection of key biodiversity areas has stalled and global illicit wildlife trafficking has steadily increased, posing serious threats to biodiversity. Efforts are under way to tackle these challenges, with countries advancing implementation of access and benefit-sharing instruments and integrating biodiversity values into national accounting systems. There is also a growing global commitment to biodiversity conservation, reflected in increased funding and the adoption of the Kunming Montreal Global Biodiversity Framework. However, addressing pressing environmental challenges demands intensified, accelerated efforts, and a comprehensive and integrated approach at local, national and global levels.

#### **iv. Desertification**

112. SDG 15 and Paragraph 33 of the 2030 Agenda for Sustainable Development emphasize the critical link between sustainable management of natural resources including forests, land, and biodiversity and social and economic development, calling for strengthened cooperation to combat

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<sup>84</sup> <https://news.un.org/en/story/2025/06/1164381> accessed on 9 July 2025.

desertification, land degradation, and drought, and to promote resilience and disaster risk reduction.<sup>85</sup> Target 15.3 aims to combat desertification, restore degraded land and soil, including land affected by desertification, drought and floods, and strive to achieve a land degradation neutral world by 2030. The economic and social value of good land and soil management is widely recognized, particularly for vulnerable regions such as Africa, least developed countries (LDCs), and landlocked developing countries (LLDCs).<sup>86</sup> As per the SDG report 2024, the proportion of forest cover to total land area decreased from 31.9% in 2000 to 31.2% in 2020 with agricultural expansion accounting for nearly 90% of global deforestation.<sup>87</sup> To address the pressing global environmental challenges such as desertification, land and soil degradation, drought and deforestation, it is imperative to intensify efforts in fulfilling global environmental and biodiversity commitments.

## **v. Corruption**

113. SDG 16 acknowledges the importance of anti-corruption as an institutional principle through target 16.5, which aims to substantially reduce corruption and bribery in all their forms.<sup>88</sup> Combatting corruption underpins all efforts to achieve the SDGs. Corruption remains a fundamental obstacle to sustainable development worldwide, with about one in five people globally and as many as a quarter in regions like Oceania and sub-Saharan Africa reporting bribery in the past year. As per the report, high-income countries face lower rates and men are more likely to be involved in corruption, due to their prominence in sectors like police and customs.<sup>89</sup> As per the Report, Corruption continues to divert resources from sustainable development, with one in five people reporting being asked to pay or having paid a bribe to a public official in the last 12 months. Corruption not only drains over 5% of global GDP and up to 25% of public spending (at

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<sup>85</sup> <<https://sdgs.un.org/topics/desertification-land-degradation-and-drought>> accessed 9 June 2025.

<sup>86</sup> United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLLS), 'The Impact of Climate Change, Desertification and Land Degradation on the Development Prospects of Landlocked Developing Countries' (2015).

<sup>87</sup> n 75.

<sup>88</sup> Department of Economic and Social Affairs of the United Nations (UNDESA), through its Division for Public Institutions and Digital Government (DPIDG), 'World Public Sector Report 2019' (June 2019) <<https://desapublications.un.org/publications/world-public-sector-report-2019>> accessed 9 June 2025.

<sup>89</sup> n 75.

least \$3 trillion annually),<sup>90</sup> exacerbating poverty, inequality, and social instability, but also undermines institutions, erodes public trust, and diverts critical resources from essential services such as healthcare and education.

114. With progress on SDG 16 (peace, justice, and strong institutions) dangerously off track and only seven years left to achieve the Global Goals, governments and stakeholders must prioritize robust, multi-stakeholder strategies, leverage international frameworks like the UN Convention against Corruption, and strengthen monitoring and evaluation to restore trust, foster economic growth, and advance sustainable development.<sup>91</sup>

## **vi. Rule of law**

115. The 2030 Agenda for Sustainable Development recognizes that sustained peace, security, and human rights are fundamental to development, with SDG 16 specifically aiming to promote peaceful, just, and inclusive societies by strengthening the rule of law, access to justice, and accountable institutions at all levels. SDG 16 articulates the key role that governance and the rule of law play in promoting peaceful, just, and inclusive societies and in ensuring sustainable development. Target 16.3 specifically talks about promoting the rule of law at the national and international levels and ensure equal access to justice for all. The rule of law is central to all dimensions of sustainable development (economic, social, and environmental) by providing stable legal frameworks, ensuring equity and inclusion, and supporting effective management of natural resources. The SDG Report 2024 suggests that urgent action is needed to strengthen the rule of law and access to justice, build effective and inclusive governance institutions, and protect rights and fundamental freedoms.

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<sup>90</sup> <https://www.un.org/en/desa/stamping-out-corruption-can-give-sdgs-3-trillion-boost> accessed 9 June 2025.

<sup>91</sup> *ibid.*

## **VII. COMMENTS AND OBSERVATIONS OF THE AALCO SECRETARIAT**

116. The AALCO Secretariat welcomes and commends the progress made by the first part of INC-5. It is appreciable that the international community especially countries of the Afro-Asian region are firmly committed to the process of drafting an internationally legally binding instrument on plastic pollution and are unanimous on the urgent imperative to tackle the global problem of plastic pollution in a united and comprehensive manner. The inability of the negotiations at INC-5 to arrive at an agreement on a new treaty should not be seen as a failure but as a success as the same sets the stage for streamlined negotiations at the second part of INC-5.

117. The AALCO Secretariat supports the view that the Chair's Text should be the basis of further negotiations. States should have the opportunity to deliberate on the Chair's text in the best traditions of transparency and equity and all positions and views expressed on the same should be considered equally without prejudice to the outcome of the INC process.

118. The AALCO Secretariat underscores the need for a balanced treaty that combines both clear and legally binding targets with flexible and voluntary measures. This approach respects the varying capacities of Member States while ensuring effective action against plastic pollution through enforceable commitments with necessary flexibility being accorded to Member States especially in matters pertaining to implementation.

119. The AALCO Secretariat supports the UNEA resolution to address the entire lifecycle, taking into account national circumstances and capabilities, for the elimination of plastics pollution. In this regard, States are encouraged to develop strong measures on transparency and disclosure of information.

120. States should leverage scientific methods, principles and practices while developing the ILBI. A global commitment to adopting a 'science based approach' for dealing with the problem of plastic pollution is necessary and the same should be reflected in the final document that emerges from the negotiations.

121. The AALCO Secretariat views the issue of climate change as an existential threat to humanity, disproportionately affecting the most vulnerable peoples and nations. This perspective underscores a profound responsibility for the current generation to cultivate a sustainable future where subsequent generations can not only survive but also flourish.

122. At COP29, a significant agreement was reached on the new climate finance goal. Developed countries committed to taking the lead in mobilizing ‘at least USD 300 billion per year by 2035’ for climate action in developing countries. This figure was presented by developed nations as a ‘tripling’ of the previous USD 100 billion target. Although there were some positive developments, the outcomes of the NCQG drew mixed reviews. Many developing countries voiced strong dissatisfaction, describing the \$300 billion target as inadequate to tackle the immense challenges of climate change. There were significant concerns about whether this funding would be provided as grants, rather than as loans or through private finance, which is crucial for developing nations. This frustration highlights a persistent issue in climate finance talks: the ongoing disconnect between what vulnerable countries need and what developed nations are willing to commit. The compromise reached in the NCQG text falls short of guaranteeing the transformative support. The Secretariat urges the Member States to take efforts for mobilizing global resources including financial, technological, and capacity- building initiatives to effectively address climate change challenges.

123. The operationalization of the Loss and Damage Fund at COP28 and its subsequent arrangements at COP29 mark a historic achievement, offering crucial support to developing countries severely affected by climate change. The World Bank has been designated as the fund's trustee and financial intermediary, with the Philippines chosen as the host country. The Secretariat commends this selection and the initial pledges of nearly US\$800 million from twenty-four developed countries. However, this amount is considerably insufficient to address the full scale of loss and damage faced by vulnerable nations. Therefore, the Secretariat urges Member States to ensure the fund's governance maintains independence and integrity, prioritizing equitable resource allocation for LDCs and the SIDS.

124. Under the Paris Agreement's timeline, 2025 NDCs were technically due in February. As of late May, only a small proportion of countries had submitted them, covering around a quarter of global emissions. Close to 90% of countries have yet to submit their new NDCs.<sup>92</sup>

125. The UNFCCC will release an NDC synthesis report ahead of this year's COP30 climate summit, assessing the collective impact of the new pledges submitted to that point. However, the outcome is already widely anticipated: these new NDCs will not adequately put the world on track to achieve the 1.5 degrees Celsius warming limit. The findings will serve as a key input for this year's climate conference, where States will decide on next steps to narrow that gap. The Secretariat strongly encourages AALCO Member States to submit ambitious, economy-wide NDCs by 2025, consistent with the 1.5°C warming limit. Developed nations are further urged to fulfil their UNFCCC obligations by leading emission reductions and providing ample finance, technology transfer, and capacity building to developing countries.

126. COP29 established the Baku Adaptation Roadmap.<sup>93</sup> Additionally, the Baku High-Level Dialogue on Adaptation was created as a platform to facilitate action on adaptation at future COPs. The Secretariat encourages AALCO Member States to use the dialogue to present updates on their national adaptation efforts to ensure that their specific needs are at the forefront of discussions. The Secretariat also encourages the Member States to foster constructive dialogue and engage with diverse stakeholders to strengthen partnerships and bridge the finance gap.

127. The Secretariat commends the initiative of the UN General Assembly resolution requesting an International Court of Justice (ICJ) advisory opinion on states' obligations to protect the climate system. While not legally binding, such an opinion could offer invaluable guidance on the interpretation and application of international law in the complex domain of climate change. This legal clarification could strengthen the basis for more robust implementation of commitments to

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<sup>92</sup> <[https://www.climatewatchdata.org/ndc-tracker?ap3c=IGg0F7UIkXTPyMUAAGg0F7XP\\_1RXnlRkeLVvWjyTs5dGHqi-hA](https://www.climatewatchdata.org/ndc-tracker?ap3c=IGg0F7UIkXTPyMUAAGg0F7XP_1RXnlRkeLVvWjyTs5dGHqi-hA)> accessed 12 June 2025.

<sup>93</sup>UNFCCC, 'Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its sixth session, held in Baku from 11 to 24 November 2024, Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session, Decision 3/CMA.6', UN Doc. FCCC/PA/CMA/2024/17/Add.1 p. 13.

reduce greenhouse gas emissions, providing a clearer framework for state obligations and fostering greater accountability in the international climate regime. The pursuit of such legal guidance underscores the increasing reliance on international law to drive and enforce climate action.

128. The Sustainable Development Goals (SDGs) Report 2024 paints a concerning picture: globally, progress has stagnated since 2020, with only about 16% of targets on track to be met by 2030. Developing countries, particularly the poorest and most vulnerable, are falling further behind. The Secretariat urges Member States to take actions to enhance their progress towards the SDGs by focusing on inclusive economic growth, investing in education and healthcare, promoting sustainable agriculture, and strengthening partnerships for implementation and monitoring. Member States should take concrete action to achieve the political declaration of the SDG Summit “to make all efforts to implement the 2030 Agenda and achieve the Sustainable Development Goals by the target year of 2030”.