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ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

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I. INTRODUCTION

A. AALCO and Environment and Sustainable Development

1. The Asian-African Legal Consultative Organization (AALCO) has maintained a longstanding engagement with international environmental law and sustainable development. The subject was first introduced to the Organization's agenda at its Fifteenth Annual Session in Tokyo in 1974, following a proposal by the Government of India to examine the development of international law relating to the human environment. Since then, AALCO's work has expanded to address emerging environmental concerns, including environmental protection, transboundary movement of hazardous wastes and developments leading to the 1992 United Nations Conference on Environment and Development (UNCED)[1].

2. An important milestone in this engagement was the adoption of the Statement of General Principles of International Law relating to Environment and Development at the Thirty-First Annual Session in Islamabad in 1992. The Statement recognized the close relationship between environmental protection and development and underscored the principle of Common but Differentiated Responsibilities (CBDR), particularly in determining the responsibilities and capabilities of developing countries in implementing environmental standards.

3. Following UNCED, AALCO encouraged greater engagement by its Member States with the principal international environmental instruments adopted during this period, notably the United Nations Framework Convention on Climate Change (UNFCCC)[2], 1992; Convention on Biological Diversity (CBD)[3], 1992; and United Nations Convention to Combat Desertification (UNCCD)[4], 1994. Subsequent deliberations increasingly focused on legal and institutional developments under these regimes, as well as emerging issues in international environmental governance.

4. Environment and Sustainable Development has continued to feature prominently in AALCO's programme through dedicated deliberations and special meetings, including those held at the Thirty-Eighth Annual Session in Accra (1999), Forty-Fourth Annual Session in Nairobi (2005), and Forty-Ninth Annual Session in Dar es Salaam (2010). The topic subsequently remained part of the deliberations of successive Annual Sessions, reflecting the evolution of international environmental law and the emergence of new global environmental challenges.

5. In recent Annual Sessions, AALCO's deliberations have addressed a range of contemporary environmental issues. The Sixtieth Annual Session in New Delhi (2022)

[1] 'Report of the United Nations Conference on Environment and Development' 3-14 June 1992 UN Doc. A/CONF.151/26/Rev.1 (Vol. II).
[2] 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.
[3] Convention on Biological Diversity (adopted 5 June 1992, entered into force 29 December 1993) 1760 UNTS 79.
[4] 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).

considered trans boundary air pollution, including sand and dust storms and haze pollution, as well as the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. The Sixty-First Annual Session in Bali (2023) focused, inter alia, on negotiations for an international legally binding instrument on plastic pollution and developments in the international climate change regime, while the Sixty-Second Annual Session in Bangkok (2024) continued consideration of these two areas.

6. At the Sixty-Third Annual Session, held in Kampala, Republic of Uganda, from 8 to 12 September 2025, deliberations continued to centre on three closely related areas: negotiations towards an international legally binding instrument on plastic pollution; developments in the international climate change regime, including the Advisory Opinion of the International Court of Justice of 23 July 2025; and progress towards the Sustainable Development Goals (SDGs).

7. Against this background, the present Brief reviews significant developments in international environmental law and sustainable development since the Sixty-Third Annual Session and identifies issues of particular relevance to AALCO Member States for focused deliberation at the Sixty-Fourth Annual Session. It continues AALCO's established practice of examining contemporary environmental developments from the perspective of the legal interests, developmental priorities and particular circumstances of Asian and African States.

B. Deliberations at the Sixty-Third Annual Session of AALCO (8–12 September 2025, Kampala, Republic of Uganda)

8. The topic was introduced by Mr. Yong Zhu, Deputy Secretary-General of AALCO, who in his opening remarks, recalled AALCO's longstanding engagement with international environmental law and beginning with the proposal of the Government of India at the Fifteenth Annual Session in Tokyo in 1974. He highlighted the significance of the Advisory Opinion of the International Court of Justice (ICJ) on Obligations of States in respect of Climate Change, delivered on 23 July 2025, noting the extensive participation of States and international organizations in the proceedings. He further referred to the continuing negotiations towards an international legally binding instrument on plastic pollution and developments concerning climate finance. He invited Member States to share their views on the three areas addressed in the Secretariat's report, namely the international legally binding instrument on plastic pollution, the international legal regime on climate change, and selected issues relating to the Sustainable Development Goals (SDGs).

9. The following Member States delivered their statements: the **Republic of India,** the **United Republic of Tanzania,** the **Kingdom of Bahrain,** the **Islamic Republic of Iran, Malaysia,** the **Republic of the Sudan,** the **Republic of South Africa,** the **Republic of Kenya,** the **Republic of the Philippines,** the **Republic of Uganda,** the **Kingdom of Thailand,** the **Socialist Republic of Viet Nam,** the **Republic of Mauritius,** the **People's Republic of China, Japan,** the **Syrian Arab Republic** and the **Republic of Türkiye. The Asian Academy of International Law (AAIL)** delivered a statement as an Observer.

10. **The Delegate of the Republic of India** recalled India's longstanding engagement with international environmental law within AALCO. The Delegate supported a life-cycle approach to

plastic pollution and called for a dedicated fund for financial and technical assistance, technology transfer and capacity-building for developing countries, while opposing binding production targets, caps and trade restrictions. The Delegate also highlighted challenges concerning climate finance, the New Collective Quantified Goal on climate finance (NCQG), the Global Goal on Adaptation and the Loss and Damage Fund. Referring to the ICJ Advisory Opinion of 23 July 2025, the Delegate noted concerns regarding adequate consideration of developing countries' developmental needs and the relationship between CBDR-RC and financial obligations under the Paris Agreement.

11. **The Delegate of the United Republic of Tanzania** reaffirmed Tanzania's commitment to environmental protection and sustainable development, emphasizing the need to balance economic development with environmental preservation. The Delegate highlighted Tanzania's participation in key international environmental agreements and its domestic legal framework on environmental management, forests, wildlife and marine conservation. The Delegate also referred to measures addressing plastic pollution, including the prohibition of plastic carrier bags, and national initiatives on clean cooking, climate change, tree planting and marine conservation. The Delegate welcomed AALCO's continued focus on environmental issues and emphasized its role in facilitating the exchange of best practices, strengthening legal frameworks and promoting cooperation among Member States.

12. **The Delegate of the Kingdom of Bahrain** highlighted national measures addressing plastic pollution, including sustainable waste management, recycling and promotion of a circular economy. The Delegate noted Bahrain's commitment to carbon neutrality by 2060 and emphasized the particular climate vulnerabilities of island States, including sea-level rise, while stressing the importance of climate finance, technology transfer, early-warning systems and climate-resilient development.

13. **The Delegate of the Islamic Republic of Iran** emphasized the adverse effects of climate change on sustainable development and highlighted the differing circumstances and capacities of developed and developing countries. The Delegate underscored CBDR-RC, equity and cooperation, and stressed the importance of financial support, technology transfer and capacity-building for developing countries, also referring to Iran's participation in the ICJ proceedings on climate change.

14. **The Delegate of Malaysia** noted the continued divergences in the INC-5.2 negotiations regarding the scope and core principles of the proposed plastics treaty. The Delegate emphasized the importance of national determination and capabilities, infrastructure development, innovation and circularity, as well as appropriate negotiating modalities reflecting the views of all States. On climate change, the Delegate welcomed the ICJ Advisory Opinion and highlighted the relevance of CBDR-RC, particularly in addressing the needs and priorities of developing countries.

15. **The Delegate of the Republic of the Sudan** highlighted the impacts of climate change on food security, including droughts, floods and desertification, and referred to Sudan's national adaptation and mitigation measures. The Delegate also noted the adverse effects of the ongoing conflict on infrastructure and sustainable development, and stressed the need for climate finance, including through the Loss and Damage Fund, as well as capacity-building and technology

transfer. On plastic pollution, the Delegate highlighted the country's plastic waste challenges and welcomed efforts towards a legally binding international instrument on plastic pollution.

16. **The Delegate of the Republic of South Africa** emphasized solidarity, equality and sustainability in addressing environmental challenges. The Delegate referred to the ICJ Advisory Opinion on climate change, reaffirmed the importance of CBDR-RC, and stressed the need for adaptation, equitable climate finance, technology transfer and capacity-building, including through the Loss and Damage Fund. The Delegate also welcomed the BBNJ Agreement, emphasizing equitable benefit-sharing and capacity-building, and supported a plastics treaty addressing the full life cycle of plastics while promoting coherence among climate, biodiversity and ocean governance.

17. **The Delegate of the Republic of Kenya** emphasized the interconnectedness of climate change, biodiversity loss and pollution and their implications for sustainable development. The Delegate highlighted climate justice, the effective capitalization and accessibility of the Loss and Damage Fund, and implementation of the Global Goal on Adaptation. The Delegate also referred to the Kunming-Montreal Global Biodiversity Framework, desertification and land degradation, and stressed the importance of finance and technology transfer. On plastic pollution, the Delegate supported a comprehensive life-cycle approach, including hazardous chemicals and a just transition, while emphasizing CBDR, equity, capacity-building and technology transfer. The Delegate further suggested establishing a dedicated AALCO working group on environmental law to facilitate exchange of best practices and strengthen Member States' capacity.

18. **The Delegate of the Republic of the Philippines** emphasized the vulnerability of developing States to climate change and highlighted climate justice, CBDR-RC and the alignment of climate action with national development priorities. The Delegate stressed the importance of climate finance, technology transfer and capacity-building for adaptation, mitigation and addressing loss and damage. The Delegate also referred to the ITLOS and ICJ Advisory Opinions on climate change, obligations under UNCLOS concerning the marine environment, and ongoing negotiations for a global plastics treaty based on a full life-cycle approach, with adequate finance and technology for developing countries. The Delegate further highlighted the Philippines' efforts concerning the BBNJ Agreement, National Adaptation Plan, biodiversity and marine scientific research.

19. **The Delegate of the Republic of Uganda** emphasized the need to strengthen legal frameworks addressing biodiversity loss, illegal wildlife trade, habitat destruction and invasive species. The Delegate stressed CBDR, climate finance, technology transfer and capacity-building for developing countries, and highlighted concerns relating to transboundary pollution, plastic waste and hazardous chemicals. The Delegate welcomed the INC negotiations on plastic pollution and called for focused engagement and consensus, while emphasizing climate justice, sustainable resource governance and equitable benefit-sharing.

20. **The Delegate of the Kingdom of Thailand** referred to the three areas addressed in the Secretariat's report. On plastic pollution, the Delegate noted the absence of agreement on the treaty text at INC-5.2 and emphasized continued engagement, a full life-cycle approach and sustainable consumption and production. On climate change, the Delegate welcomed the ICJ and

ITLOS Advisory Opinions, highlighting CBDR and equity in the implementation of States' obligations. The Delegate also emphasized synergies among the Rio Conventions, responsible consumption and production, waste reduction, the bio-circular economy and transboundary water cooperation.

21. **The Delegate of the Socialist Republic of Viet Nam** highlighted Viet Nam's commitment to a green and circular economy. On plastic pollution, the Delegate emphasized financial resources, technology transfer, exchange of policy experiences, stakeholder participation and public awareness. On climate change, the Delegate highlighted Viet Nam's vulnerability as a coastal developing country and stressed the importance of a green transition, climate finance and support from developed countries. The Delegate also referred to the ICJ Advisory Opinion, emphasizing CBDR-RC, historical emissions, technology transfer and support for developing countries.

22. **The Delegate of the Republic of Mauritius** highlighted the particular vulnerabilities of Small Island Developing States, including limited resources and exposure to sea-level rise and climate-related impacts. The Delegate welcomed the ICJ and ITLOS Advisory Opinions on climate change and marine pollution and emphasized their relevance to strengthening climate action and supporting vulnerable States. The Delegate also highlighted the BBNJ Agreement and encouraged Member States to advance its ratification and implementation.

23. **The Delegate of the People's Republic of China** noted the continued divergences in the INC negotiations and emphasized that plastic pollution was closely linked to inadequate waste management. The Delegate stressed the importance of financial and technical support from developed to developing countries. On climate change, the Delegate highlighted multilateralism, CBDR, international cooperation and climate finance, and emphasized the central role of the UNFCCC in international climate governance, while referring to the ICJ Advisory Opinion.

24. **The Delegate of Japan** noted that consensus had not been reached during INC-5.2 and reaffirmed Japan's commitment to future negotiations towards an effective instrument on plastic pollution. The Delegate emphasized the global nature of plastic pollution, including its occurrence across supply chains, and stressed the importance of adequate waste management. On climate change, the Delegate highlighted climate finance, international cooperation and emissions reductions, and referred to Japan's updated NDC and net-zero target for 2050. The Delegate also referred to the ICJ Advisory Opinion and highlighted the link between sustainable development, human security and implementation of the SDGs.

25. **The Delegate of the Syrian Arab Republic** highlighted the global nature of environmental challenges and their impacts on human health, food and water security and socio-economic stability. The Delegate supported a legally binding framework on plastic pollution addressing its full life cycle while considering the needs and capacities of developing countries. On climate change, the Delegate highlighted the impacts of droughts and floods and stressed the importance of CBDR, climate finance, technology transfer and capacity-building, as well as renewable energy, green technologies and sustainable resource management in advancing the SDGs.

26. **The Delegate of the Republic of Türkiye** highlighted the challenges faced by developing countries in addressing climate change, including financial and technological constraints. The Delegate referred to Türkiye's efforts towards net-zero emissions by 2053, including its climate legislation, updated NDC and Climate Change Adaptation Strategy and Action Plan, and suggested the use of the term "transitioning away from fossil fuels." On the SDGs, the Delegate noted slow progress towards several targets and emphasized the importance of green transition, technology, digitalisation and international cooperation, including through the UN Technology Bank for Least Developed Countries.

27. The delegate from the **Asian Academy of International Law**, participating as an Observer, referred to the ICJ Advisory Opinion on climate change and emphasized its understanding that the principle of CBDR-RC extends beyond the three principal climate agreements. The delegate highlighted the role of AALCO in representing and advancing the interests of developing countries in relation to this principle.

C. Topics for Focused Deliberation

28. This Secretariat Report, prepared for AALCO's Sixty-Fourth Annual Session seeks to provide Member States with a comprehensive update on significant developments in Environment and Sustainable Development since the Sixty-Third Annual Session. It is designed to facilitate focused deliberations on four 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. ICJ Advisory Opinion on *Obligations of States in respect of Climate Change*
4. The United Nations Sustainable Development Goals (SDGs): Select issues

II. AN INTERNATIONAL LEGALLY BINDING INSTRUMENT ON PLASTIC POLLUTION

A. Background

29. Plastic pollution has become a major global environmental concern, with significant implications for marine and terrestrial ecosystems, human health, biodiversity and sustainable development. The effects are particularly significant for developing countries, including those in Asia and Africa, where challenges relating to waste-management infrastructure, financial resources and technological capacity may constrain effective responses. The transboundary nature of plastic pollution has consequently strengthened calls for coordinated international action addressing plastics throughout their life cycle.

30. An important step in this regard was taken through United Nations Environment Assembly (UNEA) Resolution 5/14 of 2 March 2022[5], by which the Assembly decided to develop an international legally binding instrument on plastic pollution, including in the marine environment. The Resolution envisaged a comprehensive approach addressing the full life cycle of plastics, including production, design and disposal, while taking into account the principles of the Rio Declaration on Environment and Development and the differing circumstances and capabilities of States.

31. Pursuant to the Resolution, the Intergovernmental Negotiating Committee (INC) commenced negotiations in 2022. Four sessions were subsequently held at Punta del Este (2022), Paris (2023), Nairobi (2023) and Ottawa (2024), followed by the first part of the fifth session (INC-5.1) in Busan, Republic of Korea, from 25 November to 1 December 2024. As negotiations remained unresolved at INC-5.1, the Committee agreed to resume its work at a later stage.

32. The second part of the fifth session (INC-5.2) was held in Geneva from 5 to 15 August 2025 with the objective of advancing the text of the proposed instrument towards its conclusion. Discussions addressed several outstanding issues, including the scope and obligations of the instrument, plastic production and design, chemicals and products of concern, financing, implementation and compliance. Despite intensive negotiations, significant differences among States remained and the session was adjourned without consensus on the text. The Committee nevertheless agreed to continue the negotiating process.

33. The third part of the fifth session (INC-5.3) was convened in Geneva on 7 February 2026 following the resignation of the previous Chair of the INC. Unlike INC-5.2, INC-5.3 was limited to organizational and administrative matters and did not involve substantive negotiations on the treaty text.

34. Following INC-5.3, work has continued towards the resumption of substantive negotiations. The INC process remains focused on resolving outstanding issues and developing an instrument capable of securing broad participation while addressing plastic pollution throughout its life cycle. The continuing process also includes preparatory work and informal consultations among Heads of Delegation.

35. The negotiations are of particular relevance to AALCO Member States, given the environmental, economic and developmental dimensions of plastic pollution.

B. The Second Part of the Fifth Session of the Intergovernmental Negotiating Committee (INC-5.2) (5–15 August 2025, Geneva, Switzerland)

36. The second part of the fifth session of the Intergovernmental Negotiating Committee (INC-5.2) was held from 5 to 15 August 2025 in Geneva, Switzerland, following regional consultations on 4 August 2025. The session sought to advance and conclude negotiations on an

[5] UNEP, UNEA Resolution 5/14 entitled "End plastic pollution: Towards an international legally binding instrument" accessed 7 May 2026.

international legally binding instrument on plastic pollution, including in the marine environment, pursuant to the mandate established by United Nations Environment Assembly resolution 5/14. The Committee continued its negotiations on the basis of the Chair's text of 1 December 2024, with four contact groups established to consider different elements of the proposed instrument.[6]

37. At the opening of the session, the Chair emphasized the need to build upon the progress achieved during the earlier sessions and to address the remaining differences through flexibility, compromise and constructive engagement. The negotiations were conducted through four contact groups dealing with substantive obligations, plastic waste and releases, financial resources and means of implementation, and institutional and final provisions. The Committee also established a number of informal and informal consultations to facilitate convergence on particularly contentious provisions.[7]

38. Contact Group 1 considered the objective, scope, definitions, plastic products, exemptions, product design and supply or sustainable production. Discussions revealed continuing differences regarding the scope of the proposed instrument and whether it should expressly address the production and supply of plastics. With respect to product design, members undertook textual negotiations and established informal consultations with a view to streamlining the provisions and identifying areas of common ground. The discussions also demonstrated the continuing sensitivity surrounding possible global obligations relating to plastic products, production and consumption.[8]

39. Contact Group 2 considered provisions relating to plastic releases and leakages, plastic waste management, existing plastic pollution and a just transition. Some convergence emerged regarding the importance of addressing releases and leakages of plastics, strengthening environmentally sound waste management and protecting persons and communities disproportionately affected by plastic pollution. However, significant differences remained concerning the scope of provisions on plastic releases, transboundary movements of plastic waste, extended producer responsibility, the treatment of existing or legacy plastic pollution and the establishment of possible remediation mechanisms. Divergences also persisted regarding the scope and institutional treatment of a just transition.[9]

40. Financial resources, capacity-building, technical assistance and technology transfer remained among the principal issues under consideration. Contact Group 3 undertook discussions on the proposed financial mechanism and on provisions relating to capacity-building, technical assistance and technology transfer. Members considered different proposals concerning the structure, operation and governance of the financial mechanism. While the discussions provided a basis for further textual negotiations, questions concerning the design of the financial mechanism and the availability, accessibility and predictability of financial resources remained unresolved.[10]

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[6] United Nations Environment Programme, 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 Resumed Fifth Session, UNEP/PP/INC.5/9 (10 September 2025) paras 3-18.
[7] ibid paras 37-38, 69.
[8] ibid paras 38-40, 98-100.
[9] ibid paras 41-44, 69-75.
[10] ibid paras 79-82, 97-100.

41. Contact Group 4 considered a broad range of institutional and substantive provisions, including the preamble, principles and approaches, national plans, reporting, health, the Conference of the Parties, effectiveness evaluation and final provisions. Some convergence was achieved on provisions concerning the depositary and authentic texts, while other provisions continued to require further negotiation. Cross-cutting issues identified during the discussions included decision-making procedures, the establishment and functions of subsidiary bodies, the relationship between the future instrument and trade-related matters, and the role of the Conference of the Parties.[11]

42. The negotiations also brought to the forefront a number of broader issues concerning the design and ambition of the future instrument. Several representatives emphasized the need for the instrument to address the full life cycle of plastics, including sustainable product design, chemicals of concern, microplastics, circularity and human health. Concerns were also expressed regarding the need for adequate provisions on Indigenous Peoples and their rights and knowledge, local communities and particularly vulnerable States and communities. Developing countries continued to emphasize the importance of adequate financial resources, technology transfer, capacity-building and the principle of common but differentiated responsibilities, taking into account national circumstances and capabilities.[12]

43. As the negotiations progressed, the Chair sought to facilitate convergence through consultations with regional groups, individual delegations and a representative group of members. On 13 August 2025, the Chair presented a draft text proposal intended to capture areas of convergence and provide a basis for further negotiations. The proposal, however, attracted differing reactions from Member States. Several representatives considered that the draft did not adequately reflect the mandate of resolution 5/14 and raised concerns regarding the absence or insufficient treatment of issues including the full life cycle of plastics, chemicals of concern, product design, human health, financial support and technology transfer. Other representatives considered the draft a possible basis for further negotiations.[13]

44. Following further consultations, the Chair presented a revised draft text proposal on 15 August 2025. Although several representatives considered the revised proposal to constitute an improvement and indicated that it could serve as a basis for future negotiations, others maintained that it did not adequately reflect their positions. Consequently, consensus was not reached on either of the Chair's draft text proposals. The Committee nevertheless reaffirmed the importance of continuing the negotiating process and of building upon the work already undertaken.[14]

45. The session concluded without agreement on the text of the future international legally binding instrument. Member States expressed differing views concerning the appropriate basis and working methods for a further resumed session, including the need for greater transparency and inclusiveness, possible improvements to the negotiation process, and the role of consensus in decision-making. At the same time, a large number of representatives expressed support for continuing negotiations and emphasized that future work should build upon the progress made during INC-5.2. Particular emphasis was placed on strengthening the means of implementation,

[11] ibid paras 76-85.
[12] ibid paras 88-91.
[13] ibid paras 92-105.
[14] ibid paras 102-113.

including predictable financing, technical assistance and technology transfer for developing countries.[15]

46. Thus, while INC-5.2 did not result in the finalization of the international legally binding instrument, it advanced the textual negotiations across a wide range of provisions and further clarified areas of convergence and divergence. The session also underscored that major questions remained concerning the scope and ambition of the instrument, obligations relating to production and products, financial arrangements, means of implementation, decision-making and institutional provisions. The Committee adjourned on 15 August 2025 with the understanding that negotiations would resume at a later date.[9]

C. The Third Part of the Fifth Session of the Intergovernmental Negotiating Committee (INC-5.3) (7 February 2026, Geneva, Switzerland)

47. The third part of the fifth session of the Intergovernmental Negotiating Committee (INC-5.3) was convened on 7 February 2026 at the Geneva International Conference Centre in Geneva, Switzerland. Unlike INC-5.2, the resumed session was convened exclusively for organizational and administrative purposes following the resignation of the Chair of the Committee, Luis Vayas Valdivieso, and the resignation of the Vice-Chair and Rapporteur representing the small island developing States. No substantive negotiations concerning the text of the future international legally binding instrument were undertaken during the session.[10]

48. The principal matter before INC-5.3 was the election of the Chair of the Committee. Mr. Julio Cordano of Chile was elected Chair of the Committee.[11] Following the election of the Chair, Linroy Christian of Antigua and Barbuda was elected by acclamation as Vice-Chair representing the small island developing States, while Irma Gurguliani of Georgia was designated as Rapporteur of the Committee. The newly elected Chair emphasized the need for flexibility, pragmatism and continued consultations among delegations, noting the shared recognition of plastic pollution as a global problem requiring concerted international action while taking into account the different starting points, needs and priorities of States.[16]

49. INC-5.3 did not consider the agenda item concerning preparation of the international legally binding instrument, nor did it undertake substantive negotiations on the text. The session was therefore primarily significant for restoring the institutional leadership of the Committee and enabling the negotiating process to continue following the organizational changes that had occurred after INC-5.2. The Committee adjourned on 7 February 2026, with substantive negotiations on the future instrument remaining to be resumed at a subsequent session.[17]

50. The developments during INC-5.2 and INC-5.3 demonstrate that the negotiation of the proposed international legally binding instrument remains an evolving process. While INC-5.2 resulted in further textual work and identified areas of convergence across substantive, financial and institutional provisions, substantial differences continued concerning the scope and nature of obligations, production and consumption of plastics, product design, chemicals of concern,

[15] United Nations Environment Programme, 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 its Fifth Session, UNEP/PP/INC.5/L.3 (7 February 2026) paras 3-6.
[16] ibid paras 11-24.
[17] ibid paras 25-29.

financial resources, technology transfer, decision-making and means of implementation. INC-5.3 subsequently addressed the institutional arrangements necessary for the continuation of the process, thereby providing a basis for the Committee to resume substantive negotiations.

III. INTERNATIONAL LEGAL REGIME ON CLIMATE CHANGE

A. Background

51. The international legal regime on climate change is principally based on the United Nations Framework Convention on Climate Change (UNFCCC) 1992[18], the Kyoto Protocol 1997[19], and the Paris Agreement 2015[20]. Together, these instruments establish the principal framework for international cooperation on climate change, including mitigation, adaptation, finance, technology transfer and capacity-building. Alongside this treaty framework, regional sustainable-finance and anti-greenwashing initiatives, as well as domestic climate litigation, have become increasingly significant in translating climate commitments into regulatory practice and accountability. The Paris Agreement seeks to strengthen the global response to climate change by holding the increase in global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the increase to 1.5°C.

52. The Paris Agreement places Nationally Determined Contributions (NDCs) at the centre of national climate action, requiring Parties to communicate successive NDCs every five years and to demonstrate progression over time.

53. At the regional level, ASEAN has progressively incorporated environmental protection and climate action into its cooperation agenda. The ASEAN Socio-Cultural Community (ASCC) Blueprint 2025[21] envisaged an inclusive, sustainable, resilient and dynamic ASEAN Community, with cooperation extending to biodiversity and natural-resource conservation, sustainable cities, climate adaptation and mitigation, and sustainable consumption and production as part of the transition towards a circular economy.

54. Regional sustainable-finance initiatives also seek to improve the credibility of environmental claims and reduce greenwashing. ASEAN's Sustainable and Responsible Fund Standards[22] establish minimum, harmonised disclosure standards for collective investment schemes, while Version 4 of the ASEAN Taxonomy provides voluntary, science-based criteria for sustainable-finance activities.[23] Principle 2 of the ASEAN High-Level Principles of

[18] 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.
[19] 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.
[20] Paris Agreement to the United Nations Framework Convention on Climate Change, Adopted Dec. 12, 2015; entered into force Nov. 4, 3156 UNTS 79.
[21] ASEAN Secretariat, *ASEAN Socio-Cultural Community Blueprint 2025* (ASEAN Secretariat 2016) https://asean.org/book/asean-socio-cultural-community-blueprint-2025/ accessed 14 October 2026.
[22] 'ASEAN Sustainable and Responsible Fund Standards' (ASEAN Capital Markets Forum, 31 October 2022) https://www.theacmf.org/sustainable-finance/publications/asean-sustainable-and-responsible-fund-standards, accessed 4 Oct 2026.
[23] https://aseaninfrastructurefund.org/blogs/asean-taxonomy-sustainable-finance-version-4, accessed 4 Oct 2026.

Consumer Protection further cautions against misleading advertising and promotes informed, sustainable consumer choices.[24]

55. In Africa, the African Development Bank has advanced the AFAC African Sustainable Finance Taxonomy as a voluntary, non-binding common benchmark for classifying sustainable-finance activities and promoting greater clarity and consistency in their definitions.[25]

56. Anti-greenwashing measures have also developed across domestic regulatory systems, although their form varies by jurisdiction. Approaches include national standards for self-declared environmental claims[26]; oversight of certification[27], supporting evidence and environmental labels; and mandatory sustainability reporting for major listed companies[28]. Other regimes require environmental claims to be substantiated by adequate scientific evidence, assessed in the context of the relevant product life cycle, and presented comprehensively rather than selectively. Some also require forward-looking climate claims to be supported by credible implementation plans and regulate the scope of product labelling.[29] Enforcement authorities have, in addition, used existing legislation to issue administrative orders against businesses making misleading environmental claims.[30]

57. Domestic climate litigation has grown in both volume and legal sophistication. The Paris Agreement has provided courts and litigants with an international framework against which to assess government policies and the conduct of private actors.[31] Courts have relied on climate science and international commitments when reviewing executive decisions and the implementation of climate policies.[32] Climate change is viewed as a global problem that does not exempt individual States from adopting their own circumstance-specific actions in furtherance of international, science-centric mitigation endeavours.[33] In another landmark ruling, a Court

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[24] https://aseanconsumer.org/cterms-regional-cooperation-in-asean/asean-high-level-principles-on-consumer-protection, Accessed 4 Oct 2026.

[25] 'Africa's Financial Industry Validates the Sustainable Continental Finance Taxonomy' (African Development Bank Group, 12 Aug 2025) https://www.afdb.org/en/news-and-events/africas-financial-industry-validates-continental-sustainable-finance-taxonomy-85995, Accessed 4 Oct 2026.

[26] China's GB/T 24021-2024, the English translation of which is linked at https://www.chinesestandard.net/PDF.aspx/GBT24021-2024.

[27] China's recent Green Product Certification and Labelling Rules issued by SAMR, notification linked at https://english.www.gov.cn/news/202601/04/content_WS695a31f6c6d00ca5f9a08649.html.

[28] 'The rise of sustainable finance in China: ESG Funds and regulation' (2025) 20(4) Oxford Capital Markets Law Journal.

[29] Provisions 4.1(d), (e), (g), 5.1 and 5.3 of the South Korea Fair Trade Commission's Environmental Labelling and Advertising Review Guidelines, the official English translation of which is linked at https://www.ftc.go.kr/viewer/synap/skin/doc.html?fn=20260729055151749_xJsg2ohqk6.pdf&rs=/viewer/synap/preview/.

[30] Japan's Consumer Affairs Agency relied on Art. 5(1) and 7(2) of the Act against Unjustifiable Premiums and Misleading Representations against 10 businesses with unsubstantiated biodegradability claims. The Act is available at https://www.japaneselawtranslation.go.jp/en/laws/view/2303/en and the 2022 enforcement order is linked at https://www.caa.go.jp/policies/policy/representation/fair_labeling/release/2022/?utm_source=chatgpt.com (no English translation available).

[31] United Nations Environment Programme, 'The Status of Climate Change Litigation: A Global Review' (May 2017) https://www.unep.org/resources/publication/status-climate-change-litigation-global-review.

[32] Brian Preston, 'The Influence of the Paris Agreement on Climate Litigation, Legal Obligations and Norms' (2021) 33 Journal of Environmental Law 14.

[33] Supreme Court of the Netherlands expressly referenced the Paris Agreement and IPCC reports in *The Netherlands*

undertook purposive interpretation of a statute silent on climate change to note that the government should have conducted a climate change impact assessment before authorising construction of a coal-fired power plant.[34]

58. Human-rights and constitutional arguments have become another important strand of climate litigation.[35] Courts have connected environmental and sustainability principles with constitutional values and rights to life, dignity and a clean and healthy environment.[36] Proceedings before human-rights bodies have also sought to hold States accountable for failing to regulate major polluters and protect affected communities.[37] Other cases illustrate how the Paris Agreement and national climate commitments may inform the balancing of environmental protection against development proposals, including airport expansion.[38] At the same time, the practical implementation of favourable judgments remains a challenge in some jurisdictions.[39]

59. Litigation has also addressed government decisions affecting renewable-energy projects and the adequacy of domestic climate legislation.[40] Courts have, in particular cases, relied on international and domestic climate obligations when reviewing the withdrawal of renewable-energy permits, while constitutional and human-rights principles have been invoked to require governments to strengthen their legislative response to climate change.[41]

60. Courts have increasingly considered the responsibility of private actors alongside that of States. In one case, the Court held that the global problem of climate change required multiple local actions to mitigate emissions and thus, any contention exempting a coal mine project due to its small fraction of global emissions is baseless.[42]. In another case[43], residents of Indonesian islands were permitted to pursue a claim against a Swiss cement company concerning flooding-related harm to their homes and livelihoods; the court found the claim sufficiently specific to proceed, without making a final determination of liability. These cases illustrate the wider reach of climate litigation and the growing scrutiny of both public and private conduct. For AALCO Member States, they underscore the relevance of domestic legal frameworks, access to remedies, and effective mitigation and adaptation measures.

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v Urgenda Foundation (Urgenda 3), The Supreme Court of the Netherlands, 19/00135, 20 December 2019 [unofficial English translation] [5.72-5.75].

[34] *EarthLife Africa Johannesburg v The Minister for Environmental Affairs* (2017) 2 All SA 519 [2,90,91]. In this case, the High Court explicitly referred to South Africa's NDC targets.

[35] What is climate change litigation?' (Graham Research Institute on Climate Change and the Environment, 2 Sept 2026) https://www.lse.ac.uk/granthaminstitute/explainers/what-is-climate-change-litigation/, accessed 4 Oct 2026.

[36] Ibid.

[37] P Manongdo, 'Landmark Human Rights Case Against World's Biggest Fossil Fuel Firms Pushes On' (*Eco-business,* 13 December 2016) https://www.eco-business.com/news/landmark-human-rights-case-against-worlds-biggest-fossil-fuel-firms-pushes-on/, Accessed 4 Oct 2026.

[38] *Hanuman Laxman Aroskar v Union of India,* [2019] 12551/2018 (Supreme Court of India).

[39] HM Osofsky, 'Climate Change and Environmental Justice: Reflections on Litigation over Oil Extraction and Rights Violations in Nigeria' (2010) 1(2) Journal of Human Rights and the Environment 189-210.

[40] *Mayur Renewables v Mirisim* [2024] PGNC 7 N10649 (National Court of Papua New Guinea) [108].

[41] *Shrestha v Office of the Prime Minister and Council of Ministers,* Decision No. 10210, NKP, Part 61 Vol 3 (Supreme Court of Nepal, 25 December 2018).

[42] *Gloucester Resources Ltd v Minister of Planning (Gloucester)* [2019] NSWLEC 7 [525].

[43] *Asmania and Others v Holcim AG,* Case No A1 2023 9 (Cantonal Court of Zug, 17 December 2025) [3.6.2-3.7, 5.5.3-5.8, 6.5.1-6.5.4]. In this case, Indonesian island dwellers sued a Swiss company in Switzerland.

B. Belém Climate Change Conference (10-22 November 2025, Belém, Brazil) (COP30/CMP20/CMA7)

61. The Thirtieth Conference of the Parties to the United Nations Framework Convention on Climate Change (COP30), together with the twentieth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP20) and the seventh session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA7), was held in Belém, Brazil, from 10 to 21 November 2025, with negotiations concluding on 22 November 2025. The Conference marked ten years since the adoption of the Paris Agreement.[44] Against this background, the Brazilian Presidency characterised COP30 as a "COP of truth and implementation"[45], with emphasis on translating existing commitments into national policies, investment, institutional measures and practical action. The Presidency further framed the process through the concept of a global "*mutirão*"[46], reflecting collective effort and cooperation.

62. The Conference resulted in the adoption by consensus of 56 decisions, 24 of which formed part of the Belém Political Package. [47] The outcomes addressed, inter alia, implementation of the Paris Agreement, climate finance, adaptation, just transition, technology, trade, gender and the participation of Indigenous Peoples and local communities.

63. The central character of COP30 was the attempt to move the climate regime from negotiating commitments towards implementation. The Belém Political Package and associated initiatives placed greater emphasis on implementation, monitoring, cooperation and practical delivery. Progress was particularly visible in adaptation finance, the creation of a just transition mechanism, adaptation monitoring, climate-related health action and new approaches to forest finance.[48]

1. Principal Negotiated Outcomes

1.1 Belém Political Package and Implementation Focus

64. The Belém Political Package brought together the principal negotiated outcomes and reflected the Presidency's emphasis on collective action, implementation and cooperation. The wider package included measures relating to finance, just transition, adaptation, gender, Indigenous Peoples and information integrity. COP30 also marked the beginning of

[44] UNFCCC, 'Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its seventh session, held in Belém from 10 to 22 November 2025Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its seventh session, Decision 1/CMA.7, UN Doc. FCCC/PA/CMA/2025/19/Add.1, pp. 3.
[45] Felipe de Carvalho, 'Belém COP30 delivers climate finance boost and a pledge to plan fossil fuel transition' (UN News, 22 November 2025) https://news.un.org/en/story/2025/11/1166433 accessed 17 September 2026.
[46] ibid pp. 2-8.
[47] UNFCCC, 'COP30 Presidency releases Executive Report and outlines next steps to accelerate global climate implementation' (19 March 2026) https://unfccc.int/news/cop30-presidency-releases-executive-report-and-outlines-next-steps-to-accelerate-global-climate accessed 17 September 2026.
[48] Ibid.

implementation of several outcomes associated with the first Global Stocktake.[49]

65. The Global Mutirão approach, centred on 'coming together', sought to prioritise practical cooperation and delivery rather than the adoption of additional mandatory targets. Brazil also launched the Global Mutirão Platform to support collective action, particularly in energy, finance and trade.

1.2 Climate Finance

66. COP30 reaffirmed the pathway established at COP29 by continuing the implementation of the Baku-to-Belém Roadmap for mobilising at least USD 300 billion annually for developing countries by 2035 and the broader objective of mobilising USD 1.3 trillion annually from public and private sources over the same period. A two-year Climate Finance Work Programme was established to examine and advance implementation of obligations under Article 9.1 of the Paris Agreement.[50] The Loss and Damage Fund was further operationalised to support climate-vulnerable countries.

67. The finance outcome nevertheless left some important questions unresolved. Developing countries raised concerns over access to existing funds, the speed of disbursement, the scale of available resources and the role of major financial contributors. The continued reliance on loans rather than grants was also identified as a concern because it may increase debt burdens in vulnerable developing countries.

1.3 Adaptation and the Global Goal on Adaptation

68. Adaptation was a major focus of COP30. Parties agreed to triple adaptation finance by 2035 compared with 2025 levels and advanced work under the Global Goal on Adaptation (GGA). The Baku Adaptation Roadmap was finalized. Parties further adopted 59 Belém Adaptation Indicators to assist Parties in measuring progress towards the Global Goal on Adaptation and launched the Belém-Addis Vision on Adaptation, providing a further process for policy alignment and technical work.[51]

69. The National Adaptation Plan (NAP) Implementation Alliance was also launched to accelerate national adaptation planning. However with regard to adaptation, the principal concern is the timing and quality of implementation. Climate-vulnerable countries had sought an earlier 2030 deadline for tripling adaptation finance. Concerns were also expressed that the final adaptation indicators had been reduced and diluted during the negotiations and might not

[49] UNFCCC, 'Belém Political Package' (2025) https://unfccc.int/cop30/belem-political-package accessed 17 September 2026.

[50] UNFCCC, 'Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its seventh session, held in Belém from 10 to 22 November 2025Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its seventh session, Decision 1/CMA.7 paras. 54-55, UN Doc. FCCC/PA/CMA/2025/19/Add.1, pp. 8.

[51] UNFCCC, 'Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its seventh session, held in Belém from 10 to 22 November 2025Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its seventh session, Decision 12/CMA.7 paras. 21-22, UN Doc. FCCC/PA/CMA/2025/19/Add.2, pp. 4.

adequately capture conditions on the ground. Expanded reporting and transparency could improve accountability, but the underlying gap between adaptation needs and available finance remains substantial.

1.4 Just Transition

70. COP30 established the Belém Action Mechanism (BAM), a Just Transition Mechanism intended to support countries managing the economic and social consequences of the transition away from fossil-fuel-based economies. It provides a framework for capacity-building and cooperation, with attention to workers, communities, skills and inclusive economic transformation.

71. The mechanism represented an important institutional development because it recognises that decarbonisation requires social and economic safeguards. Its effectiveness, however, will depend on the availability of predictable resources since the mechanism itself does not establish new or guaranteed finance.

1.5 Implementation, Monitoring and Accountability

72. COP30 placed greater emphasis on tracking delivery. The Global Implementation Tracker and the Belém Mission to 1.5°C were launched to assess whether national action and Nationally Determined Contributions (NDCs) are consistent with pathways compatible with the 1.5°C objective.[52] The Global Implementation Accelerator was similarly intended to help bridge the gap between national plans and the level of action required.

73. These initiatives indicated a shift from negotiating new commitments towards assessing implementation. However, the effectiveness of this approach will depend on the quality of reporting, transparency, monitoring and follow-up. The continued delay or absence of updated NDCs from a number of countries remains an important challenge to collective ambition.

1.6 Inclusion, Health and People-Centred Climate Action

74. COP30 broadened the social dimensions of climate policy. The Belém Gender Action Plan[53] seeks to strengthen gender-responsive climate action and meaningful participation of women, particularly from vulnerable communities. The Belém Health Action Plan seeks to strengthen health systems in response to climate impacts, drawing on principles of health equity, climate justice, governance and community participation.

75. The Belém Declaration on Hunger, Poverty and People-Centred Climate Action, endorsed by 43 countries and the EU, places vulnerable communities at the centre of climate

[52] Felipe de Carvalho, 'COP30 kicks off with urgent call to deliver on climate promises and scale up finance' (UN News, 8 November 2025) https://news.un.org/en/story/2025/11/1166313 accessed 17 September 2026.
[53] UNFCCC, 'Report of the Conference of the Parties on its thirtieth session, held in Belém from 10 to 22 November 2025 Part two: Action taken by the Conference of the Parties at its thirtieth session, Decision 7/CP.30, UN Doc. FCCC/CP/2025/12/Add.1, pp. 18-19.

policy and emphasises resilience measures such as social protection and crop insurance.[54] The Political Package also reaffirmed the importance of Indigenous Peoples' rights, including land rights and traditional knowledge.

1.7 Trade and the Changing Climate-Policy Landscape

76. Trade emerged as an important component of the COP30 discussions, particularly in relation to carbon border measures and their implications for developing countries. Parties agreed to initiate dialogues on trade and climate cooperation. The issue reflects a broader challenge: climate policy is increasingly intertwined with industrial policy, competitiveness and international trade. Managing these interactions will be important to ensure that climate measures do not deepen existing development tensions or undermine cooperation.[55]

2. Complementary and Sideline Initiatives

77. Several initiatives outside the core negotiated package sought to strengthen practical climate action. These include:

Tropical Forests Forever Facility (TFFF): Brazil promoted the Tropical Forests Forever Facility (TFFF)[56], a proposed long-term financing mechanism intended to reward forest conservation and support efforts to reduce deforestation. A substantial number of countries also expressed support for stronger action against deforestation. Nevertheless, the formal negotiated outcome did not contain a dedicated roadmap on forests. The Presidency indicated that work on forest-related and fossil-fuel-transition roadmaps would continue through voluntary processes. Such initiatives may maintain political momentum, but their legal and institutional status is distinct from obligations contained in consensus decisions of the COP.

Global Ethical Stocktake (GES): the GES aims to recentre human well-being and needs at the heart of climate action. It shifts the focus from emissions and policies to a just and person-centred transformation to address the scale of the crisis we collectively face. It is an initiative examining the ethical and behavioural dimensions of climate action alongside the technical assessment undertaken through the Global Stocktake.[57]

FINI Initiative: It is a platform designed to make National Adaptation Plans more investible and develop adaptation investment pipelines[58]. FINI connects over one hundred organizations from governments, development banks, investors, insurers, philanthropies, and civil society. It aims to strengthen collaboration between the public and the private financial sectors. The FINI for

[54] International Labour Organization, 'Leaders commit to making social protection a foundation of climate resilience and a just transition' (24 November 2025) ilo.org/resource/news/leaders-commit-making-social-protection-foundation-climate-resilience-and accessed 18 September 2026.
[55] https://cop30.br/en/news-about-cop30/documents accessed 18 September 2026.
[56] Government of Brazil, *Tropical Forest Forever Facility (TFFF) – Concept Note 3.0* (August 2025) https://cop30.br/en/news-about-cop30/documents accessed 18 September 2026.
[57] https://earthcharter.org/cop30-global-ethical-stocktake-initiative-and-the-earth-charter/ accessed 16 September 2026.
[58] https://institutdelafinancedurable.com/en/cop30-key-takeaways-revised/ accessed 16 September 2026.

Adaptation & Resilience initiative12aims to translate NAPs into investable plans by identifying vulnerable assets, assessing the value of resilience and matching them with appropriate sources of capital, with a target of USD 1 trillion in adaptation pipelines by 2028, including 20% from private investors and USD 500 million from MDBs and philanthropies, plus a 25% increase in pre-arranged finance.

3. Principal Challenges and Shortcomings

3.1 Fossil-Fuel Transition

78. The most significant limitation of COP30 was the absence of a clear fossil-fuel phase-out roadmap in the final negotiated outcome. Although substantial political support emerged for such a roadmap during the conference, opposition from some Parties prevented its incorporation into the formal text. Brazil subsequently committed to advancing voluntary roadmaps on fossil-fuel transition and deforestation outside the formal UNFCCC framework. These processes preserve political momentum but do not carry the same authority as a consensus decision of the COP.

3.2 Finance and the Implementation Gap

79. The conference strengthened the architecture for climate finance but did not resolve the underlying questions of scale, accessibility, predictability and burden-sharing. Similarly, many initiatives announced at COP30 lack detailed implementation timelines, enforcement arrangements or sufficiently strong accountability mechanisms. The central challenge is therefore to translate political commitments into predictable flows of finance and measurable national action.

3.3 Adaptation Finance and Measurement

80. The decision to triple adaptation finance represents progress, but the 2035 timeframe falls short of the 2030 timeline sought by climate-vulnerable countries. At the same time, concerns over the usefulness and clarity of the final GGA indicators could limit their value as instruments for measuring progress and identifying implementation gaps.

3.4 Geopolitical Fragmentation

81. The negotiations reflected sharper differences among many parties on mitigation, trade and development priorities. Divergent positions concerning mitigation ambition, finance, trade and development complicated efforts to secure agreement on more prescriptive outcomes. These dynamics illustrate the growing difficulty of maintaining consensus in a fragmented geopolitical environment.

3.5 Forests and Nature

82. Brazil placed forest protection at the centre of its COP30 agenda, consistent with the significance of hosting the conference in the Amazon. The TFFF received growing support, and more than 90 countries backed the call for ending deforestation. However, COP30 did not

produce a negotiated roadmap to halt and reverse forest loss. As with fossil-fuel transition, the proposed roadmap was moved to a voluntary process outside the formal UN structure.
The outcome therefore combines greater political and financial momentum with limited negotiated obligations. The effectiveness of forest initiatives will depend on whether financial incentives can be matched with measurable conservation outcomes and credible commitments to reduce deforestation.

4. Implications for the COP Process

83. COP30 renewed questions about whether a consensus-based process designed for incremental progress can respond adequately to the urgency of the climate crisis. Some Parties called for reforms including streamlined negotiation tracks, changes to voting arrangements and greater use of coalitions of willing actors. No major institutional reform was agreed.

84. The issue is therefore not simply whether COPs can produce decisions, but whether those decisions can be implemented rapidly enough to match the pace of climate change. The growing emphasis on implementation, monitoring and voluntary coalitions may become increasingly important, particularly where formal consensus remains difficult.

C. Towards the 2026 UN Climate Change Conference (COP31, Türkiye, Antalya, 9-20 November)

85. COP31 will be hosted by Türkiye, with Australia taking an unusual role in running the talks. The period leading to COP31 will be particularly important for assessing whether COP30's implementation-oriented approach can produce measurable results.

86. Three processes will be especially significant: the submission and strengthening of national climate plans; Brazil's voluntary work on fossil-fuel transition and deforestation roadmaps; and continued negotiations on climate finance, trade and adaptation. The credibility of the Paris Agreement and the wider COP process will increasingly depend on whether these processes generate tangible implementation rather than additional declarations.

87. COP30 produced meaningful institutional and cooperative advances, particularly in climate finance architecture, adaptation, just transition, implementation monitoring and people-centred climate action. However, there were concerns about its inability to secure formal consensus on a clear pathway away from fossil fuels, alongside continuing uncertainty over the scale and delivery of climate finance.

88. The significance of Belém will ultimately be determined not by the number of initiatives announced, but by their implementation. The period to COP31 provides an opportunity for Parties to strengthen NDCs, improve finance delivery, operationalise the just transition mechanism, advance forest protection and develop credible pathways for fossil-fuel transition. The central task is to convert the implementation focus of COP30 into measurable action.

IV. UNGA REQUEST FOR ICJ ADVISORY OPINION ON *OBLIGATIONS OF STATES IN RESPECT OF CLIMATE CHANGE*

A. Background

89. The International Court of Justice (ICJ) gave its Advisory Opinion on *Obligations of States in respect of Climate Change* on 23 July 2025, which arose from a request made in the United Nations General Assembly (UNGA) Resolution 77/276 adopted on 29 March 2023.[59] The request by UNGA pursuant to Article 96 of the United Nations (UN) Charter and Article 65 of the Statute of ICJ, formally submitted two questions to the ICJ. First, regarding State duties to protect the climate system, and second, the corresponding legal consequences of causing significant harm to the climate system. The resolution recognized climate change as an "unprecedented challenge of civilizational proportions" and emphasized the dependence of the well-being of present and future generations on an urgent response. The resolution was co-sponsored by 132 Member States of the UN and was adopted without a vote, which the ICJ considered to be significant in demonstrating the interest of UN Member States in the Advisory Opinion.[60]

90. The proceedings witnessed historic participation with 96 States and 11 international organizations who presented oral statements before the Court.[61] The Court contextualized resolution 77/276 within progressive development of international concern regarding environmental degradation and climate change. It traced this development from the UNGA's 1968 recognition of the deterioration of the human environment, through the 1972 Stockholm Conference, the 1979 First World Climate Conference, the United Nations Convention on the Law of the Sea (UNCLOS), the Vienna Convention for the Protection of the Ozone Layer, the adoption of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992, Kyoto Protocol in 1997 and the Paris Agreement in 2015.[62] With regards to the relevant scientific background for climate change, the Court relied on authoritative assessments of the Intergovernmental Panel on Climate Change (IPCC) which established anthropogenic greenhouse gas (GHG) emissions as the dominant cause of global warming and irreversible degradation across atmospheric and marine systems.[63]

91. The scope of the question on obligation of States was recognized as covering the "entire corpus of international law" and the Court therefore, considered treaty law, customary international law, international human rights law, the law of the sea and other environmental treaties in the Advisory Opinion.[64] The material scope of the inquiry covered the "full range of

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[59] UNGA Res 77/276 (29 March 2023) UN Doc A/RES/77/276 https://docs.un.org/en/A/RES/77/276 accessed on 22 September 2026.

[60] *Obligations of States in respect of Climate Change* (Advisory Opinion) (Judgment of 23 July 2025), 28, para 47 <https://www.icj-cij.org/sites/default/files/case-related/187/187-20250723-adv-01-00-en.pdf> accessed on 22 September 2026.

[61] IISD Earth Negotiations Bulletin, *Summary report, 2-13 December 2024 International Court of Justice Hearings on the Obligations of States in respect of Climate Change*, https://enb.iisd.org/international-court-justice-climate-summary accessed on 22 September 2026.

[62] *Climate Change Opinion* 29-34, para 51-70.

[63] ibid 34-38, para 72-87.

[64] ibid 42, para 98.

human activities that contribute to climate change as a result of emission of GHGs" and were not territorially confined as the climate system is global and GHG emissions transcend territories.[65] The Court also emphasized that it was identifying existing law on obligation of States, and not creating new law.[66] With respect to the question on legal consequences of causing harm, the Court expressly stated that it was not determining the responsibility of any particular State or group of States. Individual responsibility of States requires an *in concreto*, case-by-case assessment.[67] Though non-binding in nature, the unanimous Advisory Opinion is of immense significance for climate jurisprudence, establishing the legal position on State obligations and consequences for causing harm to the climate and environment.

B. Legal Issues before the Court

1. Question A: Obligations of States in respect of Climate Change

92. The Court addressed the first question on obligations of States by categorizing the applicable law across multiple intersecting bodies of international law i.e., the climate change and environment treaty framework, customary international law, law of the sea, international human rights law, and other applicable principles. One of the most significant outcomes of the first question was the rejection of the argument that climate change treaties like the UNFCCC and Paris Agreement constituted a self-contained legal regime, and excluded other applicable rules of international law. The Court held that climate obligations must be interpreted harmoniously alongside customary international law, the law of the sea and international human rights instruments. It emphasized that the principle of *lex specialis* did not lead to general exclusion of other rules of international law.[68]

1.1 Climate Change and Environment Treaty Framework

93. The Court focused on three climate change treaties in its Advisory Opinion, namely, the UNFCCC, the Kyoto Protocol and the Paris Agreement. It held that the three instruments are "mutually supportive" and the fact that they deal with the same subject matter does not itself establish a conflict.[69] The Court recognized the UNFCCC as the general framework for addressing climate change caused by anthropogenic GHG emissions.[70] It emphasized on the mitigation, adaption, cooperation and assistance obligations under the Convention, and considered that Article 4(1) of the Convention contains legally binding obligations.[71] The Court also identified legally binding adaptation obligations under UNFCCC, for instance, Article 4(1)(e) which requires "cooperation in preparing for adaptation and developing integrated plans for concerning coastal zones, water resources, agriculture and areas, particularly in Africa, affected by drought and desertification, as well as floods".[72] With regards to the Kyoto Protocol, the Court found that it concretized and strengthened certain obligations under the UNFCC by

[65] ibid 40, para 94; 41, para 96.
[66] ibid 42, para 100.
[67] ibid 43, para 106.
[68] ibid 57, para 168; 58, para 171.
[69] ibid 64, para 195.
[70] ibid 65, para 196.
[71] ibid 66, para 202.
[72] ibid 69, para 210.

establishing quantified emission limitation and reduction commitments for specified parties.[73]

94. Addressing the Paris Agreement, the Court considered that 1.5 degree Celsius is the parties' agreed primary temperature goal for limiting the global average temperature increase under the Agreement.[74] The Court also clarified the legal nature of Nationally Determined Contributions (NDCs). It concluded that States have limited discretion regarding content of NDCs and have an obligation to prepare, communicate and maintain successive NDCs, which taken together must be capable of achieving the Agreement's temperature goal.[75] It was further held that parties must pursue domestic mitigation measures capable of achieving the objectives contained in their NDCs, and these obligations must be performed with stringent due diligence.[76] The Court also emphasized on the obligations of cooperation, including financial assistance, technology transfer and capacity-building under the Paris Agreement. With regards to climate finance for developing countries by developed countries, the Court focused on obligations under Article 4(5) and Article 9 of the Agreement, which provides for support to developing States and legally binding obligations for developed parties to communicate information on projected climate finance.[77] The Court also noted that though the Paris Agreement does not specify the amount of financial support to be provided, in accordance with customary rules of treaty interpretation, it should be in a manner that allows for achievement of objectives of the Agreement. Such level of financial support can be evaluated based on factors including the capacity of developing States and the needs of developing States.[78]

95. With respect to environmental treaties, the Court held that obligations under the Ozone Layer Convention, Montreal Protocol, Convention on Biological Diversity, and the UN Convention to Combat Desertification, are relevant to climate protection.[79] These treaties read together with other relevant aspects of international provide the comprehensive framework for obligations of States in respect of climate change.

1.2 Customary International Law

96. The Court held that customary international law obligation to prevent significant harm to the environment applies fully to the climate system.[80] This duty to prevent significant harm, is an obligation of conduct, not an absolute obligation to achieve a particular result, and States must employ all reasonably available means to prevent significant harm as far as possible.[81] The Court further held that the cumulative nature of climate change does not prevent application of the prevent obligation. The fact that climate change results from numerous activities carried out by multiple States and private actors does not eliminate States' individual duties.[82] The Court established that the standard of conduct required under the customary rule of harm prevention, is

[73] ibid 71-72, para 219-221.
[74] ibid 73, para 224.
[75] ibid 79, para 249.
[76] ibid 79-80, para 252-254.
[77] ibid 82, para 264.
[78] ibid 83, para 265.
[79] ibid 97-101, para 316-335.
[80] ibid 85, para 273.
[81] ibid 49, para 135.
[82] ibid 86-87, para 276, 279.

of due diligence. The standard of due diligence is identical for every State or every situation, and is dependent on circumstances including level of scientific knowledge, risk and seriousness of harm, urgency involved and capabilities of the State. The Court also noted that States must pursue technical cooperation and knowledge sharing as the ability to undertake effective mitigation and adaptation depends upon access to information and technology.[83] Further, the standard of due diligence obligates States to conduct risk assessment and Environmental Impact Assessment (EIA) for major public and private projects that carry a risk of significant GHG emissions.[84] The Court also recognized cooperation as a separate customary international law obligation. It was observed that climate change's specific characteristics require States to take individual measures in cooperation with other States, and States must make good faith efforts to arrive at appropriate forms of collective action.[85]

1.3 The Law of the Sea

97. The Court held that anthropogenic GHG emissions can constitute pollution of the marine environment under relevant provisions of the UNCLOS.[86] The Court devoted particular attention to sea-level rise and its implications for small islands and low-lying coastal States. It recognized potential consequences for territorial integrity, maritime entitlements, sovereignty over natural resources, displacement and self-determination.[87] It further held that once a State has been established, disappearance of one of its constituent elements would not necessarily entail loss of statehood.[88] The Court specifically noted that regional practice concerning preservation of maritime zones included the 2021 Pacific Islands Forum Declaration, supported in 2022 by the Member States of the Organization of African, Caribbean and Pacific States.[89]

1.4 International Human Rights Law

98. The Court concluded that adverse effects of climate change may impair the effective enjoyment of human rights, including the right to life, right to health, and right to an adequate standard of living amongst several others. The Court considered that climate conditions capable of endangering life may trigger non-refoulement obligations where there are substantial grounds for believing that return would expose an individual to a real risk of irreparable harm to the right to life.[90] With respect to specifically affected groups, the Court noted evidence that women and indigenous peoples may be more severely affected by climate change and concluded that their enjoyment of human rights is correspondingly at risk.[91] The Court further concluded that full enjoyment of human rights cannot be ensured without protecting the climate system and other parts of environment. States must therefore, take necessary measures including mitigation, adaptation, legislation, standards and regulation of private actors.[92]

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[83] ibid 88-89, para 285-286.
[84] ibid 91-92, para 295-298.
[85] ibid 93-95, para 301-308.
[86] ibid 101-104, para 336-354.
[87] ibid 105, para 357.
[88] ibid 107, para 363.
[89] ibid 106, para 360.
[90] ibid 110, para 378.
[91] ibid 111, para 384.
[92] ibid 115, para 403.

1.5 Other applicable Principles

99. The Court in addition to recognizing and upholding obligations under treaties and customary international law, noted other principles applicable in the context of climate change obligations. These principles included sustainable development, common but differentiated responsibilities and respective capabilities (CBDRRC), equity, intergenerational equity, precautionary principle, and polluter pays principle. While all principles are of significance, CBDRRC is of particular relevance to Asian-African States. The Court stated that CBDRRC on one hand recognizes the historical responsibility of certain States, on the other it recognizes that the measures expected from States in addressing climate change is not identical.[93] The Court specifically referred to the historical distribution of emissions and noted that UNFCCC recognizes that the largest share of historical and current GHG emissions originated in developed countries, while per capita emissions in developing countries remained relatively low. The Court also referred to IPCC's finding that approximately 58 per cent of cumulative anthropogenic GHG emissions since industrialization had occurred before 1990.[94] The Court held that CBDRRC is a manifestation of equity and guides interpretation of environmental obligations beyond the treaties in which it is expressly states. It does not itself create new obligations, but is relevant to interpreting treaties and determining rules of customary law relating to the environment.[95]

2. Question B: Legal Consequences Arising From States' Acts and Omissions that cause Significant Harm To The Climate System and Other Parts of the Environment

100. The Court noted that it has previously relied on International Law Commission (ILC) Articles on State Responsibility, which is reflective of customary rules on State responsibility in many ways.[96] It concluded that "responsibility for breaches of obligations under the climate change treaties, and in relation to the loss and damage associated with adverse effects of climate change, is to be determined by applying the well-established rules on State responsibility under customary international law".[97] The Court held that failure by a State to take appropriate action to protect the climate system may constitute an internationally wrongful act attributable to that State, where relevant conventional or customary obligation is breached. The wrongful act is not the mere emission of GHGs, but the breach of applicable obligation relating to protection of the climate system.[98]

101. With regards to causation, the Court observed that causation is not a prerequisite for establishing State responsibility. An internationally wrongful act attributable to a State can constitute breach irrespective of whether it has caused particular harm. However, causation becomes necessary when reparation for specific damage is claimed. A sufficiently direct and certain causal nexus must be established between the wrongful conduct and the particular

[93] ibid 52, para 148.
[94] ibid 53, para 149.
[95] ibid 53, para 151.
[96] ibid 116, para 407.
[97] ibid 120, para 420.
[98] ibid 121-22, para 425-428.

damage.[99] The Court further held that obligations concerning protection of the climate system and other parts of the environment from anthropogenic GHG emissions are obligations *erga omnes* under customary international law. In the context of treaties, the Court considered the obligations under UNFCCC and the Paris Agreement to be obligations *erga omnes partes*.[100]

102. On the aspect of legal consequences arising from wrongful acts, the Court identified the duty of performance, duty of cessation and guarantees of non-repetition, and duty to make reparation, as the three applicable consequences. With respect to the duty of performance, it was held that a breach does not extinguish the underlying obligation, and States retain a continuing duty to perform their international obligations.[101] The duty of cessation requires that a responsible State must cease a continuing wrongful act whether the breached obligation remains in force. In appropriate circumstances, guarantees of non-repetition may also be required.[102] The Court recognized three forms of the duty to make reparation, as follows:

- Restitution: which may include reconstructing damaged or destroyed infrastructure and restoring ecosystems and biodiversity, although appropriateness of such measures must be assessed on a case-by-case basis.[103]
- Compensation: where restitution is materially impossible, compensation may be due for financially assessable damage, provided that the necessary causal nexus can be demonstrated.[104]
- Satisfaction: depending on the nature and circumstances of the breach, satisfaction may include expressions of regret, formal apologies, public acknowledgments or statements, education concerning climate change or a judicial declaration of wrongfulness.[105]

103. In the end, the Court recognized that climate change is an existential problem of planetary proportions, and that international law has important but ultimately limited role in addressing it. Through the Advisory Opinion, the Court expressed hope that its conclusions will guide the social and political action to address the ongoing climate crisis.[106]

C. Legal Significance and Implications of the Advisory Opinion

104. The Advisory Opinion has been appreciated and critically analysed by scholars and legal practitioners, for its emphasis on international law obligations as well as for triggering legal tipping points within domestic systems.[107] It is significant to note, that following the Advisory

[99] ibid 123, para 433.
[100] ibid 125, para 440.
[101] ibid 127, para 446.
[102] ibid 127, para 447-448.
[103] ibid 128, para 451.
[104] ibid 128-129, para 452-454.
[105] ibid 129, para 455.
[106] ibid 129, para 456.
[107] Margaretha Wewerinke Singh & Jorge E Vinuales, "Bracing for impact: the ICJ Advisory Opinion on climate change and the activation of legal tipping points", *Journal of Environmental Law* 2026 https://doi.org/10.1093/jel/eqag014 accessed on 29 September 2026; Caroline E. Foster, "The 2025 International Court of Justice Advisory Opinion on Obligations of States in respect of Climate Change", *International & Comparative Law Quarterly* 2015 74(4), 775-809 https://doi.org/10.1017/S0020589325101292 accessed on 29

Opinion, AALCO organized a High-Level Panel Discussion on "Combating Climate Change: Dialogue, Discourse and Diplomacy" on 16 January 2026, wherein expert panellists shared their views on the Advisory Opinion in light of contemporary developments on climate diplomacy.

105. One of the key notable outcomes of the Advisory Opinion is the recognition that climate obligations are not confined to the UNFCCC, Kyoto Protocol and Paris Agreement, but the broader framework of customary international law, the law of the sea, human rights law is also applicable on States. The Court has thus, established multi-sourced climate obligations of States. Further, the Court's identification of 1.5 degree Celsius as the agreed primary temperature goal under the Paris Agreement gives particular significance to the temperature objective in assessing the adequacy of State conduct under the Agreement.

106. The Court has also addressed a critical concern for low-lying coastal and island nations in Asia and the Pacific, with regards to maritime zone entitlements, which safeguards their sovereign status and resource rights. Amongst other significant implications of the Advisory Opinion is the removal of *lex specialis* shield, as the Court recognized that treaties do not operate in isolation and are to be read together with obligations under the broader international law framework. Major emitting nations can no longer shield their climate actions behind discretionary negotiations under treaties, as customary harm principles and human rights obligations apply simultaneously.

107. Moreover, by linking State responsibility to regulatory oversight of private actors, the Advisory Opinion provides a legal foundation to challenge State supported projects. Through the Advisory Opinion courts across the world now have an authoritative benchmark to evaluate national climate policies, emission targets, and fossil fuel licensing decisions amongst other actions with a potential impact on climate change.

108. The Court has also made observations relevant to developing States and particularly vulnerable regions, such as follows:

- Developing States are recognized as vulnerable to adverse climate effects, while least developed States and small island States face particularly acute risks.
- The Court recognized the limited historical contribution and capacity of least developed States and distinguished them from States with substantially greater historical contributions and capabilities.
- The Court recognized the importance of financial assistance, technology transfer and capacity-building for developing States.

109. While the Advisory Opinion does not specifically address Asian and African States, its observations regarding different vulnerabilities, historical contributions and capacities as noted above, is of particular relevance to the Asian-African region. The Advisory Opinion is also expected to have major legal implications on domestic climate jurisprudence across States. Thus, the Advisory Opinion marks a milestone in mitigating risks and adverse effects of climate change.

September 2026.

110. On 20 May 2026, the UNGA adopted a resolution welcoming and affirming the ICJ's Advisory Opinion with the objective of operationalising the Court's ruling.[108] It urges all nations to uphold due diligence, respect the 1.5 degree Celsius temperature goal, and phase out fossil fuels. In addition to reinforcing international legal accountability for climate harm, it also establishes a crucial institutional follow-up mechanism. It requests the Secretary-General to submit a comprehensive report to the eighty-second session on ways to advance compliance, under mechanisms including UNFCCC and the Paris Agreement. In conclusion, it officially mandates a dedicated provisional agenda item for the eighty-third session entitled "Follow-up to the advisory opinion of the International Court of Justice on the obligations of States in respect of climate change".

V. SUSTAINABLE DEVELOPMENT GOALS: SELECT ISSUES

A. Background: The 2030 Agenda for Sustainable Development: Advancing Implementation at a Critical Juncture

111. The 2030 Agenda for Sustainable Development, adopted unanimously by the United Nations General Assembly through Resolution 70/1 of 25 September 2015, represents the principal global framework for achieving sustainable development by 2030. At its core are 17 Sustainable Development Goals (SDGs)[109], 169 targets and a global indicator framework, providing an integrated framework addressing economic, social and environmental dimensions of development. The Agenda is grounded in the commitment to eradicate poverty and inequality, protect the planet and ensure that development contributes to the well-being and dignity of all.[110]

112. As the international community enters the final years of the 2030 Agenda, attention has increasingly shifted from the adoption of the Goals to their effective and accelerated implementation. The universal character of the SDGs requires coordinated action by all States, while recognizing that national circumstances, capacities and development priorities differ. For developing countries, in particular, progress towards the Goals continues to be closely linked with access to adequate and predictable financing, technology, capacity-building and international cooperation. The implementation of the SDGs therefore remains an important area for strengthening multilateral cooperation and addressing structural inequalities within the international economic system.

113. The 2030 Agenda adopts an integrated approach to sustainable development, reflected in its five interconnected dimensions of People, Planet, Prosperity, Peace and Partnership. Progress across these dimensions is mutually reinforcing, requiring policies that address economic

[108] UNGA Res 80/265 (20 May 2026) UN Doc A/RES/80/263 https://digitallibrary.un.org/record/4118331/files/A_RES_80_263-EN.pdf accessed on 29 September 2026.

[109] 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.

[110] Transforming our world: the 2030 Agenda for Sustainable Development UNGA Res 70/1 (21 October 2015) UN Doc A/RES/70/1.

development, social inclusion and environmental sustainability in a coordinated manner. The principle of "Leaving No One Behind" (LNOB) remains central to this framework and calls for particular attention to vulnerable and marginalized populations and to inequalities in development outcomes.

114. The implementation of the SDGs is also closely connected with the broader international legal framework governing sustainable development. The principles reflected in the 2030 Agenda intersect with obligations and commitments arising under international environmental law, international human rights law and other areas of international law. In this context, the achievement of the SDGs requires not only domestic policy measures but also sustained international cooperation, effective implementation of existing commitments and greater coherence among international legal and institutional frameworks.

115. The High-Level Political Forum on Sustainable Development (HLPF) continues to serve as the central United Nations platform for reviewing progress in the implementation of the 2030 Agenda. Through Voluntary National Reviews (VNRs), thematic reviews and deliberations at the HLPF, States share experiences, identify implementation challenges and exchange good practices. The review process also provides an opportunity to strengthen accountability and identify areas where international cooperation and support are required.

116. Against this background, the remaining period of the 2030 Agenda presents a critical opportunity to accelerate action towards the SDGs, strengthen international partnerships and address persistent implementation gaps. Particular attention remains necessary to the interlinkages between poverty eradication, climate action, sustainable use of natural resources, food and water security, access to energy, health, education and reduction of inequalities. For AALCO Member States, many of which are developing countries, advancing the SDGs also underscores the importance of equitable international cooperation, adequate means of implementation and respect for national priorities and circumstances.

B. High-Level Political Forum

117. The High-Level Political Forum on Sustainable Development (HLPF) plays a central role in the follow-up and review of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs). The HLPF is convened annually under the auspices of the Economic and Social Council (ECOSOC), pursuant to General Assembly resolution 67/290. The Forum provides a platform for reviewing progress in the implementation of the SDGs, including through Voluntary National Reviews (VNRs), and for facilitating dialogue and cooperation among Governments and other stakeholders.

118. The High-level Political Forum on Sustainable Development (HLPF) was convened from Tuesday, 7 July, to Wednesday, 15 July 2026, under the auspices of the Economic and Social Council (ECOSOC). This includes the three-day ministerial segment of the forum from Monday, 13 July, to Wednesday, 15 July 2026, as part of the High-level Segment of ECOSOC. The theme of the Forum was "Transformative, equitable, innovative and coordinated actions for the 2030 Agenda for Sustainable Development and its Sustainable Development Goals for a sustainable future for all". Without prejudice to the integrated, indivisible and interlinked nature of the

Goals, the Forum conducted an in-depth review of SDGs 6 (Clean Water and Sanitation), 7 (Affordable and Clean Energy), 9 (Industry, Innovation and Infrastructure), 11 (Sustainable Cities and Communities) and 17 (Partnerships for the Goals). Thematic discussions also addressed the implementation of the Goals in African countries, least developed countries, landlocked developing countries and middle-income countries, as well as strategies for SDG implementation in Small Island Developing States and regional perspectives on SDG implementation.[111]

119. The 2026 HLPF also provided an opportunity for countries to present their Voluntary National Reviews (VNRs). 36 countries presented their national reviews, bringing the total number of VNRs conducted to 437. The reviews presented in 2026 reflected an increasing emphasis on evidence-based policymaking, stronger institutional arrangements for implementation and systematic stakeholder engagement. Several countries also highlighted efforts to localize the SDGs and strengthen implementation at the subnational level, including through Voluntary Local Reviews.

120. The Forum concluded with the adoption of a Ministerial Declaration,[112] reaffirming the international community's commitment to strengthening multilateral cooperation in support of the implementation of the 2030 Agenda. The Declaration addressed cross-cutting issues affecting progress towards the SDGs, including financing for sustainable development, climate action, technological and digital transformation and gender equality, and underscored the importance of implementing the Pact for the Future, the Sevilla Commitment and the Doha Political Declaration. It also emphasized the importance of robust national statistical systems and data collection to ensure that VNRs accurately reflect progress, gaps and challenges in SDG implementation.

C. THE SUSTAINABLE DEVELOPMENT GOALS REPORT 2026

121. The *Sustainable Development Goals Report 2026*[113] is the annual report of the United Nations Secretary-General on progress towards the 2030 Agenda for Sustainable Development, which is developed in cooperation with the UN System and is based on the global indicator framework, data produced by national statistical systems and information collected at the regional level. The Report provides the latest global assessment of progress towards the 2030 Agenda for Sustainable Development. The Sustainable Development Goals Report 2026 notes that, with less than five years remaining to achieve the Sustainable Development Goals (SDGs), important gains have been made in several areas, including social protection, maternal and child health, access to safe drinking water, sanitation and electricity, renewable energy, disaster risk reduction and digital connectivity. However, progress remains uneven and insufficient. Of the

[111] UNECOSOC, 'Report of the high-level political forum on sustainable development convened under the auspices of the Economic and Social Council at its 2026 session', UN Doc E/HLPF/2026/8 (29 July 2026) paras 1–2 https://docs.un.org/en/E/HLPF/2026/8 accessed 17 September 2026.

[112] UNECOSOC, Ministerial declaration of the high-level segment of the 2026 session of the Economic and Social Council and the 2026 high-level political forum on sustainable development convened under the auspices of the Council on the theme "Transformative, equitable, innovative and coordinated actions for the 2030 Agenda for Sustainable Development and its Sustainable Development Goals for a sustainable future for all", UN Doc E/HLS/2026/1 (20 July 2026) https://docs.un.org/en/E/HLS/2026/1 accessed 17 September 2026.

[113]The United Nations Department of Economic and Social Affairs (UN DESA), 'The Sustainable Development Goals Report 2026' (2026) https://unstats.un.org/sdgs/report/2026/ accessed 15 September 2026.

139 targets for which reliable historical trends can be assessed, only 36 per cent are on track or making moderate progress, while 49 per cent are moving too slowly and 15 per cent have slipped below their 2015 baselines. The Report identifies climate change, conflict, inequality, debt pressures, declining development assistance and other global shocks as significant challenges to the achievement of the 2030 Agenda.

122. The present brief focuses on select SDGs which are particularly relevant to the principles of Climate Action, Responsible Consumption and Production, Biodiversity, Desertification, Corruption and Rule of Law, and draws upon the findings and data contained in the Sustainable Development Goals Report 2026.

1. Climate Change/Action

123. 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 address resilience and adaptive capacity, integration of climate change measures into national policies and strategies, climate education and awareness, climate finance commitments and capacity-building, respectively. The SDG Report 2026 observes that climate risks are escalating and that the period from 2015 to 2025 constituted the hottest eleven-year period on record. Global greenhouse gas emissions reached a record 57.7 gigatons of CO_2 equivalent in 2024, representing an increase of 2.3 per cent over 2023. While climate policies have reduced projected warming compared with earlier projections, current commitments remain insufficient to limit warming to 1.5°C. Even full implementation of existing climate pledges is projected to result in warming of approximately 2.3–2.5°C this century, while warming under existing policies could reach approximately 2.8°C.[114]

124. The effects of continued warming are increasingly evident across regions. Global mean sea level has risen by approximately 11 centimetres since 1993, while ocean heat content reached a record level in 2025 for the ninth consecutive year. The rate of ocean warming between 2005 and 2025 was more than twice that observed between 1960 and 2005. The Report further notes that the fourth global coral bleaching event, which affected approximately 84 per cent of reefs across 83 countries and territories, likely concluded in mid-2025. A new El Niño began in June 2026, increasing risks of drought, heavy rainfall and land and ocean heatwaves.[115]

125. The Report also highlights progress in disaster risk reduction and resilience. Between 2015 and 2024, global disaster-related mortality declined by nearly 65 per cent compared with the preceding decade, falling from 2.11 to 0.75 deaths per 100,000 population, excluding COVID-19-related cases. During the same period, however, the rate of persons affected by disasters more than doubled, from 1,199 to 2,445 per 100,000 population, with approximately 123 million people affected each year. The burden remains disproportionately high in developing countries. Between 2015 and 2024, Least Developed Countries (LDCs) accounted for 29 per cent of global disaster deaths while representing only 12 per cent of the population of reporting countries.[116]

126. Climate finance remains central to mitigation and adaptation efforts. According to the Organisation for Economic Co-operation and Development (OECD) data cited in the Report, climate finance provided and mobilized for developing countries reached US$136.7 billion in

[114] ibid 34.
[115] ibid 34-35.
[116] ibid 35.

2024, exceeding the US$100 billion annual goal for the third consecutive year. Nearly two thirds of the finance was directed towards mitigation, while adaptation finance accounted for approximately one quarter. The new collective quantified goal on climate finance calls for at least US$1.3 trillion annually from all sources by 2035, including at least US$300 billion per year from developed countries. The Report emphasizes the importance of mobilizing private investment, improving access to capital and strengthening coordination within the climate finance system.[117]

127. Climate-related disasters also continue to impose substantial economic costs. Between 2015 and 2024, reported direct economic losses from disasters averaged more than US$110 billion annually, equivalent to approximately 0.28 per cent of the GDP of reporting countries. When cascading effects and ecosystem damage are taken into account, annual disaster losses exceed US$2.3 trillion. LDCs accounted for nearly 13 per cent of reported global losses while representing only 1.36 per cent of total GDP, demonstrating the disproportionate economic consequences borne by vulnerable developing countries. The Report therefore underscores the importance of integrating climate and disaster risks into fiscal policy, infrastructure planning and financial regulation.[118]

2. Responsible Consumption and Production

128. Goal 12 seeks to ensure sustainable consumption and production patterns. The SDG Report 2026 observes that governments and businesses are increasingly adopting policies relating to sustainable consumption and production and the circular economy. By 2025, 609 policies relating to sustainable consumption and production had been submitted across 75 countries, representing a 16 per cent increase compared with the 2019–2024 period. However, the Report identifies implementation and monitoring as continuing challenges. Global domestic material consumption increased by 25 per cent between 2015 and 2022, from 92.1 to 115.1 billion tonnes, while 80 per cent of global materials were consumed by half of the world's population living in higher-income countries. Global e-waste reached 65 million tonnes in 2023, of which only 15.5 million tonnes were formally recycled. Fossil-fuel subsidies, although declining by 10 per cent between 2023 and 2024, remained above US$921 billion in 2024.[119]

3. Biodiversity

129. SDG 14 is dedicated to the conservation and sustainable use of oceans, seas and marine resources. The SDG Report 2026 highlights significant developments in international ocean governance, including the entry into force of 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) on 17 January 2026. The Agreement establishes a legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction, which cover approximately two thirds of the ocean. It addresses marine genetic resources, area-based management tools including marine protected areas, environmental impact assessments, and capacity-building and transfer of marine technology. As of 1 June 2026, 89 countries had become parties to the Agreement.[120]

[117] ibid 35.
[118] ibid 34.
[119] ibid 33-34.
[120] ibid 36.

130. Marine conservation reached a significant milestone in April 2026, when 10.01 per cent of the world's ocean was officially designated as protected or conserved. However, this remains below the 30 per cent protection target for 2030 established under the Kunming-Montreal Global Biodiversity Framework. The Report notes that approximately 5 million square kilometres of ocean have been newly protected since 2024, although most of this progress has occurred within national waters. Areas beyond national jurisdiction remain significantly underprotected, with only 1.66 per cent coverage.[121]

131. The Report further notes that the WTO Agreement on Fisheries Subsidies entered into force on 15 September 2025. The Agreement prohibits subsidies linked to illegal, unreported and unregulated fishing, restricts subsidies for overfished stocks and prohibits certain subsidies for fishing activities outside the jurisdiction of coastal States or relevant regional fisheries management organizations or arrangements. As of 2026, 120 WTO members had accepted the Agreement. The Report observes that overfishing and illegal fishing continue to threaten marine biodiversity, food security and the livelihoods of millions of people.[122]

132. Ocean acidification continues to pose a significant threat to marine ecosystems. The ocean absorbs approximately 29 per cent of global anthropogenic carbon dioxide emissions and therefore plays an important role as a climate buffer. However, over the past four decades, global average surface ocean pH has declined from 8.11 to 8.04. Acidification is occurring more rapidly in several parts of the Indian Ocean, Southern Ocean and Pacific Ocean than the global average. Although monitoring has expanded, significant gaps remain, particularly in coastal Asia, Africa and parts of the open ocean.[123]

133. SDG 15 emphasizes the protection, restoration and sustainable use of terrestrial ecosystems, sustainable forest management, combating desertification and halting biodiversity loss. The SDG Report 2026 observes that biodiversity governance is expanding, with 155 countries having established national biodiversity targets by 2025. Nevertheless, more than 48,600 species are facing extinction and global extinction risk continues to worsen. The Report further notes that the average protection of key biodiversity areas has nearly doubled over the past 25 years, although significant gaps remain in identifying and protecting such areas.[124]

4. Desertification, Land Degradation and Forests

134. SDG 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 SDG Report 2026 identifies continuing pressures on forests and terrestrial ecosystems. Global forest cover has declined from 33.3 per cent of the Earth's land area in 1990 to 31.8 per cent today, with 41 million hectares of forest lost since 2015. At the same time, the rate of deforestation has declined over recent decades. Annual deforestation decreased from 17.6 million hectares during 1990–2000 to 10.9 million hectares during 2015–2025.[125]

[121] ibid 36.
[122] ibid 36.
[123] ibid 37.
[124] ibid 38.
[125] ibid 38.

135. The Report notes that approximately 20 per cent of the world's forests are within legally established protected areas and that 55 per cent of total forest area is covered by long-term management plans. Nevertheless, forest loss continues, particularly in regions affected by agricultural expansion and other forms of land-use change. The Report also highlights the growing integration of biodiversity considerations into national planning. By 2025, 155 countries had established national biodiversity targets linked to development planning, while 98 countries were implementing the System of Environmental-Economic Accounting (SEEA). These developments demonstrate progress in biodiversity governance, while also underscoring the continuing need to translate legal and policy commitments into implementation on the ground.[126]

136. Invasive alien species represent an additional threat to terrestrial ecosystems and biodiversity. According to the Report, the economic damage caused by invasive alien species has increased substantially since 1970 and reached at least US$423 billion in 2019. Although nearly all countries have incorporated invasive alien species management into key sectors, only approximately 26 per cent have dedicated legislation specifically addressing invasive alien species. Significant gaps also remain in dedicated national financing for their management.[127]

5. Corruption

137. 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. The SDG Report 2026 indicates that bribery remains widespread, with a disproportionate burden on populations in lower-income countries. Across 139 countries with recent data, approximately 17 per cent of people reported that, during the preceding year, they had either paid a bribe to a public official or been asked to do so. The corresponding figure was 27 per cent in low-income countries compared with 9 per cent in high-income countries. Median bribery rates were highest in sub-Saharan Africa and Central and Southern Asia.[128]

138. The Report clarifies that these figures measure direct experiences of bribery rather than perceptions of corruption. However, they do not capture forms of grand corruption involving political and business elites. The continuing prevalence of bribery has implications for sustainable development, as corruption can affect the effectiveness of public institutions and the allocation and delivery of public services. The Report therefore underscores the continuing importance of effective institutions, transparency and accountability in achieving the objectives of SDG 16.[129]

6. Rule of Law

139. The 2030 Agenda for Sustainable Development recognizes that sustained peace, security and human rights are fundamental to development, with SDG 16 specifically seeking to promote peaceful, just and inclusive societies through the rule of law, access to justice and accountable institutions. Target 16.3 calls for the promotion of the rule of law at the national and international levels and equal access to justice for all. The SDG Report 2026 highlights continuing gaps between formal legal and institutional frameworks and their implementation in practice.[130]

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[126] ibid 38.
[127] ibid 38.
[128] ibid 40.
[129] ibid 40.
[130] ibid 40-41.

140. Access to information constitutes an important component of transparent and accountable governance. As of 2026, 141 countries had adopted access-to-information laws. However, implementation remains uneven. A global assessment covering 76 countries found that 38 per cent of information requests received no substantive response, while only 42 per cent resulted in full disclosure. The Report notes that stronger enforcement mechanisms and independent oversight are necessary to ensure that access-to-information rights are effectively implemented.[131]

141. The protection of human rights defenders is also relevant to the rule of law and sustainable development. Between 2015 and 2024, at least 5,307 human rights defenders, journalists and trade unionists were killed, with one killed or disappeared approximately every ten hours in 2024. In 2025, approximately three in ten defenders killed or disappeared were working on environmental or land-related issues. The Report further notes that Latin America and the Caribbean accounted for approximately 60 per cent of killings worldwide since 2015.[132]

142. The Report also records progress in the establishment of independent national human rights institutions. The number of countries with institutions fully compliant with the Paris Principles increased from 70 in 2015 to 89 in 2025, with an additional 26 countries having partially compliant institutions. Nevertheless, progress plateaued in 2025 and substantial regional disparities remain. Strengthening independent institutions, access to information, protection of human rights defenders and accountable governance therefore remains relevant to advancing the rule of law and the implementation of the Sustainable Development Goals.[133]

VI. COMMENTS AND OBSERVATIONS OF THE AALCO SECRETARIAT

143. The AALCO Secretariat notes that developments since the Sixty-Third Annual Session reflect both advances in international environmental law and continuing challenges in implementation. While negotiations on a legally binding instrument on plastic pollution remain ongoing, the climate regime has increasingly focused on implementation, finance and accountability. The ICJ Advisory Opinion on climate change has further clarified the application of international law in this area, while progress towards the Sustainable Development Goals remains uneven. These developments underscore the importance of international cooperation, equity and effective means of implementation for AALCO Member States.

144. With regard to plastic pollution, the Secretariat recognizes the importance of developing a legally binding instrument pursuant to UNEA resolution 5/14. While INC-5.2 advanced negotiations, significant differences remain on key substantive, financial and institutional issues. INC-5.3, held in February 2026, focused mainly on organizational matters and enabled the process to continue. The Secretariat encourages Member States to remain constructively engaged towards an effective and broadly supported instrument.

145. The Secretariat considers that the future plastics instrument should appropriately address the full life cycle of plastics while taking into account the differing circumstances and capacities

[131] ibid 41.
[132] ibid 40.
[133] ibid 41.

of States. Key areas include production and consumption, product design, chemicals of concern, waste management, plastic pollution and just transition. Adequate finance, capacity-building, technical assistance and technology transfer will remain essential for developing countries.

146. On climate change, the Secretariat observes that the outcomes of COP30 in Belém reflect an increasing emphasis on implementation of existing commitments, including through enhanced monitoring, adaptation measures, climate finance and just transition initiatives. The Belém Political Package and related outcomes addressed climate finance, adaptation, the Global Goal on Adaptation, just transition, technology, gender and the participation of Indigenous Peoples and local communities. The Secretariat considers that the effectiveness of these outcomes will ultimately depend upon their translation into measurable national action, transparent reporting and adequate institutional and financial support.

147. The Secretariat further notes that climate finance and adaptation finance remain central to the ability of developing countries to respond effectively to climate change. Although COP30 advanced the implementation of the Baku-to-Belém Roadmap and further operationalized the climate finance architecture, questions remain concerning the scale, accessibility, predictability and delivery of available resources. Similarly, the decision to increase adaptation finance represents progress, but the longer implementation horizon and continuing gaps between adaptation needs and available resources remain concerns for climate-vulnerable developing countries. The Secretariat therefore emphasizes the importance of predictable, accessible and adequate financial resources, together with technology transfer and capacity-building, in accordance with applicable international commitments.

148. The Secretariat attaches particular significance to the ICJ Advisory Opinion on Obligations of States in respect of Climate Change of 23 July 2025. The Opinion clarified that the international legal framework applicable to climate change is not confined to the climate change treaties, but also encompasses relevant rules of customary international law, the law of the sea, international human rights law and other applicable environmental instruments. The Court also addressed the customary obligation to prevent significant environmental harm, the relevance of due diligence, cooperation, environmental impact assessment and the protection of human rights in the context of climate change.

149. The Secretariat considers the Opinion particularly relevant to AALCO Member States in view of its consideration of different vulnerabilities, historical contributions and respective capacities. The Court's discussion of common but differentiated responsibilities and respective capabilities, financial assistance, technology transfer and capacity-building is of particular relevance to developing countries. The Opinion's consideration of sea-level rise and maritime entitlements is also significant for low-lying coastal and island States in Asia and the Pacific. The Secretariat encourages Member States to examine the implications of the Opinion for the implementation and interpretation of their existing international legal obligations and, where appropriate, for the development of domestic climate-related legal and policy frameworks.

150. With respect to the Sustainable Development Goals, the Secretariat notes that the international community has entered a critical phase in the implementation of the 2030 Agenda. The 2026 Sustainable Development Goals Report indicates that, although progress has been

made in several areas, overall progress remains insufficient, with significant disparities among States and regions. The Secretariat emphasizes that implementation of the SDGs requires an integrated approach addressing environmental sustainability alongside poverty eradication, social inclusion, economic development and institutional governance.

151. The Secretariat underscores that the period leading to 2030 provides an important opportunity to translate environmental and sustainable development commitments into effective implementation. This will require sustained political commitment, adequate means of implementation, strengthened institutions, scientific and technological cooperation, and meaningful international cooperation. The Secretariat encourages Member States to share their experiences and views on these developments and to strengthen cooperation towards achieving the objectives of sustainable development.