



Maharaja Agrasen Institute of Management Studies
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Maharaja Agrasen Chowk, Sector-22, Rohini, Delhi-110086, India

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REPORT

Panel Discussion on "Advocating Change from Climate Justice to Climate Action: A discussion on the International Court of Justice (ICJ) Advisory Opinion"

Academic Year: 2025-2026

Name of the Event: Panel Discussion on "Advocating Change from Climate Justice to Climate Action: A discussion on the International Court of Justice (ICJ) Advisory Opinion"

Organizing Unit: Department of Law, MAIMS

Name and Designation of Resource Person: Hon'ble Justice Mr. Prakash Shrivastava (Chairperson, National Green Tribunal), Hon'ble Chief Justice Antonio H. Benjamin (Chief Justice of the Supreme Court of Justice, Brazil), Prof. Narinder Singh (Former Head of Legal & Treaties, MoEA, Member of ILC, Sec. Gen., ISIL), Ms. Urmi Goswami (Assistant Editor, The Economic Times), Mr. Jatinder Jay Cheema (Barrister & Solicitor, Advocate, Author, Chambers of Jay Cheema)

Date of the Event: 24th September, 2025

Time of the Event: 6 PM to 8 PM

Location: Bharat Mandapam, New Delhi

No. of Students: 40

The panel discussion was organized by the Mobius Foundation to examine the recent Advisory Opinion issued by the International Court of Justice (ICJ) on climate change. The ICJ clarified the obligations of States under international law and outlined the legal consequences of failing to meet these obligations. The discussion was initiated by Mr. Pradeep Burman, Chairman of the Mobius Foundation, who highlighted the legal implications of the judgment and urged the formulation of strategies that can transform climate justice into decisive climate action. Thereafter, Hon'ble Chief Justice Antonio H. Benjamin (Chief Justice of the Supreme Court

of Justice, Brazil provided a compelling judicial perspective, stating that the Advisory Opinion is “much more relevant than dialogue” and offers “a roadmap for the different paths courts should follow” around the world. He emphasized the importance of using the document to “bring all voices around the world together,” underscoring its role in catalyzing judicial action in the face of an existential threat like climate change.

The need for this authoritative legal interpretation arises from a significant and unacceptable disparity—the “space between declaration and actual justice.” Hon’ble Mr. Justice Prakash Shrivastava, Chairperson of the National Green Tribunal (NGT), emphasized that the UN General Assembly’s request for an Advisory Opinion was driven by the clear “wide gap between what states were doing and what should be done, particularly in light of the disproportionate impact of climate change on marginalized communities. Justice Shrivastava reaffirmed the binding nature of international law, noting that climate treaties such as the UNFCCC, Kyoto Protocol, and Paris Agreement do not operate in isolation, but are governed by principles of customary international law. As such, they establish universally applicable obligations that extend beyond mere ratification.

Prof. Narinder Singh (Former Head of Legal & Treaties, MoEA, Member of ILC, Sec. Gen., ISIL) highlighted the significant institutional weight of the Advisory Opinion, noting that the judgment unequivocally puts science inside the legal framework with reference to environmental law. Ms. Urmi Goswami (Assistant Editor, The Economic Times) offered insights from a journalistic perspective, emphasizing that the ICJ Advisory Opinion is critical because it moves climate action beyond the realm of voluntary commitments. A substantial part of the discussion centered on the legal consequences of inaction. Jatinder Jay Cheema, Barrister and Solicitor, described the ICJ Opinion as a “constitutional moment” with tangible, real-world impact—marking a shift from theoretical debate to enforceable legal standards. He reaffirmed the core pillars which create its legal legacy: a combination of binding principles, the effect of omissions, and State Responsibility (including non-repetition).

The discussion provided invaluable insight into the transformation of climate advocacy from a moral plea to a mandatory legal imperative. The ICJ Advisory Opinion arms lawyers, judges, and citizens worldwide with the authoritative legal backing necessary to demand decisive climate action from their respective States. The students were accompanied by Prof. Dr. Praveen Kumar Gupta (Head, Dept. of Law), Ms. Isha Kaushal (Assistant Professor) and Ms. Heena Mongia (Assistant Professor).

