

**The Side Event in the Margins of the International Law Week of  
the 78<sup>th</sup> Session of the UN General Assembly  
International Law in Global Climate Governance: Implementation  
and Outlook  
Concept Note  
(26 October 2023 13:30-15:00,  
New York, UN Headquarters Conference Room 9)**

The Department of Treaty and Law of the Ministry of Foreign Affairs of China, the Permanent Mission of China to the United Nations, and Asian African Legal Consultative Organization (AALCO) will jointly host a side event on the theme of “International Law in Global Climate Governance: Implementation and Outlook” during the International Law Week of the 78<sup>th</sup> session of the UN General Assembly (26 October 2023).

## **I. Background**

Climate change, which has profound impact on sustainable development, is a common concern of humankind. As the challenge of climate change continues to intensify, global climate governance, inter alia, the international legal system on climate change keeps evolving. The United Nations Framework Convention on Climate Change (UNFCCC) plays a primary role in addressing climate challenges. Since its adoption over 40 years ago, UNFCCC has gradually evolved into a comprehensive, effective and advancing international legal system, including its Kyoto Protocol, its Paris Agreement and relevant COP decisions. At the same time, the spillover effects of climate change is becoming obvious, concerning energy resources, safety, finance, among others.

With an increasing number of climate litigations all over the world, the trend of judicialization of climate change is evident. The UN General Assembly resolution 77/276 which requests an advisory opinion of the

International Court of Justice (ICJ) on the obligations of States in respect of climate change in March. International Tribunal for the Law of the Sea (ITLOS) held a oral procedure of its advisory opinion case concerning climate change in September.

Developing countries are faced with multiple challenges such as achieving sustainable development and poverty eradication in addressing climate change. It is of vital importance to reflect the view of developing countries, including Asian and African countries, into the evolution of climate change legal regime. To this end, developing countries need to strengthen coordination in climate legal policy, effectively influence the evolution of climate change legal system, clearly convey voice to international judicial institutions, and safeguard common Interests of developing countries from the legal perspective.

## **II. Objectives**

- To review the content and evolution of international climate change law, especially the legal relationship among UNFCCC and its Kyoto Protocol and Paris Agreement;
- To share views on the judicialization of climate change, especially the views on the ICJ Advisory Opinion on Climate Change;
- To discuss legal obligations and consequences regarding developed countries' historical responsibilities of Green House Gas emission;
- To exchange expectations for multilateral climate negotiation process, especially the 28<sup>th</sup> session of the Conference of the Parties to the UNFCCC (COP28).

## **III. Agenda and Format**

The side event on “International Law in Global Climate Governance: Implementation and Outlook” will be held at 26 October 2023

13:30-15:00, in the New York UN Headquarters Conference Room 9. It will include keynote speeches and panel discussion. The event is open to public. English will be the working language.

**13:30 Keynote Speeches**

Director General of the Department of Treaty and Law, MFA of  
China

Secretary General of the AALCO (TBC)

UN Under-Secretary-General for Legal Affairs (TBC)

**14:05 Panel Discussion**

DGs of the Department of Treaty and Law, MFA from developing  
countries, or their legal advisers (TBC)

Members of the International Law Commission (TBC)

**14:50 Q&A**

**15:00 Summary**