

Advisory Opinion to Action: Advancing Human Rights and Climate Justice

February 10 to 11, 2026 / Bangkok, Thailand

Symposium Report

Suggested citation

United Nations University International Institute for Global Health (UNU-IIGH), Asian Research Institute for Environmental Law (ARIEL) and World's Youth for Climate Justice (WYCJ) (2026). Advisory Opinion to Action: Advancing Human Rights and Climate Justice. Symposium Report, February 10–11, 2026, Bangkok, Thailand. United Nations University International Institute for Global Health, Kuala Lumpur.

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Design

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Symposium Report

The Regional Symposium entitled “Advisory Opinion to Action: Advancing Human Rights and Climate Justice” was held from February 10 to 11, 2026, in Bangkok, Thailand. Organized by the Asian Research Institute for Environmental Law (ARIEL), World’s Youth for Climate Justice (WYCJ), and the United Nations University International Institute for Global Health (UNU-IIGH), the Symposium gathered around 70 representatives from governments, civil society, the youth and other stakeholders to interpret and apply the International Court of Justice Advisory Opinion (ICJ AO) within national contexts, particularly through climate and health policies and legal reforms.

Day 1



Plenary Session 1: Regional Context and Issues

The Symposium opened with a screening of the short film, *Fighting Not Drowning*. The film set the stage for the co-organisers (ARIEL, WYCJ, UNU-IIGH) of the Symposium to introduce the themes of the conference. The discussion looked at how climate change poses an urgent existential problem facilitated by political, policy, and legal failure. The panel also set the stage for the Symposium to serve as a platform to examine how state actors and civil society can work together to create and improve pathways for an effective fossil fuel phase-out, and to address the intersectional impacts of climate change on health, human rights, and vulnerable communities.

Plenary Session 2: Overview of the ICJ AO

Speakers on the panel discussed how monumental an opportunity the ICJ Advisory Opinion presented for those working on ecosystem governance and sustainable development in the region. A key point of discussion was the breadth of the ICJ’s findings: the climate treaties are not the only tools in international law that address climate change. The discussion highlighted the need to ensure national institutions and actors can be equipped with the relevant knowledge to implement effective pathways for climate mitigation, adaptation, and to remedy loss and damage.

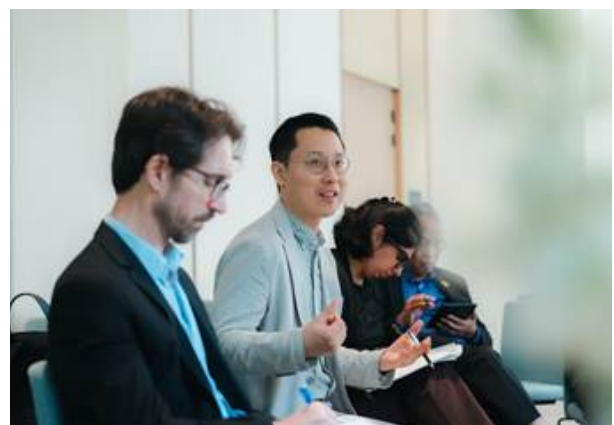


Parallel Session 3A: Health and Climate Change

A case study conducted in the Sundarbans, done with a photo-voice research method, showed how climate change led to increased tensions between humans and wildlife (tigers), an increase of salinity in the water sources, and intersectional effects that widened gender inequities, increasing community conflict. Another case study from Papua, Indonesia analysed the Merauke National Strategic Project, where a clearing of forests, rapid land transformation led to rapid ecological decline and gendered human rights violations. An ecocide case is under preparation for the ICC using creative legal strategies to dismantle ongoing colonial models. This is about historic injustice, including against indigenous populations, and requires addressing longstanding impunity and thus legal strategies must be explored to hold actors to account. Lastly, the planetary health concept was explained. Law, governance and education approaches can help to attain transformative change, so-called "positive tipping points". Bottom-up demand and role of "champions" can help to generate change. The advisory opinion is part of the toolkit that can be used to advocate and press for change.

Parallel Session 3B: Environmental Rights – Policy Advocacy

The panel discussed how policy advocacy may be pursued in relation to the amplification of environmental rights. It was acknowledged that intersectionality through a climate justice lens should be pursued as climate is a crosscutting issue. Strategies on policy advocacy were discussed, including the mobilization at the local, national and regional level, adopting the language of the audience (i.e. national languages and sectoral language), and regulation of private actors through the due diligence aspect of the AO. The ASEAN Declaration on Environmental Rights and the upcoming Regional Action Plan was brought up as a possible jump-off point.



Parallel Session 3C: Environmental Rights - Litigation

Asian litigators have already been holding states accountable for policy deficiencies and corporations for environmental impacts. The speakers on the panel shared how national and transnational legal regimes can respond to the urgency of the climate emergency and obligations in international law.

Parallel Session 4A: Children's Rights and Public Health

Advocates for children's rights discussed issues on children's and women's rights and shared their experiences and best practices, in the context of the ICJ AO and regional advocacy. There is a need to emphasize the gender dimension of climate harms, that climate change is a profound driver of gender inequality and amplifies risk of violence and exploitation of women and girls. The AO also does not explicitly center children's rights- this was largely grouped together with vulnerable groups such as women and indigenous people. To action children's environmental rights using the AO, context must be leveraged, existing international instruments may be utilized, and groups may seek accountability from States through litigation and other national processes (i.e. NDC).

Parallel Session 4B: Due Diligence, EIA and Risk Assessment

The speakers highlighted how there is a legal duty to investigate the climate impacts of development projects. The ICJ Advisory Opinion reinforces the duty of due diligence in customary international law and the environmental treaties on climate and oceans governance. Breach of this duty would give rise to litigation pathways before national courts to hold states and corporations accountable for both their procedural failings and the impacts that arise from the development itself.

Plenary Session 5: Loss and Damage and Reparations

The panelists discussed state responsibility for full reparations, which involve going beyond compensation into satisfaction, rehabilitation and guarantees of nonrepetition. The speakers and audience explored how the AO, including its separate opinions, may be utilized to achieve these. For example, strategic litigation is acknowledged as a tool, albeit with limits, and the transformation of international law can support achievement of climate justice. Regional examples of best practices, through litigation and governance based on best available science, were shared by the speakers.





Plenary Session 6: Protection of EHRDs and Lawyers

Environmental and human rights defenders, particularly those in Southeast Asia, increasingly face risks of persecution. Speakers stressed that both active monitoring at the grassroots level and an effective human rights framework are necessary to secure the protection for these defenders. In particular, women and Indigenous Peoples are especially vulnerable due to their increased dependency on the natural environment for work and sustenance.

Session 7A: Working Group 1 - Health Related Strategies

The group focused first on safeguards that should be guaranteed by Multilateral Development Banks and other funders when engaging in projects. This calls for enforcing Health-, Environmental-, Human Rights Impacts Assessments before any large-scale infrastructure or agricultural project is funded. The recent scientific conceptual work by WHO on the commercial determinants of health could be also used in the domain of climate and health, analyzing and holding (e.g. fossil fuel, petrochemical, agro-industry) actors accountable for their investments and actions. Health impact studies could attribute harms to actions and hold actors responsible, as the predicament of the ICJ AO, thereby facilitating (trans)national litigation and advocacy. It must be noted that attribution science is never perfect or complete, given the intersectional, contextualised and multiple determinants of harm. However, it may facilitate the “social tipping points” required to halt harmful extractive actions by actors, also making claims for historical repair and restoration (“Loss and Damage”). There is thus a need to develop a regional climate, health and human rights observatory to monitor harm, legal, and policy developments.

Session 7B: Working Group 2 - Policy Objectives

The participants of the working group identified a key issue in policy in relation to the ICJ AO: that there are different levels of understanding of the AO across the region. To remedy this, several opportunities were identified. It would be ideal to work with the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Senior Officials on the Environment (ASOEN) through information materials. Educational platforms, such as the UNU could be utilized to provide courses to different sectors. Lastly, National Human Rights Institutions (NHRIs), policy makers, lawyers and law students, among others, should be capacitated so that they may readily employ the AO.

Session 7C: Working Group 3 - Legal Strategies

There was a rich discussion amongst the participants about how the impact of the ICJ Advisory Opinion on litigation was not confined to international law. Rather, more avenues for corporate accountability need to be explored. This builds on the wider efforts in international law for a fossil fuel phaseout, such as the upcoming Santa Marta Conference on the transition away from fossil fuels, and the talks for a non-proliferation treaty. Participants agreed that knowledge-sharing to increase the effectiveness and scale of litigation needs to be facilitated, with key barriers being language and the complexity of scientific data.

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DOI: <https://doi.org/10.37941/MR/2026/4>

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The UNU International Institute for Global Health (UNU-IIGH) in Kuala Lumpur, Malaysia, operates as the designated UN think tank specializing in global health. With a mandate to facilitate the translation of research evidence into policies and tangible actions, UNU-IIGH serves as a hub connecting UN member states, academia, agencies, and programs. Established through a statute adopted by the United Nations University Council in December 2005, the institute plays a pivotal role in addressing inequalities in global health. UNU-IIGH contributes to the formulation, implementation, and assessment of health programs.

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