



Media Release

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Professor Shameem appointed on the Committee of Legal Experts to the newly established Commission of Small Island States on Climate Change and International Law.

The Vice Chancellor of the University of Fiji Professor Shaista Shameem has been appointed to the Committee of Legal Experts to assist a new initiative, the Commission of Small Island States on Climate Change and International Law.

The new Commission, formed during COP 26, was registered with the United Nations by the Pacific nation of Tuvalu and the Caribbean nation of Antigua and Barbuda. The Commission creates the possibility of claiming damages from major polluting countries through judicial means, such as the UN's International Tribunal for the Law of the Sea. It is expected that other small island states affected by climate change will sign up to the Commission as it gathers momentum after COP 26.

The Commission intends to seek recourse for climate change damages initially through the International Tribunal for the Law of the Sea (ITLOS) which has a mandate to settle disputes linked to a 1982 UN convention that established an international framework of law over the marine environment. The Commission will ask the tribunal judges whether they can claim damages from countries that warm the oceans through greenhouse gas emissions. If they can, the small island states affected could then pursue lawsuits in the tribunal or other international or even domestic courts. The International Court of Justice in the Hague could also hear such cases on climate change. Over the past few years courts in Europe, Pakistan and Colombia have issued decisions demanding governmental action on climate change.

Professor Shameem joins 13 other members on the Committee of Legal Experts assisting the Commission. The Committee members who are all international legal experts will have responsibility for different areas of work through sub-committees. Professor Shameem has been appointed the Chair of the Human Rights Sub-committee. Other Sub-committees are Loss and Damages, Marine Environment and Sea-Level Rise. Each Sub-Committee will explore substantive and strategic aspects of pursuing either litigation or other forms of intervention in order to enable the Commission to tackle different areas of climate change and international law.

Professor Shameem said she was honoured to be requested to serve on the Committee of Legal Experts assisting the Commission. Her appointment allows the University of Fiji to participate internationally in resolving the most significant issue of the century, namely climate change. The Committee will begin its work by initially seeking an Advisory Opinion from ITLOS and also

supporting Vanuatu which is seeking an Advisory Opinion on climate change from the International Court of Justice (ICJ).