

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



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SENATE

P. S. Resolution No. 1030

RECEIVED BY: *Ji*

Introduced by SENATOR LOREN LEGARDA

RESOLUTION

EXPRESSING THE SENSE OF THE SENATE TO REQUEST THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES AND THE SECRETARY OF FOREIGN AFFAIRS TO FORMALLY INSCRIBE ON THE AGENDA FOR THE 70TH SESSION (2015) OF THE UNITED NATIONS GENERAL ASSEMBLY, THE PROPOSAL TO REFER TO THE INTERNATIONAL COURT OF JUSTICE FOR AN ADVISORY OPINION THE QUESTION, "UNDER INTERNATIONAL LAW, WHAT ARE THE LEGAL DUTIES OF STATES TO PROTECT HUMANKIND OF THE PRESENT AND FUTURE GENERATIONS FROM THE CLIMATE CRISIS?"

WHEREAS, the 5th Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) establishes the global scope and magnitude of the Earth's climate crisis,

WHEREAS, the climate crisis magnifies the problems of all other environmental issues, as was amply set forth by the UN Environment Programme (UNEP) in its GEO-5 Report (2012);

WHEREAS, the present generation's duties to future generations are very rarely taken into account when governments and socio-economic organizations take decisions today about "sustainable development" all around the world;

WHEREAS, the definition of human duties for sustainable development for the sake of future generations has not yet been clearly stated under international law, although references to the interests of future generations are found in several international environmental agreements;

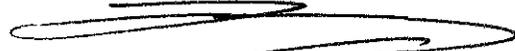
WHEREAS, under the Charter of the United Nations, all nations agree that the International Court of Justice is the appropriate organ to provide advisory opinions on legal questions of international law;

WHEREAS, each Member State of the United Nations has a fundamental obligation to ensure that a future generations shall enjoy progressively enhanced socio-economic conditions for themselves and their families;

WHEREAS, the Supreme Court of the Republic of the Philippines has articulated the first legal standard explaining the rights of future generations, which are natural rights belong to all peoples;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to express the sense of the Senate to request the President of the Republic of the Philippines and Secretary of Foreign Affairs to formally inscribe on the agenda for the 70th Session (2015) of the United Nations General Assembly, the proposed decision to refer to the International Court Justice (ICJ) for an Advisory Opinion the question, "Under international law, what are the legal duties of States to protect humankind of the present and future generations from climate crisis?".

Adopted,



LOREN LEGARDA
Senator