

“ICJ’s Landmark Advisory Opinion on Climate Change,” *Law.com International*

Publications

August 14, 2025

By: James Rogers, Ronan O’Reilly, Connor Gray

In an article for *Law.com International*, Partner James Rogers, Special Counsel Ronan O’Reilly, and Associate Connor Gray, all based in our London office, analyze the International Court of Justice's (ICJ) unanimous advisory opinion clarifying states' obligations under international law to protect the climate system and prevent climate damage.

[Read More](#)

The article examines the ICJ's key findings on two critical questions: what obligations states have under international law to protect the climate system from greenhouse gas emissions, and what legal consequences arise when states fail to meet these obligations.

"The opinion makes it clear that states that continue to issue new fossil fuel explorations licences will face the greatest legal exposure," the authors write. They explain how the ICJ rejected the position of many developed states that climate treaties should be the exclusive source of binding climate obligations, confirming instead that all states have duties under customary international law regardless of treaty participation.

The authors highlight the ICJ's confirmation that injured states or individuals are entitled to "full reparation for the damage caused" through restitution or compensation, noting that while calculating climate damages presents challenges, the court "left the door open for awards of compensation on an exceptional basis."

"The opinion is a powerful reminder that climate action is not merely a matter of policy preference but a binding legal obligation under international law," the authors conclude.

Related Attorneys



James Rogers

Partner

jrogers@jenner.com

+44 330 060 5463



Ronan O'Reilly

Special Counsel

ronan.oreilly@jenner.com

+44 330 060 5511

Connor Gray

Associate

cgray@jenner.com

+44 330 060 5490

Related Locations

London

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this

communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

Stay Informed

