

INTERNATIONAL COURT OF JUSTICE

OBLIGATIONS OF STATES IN RESPECT OF CLIMATE CHANGE

ORAL PROCEEDINGS

**ON THE REQUEST FOR ADVISORY OPINION TRANSMITTED TO THE COURT
PURSUANT TO GENERAL ASSEMBLY RESOLUTION 77/276 OF 29 MARCH 2023**



Opening Speech

Hon. Mohamed Lamin Tarawalley, Attorney-General and Minister of Justice

Thursday, 5 December 2024 at 10:30 AM

1. Mr. President, distinguished Members of the Court, it is an honour to appear before you in these historic advisory proceedings. We come before you—for the first time—to speak for our people. People who have been bearing the brunt of a climate crisis not of our own making. One that fundamentally threatens our lives and our livelihoods. It is for this reason that Sierra Leone, driven by the knowledge

that the African continent is the most vulnerable continent to the ravages of climate change, proudly joined the core group of States, led by Vanuatu, to request an advisory opinion from the Court.

2. Sierra Leone, with a population of 8 million people perched on the beautiful coast of West Africa, is classified among the 10% of countries in the world that are most vulnerable to climate change. This, despite our country being among the lowest contributors to global greenhouse gas emissions—historically and currently.
3. As a low-lying coastal State, Sierra Leone is extremely susceptible to sea-level rise, which is eroding our homes, our territory, and our cultural heritage. Several islands—some of which are home to Sierra Leone’s most historic sites—are sinking, displacing thousands.¹

¹ See A. Bruma, “Sierra Leone’s sinking islands”. *Dialogue Earth* (6 October 2021), available at <https://dialogue.earth/en/ocean/19162-sea-level-rise-sierra-leone-sinking-islands/>; M. Konneh, “Sierra Leone Turtle Island on The Brink of Sinking,” *Sierraloaded* (20 February 2022), available at <https://sierraloaded.sl/news/turtle-island-brink-of-sinking/>; T. Trenchard, “A disappearing island: ‘The water is destroying us, one house at a time,’” *NPR* (19 November 2023), available at <https://www.npr.org/sections/goatsandsoda/2023/11/19/1213548231/climate-change-disappearing-island-sierra-leone-africa>. See also M. Kardas-Nelson, “Yelibuya: Why is this town in Sierra Leone sinking?” *Al Jazeera* (24 August 2018), available at <https://www.aljazeera.com/features/2018/8/24/yelibuya-why-is-this-town-in-sierra-leone-sinking>.

4. Our country is also experiencing intense heatwaves, accompanied by more frequent and prolonged dry spells.²
5. Just last February, Sierra Leone was hit by an unusually intense and early heatwave. Climate change made it 4 degrees Celsius hotter.³ Without human-induced global warming, such a heatwave would happen less than once a century. Now, it is expected every decade. According to the World Bank, “Sierra Leone is prone to natural disasters, mainly recurrent floods, droughts, and landslides, which are likely to be exacerbated by climate change.”⁴
6. When the rains come, they are torrential, washing away our homes. And overwhelming our limited infrastructure. On 14 August 2017, on a Monday that Sierra Leone will never forget, intense rainfalls caused a massive mudslide

² G. Kpaka, “Loss and damage from climate change has pushed Sierra Leoneans far beyond their ability to adapt,” *Prevention Web* (2 December 2020), available at <https://www.preventionweb.net/news/loss-and-damage-climate-change-has-pushed-sierra-leoneans-far-beyond-their-ability-adapt>; S. K. Dehghan, “Stop talking, start acting, says Africa’s first extreme heat official,” *The Guardian* (15 November 2021), available at <https://www.theguardian.com/global-development/2021/nov/15/eugenia-kargbo-freetown-sierra-leone-first-chief-heat-officer-climate-crisis>.

³ D. Carrington, “West Africa heatwave was supercharged by climate crisis, study finds,” *The Guardian* (21 March 2024), available at <https://www.theguardian.com/environment/2024/mar/21/west-africa-heatwave-climate-crisis-study>.

⁴ World Bank, *Sierra Leone: Rapid Damage and Loss Assessment of August 14th, 2017 Landslides and Floods in the Western Area* (2017), available at <https://documents1.worldbank.org/curated/en/523671510297364577/pdf/Sierra-Leone-Rapid-damage-and-loss-assessment-of-August-14th-2017-landslides-and-floods-in-the-western-area.pdf>, p. 12.

and flash flooding on Sugarloaf Mountain in Freetown, our capital city. A total of 6,000 Sierra Leoneans were directly affected. Half of them, that is 3,000 people, were rendered homeless overnight. More than 1,140 people died. The World Bank estimated that Sierra Leone needs 82 million dollars to pay for the damage and destruction caused by the mudslide.⁵ That is a huge cost for any country. Let alone a low-income developing country.

7. **But there is more.**

8. Agriculture and fisheries, which represent major lifelines for Sierra Leone as a recovering post-civil war society, are highly sensitive to climate change. Our farmers have seen significant reductions in their crop yields due to extreme weather events.⁶ Because we are a coastal State, that is partly dependent on fisheries for our economy, we are literally feeling the heat of climate change in our waters as it is causing a huge decline in our fish stocks. Indeed, with the ocean warming at 4 degrees Celsius, Sierra Leone will

⁵ *Ibid.*, p. iii; I. Bruce, “A preventable disaster: Landslides and flooding disaster in Freetown, Sierra Leone,” *World Bank Blogs* (2 May 2019), available at <https://blogs.worldbank.org/sustainablecities/preventable-disaster-landslides-and-flooding-disaster-freetown-sierra-leone>; World Bank, *Freetown: Options for Growth and Resilience* (2020), available at <https://documents1.worldbank.org/curated/en/994221549486063300/pdf/127039-REVISED-PUBLIC2-14-19-Freetown-Report-Final-web2.pdf>, p. 14.

⁶ Third National Communication of Sierra Leone to the UNFCCC (2018), available at <https://unfccc.int/documents/64690>, pp. 17, 221.

also see a 51 to 60% decrease in the maximum catch potential of our marine fisheries.

9. *What does all this mean in practical terms?* It means hunger and disease. It means loss of life. It means loss of homes and livelihoods. It means a diversion of scarce national resources to fund adaptation and mitigation needs stemming from climate change. It means loss of generations of traditions, knowledge, and memories. ***And Our Cultural Heritage.***
10. Mr. President, the science is clear and is uncontested. Climate change is not just a major threat to the environment—it is a serious threat to humankind. It undermines the fundamental human rights of our citizens. The right to life, the right to health, the right to food, the right to water, and of course, the right to self-determination, are among the fundamental rights that are under siege.
11. And the science shows we are all approaching a point of no return. The World Meteorological Organization confirmed that “2023 was the warmest year on record”, with temperatures rising beyond 1.4 degrees Celcius

above pre-industrial levels.⁷ Going above 1.5 degrees Celsius means that catastrophic and irreversible consequences will ensue. The time to act is now.

12. Like many other States, Sierra Leone places great hope in the promise of this historic General Assembly request for guidance to address this existential threat. For Sierra Leone and many others around the world, international law is a vital equalizer of States, regardless of size or power. We are here because we believe that strong international law obligations are part of the solution the world needs to combat climate change.
13. Mr. President, Honourable Members of the Court, I thank you for your kind attention and request that you call Professor Charles Chernor Jalloh to the podium for Sierra Leone's legal arguments.

⁷ World Meteorological Organization, *State of the Global Climate 2023* (March 2024), available at https://library.wmo.int/viewer/68835/download?file=1347_Global-statement-2023_en.pdf&type=pdf&navigator=1, p. ii.