



ENVIRONMENTAL SUSTAINABILITY BEFORE NATIONAL COURTS: INTERGENERATIONAL EQUITY AND ITS FUTURE AFTER THE ICJ ADVISORY OPINION ON CLIMATE CHANGE

In the field of environmental sustainability, the relationship between present and future generations plays a crucial role, particularly with regard to climate change. In recent years, it is precisely in connection with climate change that numerous intergenerational issues have been raised and debated, as evidenced by significant decisions adopted in the context of so-called strategic climate litigation. Among these intergenerational issues, the nature and role of intergenerational equity are central. This topic has long been at the core of scholarly debate. The paper aims to analyse some leading cases concerning climate change in order to understand whether and how intergenerational equity has been invoked and applied in national jurisprudence. The paper will then focus on the recent Advisory Opinion, *Obligations of State in respect of Climate Change*, delivered by the International Court of Justice on 23 July 2025, with the aim of assessing its potential impact on the use of intergenerational equity by national courts.