

Back to the Future? Early Insights Into the Gains and Gaps of the UN Pact for Future and Annexed Declaration on Future Generations

Introduction

On 22-23 September 2024, in the days preceding the 79th session of the General Assembly of the United Nations (UN), over one hundred and thirty heads of State and Government, as well as UN agencies, non-governmental organizations (NGOs), civil society organizations, academic institutions, actors of the private sector, and youth representatives have gathered at UN headquarters in New York for the much-awaited [*Summit of the Future: Multilateral Solutions for a Better Tomorrow*](#) (hereinafter, ‘Summit of the Future’, ‘the Summit’, ‘SoF’) (for an overview of the Summit’s main outcomes, see [here](#), [here](#), and [here](#); for a recent critical assessment, see [here](#)).

The idea of a Summit of the Future as a «once-in-a-generation» opportunity to strengthen the multilateral system while navigating twenty-first-century challenges was first put on the table in 2020, on the occasion of the [Declaration on the Commemoration of the 75th anniversary of the United Nations](#). Amidst a UN General Assembly’s session whose [agenda](#) has been significantly shaped by the impact of the COVID-19 pandemic, Member States seized the opportunity to issue a universal appeal and [pledged](#) to enhance global governance, asking the UN Secretary-General to deliver recommendations on the matter. António Guterres promptly endorsed such ‘call to action’ with the adoption, in 2021, of [Our Common Agenda](#) (OCA), a *soft* law instrument released in the form of a blueprint document. This document calls for a new era of «[networked and inclusive multilateralism](#)» that would strengthen global solidarity between people, countries and generations to advance a reconsideration of the multilateral framework and to bolster the implementation of the existing international commitments. To provide assistance to Member States in these endeavours, the UN Secretary-General presented a series of proposals, articulated in [11 Policy Briefs](#), which served to further elaborate upon the initial ideas outlined in the OCA.

However all-encompassing and, in some respects, high-sounding, the term *future* as used in the title of the Summit primarily signifies the necessity «to forge a new global consensus on multilateral solutions to current and future problems». Put it otherwise, the Summit of the Future will serve the purpose of ‘adjusting the shot’ with respect to aspirations and obligations which have already been the subject of attention of several international instruments – both of *hard* law and *soft* law –, in the light of some recent global concerns and events. Indeed, while establishing the modalities for the Summit of the Future, Resolution [A/RES/76/307](#) of the UN General Assembly recalls a number of documents which, building on milestone initiatives such as the [Stockholm Declaration](#) and the [Rio Declaration](#), are forward-thinking in nature. These include the [2030 Agenda for Sustainable Development](#), the [Addis Ababa Action Agenda of the Third International Conference on Financing for Development](#), the [United Nations Framework Convention on Climate Change](#), and the [Paris Agreement](#). Despite a strong focus on climate and environmental concerns, these documents encompass an intergenerational perspectives. The goal of the Summit of the Future is to consolidate the various dimensions of intergenerational justice within a single document, committing Member States to **fifty-six actions**, distributed in **five different areas**: advancing **sustainable development** and its financing; promoting **international peace and security**; supporting **science, technology, and digital innovation**; addressing the interests of **youth and future generations**; and transforming **global governance**.

Against this background, the principal objective of the Summit of the Future was to translate this ambitious vision into concrete measures. This was to be achieved through the adoption of an intergovernmental, action-oriented, [Pact for the Future](#) (hereinafter, ‘Pact’). The Pact, enclosed to the UN General Assembly’s [Resolution A/RES/79/1](#), represents the Summit’s 42-page outcome document. It sets out an

ambitious ‘to-do-list’ formulated by the UN Member States in accordance with the latest expression of consensus.

The Summit approved the Pact and its two annexes – the **Global Digital Compact** and the **Declaration on Future Generations** (hereinafter, ‘Declaration’) after nearly nine months of arduous negotiations beginning earlier this year. A restricted group of seven countries failed to pass a last-minute [amendment](#) proposed by Russia and endorsed by its current allies (Belarus, Korea, Iran, Nicaragua, and Syria). Relying on the principle of non-interference in domestic affairs as set out in Article 2(7) of the [UN Charter](#), the proposed amendment advocated for the Pact to be postponed and revised, underlining that many of the key issues addressed therein are matters of domestic jurisdiction in which the UN should abstain from intervening.

The Summit of the Future: Glass Half-Empty or Half-Full?

The timing of the convening of the Summit of the Future could not have been more appropriate. As also [emphasized](#) by António Guterres at the beginning of the 79th session of the UN General Assembly, the Summit has been crucial because «the challenges we face are moving much faster than our ability to solve them». At present, humankind is thus confronted with a multitude of catastrophic and existential threats altering (and, in some cases, plaguing) the world, including climate change and artificial intelligence, as well as escalating international armed conflicts and increasing inequality and poverty. At a moment when the world is undergoing unprecedented transformation, the time is ripe for revamping international cooperation.

In this sense, the good news is that, to paraphrase Mark Twain’s [famous words](#), «the reports of the death of multilateralism have been (greatly) exaggerated». Indeed, despite the multifaceted and yet precarious geopolitical context, UN Member States still demonstrate a commitment to global cooperation. As the UN Secretary-General has [observed](#), «multilateralism has been brought back from the brink».

However, as the following analysis will attempt to discuss, the bad news is that the Pact of the Future and the Declaration on Future Generations did not live up to expectations.

If it is indeed the case that States were ultimately able to achieve a consensus, it can be argued that such a consensus was the result of a series of compromises that were made regarding the terms of global cooperation. The most significant diplomatic *fracture* during the negotiating process does not follow the expected East-West axis. Instead, it runs along the North-South divide, creating a rift between the more influential countries of the Global North, which have historically been regarded as the primary architects of the international global order, and developing and post-colonial nations belonging to the Global South, who are beginning to make their voices heard and their needs expressed.

Consequently, the Pact and the Declaration suffer from several **structural and substantive shortcomings**. In terms of language, both the Pact and the Declaration have been shaped by the **necessity to strike a balance between different perspectives**, reflecting the need to accommodate the views of a diverse range of stakeholders. This approach has resulted in a certain degree of cautiousness and vagueness regarding the creation of new commitments or the reaffirmation of existing obligations on the part of States or other non-state actors, such as corporations. Instead of passing new legally binding agreements, the **forms and methods of soft law** have been preferred. Conversely, the Pact and the Declaration failed to adequately address some of the most pressing global concerns. These include international governance issues such as, *inter alia*, the much-discussed reform of the UN Security Council and the functioning of the international financial architecture, as well as general and all-encompassing issues, i.e. the fight against climate change, disarmament, arms control and non-proliferation of nuclear and chemical weapons, the

need to address global democratic backsliding, the questions of the rights of future generations and the imperative to represent their interests in current decision-making processes.

The Pact for the Future: A Road Paved with High Expectations and Unavoidable Compromises

The journey towards the adoption of the Pact for the Future began over a year and a half ago, spearheaded by the [appointed](#) co-facilitators, the Permanent Representatives of Germany and Namibia. Their work, guided by UN General Assembly [Resolution 76/307](#) and [Decision 77/568](#), entailed a series of closed informal consultations with Member States, NGOs, civil society and academia, with the aim of gather inputs that would have provided concrete and action-oriented recommendations. Following the introduction of a 20-page [Zero Draft](#) in a [co-facilitators' letter](#) of 26 January 2024, several revisions were made ([Rev.1](#), issued on 14 May; [Rev.2](#) published on 17 July; [Rev.3](#), released on 27 August). The final amended version ([Rev.4](#)) was made available on 13 September, in advance of the Summit. The almost forty-page definitive version of the Pact begins with an inspirational call to action, underscoring that the contemporary interlinked challenges are beyond the capacity of «any single State alone» to resolve.

The revisions regarding sustainability highlight a focus on poverty eradication, climate finance, and international tax cooperation. Great attention is given to the 17 Sustainable Development Goals (SDGs), common but differentiated responsibilities (CBDR), and support for developing nations. The final text strengthens provisions on social protection, innovative financing, and gender equality, though some language, particularly on disaster risk management and tax avoidance, was softened for consensus. In terms of **international peace and security**, initial commitments around disarmament were progressively scaled back. Concrete actions were introduced for civilian protection, nuclear disarmament, and compliance with International Court of Justice (ICJ) judgments and orders, but Rev.3 removed restrictions on the ability of UN Security Council's Permanent Members to exercise their veto power in cases of mass atrocities. By Rev.4, key commitments related to nuclear weapons, youth involvement, and climate-security connections were also reduced. Rev.1 expanded **science, technology, and digital innovation** (STI) policy to include social sciences, human rights, and gender equality, with a focus on North-South cooperation. Later revisions addressed technology transfer, particularly for developing nations, though Rev.4 removed references to intellectual property rights, reflecting a cautious approach to STI governance. Concerning **youth and future generations**, revisions reinforced youth participation and inclusivity, with an emphasis on removing legislative barriers and protecting marginalized groups. The text shifted from recognition to a more actionable framework, though the prescriptive tone may have weakened some protections. Finally, in **global governance** reform, already existing commitments to UN Security Council's reform and transparent leadership selection were reinforced. Provisions on environmental cooperation, climate finance, and debt relief were accorded a significant degree of priority, whereas commitments to women's representation, civil society participation, and human rights were diluted in subsequent drafts.

As anticipated, the achieved consensus conceals critical divergences of opinion lying beneath the surface, particularly with regard to the most recurrent questions. It is therefore worthwhile to unpack and further examine such *chiaroscuros*, with a specific focus on cross-cutting themes such as sustainable development, climate change and environmental protection, nuclear weapons, and institutional reforms of the UN.

First and foremost, sustainable development is, quite unsurprisingly, the most frequently used expression in both the Pact and its annexes, being cited on 147 occasion (for a comparison, the term 'peace and security' is mentioned only 39 times). The Pact reiterated the **pivotal role of the Agenda 2030 in bolstering sustainable development**, and showcased UN Member States' commitment to the **implementation of the SDGs**. The Pact's acknowledgment of the importance of «scaling up» financial resources for

developing countries in STI represents a considerable advance. Furthermore, the Pact commits States to the ‘accelerate **reform of the international financial architecture**’ (Action 47). This remains one of the most significant challenges, with diametrically opposed positions between developed and developing countries. In rhetorical terms, all governments express support for the objective of a more inclusive, equitable, and representative system of global economic governance. In practice, wealthy members of the Organization for Economic Cooperation and Development (OECD), led by the United States, argue that the details of any reform of the International Financial Architecture (IFA) should not be discussed and determined within the context of the one-nation-one-vote UN General Assembly’s voting method. They contend that the debate should occur within other frameworks entrusted with the requested competence to address financial issues, such as the International Monetary Fund and the World Bank, where OECD nations benefit from weighted voting. As expected, this stance has fallen on deaf ears among governments from the Global South. The lack of progress on demands for a greater voice in international financial institutions and more generous access to development and climate finance, emergency credit lines and debt relief has led to widespread frustration and skepticism among low- and middle-income countries. Such States are convinced that a compromise that lacks details will ultimately prove ineffective. The co-facilitators from Germany and Namibia have striven to reach a compromise between the developing countries’ aspiration for more prescriptive language and the opposition of several industrialized countries that believe these elements would be better addressed in the context of a dialogue fostered in the international financial institutions whose functioning is perceived to accommodate Western States’ aspirations and needs. One positive aspect of this debate is the intention to convene a biennial summit at the level of Heads of State and Government with the aim of strengthening the links between these financial institutions and the UN. Nevertheless, it seems likely that a considerable number of these controversial issues will persist [into 2025](#). The so-called [Zero](#) Draft of the Pact endorsed the objective of **transitioning away from fossil fuels**. However, during the negotiations, a related provision was deleted as a result of the **opposition from oil and gas producers**. In response to an [appeal](#) raised by a group of scientists and experts in the field, as well as a number of former world leaders, the latest iteration of the text includes the language agreed at [COP28](#) in Dubai last December. They reaffirmed the call for Member States to transition away from fossil fuels in a ‘just, orderly and equitable manner’, so as to achieve the goal of net zero global emissions by 2050 and to commit signatories to a doubling of energy efficiency and tripling of renewable energy (Action 9(c)). It also refers to the [loss and damage fund](#), which is intended to provide compensation to nations that have suffered as a result climate change (Action 9(j)). In addition, it calls for a significant «scaling up» of adaptation financing (Action 9(i)). With a view to accelerating global efforts to restore, protect, conserve and sustainably use the environment, UN Member States reaffirmed their commitment to address the pollution of air, land and soil, fresh water and the oceans, including the sound management of chemicals. Furthermore, they expressed their intention to carry out negotiations towards an international legally binding instrument on plastic pollution, including in the marine environment, with the ambition of adopting a treaty text by the end of 2024 (Action 10(d)).

Despite the Pact’s affirmation of the UN Security Council’s pivotal role in maintaining peace and security (Action 21), the question of [its potential expansion](#) continues to present significant challenges for the international community. This is because UN Member States are still unable to reach a consensus on the crucial aspects involved, resulting in an ongoing *impasse*. The most controversial issue includes the composition of a **possible expanded UN Security Council** and, specifically, whether it should include new permanent members or only elected members, and whether any new permanent ones should enjoy veto power. The final version of the Pact, as per last adopted; however, it does not begin to unravel the knot by acknowledging the need to **make the UN Security Council ‘more representative, inclusive,**

transparent, efficient, democratic and accountable' (Action 39). It advances a set of guiding principles for reform, including the proposition that any possible enlargement should «redress the historic injustice against Africa» (Action 39(a)) and other «underrepresented» regional groups (Action 39(c)), and strike a balance between the goal of representativeness and effectiveness (Action 39(b)). Furthermore, the Pact also calls for agreement on the categories of the **UN's Security Council's memberships** (Actions 39(d) and (e)), and on the scope and limits of the veto (Action 39(g)). It also includes a provision to review periodically whether the Security Council is «deliver[ing] on its mandate and remains fit for purpose» (Action 39(h)). In a procedural development worth noting, the Pact authorizes the negotiation's co-facilitators to consolidate a unified framework based on the different models of enlargement proposed by UN Member States. Additionally, the Pact calls for the implementation of a UN Charter [provision](#) requiring countries involved in an armed conflict to refrain from voting on resolutions seeking the pacific settlement of that dispute. Ultimately, the Pact contains constructive language that endorses the **UN General Assembly's increasing activism** on peace and security issues. This include instances when the UN Security Council's activity is paralyzed by the veto, encouraging continued use of both the [Uniting for Peace](#) and [Veto Initiative](#) resolutions (Action 41).

The Pact contains strong language in support of **nuclear non-proliferation** and the **non-use of nuclear weapons**. This is exemplified by an explicit statement that 'nuclear wars can never be won and must never be fought' (Action 25). In this respect, several UN Member States have reaffirmed their commitment to the prohibition of nuclear weapons, in accordance with the obligations enshrined in the [2017 Treaty on the Prohibition of Nuclear Weapons](#) (Ban Treaty). However, as known, all five recognized nuclear weapons States (the United States of America, Russia, China, France, and the United Kingdom) are not parties to the Ban Treaty, which raises questions about the credibility and efficacy of such commitment. Furthermore, States advanced the position that **biological agents and toxins should be entirely excluded from any potential use of weapons**, in a manner consistent with the obligations set forth in the [1971 Biological Weapons Convention](#), as annexed to the UN General Assembly's [Resolution 2826 \(XXVI\)](#). During the negotiations, a number of delegations have presented a joint proposal for a bridging text, which drew upon existing language agreed to in previous UN agreements. Nevertheless, a considerable number of non-nuclear weapons States have been reluctant to endorse this approach, advocating for more ambitious commitments.

The Declaration on Future Generations: Unresolved Questions of Law, Rights, and Representation

[Decision 77/568](#) of the UN General Assembly committed Member States to adopt a Declaration on Future Generations which, once approved – as eventually happened –, would be annexed to the Pact for the Future. The [appointed](#) co-facilitators of the Declaration, H.E. Mr. Brian Cristopher Manley Wallace of Jamaica and H.E. Ms. Yoka Brandt of the Netherlands, led virtual informal consultations with stakeholders in early 2024.

The [Zero Draft](#) of the Declaration on Future Generations, which was announced on 26 March 2024, aimed to ensure a better future for generations to come by promoting peace, human rights, poverty eradication, and global cooperation. Member States emphasized the need for an action-oriented and inclusive approach, with a particular focus on economic issues, gender equality, intergenerational solidarity, and the role of the UN Charter and international law. Maintaining international peace, preserving a sustainable environment and upholding multilateralism have been envisaged as crucial priorities.

On 31 May 2024, the co-facilitators [released](#) the revised draft ([Rev.1](#)) accompanied by a brief [explanatory note](#) delineating in details the transition process from the initial draft to the revised version. During a virtual

briefing on 12 June 2024, stakeholders highlighted the need for youth engagement, harm reduction strategies, and combating discrimination. The discussion stressed safeguarding human rights, addressing inequalities, and enhancing youth participation in policymaking, with a focus on the precautionary principle and sustainable development.

Subsequent revisions ([Rev.2, announced](#) on 2 July; [Rev.3, released](#) on 13 August) refined the text, reaffirming commitments to the [UN Charter](#), the [Universal Declaration of Human Rights](#), and the [2030 Agenda for Sustainable Development](#). Rev.3 introduced stronger language on matters of safety, environmental stewardship, and the ethical governance of technology, while expanding commitments to vulnerable groups, gender equality, and indigenous people's rights. Furthermore, it encourages a 'whole-of-society' approach facilitating broader collaboration, and articulates a clearer vision for effective multilateralism to address upcoming challenges. Ultimately, Rev.3 served to reinforce the principles of inclusivity and proactive strategies, while also highlighting the necessity for immediate action and collective responses to emerging global issues. The final version, Rev.4, reiterates international global governance, cultural restitution, and technological cooperation, providing a forward-thinking framework for the protection of future generations and their well-being.

A comprehensive and integrated reading of both the Pact for the Future and the Declaration on Future Generations, however, gives rise to a sense of disappointment at the apparent **failure** on the part of the United Nations and its Member States **to meaningfully engage with the (human) rights of future generations (FGs)**. It is thus regrettable that the considerable opposition from some actors to putting rights at the heart of the «new international consensus on how we deliver a better present and safeguard the future» to be forged at the Summit appears to have been largely successful. Among other things, there has been a notable **loss of language** making explicit references to the right to the highest attainable standard of health for FGs in the text, despite its presence in previous iterations. Furthermore, **no references** have been made concerning the **right to a clean, healthy and sustainable environment**, despite recent developments in this regard at the UN level. In this context, it is worth mentioning the adoption, in 2022, of a landmark General Assembly's [resolution](#) based on a similar [declaration](#) of the Human Rights Council, as well as the appointment of a UN Special Rapporteur entrusted with a [specific mandate](#) on this topic.

More generally, the Declaration makes reference to **vague concepts** such as «needs and interests», «prosperity» and «well-being» of FGs, carefully avoiding language pertaining to rights and obligations, as well as any suggestion of a burden of accountability on States. The furthest the Declaration goes in terms of acknowledging any role of States in protecting FGs is to recognize «the primary role and responsibility of governments, at all levels, in accordance with their respective constitutional frameworks, towards safeguarding the needs and interests of future generations» (*Declaration for Future Generations*, p. 60). It is noteworthy that the operative part of the Declaration, under the heading 'Actions', makes no mention of rights language whatsoever.

This appears to be in stark contrast with the **Pact**, which is thus **replete with references to the concept of 'human rights'** (although these are used with reference to youth and, thus, present generations). During the negotiating process, a number of authoritarian governments, with the support of the [Group of 77](#) at the UN – a 134-member coalition of developing countries – have proposed a shift in language, focusing on sustainable development rather than on human rights. Several Western nations – particularly those within the European Union – have deemed previous drafts to be inadequate in their commitment to human rights, and have advocated for a more explicit inclusion of human rights language.

While the Declaration remains unambiguously silent on the rights of future generations, the Pact ultimately incorporates more extensive references to concepts such as «human rights» and «humanity» than many had anticipated. Nevertheless, these concepts are deliberately confined to present generations.

Doubts remain as to whether a focus on the needs and interests of future generations will be sufficient to achieve meaningful intergenerational equity, justice and solidarity. In this regard, the accelerated **developments on legal protection and enforcement of FGs rights at the national level** – which the Declaration refers to, albeit avoiding an explicit mention of ‘rights’ in this regard – may result in a rapid obsolescence of the Declaration.

Although this is definitely not good news for those arguing for an increased recognition of FGs rights, (see, *inter alia*, [Wewerinke-Singh, Garg and Agarwalla](#)), the Declaration’s **‘non-rights’ approach**, while ostensibly contradictory, reflects the necessity to maintain a focus on current generations (as argued by Humphreys [here](#) and [here](#)). This is also consistent with the current international legal framework, as well as with recent judicial practice.

Several binding and non-binding legal instruments refer to the importance of considering the needs and interests of future generations through the development of general principles, such as those related to **sustainable development** and **intergenerational equity** (for a detailed examination of this topic, see [Brown-Weiss](#) and [Gianelli](#)). Biodiversity, climate, peace and security, nuclear safety, industrial safety and catastrophe prevention, health, education, cultural heritage, scientific and technological progress, values and traditions are some issues on the substantive side. On the other hand, with respect to the procedural dimension, future generations language can be identified in various instruments advocating for the establishment and *mise en œuvre* of dedicated institutions (for a *tour d’horizon* on the matter, see [Anstee-Wedderburn](#), [Beckman](#), and [Schuessler and Gillerke](#)). International treaties, declarations, and other instruments that mention future generations represent indeed a precursor to a much larger *corpus* of legal documents which refer to sustainable development as a concept that should be understood in terms of intergenerational equity or justice. For example, Dire Tladi observed that a considerable number of environmental agreements contain the expression ‘sustainable development’ either directly or in a circumscribed manner using other words that convey a similar meaning. Indeed, sustainable development «has been included in virtually every recent treaty and policy document on the environment». The problem with this rather fragile international legal commitment is that **references to future generations are made mostly in the preambles**, or in the main text body but in **aspirational language** (Tladi, *Sustainable Development in International Law: An analysis of key enviro-economic instruments*, pp. 42-43). In this regard, the ICJ consistently concluded that, while not binding, preambles may be ascribed (variable) influence on the way in which a treaty is interpreted, in accordance with Articles 31(2) and 32 of the 1969 [Vienna Convention on the Law of Treaties](#) (see [South West Africa \(Ethiopia v. South Africa; Liberia v. South Africa\)](#), Second Phase, Merits, paras. 49-50; [France v. The United States](#), Judgment, paras. 196-198; [Nicaragua v. Colombia](#), Preliminary Objections, para. 106; [Guinea-Bissau v. Senegal](#), Judgment, para. 56; on the function of preambles *vis-à-vis* treaty interpretation, see further [Moïse Mbengue](#), [Klabbers](#), and [Hulme](#)).

Furthermore, the extension of current rights to future generations has been called into question in the context of the recent caselaw of the European Court of Human Rights (ECtHR) pertaining to the three landmark climate change decisions ([KlimaSeniorinnen](#); [Carême](#); [Duarte Agostino et al.](#); for a quick analysis of these decisions, see for example [Milanović](#), [Pedersen](#), and [Heri](#)). The judgment issued in *KlimaSeniorinnen* – the sole application which succeeded in reaching the merits phase – does not rely on future generations’ rights, even though there are several references to the intertemporal nature of the duties imposed upon States with regard to the protection of climate (*KlimaSeniorinnen*, para. 420; 548). In this context, to quote [Netto](#)’s catchy title, the ECtHR «resisted the allure» of future generations, adopting instead a duty-based approach rather than a rights-based approach. The Court’s reasoning was thus confined to the necessary changes within Switzerland’s domestic legal system to establish

and reinforce States' positive obligations with respect to climate action. In doing so, the ECtHR was able to strike a balance between right-based climate litigation and climate action as a legal obligation of States arising from the interpretation of the fundamental rights and freedoms set forth in the Convention.

While the majority of international legal instruments do not explicitly address the relationship between human rights and future generations, the **rights of future generations** have recently emerged as a topic of interest in **several initiatives**. To illustrate, the [2023 Maastricht Principles on the Human Rights of Future Generations](#) provided a comprehensive elaboration on the this subject. Moreover, the **UN Special Rapporteur on the Right to Development**, Mr Surya Deva, has published a [thematic report](#) suggesting a number of policy shifts with the objective of establishing an ecosystem supportive of the human rights of future generations. Circumscribing our analysis to the main points concerning FGs, the UN Special Rapporteur first urged the importance of employing a rights-based approach, rather than framing discussions in terms of needs or interests, when addressing the concerns of future generations. Furthermore, the concept of future generations should be conceptualized as encompassing all organisms that will exist on Earth in the future, rather than solely human beings, understanding nature as a collective entity that includes both human and non-human beings. This approach echoes the recent caselaw of the **Inter-American Court of Human Rights (IACtHR)** concerning the **right to a healthy environment (RHE)**, protected under Article 26 of the [American Convention on Human Rights](#). Drawing from both its [Advisory Opinion OC-23/17](#) and the judgment rendered in the [Lbaka Honbat v. Argentina](#) case, in [La Oroya](#) the IACtHR elucidated the distinction between the right to water, to be understood from an anthropocentric perspective, on the one hand, and the right to water free of pollution as a substantive aspect of the RHE and, as such, should be understood from an ecocentric perspective, on the other hand (*La Oroya*, para. 124; for a discussion on ecocentric approaches in international law, see [De Vido](#) and [Cerulli](#)).

Furthermore, the UN Special Rapporteur recommended that the protection of the human rights of future generations be integrated into the activities of all UN institutions and other international and regional organizations, advocating for enhanced representation of FGs within the institutional framework (for an exhaustive analysis of the matter of FGs representation, see [González-Ricoy and Gosseries](#), especially Part 3). In this regard, it is noteworthy that several recent proposals to enhance the representation of FGs' needs and interests (see, among others, [Amoroso and Ciliberto](#)'s suggestion to reinstate the UN Trusteeship Council, which has been divested of its original functions, to a central role in representing FGs in the context of the UN) have fallen to deaf ears of Member States, who have not yet reached a decision on this matter.

It thus seems likely that, at least for the time being, future generations will be unable to engage effectively in the political discourse and, more specifically, in the decision-making processes at the national and international levels. Although the Pact calls for a strengthening of «meaningful youth participation» (Actions 39 and 40), the **Declaration** merely '**takes note**' of the UN Secretary-General's **intention to appoint a Special Envoy for Future Generations**. Notwithstanding the consensus among several governments that the UN should consider the intergenerational implications of its decisions, a significant number of States have instead been reluctant to establish a permanent institution for FGs, citing **concerns regarding funding and organizational structure**.

The failure to provide a definitive response or, at the very least, some concrete suggestions to the question renders both the Pact and the Declaration rather anachronistic *vis-à-vis* the recent practice of a growing number of domestic legal systems, which have institutionalized the FGs' representation via the appointment of a national Ombudsman (some virtuous examples are provided by [Lawrence](#) and [Szabó](#)).

In order to identify some of the positive aspects of the Declaration, it is encouraging to observe a convergence with the legal definition of ‘future generations’ as set out in some recent legal initiatives. The term «future generations» is now defined in a clear and unambiguous manner as «encompassing all those generations that do not yet exist, and who will inherit this planet» (*Declaration for Future Generations*, Preamble). This represents a promising development, particularly in light of the absence of a consensus on the definition of future generations in international law. For example, scholarship has on occasion referred to future generations as explicitly including the present generation and children. This is particularly evident in the field of climate change litigation, where the protection of the human rights of present-day children and young people (acting as ‘proxies’ for future generations) allows for the full enjoyment of the same rights at an adult age to be jeopardized (see, *inter alia*, [Nolan](#) and [Sulyok](#)).

Conclusion: A Missed Opportunity to Shape Tomorrow’s Legal Commitments

Although the final outcome of the Summit of the Future and the aspirations set forth therein represent a laudable effort to promote multilateralism in an era characterized by fragmentation, conflict, and global crises, the ultimate result cannot be regarded as entirely satisfactory.

The contents and goals of the Pact for the Future and the Declaration for Future Generations appear to have been the result of a process of downward negotiation. This indicates that the extant multilateral framework, which was designed to promote cooperation, is currently struggling. The increasing polarization among global institutions has resulted in a weakening of the collective decision-making process. The inability to address pressing issues such as mounting debt, environmental degradation, and humanitarian crises is symptomatic of these systemic weaknesses.

The Summit’s call for a renewed commitment to multilateralism is undoubtedly ambitious. However, unless these purposes are supported by genuine political will and, above all, actionable strategies couched in terms of enforceable obligations, they are at risk of being undermined. In such scenario, repeatedly invoking aspirations that are not supported by any legal conviction might, at best, have no adverse effects and, at worst, significantly weaken the very multilateral system that they aim to bolster.

In conclusion, the Summit of the Future can be seen as a call to action without any intention of action whatsoever. The true test will be whether States demonstrate their willingness to move beyond rhetoric and translate the proposed framework into concrete and enduring solutions that encompass legal commitments and obligations. In the absence of such action, it seems highly probable that the Pact of the Future and its annexes will rapidly become an ineffective relic of the past. As the UN Secretary-General has emphasized, «the Summit of the Future sets a course for international cooperation that can meet expectations [...] now, let’s get to work»: time is thus (more than) ripe for all stakeholders to embark upon the realization of this vision without delay.

**This contribution presents some provisional findings of the research conducted under the PRIN 2022 Project entitled: ‘FUEL-IT: Future gEnerations and international Law: boosting an ITalian response’.*