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# Climate Change - A Virus with the Law, but without any Vaccine

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## ABSTRACT

*Climate change has become an unprecedented challenge due to the severe consequences that we face today as a direct result of it. In the last few decades, global warming has been increasing rapidly. There is a common notion that global warming only makes our world warmer. But it causes far more substantial changes in the climate resulting in events like droughts, floods, hurricanes, abnormal hurricanes etc. These changes are expected to put millions and millions of lives in danger. Climate change challenges traditional notions in International environmental law. Furthermore, efforts must be taken to curb this pandemic in making.*

*This article aims to highlight the challenges that we as a civilisation face due to environmental degradation every day and how this will lead to a bigger pandemic than COVID-19. It not only puts forward the impact of climate change but also examines the international legal instruments adopted in response to the same. The article tries to discuss whether these international rules represent the proper paradigm to address the problem we are facing caused by climate change. It also puts forward certain suggestions as a way forward to deal with the consequences of global warming.*

**Keywords:** *climate change, global warming, international law, pandemic, environmental law*

## I. INTRODUCTION

There Climate change has become a defining issue of our time from threatening food production due to shifting weather patterns to the immense risk of flooding in some areas to droughts in another, the impact of climate change has become global in scope. If drastic action is not taken today, we will be facing a greater pandemic than COVID 19. The flight in which we traverse and the ship in the sea is safe until we as a civilization can conserve the atmosphere to not have any unnecessary modifications in the weather manifestation. The climate in a narrow sense is usually interpreted as the “average weather”. More strictly as the statistical

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description states in terms of mean and variability of relevant quantities over a period ranging from months to thousands of years. Numerous organisations are functioning on climate change there are governments succeeding concurrently at the symposium to find an antidote to climate change with the help of law. Yet there are no progressive nations who want to find a durable vaccine for this crisis because the development of countries is the one which bestows with the elevated amount of GREENHOUSE GASES and they are the ones who are hampering to find a vaccine to the climate crisis. The future defenselessness because of climate change is going to dominate us with a lack of food security, submerging islands and more Hurricanes, earthquakes and volcanic activities which will release harmful gases and affect our atmosphere. These undesirable symptoms of 'climate change' have the potential to cause national conflict. We need a more coherent and cooperative global climate governance to cope up with the challenges that lie ahead. Extreme climate change will be triggered due to the increase in the concentration of greenhouse gases in the atmosphere. Developing global strategies that will lead to the sustainability of ecosystems is the need of the hour.

Numerous underdeveloped countries in Asia and Africa are powerless against the climate change consequence. Various premature deaths are transpiring around society because of air pollution which is an indispensable part of climate change. We as a civilization are responsible for the change in climate due to the unsustainable use of resources in our milieu. Since the 1st industrial revolution, we are yet to make a fully sustainable manner of our working environment which is harming the climate. Even after a significant development of international environmental law over the past couple of years, we still face a disjointed and decentralised landscape to protect climate change. One of the reasons behind this could be the complexity of international development and economic status. Most of the laws created to deal with climate change do not keep the challenge of climate change in view and are usually not well suited to address the problem. Far-reaching efforts have been made to use various domestic and international environmental laws to tackle climate change. For eg, several countries have integrated emission trading schemes on a domestic level, one of the significant regional arrangements to combat climate change has been the EU's 20:20:20 policy.<sup>3</sup>

## **II. INDICATORS OF CLIMATE CHANGE:**

- **Worldwide temperature:**

Global temperature records began around the 1880s since perceptions didn't adequately cover

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<sup>3</sup> Andreas Prahl, Overview of Climate Targets In Europe, Climate Policy Info Hub, <https://climatepolicyinfohub.eu/overview-climate-targets-europe> (last visited on 13th March 2021)

enough of the earth before that point. The time of 1951-1980 was mullied over because the U.S. Public Weather Service utilizes a three-decade period to characterize normal temperature. The GISS temperature investigation exertion started around 1980, hence the most cutting-edge years were 1951-1980. It is additionally a period when a significant number of the twenty- to thirty-year-old grew up, so it's a standard reference that many individuals can recollect. The worldwide temperature record addresses a mean over the entire surface of the earth. The consumed temperature around us locally just as brief periods can vacillate altogether because of unsurprising repetitive occasions of seasons and difficult to-anticipate wind and precipitation designs. The measure of energy transmitted by the planet relies fundamentally upon the substance piece of warmth catching ozone harming substances in the air. Human exercises have a significant part to play in the ascent in worldwide temperature. Probably the sultriest year was recorded over the past 6 years where we saw the worldwide temperature rise. The twentieth century saw an expansion in the world's normal temperature which is the quickest ascent in 1,000 years.

- **Scene change:**

We live among 5-10 million different species. Nonetheless, our current circumstance is incredibly lopsided. Humanity's normal impression per capita is 2.2 hectares every year, yet just 1.8 hectares can be recovered by the planet over the equivalent timescale, implying that every individual is running at a 0.4-hectare shortage.<sup>4</sup> This will just deteriorate as populaces extend. Our prosperity is annihilating different types of life by and large natural surroundings at a disturbing rate. 25 to 30 per cent of land and marine species had begun declining since 1970.<sup>5</sup> Plants and species are appropriating towards mountains and polar locales because of changing environment and climate designs across the world. Vegetation and animals are subject to one another as vegetation is pushing toward colder areas. It is inferred that animals need to move additionally since they are subject to vegetation and some may endure and some may die in the endeavour. It's not limited to animals only, even the human populace will think that it's hard to make due to this extraordinary state of environmental change.

A mountain regularly alludes to a landform, perhaps submerged, that transcends its environmental factors. Some popular mountains are the Alps in Europe, the Himalayas in Asia, the Andes in South America, the Urals in Central Asia, and the Mid-Atlantic Ridge in the

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<sup>4</sup> THE ECOLOGICAL FOOTPRINT: Tracking Human Demand on Nature, Global Footprint Network, [https://www.footprintnetwork.org/content/documents/Ecological\\_Footprint.pdf](https://www.footprintnetwork.org/content/documents/Ecological_Footprint.pdf) (last visited on 13th March 2021)

<sup>5</sup> UN Report: Nature's Dangerous Decline 'Unprecedented'; Species Extinction Rates 'Accelerating', <https://www.un.org/sustainabledevelopment/blog/2019/05/nature-decline-unprecedented-report/> (last visited on 13th March 2021)

Atlantic Ocean. Mountains are home to around 800 million individuals and are critical for the arrangement of water and environment administrations. Along with their elevation, mountains make diverse microclimates. On a greater scale, they can likewise influence the neighbourhood environment by going about as a climatic hindrance to air flows or the storm stream.

How is the environment changing in the mountains?

1. Temperature increments are more grounded over land than over the sea.
2. Temperature increments are more grounded at high elevations than in the jungles.
3. Temperature increments in the jungles are more grounded at high elevations than close to the ground (glacial masses withdrawing, snowpack lessening, albedo impact, permafrost rot, and icy lake development)
4. Significant ecological limits, for example, snow lines and freezing lines will move higher up later on (shifts in vegetation up or down)
5. Changing occasional precipitation designs and expanding precipitation to the detriment of snowfall (influences admittance to water)
6. More limited snow season.
7. Outrageous occasions, for example, storms, avalanches, torrential slides, and rockfalls may turn out to be more normal and serious in the mountain zone.

- **Rising sea level:**

For quite a long time, the coastline has been a concentration for an assortment of exercises including industry, horticulture, amusement, and fisheries. The coastline is a public legacy and to support it for people in the future, legitimate administration of beachfront assets and protection is fundamental. The short and future varieties in water level affect the seaside sea from multiple points of view. Long haul water level ascent is anticipated to have a major effect on the straight coast additionally as islands, hindrance reefs, entrance cycles of waterway estuaries, bays, bayous, seaside tidal ponds, and so on, which can thusly have a falling impact on ecological cycles of those beachfront conditions.

Mean ocean level, on a worldwide scale, has been expanding over the previous century, and has been rising over the past century, and the rate has increased in recent decades. In 2014, global sea level was 2.6 inches above the 1993 average—the highest annual average in the satellite record (1993-present). Sea level continues to rise at a rate of about one-eighth of an

inch per year.<sup>6</sup> This would prompt geomorphic transformative cycles on the coast, including the landward offence of waterfront boundaries.

The pace of water level ascent coming about because of the softening of the Antarctic ice sheet has significantly increased in recent years. There are explanations behind ocean level ascent. These reasons can be placed into two classifications, eustatic and isostatic change if they globally affect ocean level or a neighbourhood impact on the ocean level. Eustatic change is the point at which the ocean level changes because of an adjustment in the volume of water in the seas or an adjustment looking like a sea bowl and thus a change inside the measure of water the sea can hold. Eustatic change is consistently a worldwide impact. Isostatic water level change is the consequence of an ascent or abatement in the tallness of the land. At the point when the stature of the land builds, the sea level falls, and when the pinnacle of the land diminishes as the ocean level ascents. Isostatic change is a neighbourhood water level change though eustatic change might be a worldwide ocean level change.

The Earth has one major sea. It is frequently considered as various sea bowls, for example, the Pacific, Atlantic, Indian, Southern, and Arctic. Holding 97% of all water on Earth, the Ocean is a key actual element of our planet. It continually associates with the climate, cryosphere, and biosphere and is at last what makes the Earth tenable. The Ocean is effectively associated with the Earth's environment framework and the carbon cycle. Changes influencing the Ocean have significant results on numerous physical, compound, organic, monetary, and social cycles on the Planet.

How does the environment change functioning adrift level?

1. Ocean surface temperature and warmth substance of seawater increment (delicate marine species and environments; temperature assumes a critical part in numerous organic cycles, for example, propagation and movement)
2. Ocean level ascent because of warm development of the Ocean because of warming in addition to water from dissolving icy masses and ice sheets (waterfront flooding, expanding infiltration of tempest floods into seaside zones and saltwater interruption of springs)
3. Changes in the sea course, wind, and waves (sea flow moves towards the shafts and changes how supplements are shipped from the profound sea)

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<sup>6</sup> National Ocean Service, *Is sea level rising?*, <https://oceanservice.noaa.gov/facts/sealevel.html> (last visited on 15th March,2021)

4. Sea fermentation, with lower pH (delicate marine creatures, coral bleaching)
5. Surface salinity is changing (generally obscure effects)

The IPCC Report indicates that Global Warming is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level.<sup>7</sup>

### **III. OZONE DEPLETION**

In recent years, people are trying to gain a halt in harming the ozone layer by controlling the utilization of specific synthetics. However, a lot more needs to be done to ensure and reestablish the air shield that sits in the stratosphere around 9 to 18 miles (15 to 30 kilometres) over the Earth's surface.

Barometric ozone assimilates bright (UV) radiation from the sun, especially destructive UVB-type beams. Openness to UVB radiation is connected with an expanded danger of skin disease and waterfalls, just as harmful to plants and marine environments.

Ozone (O<sub>3</sub>) is an exceptionally responsive gas whose particles contain three oxygen atoms. Its focus on the climate normally changes relying upon seasons and scopes, yet it, by and large, was steady when worldwide estimations started in 1957. Momentous exploration during the 1970s and 1980s uncovered difficult situations.

Ozone dangers and 'the opening':

In 1974, Mario Molina and Sherwood Rowland, two scientific experts at the University of California, Irvine, distributed an article in *Nature* specifying dangers to the ozone layer from chlorofluorocarbon (CFC) gases.<sup>8</sup> At that point, CFCs were regularly utilized in vaporized splashes and as coolants in numerous fridges. As they arrive at the stratosphere, the sun's UV beams separate CFCs into substances that incorporate chlorine.

The notable exploration—for which they were granted the 1995 Nobel Prize in science—reasoned that the environment had a "limited limit concerning retaining chlorine" molecules in the stratosphere.

One atom of chlorine can obliterate more than 100,000 ozone atoms, as indicated by the U.S. Natural Protection Agency, killing ozone significantly more rapidly than it very well may be supplanted.

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<sup>7</sup> IPCC (2007:2).

<sup>8</sup> Donald Wuebbles, Ozone Depletion atmospheric phenomenon, *Britannica*, <https://www.britannica.com/science/ozone-depletion> (last visited on 15th March, 2021)

Molina and Rowland's work got striking approval in 1985 when a group of English researchers found an opening in the ozone layer over Antarctica that was subsequently connected to CFCs. The "opening" is a territory of the stratosphere with amazingly low centralizations of ozone that reoccurs consistently toward the start of the Southern Hemisphere spring (August to October). Spring brings daylight, which discharges chlorine into the stratospheric mists.

### **The Ozone layer's status today:**

Acknowledgement of the destructive impacts of CFCs and other ozone-draining substances prompted the Montreal Protocol on Substances That Deplete the Ozone Layer in 1987, a milestone consent to eliminate those substances that have been approved by each of the 197 UN part nations. Without the settlement, the U.S. would have seen an extra 280 million instances of skin malignancy, 1.5 million skin disease passing, and 45 million waterfalls—and the world would be at any rate 25% more sweltering.<sup>9</sup>

Over 30 years after the Montreal Protocol, NASA researchers archived the primary direct confirmation that Antarctic ozone is recuperating as a result of the CFC stage down: Ozone exhaustion in the district has declined 20% since 2005.<sup>10</sup> Furthermore, toward the finish of 2018, the United Nations affirmed in a logical evaluation that the ozone layer is recuperating, projecting that it would mend totally in the (non-polar) Northern Hemisphere by the 2030s, trailed by the Southern Hemisphere during the 2050s and polar locales by 2060.

Checking of the ozone layer proceeds, and it's finding that the recuperation may not be just about as direct as trusted. An investigation in mid-2018 found that ozone in the lower stratosphere surprisingly and mysteriously has dropped since 1998, while another highlighted conceivable continuous infringement of the Montreal agreement.

Even though HFCs address a little part of emanations contrasted with carbon dioxide and other ozone harming substances, their planet-warming impact incited an expansion to the Montreal Protocol, the Kigali Amendment, in 2016. The change, which came into power in January 2019, expects to cut the utilization of HFCs by more than 80% throughout the following thirty years. Meanwhile, organizations and researchers are dealing with environment amicable options, including new coolants and advancements that decrease or kill reliance on synthetic

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<sup>9</sup> Ecochirp Foundation, Youth Ki Awaaz, Ozone Depletion: What More Can Be Done To Restore The Layer?, <https://www.youthkiawaaz.com/2021/01/ozone-layer-depletion/> (last visited on 15th March 2021)

<sup>10</sup> Samson Reiny, NASA Study: First Direct Proof of Ozone Hole Recovery Due to Chemicals Ban, <https://www.nasa.gov/feature/goddard/2018/nasa-study-first-direct-proof-of-ozone-hole-recovery-due-to-chemicals-ban> (last visited on 15th March 2021)



compounds.

The IPCC's First Assessment Report, which appeared in 1990, presented scientific evidence that global warming was a reality, triggering worldwide concern: The Report states that the main factors affecting climate are (i) atmospheric gases, so-called greenhouse gases, some of which occur naturally (e.g. carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O) etc.) and some of which are man-made (e.g. chlorofluorocarbons, CFCs) as well as (ii) aerosols which are tiny particles within the atmosphere<sup>11</sup>

#### **IV. DEFORESTATION**

Under the cycle of deforestation, trees are eliminated from the land, which obliterates the timberland. Indeed, even incomplete logging and incidental flames change the timberland structure significantly and the foundations for deforestation are clarified in details beneath

**Horticulture:** Slash and consumer farming can be analyzed under this. It is supposed to be sound agrarian practice in numerous examples. In any case, the supportability of this training is as yet a matter of concern. It is said that this training can offer advantages to soil and biodiversity.

**Raising Cattle:** It impacts the tropical rainforests most like Amazon. Deforest zones of land are utilized by ranchers for raising steers. It very well may be astounding yet inexpensive food organizations are offering more towards deforestation in spots like the Amazon rainforest. Organizations are influencing the rainforest to raise dairy cattle for cheeseburgers at various food chains.

**Logging:** Paper items are produced using trees and this prompts the reason for deforestation. One of the destructive logging is paper cutting. In another word when the backwoods are destroyed without any trees alive nearby. Planting just a single type of tree around there as a type of remediation doesn't fix the deficiency of trees on account of logging. Biodiversity is upheld by the variety in vegetation and simply by planting 1000 oak trees nearby which was home to numerous species before logging won't bargain with the misfortune. With oak trees planted they will be just useful for the individuals who discover food and a safe house from those by themselves. Along these lines, mono-editing can't be considered a manageable arrangement after clearing a timberland territory.

**Lodging:** Urban spread is likewise a significant commitment to deforestation. It is ending up

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<sup>11</sup> IPCC (1990:13–14)

being one of the troublesome issues to be tackled because endless suburbia is driven by overpopulation. Overpopulation is ending up being at the base of numerous natural issues. Until further notice, overpopulation has transient arrangements like changes in framework to relieve the issue. Hippies and engineers have thought of different plans for urban areas throughout the long term that are lodging the biggest number of individuals with the most unnatural effect.

## **V. EFFECT ON FOOD SECURITY**

The effects of environmental change are lessening the limit of common assets (biodiversity, soil, and water) to support the food interest of the world's expanding populace. Food security and environmental change are thus interlinked. Expanding asset productivity in agribusiness and building versatility to environment chances are the vital activities for undertaking these difficulties. This infers a critical change of horticulture and food frameworks, with deliberate activity and composed contribution of all partners from a drawn-out point of view. To this end, CSA [Climate Smart Agriculture] is an incorporated methodology that helps direct activities and creates agrarian methodologies to successfully uphold the turn of events and guarantee food security under the danger of environmental change. As characterized by FAO at 2010 The Hague Conference on Agriculture, Food Security, and Climate Change, CSA is made out of three fundamental columns:

- Reasonably expanding farming efficiency and salaries;
- Adjusting and constructing flexibility to environmental change;
- Lessening or potentially eliminating Greenhouse Gases (GHG) outflows, where conceivable.

All the more explicitly, CSA expects to accomplish food security, environmental change variation, and relief. giving the way to help partners from neighbourhood to public and global levels distinguish rural procedures reasonable to their nearby conditions, mulling over the social, financial, and natural setting where it will be applied. Consequently, CSA identifies with both on-and off-ranch activities. The various components which can be coordinated into an environment shrewd horticultural methodology include:

- The board of homesteads, crops, domesticated animals, hydroponics, and fishery to more readily oversee assets, produce more with less while expanding versatility;
- Environment and scene the board to ration biological system benefits that are critical to expanding asset proficiency and versatility;
- Administrations for ranchers and land chiefs to establish a climate helpful for the execution of the vital changes.

Besides, CSA is certainly not a solitary explicit horticultural innovation or practice guard that can be generally applied, yet a coordinated methodology that requires setting explicit evaluations to distinguish the reasonable rural advancements and practices just as the boundaries to their selection by ranchers, and the proper arrangements as far as approaches, methodologies, activities, and motivators.

### ***Italy Case Study***

Italy is described by high heterogeneity as far as regional and horticultural highlights, with exceptional biodiversity and variegated agrarian creation frameworks. However, the nation is confronting the outcomes of environmental change, for example, desertification wonders and an increment in extraordinary environment occasions. In this specific situation, Italy has been effectively engaged with undertaking activities and growing specially appointed strategies to defeat the difficulties of environmental change and advance environmental shrewd horticultural practices. The significant public elements empowering and supporting CSA arrangements are, at the institutional level, the Ministry of Environment, Land, and Sea (IMELS) and the Ministry of Agricultural, Food and Forestry Policies (MiPAAF), significant National Research Agencies, for example, the National Research Council and the Council for Agricultural Research and Agricultural Economics Analysis (CREA), the Institute for Protection and Environmental Research (ISPRA), and areas and self-sufficient regions at the neighbourhood level. Other significant entertainers and partners associated with this interaction are public and private specialist co-ops, rural and ranger service undertakings, just as different delegates of the agribusiness areas and development representatives and facilitators. One of the highpoints in regards to CSA advancement in Italy is the usage of a few projects and tasks on Conservation Agriculture (CA), as a CSA way to deal with defeat soil richness misfortune and disintegration. Italy shows, indeed, one of the most noteworthy mean yearly soil misfortune rates in the Mediterranean area. These activities are empowering the advancement and usage of CA in 15 districts of Italy. Among other significant activities actualized at the public level, is the advancement of a National CSA "Center", for example, an Italian-based local area of training to set up a neighborhood stage for an environmentally savvy change of the provincial and public agrarian area. The part of colleges as a consistent vehicle of information dispersal, just as the connection between Italian agri-food ventures and mechanical development, are being extra resources for the advancement and execution of CSA approaches in the Italian rural setting. The International Alliance of Climate-Smart Agriculture (IACSA) Project is an applicable piece of the contextual analysis, adding to the advancement and upgrade of best acts of CSA inside public limits as well as outside the area through worldwide collaboration

exercises.

## **VI. WAY FORWARD**

There is never a one-size-fits-all approach to stopping or slowing climate change, therefore each individual, business, state, and the federal entity must weigh in their options to help with the organisation. Many strategies working together will be required. Stabilizing global temperature below 1.5-degree Celsius temperature rise requires eliminating all emissions of heat-trapping gases or, achieving a carbon-neutral society in which people reduce their carbon footprint. Achieving this goal will require substantial societal changes in every aspect including energy technologies and infrastructure that go beyond the collective actions of individuals and households.

Technology can play an important role in controlling climate change. The development and transfer of various technologies are extremely essential to effectively adapt to climate change. For example, the development and diffusion of new irrigation systems or new plant varieties<sup>439</sup> will be essential for the preservation of agriculture in vulnerable regions. Rainwater harvesting and ground-water pumping technologies can help populations adapt to the increase in incidences of drought in several places. Also, technology can be helpful in situations related to disaster management and early warning systems. This may prove crucial to safeguarding human life and infrastructure in the face of natural disasters occurring as a direct result of climate change. Going forward, the international community must form a concrete framework to use technology as a link between environmental and trade law regimes and striking an appropriate balance between widespread diffusion of adaptation technology and incentives for innovation.

As our world leaders come United towards the preservation of the environment, it is important for an individual as well to understand how much an individual is contributing towards their daily carbon footprint which can be calculated at [www.carbonfootprint.com](http://www.carbonfootprint.com). We also need to learn how we can reduce greenhouse gases produced each day. Disaster is man-made or natural especially near the coastal area where rainstorm and hurricane are common nowadays due to acidification of the ocean which has increased the ocean temperature and this disaster can be managed if we have a protected wetland around disaster-prone areas as it absorbs precipitation and storm surge waters. The vehicle we have contributes heavily towards the generation of carbon dioxide in the atmosphere and whenever we leave our vehicle idle for more than 30 seconds we must turn it off and it will reduce greenhouse gas emissions. Our society needs to be educated over what eco-friendly and sustainability means to our environment and usage of

eco-friendly products, eating a sustainable diet, more recycling, and conserving water and energy which can lead towards zero deforestation for us. We must switch ourselves to low water productivity in agriculture as well with the help of irrigation systems and with crops which requires less water for irrigation.

## **VII. CONCLUSION**

Despite a sense of urgency to combat climate change, the global community has not yet developed a shared and coherent understanding of how the world should act in the face of extremely diverse national circumstances as well as complex global supply chains. A broad scientific consensus has proven that climate change is very much real and the amount and rate of change have been accelerating every day; the only uncertainty that we are dealing with today is the willingness of the international community to take effective measures to combat this problem. Climate change is a pressing challenge for the entire world, but it is also an opportunity for us to innovate and adapt. We must work together to convert ourselves into climate-smart citizens, state, country, world and support the necessary policies as well as investment solutions that the world requires right now as a vaccine to deal with the bigger pandemic we might face shortly as a result of this climate change.

Although Climate change poses a huge challenge for all countries, its major impact will be on developing countries, especially the ones that are least developed, as they lack the resources, capacity and logistics, they need to fulfil their obligations and undertake activities to adapt to the situation. Thus, developed countries need to give their assistance. International environmental law, as well as international human rights law, plays a robust role in crafting appropriate mechanisms to support developing countries in response to the impacts of climate change. This matter is urgent and requires attention from international communities.

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