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# Environment Justice and Climate Change: A Burning Issue

#### SONIA DEVI1

#### **ABSTRACT**

The significance of environmental protection and preservation The significance of environmental protection and preservation situation's urgency cannot be disregarded in today's environmental concerns and global warming era. Most companies are becoming conscious of the impact of their operations on the environment. They are making policies to demonstrate their commitment to mitigating its direct and indirect environmental effects. Many actions include planning their facilities in an environment-friendly manner, leaving a minimal footprint on the neighboring environment, minimizing the destruction of natural areas, habitats, biodiversity, and reducing soil loss in and around the campuses. Simultaneously, some individuals are becoming more energy-efficient and pollution-free. Without a doubt, in the context of fast-developing Increased economic activity, coupled with rapid urbanisation, rising a higher level of living and more money to spend in countries like India and China, has put enormous strain on the natural and environmental resources available in these countries. Concerns about a healthy economy and clean environment have grown, resulting in policies and strong political will. to develop sustainable energy sources. The challenge in current timing is achieving a sustainable balance between environmental management and economic growth.

Climate change studies in the Amazon have been largely focused on monitoring biomass reduction and the regional climate. Interactions have recently received more attention. among anthropogenic activities, such as deforestation and urbanization, climate change variables, and hydroclimatic systems. Moreover, very few studies focus on vulnerability to climate change in Amazon Delta and Estuary (ADE) cities, despite the enormous scale of exposure to floods and other hydro-climatic hazards present in the region.

Though many animals make tThey aren't human, hence beaver dams and termite mounds are considered natural. The developed environment stands in stark contrast to the natural environment. Humans have radically affected landscapes such as urban settings and agricultural land conversion into built habitats, transforming the natural world into a simpler human environment. Even deedsthat seem less extreme, such as building a mud hut or a photovoltaic system in the desert, the modified environment becomes artificial.

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#### I. Introduction

People cannot find natural environments on Earth, and naturalness usually varies in a continuum, from 100% honest in one extreme to 0% bornon the other hand Humanity's tremendous environmental changes in the twentieth centuryAnthropogenic have fundamentally affected all-natural environments: includingClimate change, biodiversity loss, and pollution in the air and water from plastic and other chemicals More specifically, we can look at the many characteristics or components of an ecosystem and see that their degree of naturalness varies. [2] In an agricultural field, for example, if themineralogical composition and the structure of its soil are similar to undisturbed forest soil, the format is quite different.

Earth science recognizes four spheres, the **lithosphere**, the **hydrosphere**, the **atmosphere**, and the **biosphere**, corresponding to rocks, water, air, and life. Some scientists include the spheres of the Earth, the cry sphere (corresponding to ice) as a distinct portion of the hydrosphere, and the exosphere (corresponding to soil) as an active and intermixed sphere. Earth science (also known as geosciences, the geographical sciences, or the Earth Sciences) is an all-embracing term for the sciences related to Earth. There are four major earth sciences disciplines: Geography, geology, geophysics, and geodesy are all fields of study. Physics, chemistry, biology, chronology, and mathematics are used in these primary disciplines to develop a qualitative and quantitative understanding of Earth's major areas or spheres.<sup>2</sup>.

Recent studies have shown that climate impacts and effective solutions are often locally specific, and evidence from representative case studies has helped devise adaptation policy options. In addition, applied researchers have called for detailed investigations that identify the local causes of climate hazards and their relative contribution to impacts and implications for adaptation. Delta studies have also demonstrated that the ways humans shape and interact with the physical conditions of rivers and deltas are key to understanding the environmental, social, and economic impacts of climate hazards and that the formulation of policy options should be grounded in the local context. Policymaking is challenging in developing countries, where social and economic crises may limit long-term planning, potentially making climate change adaptation and mitigation a low priority on the political agenda.<sup>3</sup>.

<sup>&</sup>lt;sup>2</sup> https://en.wikipedia.org/wiki/Natural\_environment (VISITED ON 4.1.2022)

<sup>&</sup>lt;sup>3</sup> Climate hazards in small and medium cities in the Amazon Delta and Estuary: challenges for resilience First Published November 6, 2019

The atmosphere of the Earth plays a critical role in the preservation of the planet's environment.the planet's biosphere. The planet's gravity holds the tiny blanket of gases that envelops it in place. Nitrogen makes up 78% of dry air, whereas oxygen makes up 21%, argon and other inert gases make up 1%, and carbon dioxide makes up 1%. The gases that remain are referred to as trace gases. [13] Greenhouse gases such as methane, carbon dioxide, nitrous oxide, and ozone are found in the atmosphere. air with a filter has traces of a variety of different chemical substances sulfur compounds such as sulfur dioxide (SO<sub>2</sub>)<sup>4</sup>.

#### II. WHAT IS ENVIRONMENTAL JUSTICE

Environmental justice is a social movement aimed at achieving an equitable and fair division of environmental benefits and responsibilities linked with economic output. The environmental justice movement originated in the 1980s in the United States, and it was significantly influenced by the civil rights movement in the United States. It has spawned a huge amount of multidisciplinary social science literature on environmental ideas and justice, environmental laws and their implementations, environmental policy, sustainability, and political ecology , among other topics.

In the 1980s, the initial concept of environmental justice centred on the harms to particular excluded racial groups in wealthy countries like the United States. Later, the movement was expanded to includecompletely consider gender, international environmental discrimination, and inequalities within disadvantaged groups. As the movement succeeded in developed and affluent countries, environmental burdens shifted to the Global South. The campaign for environmental justice has thus become more global, with some of its aims now being articulated by the United Nations<sup>5</sup>.

The Environmental Protection Agency of the United States defines environmental justice as follows:

Environmental justice is defined as the equitable treatment and meaningful participation of all people, regardless of race, colour, country origin, or economic status.concerning Environmental laws, rules, and policies are developed, implemented, and enforced. This goal will be realised when everyone has equal protection against environmental and health threats, as well as equal participation in the decision-making process to ensure a healthy environment. to live, learn, and work in.

<sup>&</sup>lt;sup>4</sup> Joe Buchdahl. "Atmosphere, Climate & Environment Information Programme ."Ace.mmu.ac.UK. Archived from the original on 2010-10-09. Retrieved 2013-03-09 (LAST VISITED ON 4.1.2022)

<sup>&</sup>lt;sup>5</sup> G. Tyler Miller, Jr., G. Tyler Miller, Jr., G. Tyler Miller, Jr. (2003). (Visited on 4.1.2022)

Environmental justice has traditionally been characterised by political theorists as the equitable allocation of environmental risks and rewards. Other thinkers have tried to expand on this. description in order to pinpoint the processes that result in unequal distribution of goods. Fair and meaningful participation in decision-making, acknowledgement of injustice and difference in affected groups, and people's ability to turn social benefits into a flourishing community are all included in these expanded criteria. to further criteria for a just society<sup>6</sup>.

#### III. HISTORY OF ENVIRONMENT JUSTICE AND CLIMATE CHANGE

#### **Environment Justice**

Protests against PCBs in Warren County, North Carolina in 1982 are widely credited with establishing environmental justice as a concept. The disposal of PCB-contaminated soil in Afton, a predominantly black neighbourhood, provoked widespread outrage, demonstrations, More than 500 persons were detained. This prompted research into the location of hazardous waste facilities in Black communities., and widespread objections and lawsuits to dangerous waste disposal in poor, generally Black, communities in the U.S. The mainstream environmental movement has been chastised for its predominantly white affluent leadership and constituency, concentration on conservation, and failure to address fundamental issues of social fairness. As grassroots groups and environmental organisations pushed for legislation to enhance the size of the government, hazardous waste disposal costs in the U.S. and other industrialized countries, the exportation of unsafe wastes became profitable. Removal of toxic waste in the Global South escalated through the 1980s and 1990s. Globally, disposal of harmful The violation of human rights caused by waste, land acquisition, and resource extraction is at the heart of the worldwide environmental justice movement. 7.

The First National Environmental Leadership Summit for People of Color held in 1991, marked the beginning of international formalisation of environmental justice. This event was held in Washington, DC, and was attended by over 650 delegates from every U.S. state, Mexico, Chile, and other countries. Delegates adopted 17 principles of environmental justice At the Rio Earth Summit in 1992, it was widely shared. Individuals must have access to environmental knowledge, involvement in decision-making, and access to justice, according to The tenth point of the Rio Declaration on Environment and Development is a 10th principle.

Prior to the 1991 Leadership Summit, the environmental justice movement's focus was primarily on anti-toxics and harms to certain marginalised racial groups in developed countries;

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<sup>&</sup>lt;sup>6</sup> https://en.wikipedia.org/wiki/Environmental\_justice (visited on 4.1.2022)

<sup>&</sup>lt;sup>7</sup> https://en.wikipedia.org/wiki/Environmental\_justice (VISITED ON 4.1.2022)

however, it was expanded during the summit to include worker safety, public health, land use, transportation, and a variety of other issues. The movement was later developed to consider gender, international injustices, and inequalities within disadvantaged groups more completely. Environmental justice has become a It has provided various concepts to political ecology that have been adopted or codified in academic literature, and it is a broad global movement. Environmental debt, environmental racism, climate justice, food sovereignty, corporate responsibility, ecocide, sacrifice zones, and other concepts are among them.

Environmental justice aims to broaden the scope of human rights law by addressing the relationship between the environment and human rights, which had previously been ignored. Most human rights treaties do not explicitly have provisions for the environment The human right to a healthy environment has been codified as part of efforts to link environmental protection with human rights law.codifying the human right to a healthy environment. Combining ecological protection into human rights law remains problematic, especially in the case of climate justice.<sup>8</sup>.

#### IV. CLIMATE CHANGE

Climate change is a comprehensive word that encompasses changes in the Earth's climates at local, regional, and global scales, as well as the consequences of these changes. The phrase "climate change" has become widely used in recent decades to describe changes in the Earth's climate.climate-driven Since the pre-Industrial period (c. 1850 onwards), mostly by human activity, particularly the burning of fossil fuels and forest loss, resulting in a rather rapid increase in carbon dioxide content in the Earth's atmosphere. The terms "climate change" and "global warming" are used interchangeably frequently used interchangeably as one of the most crucial indicators of globalisation change. The term "global warming" refers to an increase in the amount of carbon dioxide in the atmosphere average global temperatures that has significant consequences for humans, wildlife, and ecosystems worldwide. Because there are more factors and consequences than only rising surface temperatures, the term climate change includes these extra consequences Scientists agree that human impact has been the major driver of observed warming trends since the twentieth century. The amount of carbon dioxide in the atmosphere has risen from roughly 280 parts per million to around 350 parts per million.in pre-Industrial times to 413 ppm as of early 2020. This level of carbon dioxide has never been seen before in

<sup>&</sup>lt;sup>8</sup> Boyle, Alan (October 11, 2012). "Human Rights and the Environment: Where Next?". *European Journal of International Law.* **23:3** (3): 613–642. doi:10.1093/evil/chs054 – via Oxford Academic.

<sup>&</sup>lt;sup>9</sup> R. K. Pachauri, M. R. Allen, V. R. Barros, J. Broome, W. Cramer, R. Christ, and N. K. Dubash (2014). Synthesis study on climate change in 2014. Working Groups I, II, and III Contribution to the Intergovernmental Panel on Climate Change (p. 151). IPCC.

recorded history. According to scientists, we must return to a'safe' quantity of 350 ppm by 2100. to stabilize global warming<sup>10</sup>.

Climate change is a major factor in determining where people reside is increasingly recognized to influence the factors that can lead to population movements, including migration and displacement. Significant population displacement has occurred in the past as a result of major extreme weather events, as well as shifts in the frequency of such occurrenceswill amplify the challenges and risks of such displacement. Displacement is the displacement of people away from their homes, which can happen when catastrophic weather events, such as hurricanes, strike floods and drought, make areas temporarily uninhabitable.<sup>11</sup>.

# V. STEPS TAKEN FOR THE PROTECTION OF THE ENVIRONMENT AT THE NATIONAL AND INTERNATIONAL LEVEL

#### NATIONAL LEVEL

The importance of environmental protection and conservation, as well as the sustainable use of natural resources, is expressed in India's constitutional framework and India's international obligations Part IVA of the Constitution (Art 51A-Fundamental Duties) imposes a responsibility on every Indian citizen to maintain and improve the natural environment, including forests, lakes, rivers, and animals.have compassion for living creatures. Further, the Constitution of India under Part IV (Art 48A-Directive Principles of State Policies) stipulates that the State shall endeavor to protect and improve the environment and safeguard the country's forests and wildlife.

Several environment protection legislations existed even before the Independence of India. However, the true thrust for a well-developed framework in force came only after the U.N. The Human Environment Conference (Stockholm, 1972). Following the Stockholm Conference, the Department of Science and Technology established the National Council for Environmental Policy and Planning in 1972 as a regulatory agency to oversee environmental issues. Later, the Council became a full-fledged Ministry of Environment and Forests. <sup>12</sup>.

Some of the important legislations for environmental protection are as follows:

• The National Green Tribunal Act, 2010

<sup>&</sup>lt;sup>10</sup>https://studentenergy.org/influencer/climatechange/?gclid=EAIaIQobChMI74jQ8mX9QIVhhsrCh2GTQUgEAAYAiAAEgKKhPD\_BwE (visited on 4.1.2022)

<sup>&</sup>lt;sup>11</sup> Intergovernmental Panel on Climate Change, FiŌh Assessment Report 2013

<sup>&</sup>lt;sup>12</sup> India: Environment Laws in India, Vinay Vaish and Hitender Mehta, August 31, 2017

- The Air (Prevention and Control of Pollution) Act, 1981
- The Water (Prevention and Control of Pollution) Act, 1974
- The Environment Protection Act, 1986
- The Hazardous Waste Management Regulations, etc.
- The National Green Tribunal Act, 2010

The National Green Tribunal Act, 2010 (No. 19 of 2010) (NGT Act) has been enacted with the objectives to provide for the establishment of a National Green Tribunal (NGT) for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to the environment and giving relief and compensation for damages to persons and property and matters connected in addition to that or incidental to that. The Act received the permission President of India on June 2, 2010, and was implemented by the Central Government on October 18, 2010, via Notification No. S.O. 2569 (E) with effect from October 18, 2010. The Act provides for the following: the establishment of NGT to Deal with all environmental regulations relating to air and water pollution, including the Environment Protection Act, the Forest Conservation Act, and the Biodiversity Act, as well as the Environment Protection Act, the Forest Conservation Act, and the Biodiversity Act. <sup>13</sup>.

# The Air (Prevention and Control of Pollution) Act of 1981 was enacted to prevent and control pollution in the air.

The Air (Prevention and Control of Pollution) Act of 1981 (the "Air Act") is a law that governs the prevention, control, and mitigation of pollution in the air reduction of air pollution and the establishment of Boards at the Central and State levels to carry out the purposes as mentioned earlier. The Air Act prohibits the use of polluting fuels and substances in order to prevent air pollution and regulating appliances that give rise to air pollution. To counter the problems associated with air pollution, ambient air quality standards were established under the Air Act.

#### The Water (Prevention and Control of Pollution) Act, 1974

The Water Prevention and Control of Pollution Act, 1974 (the "Water Act") has been enacted to prevent and control water pollution and maintain or restore the wholesomeness of water in the country. It further provides for the establishment of Boards to prevent and control water pollution, intending to carry out the purposes mentioned earlier. Additionally, the Water

 $<sup>^{13}\</sup> https://www.mondaq.com/india/waste-management/624836/environment-laws-in-india(visited\ on\ (4.1.2022))$ 

(Prevention and Control of Pollution) Cess Act was enacted in 1977 to provide for the levy and collection of a cess on water consumed by persons operating and carrying on certain types of industrial activities. The Act was last amended in 2003.

### The Wildlife Protection Act, 1972

The Wild Life (Protection) Act, 1972 was enacted to effectively protect the wildlife of this country and control poaching, smuggling, and illegal trade in wildlife and its derivatives. The Act was amended in January 2003, and punishment and penalty for offenses under the Act have been more stringent.

#### The Forest Conservation Act, 1980

The Forest Conservation Act 1980 was enacted to help conserve the country's forests. It strictly restricts and regulates the de-reservation of forests or use of forest land for non-forest purposes without the prior approval of the Central Government. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 recognizes the rights of forest-dwelling Scheduled Tribes and other traditional forest dwellers over the forest areas they inhabited and provides a framework for according the same.

# The Biological Diversity Act, 2002

The Biological Diversity Act 2002 was born out of India's attempt to realize the objectives enshrined in the United Nations Convention on Biological Diversity (CBD), 1992, which recognizes the sovereign rights of states to use their Biological Resources. The Act aims at conserving biological resources and associated knowledge and sustainably facilitating access to them. The National Biodiversity Authority in Chennai has been established to implement the objects of the Act<sup>14</sup>.

#### INTERNATIONAL LEVEL

# **Montreal Protocol**

This protocol regulates the production and consumption of artificial chemicals, depleting the ozone layer. It was finalized in 1987 and adopted on September 15, 1987. It is a multilateral environmental agreement, and this protocol is the only U.N. treaty ever up to date, initially approved by only 46 countries. Still, now it is ratified by all 197 UN member countries/states.

Under this treaty, the developed and developing countries have equal but differentiated responsibilities towards the ozone-depleting substances (ODS), but both countries have binding,

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<sup>14</sup> ibid

time-targeted and measurable commitments. All countries have been given specific duties relating to the curtailment of ozone-depleting imports. India became the signatory member of this treaty on June 19, 1992. On October 15, 2016, parties of the Montreal Protocol adopted the Kigali amendment to curtail the consumption and production of hydrofluorocarbons (HFCs). Countries have agreed to add HFCs to the list of controlled substances. The Kigali Amendment came into force on January 1, 2019, for those countries that have confirmed this amendment.

#### **Kyoto Protocol**

The commitment of the Kyoto Protocol (2013-2020) bridges the gap between the end of the first commitment and the start of the second commitment with further emission cuts. The Kyoto Protocol is an international agreement within the United Nations Framework Convention on Climate Change (UNFCCC), which commits its Annex B-Parties (the countries which have adopted the targets to reduce the greenhouse emissions) with legally binding emission reduction commitments. Whereas, in Annex A- six greenhouse gases are there where the Kyoto Protocol is applied the six greenhouse gases are:- Carbon dioxide (CO2), Methane (CH4), Nitrous oxide (N2O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulphur hexafluoride (SF6).

## **Paris Agreement**

The primary motive of this agreement is to fight back against climate change. This agreement also aims to curb the emission of greenhouse to a certain level. The Paris Agreement came into force on November 4, 2016, and has been signed by 197 countries, and as of November 2019-187 countries have confirmed. India has also given its consent to this agreement. In the whole world, India stands third after China and the U.S. when it comes to the emission of the greenhouse effect, according to May 2019

#### **Kyiv Protocol on Pollutant Release and Transfer Registers**

On October 8, 2009, it became an International Law and was the only legally binding instrument upon the parties. This protocol aims to increase public access to information through the formation of systematic pollutant release and transfer registers.

#### Vienna Convention for the Protection of the Ozone Layer 1985

Initially, this convention was agreed upon in 1985, and it came into force on September 22, 1988. It is a multilateral agreement. Montreal protocol comes under this convention. This convention was formed to monitor and report on ozone depletion globally. The Vienna Convention and its Montreal Protocol are the first global environmental treaties to obtain

universal acceptance with 197 member countries.

#### **Aarhus Convention**

This United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters is often referred to as the Aarhus Convention. It was adopted on January 25, 1998, and came into force in October 2001. Only 47 Parties have ratified this Convention till October 16, 2017.

### Convention on Biological Diversity, 1992

In October 2020, the Governments decided to gather at the U.N. Biodiversity Conference on Biodiversity (CBD COP15) in Kunming, China, to agree on the new framework. This convention provides a legally binding framework that came into force in 1993 to conserve biodiversity and use biodiversity feasibly. Developing the post-2020 global biodiversity framework requires wide-range consultations, working of the groups, and meetings of the expert person involved in this convention.

#### VI. CLIMATE IMPACTS ON ECOSYSTEMS

Climate is an important environmental influence on ecosystems. Changing climate affects ecosystems in a variety of ways. For instance, warming may force species to migrate to higher latitudes or higher elevations where temperatures are more conducive to survival. Similarly, as sea level rises, saltwater intrusion into a freshwater system may force some key species to relocate or die, thus removing predators or prey that are critical in the existing food chain <sup>15</sup>. Climate change poses a wide range of risks to population health. If global climate change continues on its current trajectory, these risks will increase to potentially critical levels in future decades.

The three main categories of health risks include:

- (i) direct-acting effects (e.g., due to heatwaves, amplified air pollution, and physical weather disasters),
- (ii) (ii) impacts mediated via climate-related changes in ecological systems and relationships (e.g., crop yields, mosquito ecology, marine productivity), and

<sup>&</sup>lt;sup>15</sup> https://19january2017snapshot.epa.gov/climate-impacts/climate-impacts-ecosystems\_.html (VISITED ON 5.1.2022)

(iii) The more diffuse (indirect) consequences relate to impoverishment, displacement, resource conflicts (e.g., water), and post-disaster mental health problems.

Climate change threatens to slow, halt or reverse international progress towards reducing child under-nutrition, deaths from diarrheal diseases, and the spread of other infectious diseases. Climate change predominantly exacerbates the existing, often enormous, health problems, especially in the poorer parts of the world. Current variations in weather conditions already have many adverse impacts on the health of poor people in developing nations, and these two are likely to be 'multiplied' by the added stresses of climate change.

A changing climate thus affects the prerequisites of population health: clean air and water, sufficient food, natural constraints on infectious disease agents, and the adequacy and security of shelter. A warmer and more variable climate leads to higher levels of some air pollutants. It increases the rates and ranges of transmission of infectious diseases through unclean water and contaminated food. It affects vector organisms (such as mosquitoes) and intermediate or reservoir host species that harbor infectious agents (cattle, bats, and rodents). Changes in temperature, rainfall, and seasonality compromise agricultural production in many regions, including some of the least developed countries, thus jeopardizing child health and growth and adults' overall health and functional capacity. As warming proceeds, the severity (and perhaps frequency) of weather-related disasters will increase – and appears to have done so in many regions of the world over the past several decades.

Health equity and climate change have a major impact on human health and quality of life and are interlinked in several ways. The WHO Commission on Social Determinants of Health report points out that disadvantaged communities are likely to shoulder a disproportionate share of the burden of climate change because of their increased exposure and vulnerability to health threats. Over 90 percent of malaria and diarrheal deaths are borne by children aged five years or younger, mostly in developing countries. Other severely affected population groups include women, the elderly, and people living in small island developing states and other coastal regions, mega-cities, or mountainous areas <sup>16</sup>.

#### VII. CONCLUSION

Climate change is happening, and it is caused largely by human activity. Its impacts are beginning to be felt and will worsen in the decades ahead unless we take action. The increasing rate of global warming—courtesy of carbon dioxide and other greenhouse gas emissions from

<sup>&</sup>lt;sup>16</sup> https://en.wikipedia.org/wiki/Effects\_of\_climate\_change\_on\_humans (VISITED ON 5.1.2022)

human activities—has led to climatic changes and environmental degradation, resulting in great challenges concerning diseases and human health. Many previously unknown diseases in certain climatic zones are now finding their way to such areas due to changes in the weather conditions. Further, many illnesses thought extinct are re-emerging in areas with altered climatic conditions that favor their comeback. It is therefore important that stakeholders and decision-makers at industrial, government, and international policy levels come up with stringent and workable means of cutting down on greenhouse gases emission to combat the spread of global warming effects and the resultant climate change, which has produced devastating impacts, especially among poorer nations. Further, there should be increased funding of adaptation and coping programs and projects in affected areas to minimize the effects on human health and curtail the spread of diseases.

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