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# The Effects of Climate Change from Human Rights Perspective

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MRIDUSMITA BARUAH<sup>1</sup>

## ABSTRACT

*Climate change is a global problem with grave implications: environmental, social, economic, political and for the distribution of goods. It represents one of the principal challenges facing humanity in our day. Its worst impact will probably be felt by developing countries in coming decades.” – Pope Francis. The visible consequences pertaining to climate change has highly affected the rights of the human beings, especially in the developing countries. The increase in the earth’s temperature and rapid deforestation is a major indicator of climate change. The global impact that climate change patterns can have on human rights was not considered a relevant issue till recently. The anthropogenic activities of humans have a profound negative effect on the human rights of each and every individual citizen.*

*The climate change has given rise to numerous issues which are now a major threat to human survival from excess precipitation, acid rain, increased in the sea level to fertile lands becoming barren and uncultivable, heavy deforestation and endangering home of the animals i.e. flora and fauna of the mother earth. These particular events occurring in the natural environment threaten the very existence of human survival and human rights. The civil or political rights of men, women and children are at a constant jeopardy.*

*Growing inequalities between developed and developing countries are witnessed at a global level. The countries which produce higher concentration of greenhouse gases are at a lower risk of being exploited than that of the developing countries. New problems concerning the vulnerable populations seem to emerge in the society. In order to promptly protect the human rights, the means to prevent depletion of climate change must be addressed at a global platform.*

**Keywords:** UNFCCC, Human Rights, climate change, Ochr, Male, vulnerable.

## I. INTRODUCTION

The global phenomenon has experienced severe adverse impact on patterns of climate change. The worst affected countries of climate change depletion are the third world countries. Till recently, environmental law concerning climate change was not included within the domain of

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<sup>1</sup> Author is a Teaching Associate (Human Rights) at Department of Law, Gauhati University, India.

international human rights instrument. The inherent right to life and freedom is at a near end due to the exploitative activities conducted by the mankind<sup>2</sup>. The one accountable for depletion of the natural environment are the human beings. Man has gone to such extent of exploiting the natural resources, that it's devastating impacts can be witnessed in variations of climate change. The intergovernmental panel on climate change has debated long on the issue of increased atmospheric concentration of greenhouse gases. The environmental changes affected by severe climate change has interfered with our fundamental human rights. The response measures on climate change adversaries are already at a disadvantage due to exploitative anthropogenic activities.

This negative changes has impacted mostly the vulnerable section of the people i.e. women, children living in the rural areas especially in the coastal Island<sup>3</sup> states. The adverse impact of increased variation in climate change has threaten to jeopardize the very survival of livelihood on earth.

## **II. THE TUSSLE BETWEEN CLIMATE CHANGE AND HUMAN RIGHTS**

The Magna Carta to our basic human rights i.e. Universal Declaration of Human Rights and the subsequent international covenants of protection of our fundamental rights has evidently given regard to the duty of states to cooperate to prevent violation of our human rights which also includes the duty to take effective action in the global fight against adverse climate change. The human rights dimension can be witnessed in the landmark climate change conference convened by the United Nations (UNFCCC).

Human rights expresses the entitlement of all people to be treated equally, to live their life in safety and freedom, and to be protected by their government. So many of our human rights, such as right to life, health, food, and an adequate standard of living, are adversely affected by climate change. We see the evidence of this, for instance, with each new extreme weather event and the devastation that ensues such as death and the destruction of crops and property. Without further action, climate change will continue to devastate people and the planet, and human rights will continue to be violated.

During COP 24, the UN climate change conference in Poland, 34 UN human rights experts – on issues ranging from business, development, and environment – called upon countries to take

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<sup>2</sup> Understanding Human Rights and Climate Change (March 12<sup>th</sup>, 2023) available at <https://www.ohchr.org/Documents/Issues/ClimateChange/COP21.pdf>

<sup>3</sup> Climate Change & Human Rights – A primer ( March 13<sup>th</sup>, 2023) available at [https://www.ciel.org/Publications/CC\\_HRE\\_23May11.pdf](https://www.ciel.org/Publications/CC_HRE_23May11.pdf)

human rights-based climate action in line with the 1.5C temperature target in the Paris Agreement. The landmark joint statement has implications well beyond this climate conference, and sends a clear signal to national governments and fossil fuel companies alike.

The independent UN experts called on states to, among other actions, “commit to urgently increase their ambition, given the grave nature of the climate crisis and the pressing need for scaled-up mitigation efforts”; and “encourage businesses to integrate climate change considerations in their policies and practices, including their human rights due diligence processes and impact assessments.”

The duty of the world community now underlies in the establishment of rights-based approach to mitigate the adversaries against severe climate change. The phenomenon of climate change has direct implications on the survival of human rights in the following manner:

- Change in the coastline areas
- Melting of polar ice caps and permafrost due to damage of land, buildings and construction
- Rise in surface temperature and increase in waterborne diseases, and higher concentration of nitrate and potentially dangerous gases
- Sea level<sup>4</sup> rise leading to heavy storms, flood and hurricane, tornadoes in the alerted regions due to displacement of millions of people threatening their livelihood.
- Acute shortage of water in the drought affected zones
- Less fertile agricultural land for cultivation and production of food crops which has impacted the farmers as their basic survival is primarily agricultural

In regions of Indonesia, Venezuela and Mauritania where women had to bear the responsibility of gathering the essentials for their families are suffering heavily due to rapid changes in the temperature. Children particularly suffer severe malnutrition and prone to natural disasters as they lack the physical strength of survival. The author has mentioned about the indigenous community whose basic survival is the natural environment, they are inextricably linked to the natural surroundings. Their cultural identity is jeopardized when events of nature happen precariously.

Some of the instances that the international community has taken to mitigate climate change

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<sup>4</sup> John Knox- Human Rights Principle and Climate Change ( Feb 15<sup>th</sup> 2023) available at <https://www.law.uh.edu/faculty/thester/courses/Climate%20Intervention%20Law%202019/Human%20Rights%20Principles%20and%20Climate%20Change%20by%20Knox.pdf>

from the human rights perspective included – the Inuit petition was forwarded by Canada and United States under the initiative of Inter-American Commission on Human Rights in 2005 with the legal support of The Centre for International Environmental Law (CIEL) and Earth Justice to bring solutions to the adverse climate change suffered by the people living in the Arctic region.

In 2004, per-capita GHG emissions in the United States, Canada, and Australia approached 6 metric tons, and those in Japan and Western European countries ranged from 2 to 5 metric tonnes. In contrast, annual per-capita GHG emissions in developing countries overall approximate 0.6 mt, and more than 50 developing countries have annual per-capita GHG emissions less than 0.2 metric tonnes.

In 2007, the Republic of Maldives has recognized the relation between climate change and human rights through the Male Declaration on the Human Dimension of Global Climate change. The Declaration has provided intensive infrastructure for human civilization to combat climate change adversaries on the individual and communities. The threat to human and animal survival has been so evident and an eye opener to the global community that the United Nations Human Rights Council has under Resolution 7/23 inclined on protection of human rights and climate change adversities in March 2008. The climate change domain has direct and legal implications on the fundamental rights of the human beings and also on the natural environment.

As global temperature increases, rich countries' economies continue to prosper, but the economic growth of poor countries is seriously impaired more than previously estimated. The increasing carbon dioxide concentrations and rapid climate change, with poor countries' mean annual growth rate decreasing from 3.2% to 2.6%<sup>5</sup>. The low income countries are likely to suffer a greater adverse effect than rich countries from climate change because they lack advance mitigation technology to prevent such global catastrophe.

If the world does not take urgent measure as set out by the Paris Agreement 2015 of limiting global warming to 1.5° c above pre-industrial level, the consequences would be deemed catastrophic. In the long term, global climate change will affect nearly every significant segment of the world population, if the measures to mitigate climate change adversaries are not implemented adequately. The degradation to the natural environment is a signaling threat of the adverse climate change impact on subsequent lives of the people.

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<sup>5</sup> Ibid