

International Human Rights Law and Climate Change

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Ironically, the most pressing concerns receive the least attention. International Human Rights Law is a set of international treaties agreed upon by sovereign states for the protection of human dignity.¹ Naturally, the Earth has been warming at a slow pace. However, increased gases in the atmosphere have sped up warming, causing climate change.² This phenomenon is considered by the Intergovernmental Panel on Climate Change (IPCC) as the result of human activities which release harmful gases, including carbon dioxide and methane, into the atmosphere, altering the climate's rhythm.³ Such changes pose a threat to life, access to water, food and housing, and so impacts the human right to subsistence, health and life.⁴ Following the United Nations Human Rights Council's (UNCHR) acknowledgement of the implications of climate change on human rights in 2008,⁵ International law now obligates its states to ensure that global warming does not affect human rights.⁶ The lack of attention this matter receives paradoxically depicts it as the most concerning issue in the International Human Rights Law.

¹ 'The Foundation of International Human Rights Law' (*United Nations*)

<<https://www.un.org/en/sections/universal-declaration/foundation-international-human-rights-law/index.html>> accessed 26 July 2019.

² Intergovernmental Panel on Climate Change, *Climate Change 2001. Synthesis Report*. (Cambridge University Press 2001).

³ *Georgia Journal of International and Comparative Law*. Georgia Journal of International and Comparative Law Inc., 38(3).

⁴ Simon Caney, 'Climate change, human rights and moral thresholds' (2010) *Climate ethics: Essential readings*. OUP, 9, pp.163-177.

⁵ Ezra M. Markowitz and Azim F. Shariff (2012) 'Climate change and moral judgement', *Nature Climate Change*. Nature Publishing Group, 2(4), pp. 243–247. doi: 10.1038/nclimate1378.

⁶ Limon, Marc (2010) 'Human rights obligations and accountability in the face of climate change. (International Human Rights and Climate Change)', *Georgia Journal of International and Comparative Law*. Georgia Journal of International and Comparative Law Inc., 38(3).

Climate change affects natural beings. The Human Right to Subsistence promotes an individual's right to a standard level of living and environment.⁷ However, research shows that this has been contradicted by rising temperatures. It has led to land species, and approximately twenty-five per cent of marine species, being threatened by extinction due to inhabitable environments. Coral reefs worldwide are facing destruction, affecting the tourism economy.⁸ Similarly, there has been a decline in the fishing industry, which is an essential source of livelihood and threats to food supply are imminent. Although these effects are indirect, climate change disrupts the food supply and affects conventional means for living, which in return impacts an individual's right to a basic standard of life.

Likewise, the Right to Health is not the entitlement to be healthy but includes the right to safe and sufficient water and food.⁹ While existing numbers state that thirty countries around the world are water-scarce, a study puts forward that by 2050 water supplies may fall further by approximately ten per cent. Shortages in freshwater, too, risk a widespread of waterborne diseases. This is due to perceived increased floods, heavier rainfall in some areas and drought in others as a result of the altered water cycle. Food supplies will also be affected as higher temperatures and droughts could be fatal for agriculture and livestock.¹⁰ Hence, an individual's Right to Health is compromised by climate change.

Most importantly, people are only familiar with the effect of climate change on animals. The Human Right to Life safeguards a person's freedom from life-threatening situations. However,

⁷ Simon Caney, 'Climate change, human rights and moral thresholds' (2010) *Climate ethics: Essential readings*. OUP, 9, pp.163-177.

⁸ Cameron, Edward (2010) 'Human rights and climate change: moving from an intrinsic to an instrumental approach. (International Human Rights and Climate Change)', *Georgia Journal of International and Comparative Law*. Georgia Journal of International and Comparative Law Inc., 38(3).

⁹ Office of the United Nations High Commissioner for Human Rights, 'The Right to Health' <<https://www.ohchr.org/Documents/Publications/Factsheet31.pdf>> accessed 26 July 2019.

¹⁰ https://epub.wupperinst.org/frontdoor/deliver/index/docId/2493/file/2493_Sachs.pdf%20/

changes to the ecosystem can cause more frequent floods, hurricanes and storms. On the one hand, this imposes higher chances of death. An indirect effect of such events, on the other hand, could be a rise in diseases such as malaria and diarrhoea whose decrease rates cannot be disregarded. Heatwaves, too, are imminent which have already caused thousands of fatalities in Europe and Asia.^{11,12} Thus, global warming will continue to threaten both human rights and lives if the world's emissions are not controlled.

The relationship between climate change and human rights is the most pressing issue in International Human Rights Law. While there has been an increased understanding of the dangers presented by climate change, there is a noticeable lack of initiative from governments and major corporate bodies to reduce carbon emissions. The United States, with the world's second-largest carbon footprint, could be increasing its emissions by 1.7% due to fuel prices rollback, while the United Kingdom could face arbitration for its inaction towards reducing carbon emissions.¹³ Likewise, only twelve per cent of the world's largest corporate emitters

¹¹ James Gallhager, 'Heatwaves and the human body' *BBC* (United Kingdom, July 2019) < <https://www.bbc.com/news/health-49112807>> accessed 26 July 2019.

¹² Mujib Mashal, 'India Heat Wave, Soaring Up to 123 Degrees, Has Killed at Least 36' *The New York Times* (New Delhi, June 2019) < <https://www.nytimes.com/2019/06/13/world/asia/india-heat-wave-deaths.html>> accessed 26 July 2019.

¹³ Fiona Harvey, 'Quarter of world's biggest firms 'fail to disclose emissions' *The Guardian* (London, July 2019) < https://www.theguardian.com/environment/2019/jul/10/quarter-of-worlds-biggest-firms-fail-to-disclose-greenhouse-gas-emissions?utm_campaign=Carbon%20Brief%20Daily%20Briefing&utm_medium=email&utm_source=Revue%20newsletter> accessed 26 July 2019.

shows initiative towards change.^{14,15} The limited efforts and little improvements depict that climate change is not receiving the attention it requires considering the adverse effects it poses on life.

This inaction could delay plans to reduce poverty. Continuous weather events are expected to affect the world's poorest societies making it difficult to progress from already existing difficulties and thus result in significant human rights violations.¹⁶ There will also be the burden of solving global warming, considering the ineffectiveness of present strategies.¹⁷ And thus, if these human rights violations are not addressed, an unwanted ripple effect could occur.

Governments and corporate giants are both obligated by statutory and moral law to reduce carbon emissions for the betterment of the environment. However, limited efforts and improvements illustrate that climate change is not receiving the attention it requires. This is ironic as it affects an individual's right to at least a basic standard of living, access to safe and sufficient food and water, as well as their basic right to life as a result of global warming and extreme weather episodes. The danger is now forthcoming to all living things and future

¹⁴ 'CO2 emissions (kt)' (*The World Bank*)

<https://data.worldbank.org/indicator/EN.ATM.CO2E.KT?year_high_desc=true> accessed 26 July 2019.

¹⁵ Ezra M. Markowitz and Azim F. Shariff (2012) 'Climate change and moral judgement', *Nature Climate Change*. Nature Publishing Group, 2(4), pp. 243–247. doi: 10.1038/nclimate1378.

¹⁶ Limon, Marc (2010) 'Human rights obligations and accountability in the face of climate change. (International Human Rights and Climate Change)', *Georgia Journal of International and Comparative Law*. Georgia Journal of International and Comparative Law Inc., 38(3).

¹⁷ Ezra M. Markowitz and Azim F. Shariff (2012) 'Climate change and moral judgement', *Nature Climate Change*. Nature Publishing Group, 2(4), pp. 243–247. doi: 10.1038/nclimate1378.

generations to come, and corporate giants must be held accountable for their lack of interest in reducing carbon emissions under the International Human Rights Law.

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