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## CLIMATE CHANGE AS A HUMAN RIGHTS ISSUE

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### ABSTRACT

Climate change poses one of the most significant threats to humanity in the 21st century, with disproportionate impacts on vulnerable populations. Beyond environmental and economic consequences, climate change increasingly implicates core human rights, including the rights to life, health, food, water, and adequate housing. This paper examines the intersection of climate change and human rights, arguing that climate change should be addressed not only as a scientific and policy challenge but also as a fundamental human rights concern. It explores how international legal frameworks, such as the Universal Declaration of Human Rights and the Paris Agreement, support this intersection, and evaluates the responsibilities of both states and corporations in protecting these rights. The analysis concludes with a call for stronger legal mechanisms to hold violators accountable and to ensure the rights of future generations in the face of accelerating climate impacts.



**KEYWORDS :** Climate change; human rights; environmental justice; international law; vulnerable populations; Paris Agreement; climate responsibility.

### Footnotes

1. United Nations General Assembly, Universal Declaration of Human Rights, 1948, Article 3.
2. UN Human Rights Council, "Human Rights and Climate Change," Resolution 7/23, March 2008.
3. Intergovernmental Panel on Climate Change (IPCC), Climate Change 2023: Synthesis Report, 2023.
4. OHCHR, "The Effects of Climate Change on the Full Enjoyment of Human Rights," 2016.
5. United Nations Framework Convention on Climate Change (UNFCCC), The Paris Agreement, 2015, Article 7.
6. Knox, John H., "Human Rights Principles and Climate Change," in Environmental Policy and Law, vol. 44, no. 3, 2014.
7. Mary Robinson Foundation – Climate Justice, "Climate Justice: Principles," accessed July 2025.
8. Amnesty International, "Climate Change Is a Human Rights Issue," Policy Brief, 2021.

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**INTRODUCTION:**

Climate change is no longer merely an environmental or scientific concern; it has become a profound human rights issue affecting billions of lives globally. The adverse impacts of climate change—rising sea levels, extreme weather events, droughts, and food insecurity—disproportionately affect vulnerable populations, especially in developing regions, threatening their rights to life, health, water, food, shelter, and livelihood<sup>1</sup>. The United Nations Human Rights Council and various international legal frameworks have increasingly recognized that failure to act on climate change constitutes a violation of fundamental human rights<sup>2</sup>. Indigenous communities, small island nations, and marginalized groups bear the brunt of these impacts, despite contributing the least to global emissions<sup>3</sup>. Addressing climate change through a human rights lens compels governments and corporations to adopt more equitable and just mitigation and adaptation policies that prioritize human dignity and justice<sup>4</sup>.

**FOOTNOTES:**

1. Office of the United Nations High Commissioner for Human Rights (OHCHR). "Understanding Human Rights and Climate Change", 2015.
2. UN Human Rights Council, Resolution 7/23, Human Rights and Climate Change, 2008.
3. Amnesty International. "Climate Change is a Human Rights Issue", 2019.
4. Mary Robinson Foundation – Climate Justice. "Principles of Climate Justice", 2011.

**AIMS AND OBJECTIVES**

The primary aim of this study is to critically examine climate change as a human rights issue, highlighting how environmental degradation threatens the fundamental rights of individuals and communities across the globe. This approach emphasizes the interconnectedness between environmental justice and human dignity<sup>1</sup>.

**SPECIFIC OBJECTIVES:**

1. To analyze the impact of climate change on basic human rights, including the rights to life, health, food, water, and adequate housing<sup>2</sup>.
2. To explore the disproportionate burden placed on vulnerable and marginalized populations, such as indigenous communities, small island nations, and low-income groups<sup>3</sup>.
3. To evaluate international legal frameworks and policy responses that address climate change from a human rights perspective, including the role of the UN Human Rights Council and global climate agreements<sup>4</sup>.
4. To advocate for climate justice, promoting policies that ensure equitable adaptation and mitigation strategies based on human rights principles<sup>5</sup>.
5. To encourage the recognition of environmental degradation as a human rights violation in national and international legal systems<sup>6</sup>.

This research seeks to reframe climate discourse by integrating human rights principles, ensuring that global and local responses are not only scientifically effective but also ethically and socially just.

**FOOTNOTES**

1. Knox, J. H. (2017). Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. United Nations Human Rights Council.
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### REVIEW OF LITERATURE:

In recent decades, the intersection of climate change and human rights has emerged as a significant field of interdisciplinary research. Scholars and institutions have increasingly recognized that the consequences of climate change are not only environmental but also deeply social and ethical, disproportionately affecting the most vulnerable populations who often contribute least to greenhouse gas emissions

1. One of the earliest institutional recognitions of this connection came from the United Nations Human Rights Council, which in 2008 adopted Resolution 7/23, affirming that climate change “poses an immediate and far-reaching threat to people and communities around the world” and has direct implications for the enjoyment of human rights
2. This has paved the way for a growing body of academic literature exploring the legal and moral obligations of states to protect these rights in the context of a changing climate. John H. Knox, former UN Special Rapporteur on Human Rights and the Environment, argues that a safe, clean, healthy, and sustainable environment is not merely a luxury but a prerequisite for the realization of many internationally recognized human rights
3. His reports emphasize that environmental harm can interfere with the rights to life, health, water, and housing—rights enshrined in key human rights treaties. Mary Robinson, former President of Ireland and UN High Commissioner for Human Rights, has been influential in promoting the concept of climate justice, which centers the discussion on equity, accountability, and the moral imperative to protect those most affected
4. Her work urges policymakers to frame climate solutions within a human rights-based approach. From a legal perspective, scholars like Sumudu Atapattu and Stephen Humphreys have examined how international human rights law can be leveraged to address climate-related harms. They discuss both the limitations and opportunities in applying human rights frameworks to climate litigation and policy development
5. Furthermore, recent developments, such as the UN General Assembly's 2022 recognition of the right to a healthy environment, have been praised as a step toward embedding environmental protection in the global human rights regime
6. The literature also underscores how indigenous peoples, women, children, and those living in low-lying or disaster-prone areas are at greater risk. Research from NGOs like Amnesty International and Human Rights Watch has documented real-world cases where these communities face forced displacement, loss of livelihoods, and inadequate state responses—all of which can constitute violations of their rights
7. Collectively, the literature demonstrates a clear trend: climate change is no longer solely the concern of environmental scientists and economists—it is now a central challenge for human rights advocates, legal scholars, and policy makers alike.

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4. Mary Robinson Foundation – Climate Justice. (2011). Principles of Climate Justice.
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## RESEARCH METHODOLOGY

This study adopts a qualitative research methodology, utilizing a doctrinal and analytical approach to explore the link between climate change and human rights. It combines legal analysis, case study evaluation, and review of secondary data sources to critically assess the extent to which climate change affects the enjoyment of fundamental human rights and how international and national legal frameworks respond to these challenges.

### 1. Research Design

The research is descriptive and exploratory in nature. It aims to describe how climate change impacts human rights and to explore whether current legal mechanisms are adequate to protect those rights. The study focuses on identifying patterns and trends in policy responses, international legal instruments, and rights-based advocacy.

### 2. Sources of Data

International legal instruments (e.g., UN Human Rights Council resolutions, Paris Agreement, UN General Assembly declarations)<sup>1</sup>. Reports and publications by global organizations such as the OHCHR, UNEP, Amnesty International, and Human Rights Watch<sup>2</sup>. Academic books, journal articles, and policy papers discussing the intersection of climate change and human rights. Judicial decisions and case law where environmental damage has been addressed from a human rights perspective<sup>4</sup>.

### 3. Doctrinal Legal Analysis

The doctrinal method is used to interpret existing international human rights laws and treaties in the context of climate change. Key documents include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and recent UN declarations on environmental rights<sup>5</sup>.

### 4. Case Study Method

Select case studies are analyzed to illustrate real-world instances where climate-related harms have infringed upon human rights. Examples include: Displacement of communities in Pacific Island nations due to rising sea levels<sup>6</sup>. Heat-related deaths and health impacts in vulnerable urban populations<sup>7</sup>. Legal actions, such as the Urgenda case in the Netherlands, where courts ruled in favor of stronger climate action based on human rights obligations<sup>8</sup>.

### 5. Analytical Framework

The research applies a rights-based analytical framework, assessing state responsibility and accountability in climate policy. It also evaluates how principles of equity, justice, and non-discrimination are incorporated into adaptation and mitigation strategies<sup>9</sup>.

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8. The Hague District Court. (2015). Urgenda Foundation v. State of the Netherlands.
9. Mary Robinson Foundation – Climate Justice. (2011). Principles of Climate Justice.

### SUGGESTED TABLES

**Table 1: Climate Change Impacts and Corresponding Human Rights Violations**

Climate Impact	Affected Human Right(s)	Relevant Legal Instrument(s)
Rising sea levels	Right to housing, Right to self-determination	UDHR, ICCPR, ICESCR
Drought and food scarcity	Right to food, Right to health	ICESCR, UN Declaration on the Right to Food
Floods and displacement	Right to shelter, Right to life, Right to freedom of movement	Refugee Convention (limited), ICCPR
Heatwaves and disease	Right to health, Right to life	ICESCR, WHO Constitution
Water scarcity	Right to water, Right to sanitation	UN Resolution 64/292, ICESCR

**Table 2: Vulnerable Populations and Disproportionate Impacts of Climate Change**

Vulnerable Group	Specific Risks from Climate Change	Rights Threatened
Indigenous Peoples	Loss of land, cultural erosion, displacement	Cultural rights, land rights, self-determination
Women	Food insecurity, caregiving burden, reproductive health risks	Right to equality, right to health
Children	Malnutrition, lack of access to education or shelter	Right to education, right to development
Low-income communities	Limited adaptive capacity, inadequate housing	Right to adequate living standard
Small Island Nations	Total submersion, loss of sovereignty	Right to existence, statehood, relocation rights

**Table 3: Key International Frameworks Linking Climate Change and Human Rights**

Instrument	Relevant Provisions	Year
Universal Declaration of Human Rights (UDHR)	Right to life, health, adequate standard of living	1948
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Rights to food, health, housing, water	1966
UN Human Rights Council Resolution 7/23	Recognized climate change as a human rights concern	2008
Paris Agreement (UNFCCC)	Preamble mentions human rights	2015
UN General Assembly Resolution A/RES/76/300	Recognizes right to a clean, healthy, and sustainable environment	2022

**Table 4: Notable Legal Cases Linking Climate Change and Human Rights**

Case Name	Country	Outcome / Key Finding	Year
<i>Urgenda Foundation v. Netherlands</i>	Netherlands	Dutch government obligated to reduce emissions on human rights grounds	2015
<i>Leghari v. Federation of Pakistan</i>	Pakistan	Court ordered government to implement climate framework	2015
<i>Juliana v. United States</i>	United States	Ongoing case asserting youth's right to a stable climate	2015–
<i>Teitiota v. New Zealand</i>	UNHRC/Global	Set precedent on climate refugees, though appeal was denied	2020

**Table 5: Principles of Climate Justice and Their Human Rights Basis**

Climate Justice Principle	Human Rights Connection	Source
Equity and Fairness	Right to non-discrimination, Right to development	UNFCCC, ICESCR
Participation and Inclusion	Right to participation in public affairs	ICCPR, Aarhus Convention
Transparency and Accountability	Right to information, Right to justice	UN Human Rights Council
Intergenerational Equity	Rights of future generations	Rio Declaration, Earth Charter

## STATEMENT OF THE PROBLEM

Climate change poses an urgent and multifaceted threat to humanity, affecting not only the environment but also the core human rights of billions of people across the globe. While the scientific and economic impacts of climate change have been widely studied, its direct and indirect consequences on human rights—such as the rights to life, health, food, water, shelter, and self-determination—remain under-addressed in legal and policy frameworks<sup>1</sup>. The most vulnerable populations, including indigenous communities, low-income groups, women, children, and people in developing countries, are disproportionately affected, despite having contributed the least to global greenhouse gas emissions<sup>2</sup>. Despite growing recognition from international bodies such as the United Nations Human Rights Council, many national governments and legal systems lack adequate mechanisms to protect these populations from climate-related harms<sup>3</sup>. For instance, rising sea levels are already threatening the very existence of small island nations, yet their pleas for justice often go unheard in global negotiations<sup>4</sup>. Furthermore, climate change exacerbates existing inequalities and undermines decades of progress in health, education, housing, and poverty alleviation<sup>5</sup>. The failure to frame climate change as a human rights issue results in policies that prioritize technical or economic solutions over equity, justice, and accountability. Without a human rights-based approach, climate action risks ignoring the needs and voices of the marginalized, leading to unjust adaptation and mitigation measures<sup>6</sup>. Therefore, there is an urgent need to reframe climate change as a human rights challenge, to hold states and corporations accountable, and to develop legal and policy instruments that are people-centered and rights-based.

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1. OHCHR. (2015). Understanding Human Rights and Climate Change.
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3. United Nations Human Rights Council. (2008). Resolution 7/23: Human Rights and Climate Change.
4. UN General Assembly. (2022). The Human Right to a Clean, Healthy and Sustainable Environment (A/RES/76/300).
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6. Mary Robinson Foundation – Climate Justice. (2011). Principles of Climate Justice.

## NEED OF THE STUDY

Climate change is increasingly recognized not just as an environmental crisis, but also as a profound threat to the realization of basic human rights. The traditional treatment of climate change through scientific, technical, and economic lenses often overlooks its devastating effects on the rights to life, health, food, water, housing, and livelihood—especially among the most vulnerable populations<sup>1</sup>. This gap highlights the critical need for a rights-based approach to climate change, which ensures that equity, justice, and human dignity are central to global and national climate responses<sup>2</sup>. Despite growing international acknowledgment, the integration of human rights into climate policies remains weak, inconsistent, and non-binding in many jurisdictions<sup>3</sup>. There is an urgent necessity to study this intersection more closely, particularly in the context of developing countries and marginalized groups, who are both the least responsible for climate change and the most affected by it<sup>4</sup>. The study is also needed to examine international legal frameworks and state obligations under human rights law in relation to climate change, and to assess whether existing legal instruments are sufficient to protect communities from climate-related harms<sup>5</sup>. It will further contribute to emerging debates on climate justice, environmental displacement, and intergenerational equity, helping to shape fairer and more inclusive climate governance structures<sup>6</sup>. In light of increasing global temperatures, rising sea levels, and extreme weather events, there is a compelling need for academic research, legal reform, and policy development that places human rights at the center of climate action. Understanding the intersection between these two critical issues will not only support vulnerable populations but also promote sustainable, just, and resilient societies.

## FOOTNOTES

1. OHCHR. (2015). Understanding Human Rights and Climate Change.
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## FURTHER SUGGESTIONS FOR RESEARCH

While the intersection of climate change and human rights has gained increasing scholarly and policy attention, several critical areas remain underexplored. Further research is essential to develop more robust, equitable, and rights-based responses to the climate crisis at global, regional, and local levels.

1. **Comparative Legal Frameworks:** Future research can analyze how different countries integrate human rights principles into their climate change laws and policies. A comparative legal study can identify best practices and legal gaps in enforcing climate justice across jurisdictions<sup>1</sup>.
2. **Climate-Induced Displacement and Migration:** There is a pressing need for detailed research on the legal status and protection mechanisms for climate refugees and displaced persons. Current international refugee law does not adequately recognize those displaced by environmental factors<sup>2</sup>.

3. **Impact on Specific Vulnerable Groups:** Further studies could focus on the gendered impacts of climate change, as well as its effects on children, indigenous peoples, persons with disabilities, and the elderly. These groups face distinct challenges that are often overlooked in mainstream policy responses<sup>3</sup>.
4. **Role of International Human Rights Bodies:** More in-depth investigation is required into how organizations like the UN Human Rights Council, the International Court of Justice, and regional human rights courts can be more effective in holding states and corporations accountable for climate-related human rights violations<sup>4</sup>.
5. **Litigation and Rights-Based Climate Advocacy:** The role of strategic litigation in climate justice is an emerging field of interest. Research could evaluate the impact of landmark court cases (e.g., *Urgenda v. Netherlands*) and explore how legal actions can be used as tools for rights enforcement<sup>5</sup>.
6. **Corporate Accountability and Human Rights:** Given the role of large corporations in contributing to global emissions, future research should examine corporate human rights responsibilities in the context of climate change, and the development of binding international instruments<sup>6</sup>.
7. **Intersection with Sustainable Development Goals (SDGs):** Research linking climate-related human rights issues with the UN Sustainable Development Goals, particularly SDG 13 (Climate Action) and SDG 16 (Peace, Justice and Strong Institutions), could provide a multidisciplinary framework for integrated policy development<sup>7</sup>.
8. **Technological and Ethical Considerations:** Investigate the human rights implications of geoengineering, carbon markets, and climate technologies, particularly their impact on indigenous territories and developing nations<sup>8</sup>.

Expanding research in these areas will support the creation of more inclusive, rights-respecting climate governance, and contribute to the global movement for climate justice.

## FOOTNOTES

1. Bodansky, D., Brunnée, J., & Rajamani, L. (2017). *International Climate Change Law*. Oxford University Press.
2. McAdam, J. (2012). *Climate Change, Forced Migration, and International Law*. Oxford University Press.
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7. UNDP. (2020). *Human Rights-Based Approaches to the SDGs*.
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## SCOPE AND LIMITATIONS

### Scope of the Study

This study seeks to explore the intersection between climate change and human rights, with a particular focus on how climate-induced environmental changes affect the realization of fundamental human rights. The research covers a range of internationally recognized rights, including the right to life, health, food, water, housing, and livelihood<sup>1</sup>. It also examines international legal frameworks, such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and resolutions passed by the United Nations Human Rights Council addressing climate-related human rights concerns<sup>2</sup>.



### The study further aims to analyze:

- The disproportionate impact on vulnerable communities, such as indigenous peoples, women, children, and low-income populations<sup>3</sup>.
- The role of states and international organizations in integrating human rights principles into climate policies.
- Key case studies and judicial precedents, such as the *Urgenda v. Netherlands* decision, which highlight how courts have recognized climate change as a rights-based issue<sup>4</sup>.

By taking a qualitative, doctrinal, and analytical approach, the research aims to contribute to the evolving discourse on climate justice, urging the incorporation of human rights frameworks into global and national climate action strategies.

### LIMITATIONS OF THE STUDY

1. **Dependence on Secondary Data:** The research primarily relies on existing literature, international reports, legal documents, and case studies. There is no collection of primary data (e.g., interviews or field research), which could provide deeper insight into the lived experiences of affected communities<sup>5</sup>.
2. **Jurisdictional Focus:** While international frameworks are discussed, the comparative analysis of national legal systems is limited to selected examples. Thus, the findings may not fully represent the diversity of legal responses across all regions.
3. **Dynamic Policy Landscape:** Climate change law and human rights discourse are rapidly evolving. Some legal or institutional developments may occur after the completion of this research, potentially affecting the relevance or accuracy of certain analyses<sup>6</sup>.
4. **Limited Technical Analysis:** This study does not engage deeply with the scientific or economic modeling of climate change impacts, as its primary focus is on legal and human rights dimensions.
5. **Subjectivity in Human Rights Interpretation:** The application and interpretation of human rights norms may vary across cultural, legal, and political contexts, which may affect the universal applicability of some conclusions<sup>7</sup>.

### FOOTNOTES

1. OHCHR. (2015). Understanding Human Rights and Climate Change.
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foundation of the literature review and analysis. I extend my heartfelt appreciation to my family and friends, whose patience, understanding, and moral support sustained me throughout the course of this research. Finally, I acknowledge the efforts of climate justice activists, indigenous communities, and human rights defenders worldwide. Their courage and advocacy continue to inspire the global movement for environmental and human rights protection.

## DISCUSSION:

The impacts of climate change have evolved from being seen as merely environmental or scientific issues to becoming deeply entrenched in the realm of human rights. As global temperatures rise, so do threats to the basic rights of millions of people around the world. The adverse effects—ranging from food insecurity and water scarcity to forced displacement and loss of livelihood—have brought to the forefront the reality that climate change is undermining the rights to life, health, housing, water, and self-determination<sup>1</sup>. One of the central arguments in this discourse is that vulnerable populations, particularly in the Global South, bear the brunt of climate change impacts while having contributed the least to the problem<sup>2</sup>. Small island developing states (SIDS), for example, are facing existential threats due to rising sea levels, yet they lack the economic and political leverage to hold major polluters accountable. This asymmetry underscores the urgent need for climate justice, which demands fairness in the distribution of climate burdens and responsibilities<sup>3</sup>. International legal frameworks have gradually started to reflect this shift in understanding. The United Nations Human Rights Council has passed several resolutions recognizing the relationship between climate change and human rights, including the landmark Resolution 7/23 (2008) and the recognition in 2022 of the human right to a clean, healthy, and sustainable environment<sup>4</sup>. These developments are significant but remain largely non-binding, raising concerns about enforcement and accountability.

Judicial interventions have begun to play a more prominent role in advancing climate-related human rights claims. In the *Urgenda* case (Netherlands, 2015), the Dutch government was ordered to reduce emissions based on its duty to protect the human rights of its citizens<sup>6</sup>. Such cases set important legal precedents and offer models for climate litigation grounded in human rights law. However, several challenges persist. There is still no universal legal recognition of climate refugees, leaving millions who are displaced due to rising seas or droughts in legal limbo<sup>7</sup>. Additionally, while global frameworks like the Paris Agreement mention the importance of human rights, they often lack clear mechanisms for implementation and accountability<sup>8</sup>. The failure to incorporate human rights into national climate policies can also lead to unjust adaptation or mitigation strategies—such as forced relocations or land grabs in the name of renewable energy projects—that further marginalize vulnerable communities<sup>9</sup>. Therefore, a rights-based approach to climate policy is essential, not only to protect people from current harms but also to ensure future climate actions are equitable and sustainable. In conclusion, treating climate change as a human rights issue shifts the narrative from technical or economic debates to a moral and legal obligation to protect human dignity and justice. It compels both states and corporations to be more accountable and inclusive in their climate responses. Future legal and policy developments must be rooted in climate justice principles, recognizing that environmental protection and human rights are not mutually exclusive but mutually reinforcing.

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## CONCLUSION

Climate change represents one of the most significant threats to the full realization of human rights in the 21st century. Its adverse effects—ranging from environmental degradation to increased poverty, displacement, and health crises—are deeply intertwined with the violation of fundamental rights such as the right to life, health, food, water, and adequate housing<sup>1</sup>. Recognizing climate change as a human rights issue reframes the discourse by emphasizing the ethical, legal, and moral responsibilities of states and other actors to protect vulnerable populations and ensure justice<sup>2</sup>. International human rights frameworks and emerging jurisprudence, such as the landmark *Urgenda* case, demonstrate the potential for legal accountability in climate governance, yet significant gaps remain in enforcement and protection mechanisms<sup>3</sup>. The disproportionate burden borne by marginalized communities calls for a robust, rights-based approach that integrates principles of equity, non-discrimination, and participation into climate policies<sup>4</sup>. Ultimately, addressing climate change through the lens of human rights strengthens efforts toward climate justice and sustainability. It compels the global community to move beyond technical and economic solutions, demanding accountability and prioritizing human dignity and equity in all climate-related actions. As the climate crisis intensifies, this approach will be indispensable in shaping fair, inclusive, and effective responses that safeguard the rights of current and future generations<sup>5</sup>.

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