

Climate Justice: Integrating Human Rights and Inclusivity for All

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Climate Justice: Integrating Human Rights and Inclusivity for All

Kariuki Muigua*

Abstract

This paper critically examines the need to integrate human rights in the climate justice debate. It argues that climate change affects the realization of fundamental human rights. The paper further posits that climate justice can be an effective tool in integrating human rights in climate action. The paper examines the idea of climate justice. Further, the paper proposes ways through which human rights can be integrated in the climate justice agenda in order to achieve inclusivity for all.

1.0 Introduction

Climate change has been described as the most defining challenge of our time which threatens the existing way of human life¹. Climate change affects ecosystems, wildlife, and human well-being². The impacts of climate change including rising sea levels, glacial retreat, changes in precipitation patterns, and extreme weather events, such as heat waves, droughts, and heavy rain are already being experienced throughout the world³. Climate change is a key challenge to human well-being since it affects all aspects of human life from food security and availability of water to energy sources and biodiversity⁴.

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¹ Chauhan. R., 'Climate Change: An Issue of Equity, Justice and Human Rights' *ILI Law Review*, Vol. II, (2019)

² Center for International Environmental Law., 'Integrating Human Rights in Nationally Determined Contributions (NDCs)' Available at https://www.ciel.org/wp-content/uploads/2023/01/Integrating-Human-Rights-in-Nationally-Determined-Contributions_Toolkit-for-Practitioners_Nov-2022.pdf (Accessed on 28/06/2024)

³ Ibid

⁴ Chauhan. R., 'Climate Change: An Issue of Equity, Justice and Human Rights' Op Cit

Climate change is an undesirable phenomenon that affects realization of the Sustainable Development agenda across the world by affecting the sustainability of the planet's ecosystems, the stability of the global economy and the future of humankind⁵. It affects both developed and developing countries in their efforts towards realization of the Sustainable Development agenda⁶. It hinders the Sustainable Development agenda by affecting human health, food security, housing, safety and work while simultaneously threatening the environment and natural ecosystems⁷.

In light of its adverse impacts, responding to climate change has become both a national priority among all states and a global responsibility⁸. It has been noted that the effects of climate change transcend political boundaries and therefore it requires a co-ordinated effort to tackle this problem⁹. The United Nations *2030 Agenda for Sustainable Development*¹⁰ acknowledges that climate change is one of the greatest challenge of our time and its adverse impacts undermine the ability of all countries to achieve sustainable development. Sustainable Development Goal (13) urges states to take urgent action to combat climate change and its impacts¹¹.

Several issues arise in tackling climate change. It has been noted that in designing appropriate responses to climate change, it needs to be acknowledged that the people

⁵ Climate Change., 'Meaning, Definition, Causes, Examples and Consequences.' Available at <https://youmatter.world/en/definition/climate-change-meaning-definition-causes-and-consequences/> (Accessed on 28/06/2024)

⁶ Muigua. K., 'Achieving Sustainable Development, Peace and Environmental Security.' Glenwood Publishers Limited, 2021

⁷ United Nations., 'What is Climate Change?' Available at <https://www.un.org/en/climatechange/what-is-climate-change> (Accessed on 28/06/2024)

⁸ United Nations Development Programme., 'Islamic Finance's Answer to SDGs and Climate Change.' Available at <https://www.undp.org/blog/islamic-finances-answer-sdgs-and-climate-change> (Accessed on 28/06/2024)

⁹ Chauhan. R., 'Climate Change: An Issue of Equity, Justice and Human Rights' Op Cit

¹⁰ United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf> (Accessed on 28/06/2024)

¹¹ Ibid

who have contributed least to the changing climate are being affected by it the most, and are likely to be less able to protect themselves from its impacts¹². Climate change has adverse impacts especially on nations and communities that contribute the least to its threat¹³. The adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations¹⁴. Climate change therefore has a range of implications, both direct and indirect, for the effective enjoyment of human rights especially for vulnerable populations¹⁵. Climate justice has therefore been advanced as an effective framework that links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable people and sharing the burdens and benefits of climate change and its impacts equitably and fairly¹⁶.

This paper critically examines the need to integrate human rights in the climate justice debate. It argues that climate change affects the realization of fundamental human rights. The paper further posits that climate justice can be an effective tool in integrating human rights in climate action. The paper examines the idea of climate justice. Further, the paper proposes ways through which human rights can be integrated in the climate justice agenda in order to achieve inclusivity for all.

¹² Oxfam., 'Climate Justice.' Available at <https://www.oxfam.org.au/what-we-do/climate-justice/> (Accessed on 28/06/2024)

¹³ Muigua. K., 'Fostering Climate Justice for Development' Available at <https://kmco.co.ke/wp-content/uploads/2023/07/Fostering-Climate-Justice-for-Sustainable-Development.pdf> (Accessed on 28/06/2024)

¹⁴ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Available at <https://www.mrfcj.org/wp-content/uploads/2016/05/Incorporating-Human-Rights-into-Climate-Action-Version-2-May-2016.pdf> (Accessed on 28/06/2024)

¹⁵ Ibid

¹⁶ Mary Robinson Foundation Climate Justice., 'Principles of Climate Justice.' Available at <https://www.mrfcj.org/principles-of-climate-justice/> (Accessed on 28/06/2024)

2.0 Defining Climate Justice

Climate justice has been described as the blueprint for a fair and sustainable future of life on the planet¹⁷. Climate justice can be understood as a lens for looking at climate change as a social, ethical and legal issue, rather than solely an environmental one¹⁸. Climate justice has in its core the protection of human rights and of the most vulnerable in the face of climate change¹⁹. It involves understating climate change as an issue that relates to equity, fairness, ethics and human rights and not just an environmental phenomena²⁰. Climate justice focuses on the intersection between climate change and social inequalities²¹. This concept examines how climate change impacts people differently, unevenly and disproportionately and seeks to address the resultant injustices in fair and equitable ways²².

Climate justice therefore is premised on the fact that the adverse impacts of climate change are not felt equitably among people and nations²³. It acknowledges that the worst effects of climate change are felt by the most vulnerable and least responsible for the climate crisis²⁴. Climate justice recognizes that developing nations and communities in such nations in places such as Africa, Asia, the Caribbean Islands and the Pacific Islands which due to an unfortunate mixture of economic and geographic vulnerability, continue to shoulder the brunt of the burdens of climate change despite their relative innocence in

¹⁷ Aliozi. Z., 'Climate Justice and Human Rights, in a World in Climate Emergency' Available at <https://repository.gchumanrights.org/server/api/core/bitstreams/2eba3de1-1427-481b-a2d6-07818e00a53b/content> (Accessed on 28/06/2024)

¹⁸ Ibid

¹⁹ Ibid

²⁰ United Nations Environment Programme., 'Climate Justice.' Available at <https://leap.unep.org/knowledge/glossary/climate-justice> (Accessed on 28/06/2024)

²¹ Ibid

²² Sultana. F., 'Critical Climate Justice' Available at <https://www.farhanasultana.com/wpcontent/uploads/Sultana-Critical-climate-justice.pdf> (Accessed on 28/06/2024)

²³ Aliozi. Z., 'Climate Justice and Human Rights, in a World in Climate Emergency' Op Cit

²⁴ Ibid

causing it²⁵. Climate justice envisages effective climate action which fosters the participation of the people and communities most impacted by climate change including developing countries, indigenous communities, women and children as part of the climate solution in order to achieve justice and inclusivity for all²⁶.

Climate Justice is based on certain principles that emphasise the importance of considering the social dimensions of managing and responding to the impact of climate change²⁷. These principles include respect and protection of human rights, sharing the benefits and burdens of climate change equally, ensuring that decisions on climate change are participatory, transparent and accountable, and fostering gender equality and equity in climate action²⁸. Climate justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable people and sharing the burdens and benefits of climate change and its impacts equitably and fairly²⁹.

Climate justice is crucial for effective climate action. It has been noted that since climate change directly affects the quality of people's lives, it is essential to take urgent and effective action to combat this problem and ensure the protection of human rights³⁰. Lives, livelihoods, and resources are at risk as a result of climate change with vulnerable populations being hit the hardest³¹. Additionally, these communities cannot often adapt

²⁵ Giles. M., 'The Principles of Climate Justice at CoP27.' Available at <https://earth.org/principles-ofclimatejustice/#:~:text=That%20response%20should%20be%20based,the%20consequences%20of%20climate%20change> (Accessed on 28/06/2024)

²⁶ Muigua. K., 'Fostering Climate Justice for Sustainable Development.' Available at <https://kmco.co.ke/wp-content/uploads/2023/07/Fostering-Climate-Justice-for-SustainableDevelopment.pdf> (Accessed on 28/06/2024)

²⁷ Mary Robinson Foundation Climate Justice., 'Pursuing Climate Justice within Environmental, Social and Governance Investment Frameworks' Available at https://media.business-humanrights.org/media/documents/files/documents/Pursuing_Climate_Justice_within_ESG_Investment_Frameworks_FINAL.pdf (Accessed on 28/06/2024)

²⁸ Ibid

²⁹ Mary Robinson Foundation Climate Justice., 'Principles of Climate Justice.' Op Cit

³⁰ International Commission of Jurists., 'Why Climate Justice Matters In Kenya: Unpacking The Fairness Of The Climate Crisis' Available at <https://icj-kenya.org/news/why-climate-justice-matters-in-kenya-unpacking-the-fairness-of-the-climate-crisis/> (Accessed on 28/06/2024)

³¹ Ibid

to and mitigate climate shocks³². Climate justice is vital in fostering transparency and inclusivity in climate action while also amplifying the voices of vulnerable communities and integrating indigenous wisdom and traditional knowledge into policy frameworks³³. It is also crucial in correcting imbalances brought about by climate related injustices³⁴. Climate justice seeks to achieve equal access to natural resources, fair and effective solutions in response to climate change and the assigning of responsibility for those who contribute most to the global threat of climate change³⁵. Climate justice is therefore vital for effective climate solutions.

3.0 Effects of Climate Change on Human Rights

Climate change has adverse impacts on the effective enjoyment of fundamental human rights³⁶. It has been pointed out that the impacts of climate change on human rights is unequivocal³⁷. The adverse effects of climate change have a range of implications, both direct and indirect, for the effective enjoyment of human rights³⁸. For example, climate change hinders the effective realization of the right to health³⁹. It has been noted that the impacts of climate change are already harming the right to health, through air pollution, diseases, extreme weather events, forced displacement, pressures on mental health, and increased hunger and poor nutrition in places where people cannot grow or find sufficient food⁴⁰. According to the World Health Organization (WHO), climate change affects the physical environment as well as all aspects of both natural and human systems

³² Ibid

³³ Ibid

³⁴ Ibid

³⁵ New Internationalist., 'Four Principles for Climate Justice.' Available at <https://newint.org/features/2009/01/01/principles-climate-justice> (Accessed on 28/06/2024)

³⁶ Office of the United Nations High Commissioner for Human Rights., 'Integrating Human Rights at the UNFCCC' Available at <https://www.ohchr.org/en/climate-change/integrating-human-rights-unfccc> (Accessed on 29/06/2024)

³⁷ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit

³⁸ Ibid

³⁹ Ibid

⁴⁰ United Nations., 'Causes and Effects of Climate Change.' Available at <https://www.un.org/en/climatechange/science/causes-effects-climatechange#:~:text=Climate%20change%20is%20the%20single,grow%20or%20find%20sufficient%20food.> (Accessed on 29/06/2024)

– including social and economic conditions and the functioning of health systems⁴¹. It has also been noted that the consequences of climate change are multidimensional, affecting the foundations of good health including clean air, safe drinking water, nutritious food supply, and safe shelter⁴². Climate change therefore impacts health in a number of ways: directly, through extreme weather or changes in temperature⁴³; and indirectly through changes to natural systems that result in crop failures, expanding disease vectors, and displacement of persons⁴⁴. These factors contribute to human vulnerability to disease and injury, diminished occupational and mental health, and risks posed by resource scarcity and migration⁴⁵.

Climate change also impacts the right to food⁴⁶. It negatively impacts the realization of the right to food and disproportionately impacts those who have contributed the least to its occurrence⁴⁷. It has been noted that rural populations, peasants, small-scale farmers and fishers, pastoralists, Indigenous Peoples, low-income households, women and girls, and children in the global south are among those most at risk of suffering from climate-induced food insecurity and hunger⁴⁸. According to the Food and Agriculture Organization, climate change is already impacting the food security and nutrition of the most vulnerable, and that if action is not very quickly taken, climate change will

⁴¹ World Health Organization., ‘Climate Change and Health.’ Available at <https://www.who.int/newsroom/fact-sheets/detail/climate-change-and-health> (Accessed on 29/06/2024)

⁴² International Commission of Jurists., ‘Climate Change And The Right To Health’ Available <https://icj-kenya.org/news/climate-change-and-the-right-to-health/#:~:text=The%20consequences%20of%20a%20warming,essential%20health%20ingredients%20for%20all>. (Accessed on 29/06/2024)

⁴³ Office of the United Nations High Commissioner on Human Rights., ‘The Impact of Climate Change on the Enjoyment of the Right to Health’ Available at <https://www.ohchr.org/en/climate-change/impact-climate-change-enjoyment-right-health> (Accessed on 29/06/2024)

⁴⁴ Ibid

⁴⁵ Ibid

⁴⁶ Mary Robinson Foundation Climate Justice., ‘Incorporating Human Rights into Climate Action’ Op Cit

⁴⁷ Office of the United Nations High Commissioner for Human Rights., ‘The Impact of Climate Change on the Right to Food’ Available at <https://www.ohchr.org/en/climate-change/impact-climate-change-right-food#:~:text=Industrial%20food%20systems%20are%20significant,on%20the%20right%20to%20food>. (Accessed on 29/06/2024)

⁴⁸ Ibid

increasingly threaten the achievement of the goal to eradicate hunger⁴⁹. It has been noted that climate change affects the right to food by turning areas once perfectly suitable for agriculture production into deserts and modifying rain patterns, increasing uncertainty and reducing yields⁵⁰. Climate change therefore affects the right to food since it results in the reduction of the quality and quantity of food produced because of changing local climates including droughts, higher temperatures, changing rainfall patterns, increased extreme weather events, loss of land to sea levels rising, and even changes in the nutrition content of food⁵¹.

Further, climate change also impacts the right to clean water and sanitation⁵². For example, the accessibility of water and sanitation services is threatened through widespread damage and infrastructure due to flooding and extreme events as a result of climate change⁵³. In addition, the effects of climate change such as droughts result in reduced precipitation and depletion of water sources therefore impacting access to water and sanitation services⁵⁴. In addition, it has been noted that sea-level rise extends salinization of groundwater, decreasing freshwater availability for humans and ecosystems in coastal areas⁵⁵. Water quality is also affected by climate change, as higher water temperatures and more frequent floods and droughts exacerbate many forms of water pollution – from sediments to pathogens and pesticides⁵⁶.

⁴⁹ Food and Agriculture Organization., 'Climate Change and Food Security: Risks and Responses' Available at <https://openknowledge.fao.org/server/api/core/bitstreams/a4fd8ac5-4582-4a66-91b0-55abf642a400/content> (Accessed on 29/06/2024)

⁵⁰ Mendez-Parra. M., & Ayele. Y., 'How African Integration Can Help Achieve Food Security.' Available at <https://odi.org/en/insights/how-african-integration-can-help-to-achieve-food-security/> (Accessed on 29/06/2024)

⁵¹ Climate Change and the Right to Food., Available at <https://www.actionaidusa.org/insight/climate-change-and-the-right-to-food/> (Accessed on 29/06/2024)

⁵² Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit

⁵³ Office of the United Nations High Commissioner for Human Rights., 'Climate Change and the Human Rights to Water and Sanitation' Available at <https://www.ohchr.org/sites/default/files/2022-01/climate-change-1-friendlyversion.pdf> (Accessed on 29/06/2024)

⁵⁴ Ibid

⁵⁵ United Nations., 'Water – at the Center of the Climate Crisis' Available at <https://www.un.org/en/climatechange/science/climate-issues/water> (Accessed on 29/06/2024)

⁵⁶ Ibid

Climate change can also impact the right to housing⁵⁷. It has been noted that housing is more frequently washed away by floods, flattened by hurricanes or down by wildfires⁵⁸. Further, impacts of climate change such as desertification, lack of water for agriculture and drinking, and rising sea levels are displacing millions of people every year impacting their right to housing⁵⁹.

It is therefore evident that climate change has adverse impacts on the achievement of fundamental human rights. The impact of climate change on human rights has been recognized by a *Resolution*⁶⁰ adopted by the United Nations Human Rights Council. The Resolution acknowledges that climate change-related impacts have a range of implications, both direct and indirect, for the effective enjoyment of human rights including, *inter alia*, the right to life, the right to adequate food, the right to the highest attainable standard of health, the right to adequate housing, the right to self-determination and human rights obligations related to access to safe drinking water and sanitation⁶¹. It also acknowledges that the effects of climate change will be felt most acutely by those segments of the population who are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability therefore undermining their fundamental human rights⁶². The Resolution further points out that human rights obligations and commitments have the potential to inform and strengthen international and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes⁶³. The Resolution therefore envisages integrating human rights in climate action.

⁵⁷ Office of the United Nations High Commissioner for Human Rights., 'Towards a Just Transformation: Climate Crisis and the Right to Housing' Available at <https://www.ohchr.org/sites/default/files/2023-02/Climate-crisis-and-the-right-to-housing-Summary.pdf> (Accessed on 29/06/2024)

⁵⁸ Ibid

⁵⁹ Ibid

⁶⁰ United Nations Human Rights Council., 'Resolution 10/4. Human Rights and Climate Change' Available at https://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_10_4.pdf (Accessed on 29/06/2024)

⁶¹ Ibid

⁶² Ibid

⁶³ Ibid

The *Paris Agreement*⁶⁴ further acknowledges the need to integrate human rights in climate action. It urges Parties when taking action to address climate change to respect, promote and consider their respective obligations on human rights including the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity⁶⁵.

Climate change therefore has major impacts on the attainment of human rights. As a result, there is need for a rights-based approach to guide global climate change policies and action⁶⁶. It has been argued that if a human rights- based approach is adopted from the outset, climate action can help improve lives and realise human rights⁶⁷. It is therefore necessary to foster climate justice by integrating human rights and inclusivity for all in climate action.

4.0 Towards Climate Justice: Integrating Human Rights and Inclusivity for All

Climate change threatens the realisation of a number of human rights including the right to health, right to food, right to clean water and sanitation, and the right to housing therefore resulting in injustices⁶⁸. In addition to the adverse effects of climate change on human rights resulting in injustice; another aspect of injustice is that these impacts are not felt with equal intensity by all with developing countries being more vulnerable to these effects both due to their geography as well as inadequate economic resources to tackle them⁶⁹. The adverse effects of climate change are therefore felt most acutely by those segments of the population that are already in vulnerable situations⁷⁰. It is therefore necessary to foster climate justice by integrating human rights into climate action.

⁶⁴ Paris Agreement., Available at https://unfccc.int/sites/default/files/english_paris_agreement.pdf (Accessed on 29/06/2024)

⁶⁵ Ibid

⁶⁶ Office of the United Nations High Commissioner for Human Rights., 'Integrating Human Rights at the UNFCCC' Op Cit

⁶⁷ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit

⁶⁸ Chauhan. R., 'Climate Change: An Issue of Equity, Justice and Human Rights' Op Cit

⁶⁹ Ibid

⁷⁰ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit

Climate justice can foster the human rights agenda by sharing the benefits and burdens associated with climate change as well as addressing the concerns about the impacts of climate change⁷¹. Climate justice requires that in designing responses to climate change, we should realise the human rights and development needs of present generations while safeguarding the rights of future generations⁷². It envisages convergence between the global response to climate change, stimulating Sustainable Development and protecting human rights⁷³.

In order to fully integrate human rights into climate action, it is imperative to understand how climate change, and climate action, can impact on human rights⁷⁴. It has been noted that human rights and climate change are linked in three key ways: Climate change has implications on the attainment of a full range of human rights, particularly for people living in situations of poverty, marginalisation and vulnerability⁷⁵; failure to integrate human rights into climate action can undermine people's rights⁷⁶; and the integration of human rights into climate change policies can improve effectiveness and result in benefits for people and the planet⁷⁷. Understanding the intersection between climate change and human rights is vital in designing appropriate responses that can strengthen climate action while also fostering fundamental human rights and freedoms⁷⁸.

It is also necessary to embrace a human rights- based approach to climate finance in order to achieve climate justice⁷⁹. Climate finance has been identified as key pillar of climate

⁷¹ Aliozi. Z., 'Climate Justice and Human Rights, in a World in Climate Emergency' Op Cit

⁷² Mary Robinson Foundation Climate Justice., 'Pursuing Climate Justice within Environmental, Social and Governance Investment Frameworks' Op Cit

⁷³ Ibid

⁷⁴ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit

⁷⁵ Ibid

⁷⁶ Ibid

⁷⁷ Ibid

⁷⁸ Ibid

⁷⁹ Office of the United Nations High Commissioner for Human Rights., 'Promoting Rights-Based Climate Finance for People and Planet' Available at <https://www.google.com/search?q=climate+finance+and+human+rights&oq=climate+finance+and+hu>

justice⁸⁰. It has been noted that climate justice also depends on wealthier nations providing finance to countries with more limited means so they can keep up with enormous financial burdens as climate change accelerates⁸¹. Climate finance, when it is sufficient and invested in the right ways, is a path to climate justice⁸². It enables vulnerable countries and populations to effectively mitigate and adapt to the impacts of climate change therefore fostering climate justice⁸³. It has been argued that a human rights-based approach pro-actively shapes the way climate finance is programmed and guards against the risk that climate finance is used to support projects that result in human rights violations and the exacerbation of social and economic inequalities brought about by climate change⁸⁴. It also improves the sustainability and equitability of the outcomes of development and climate change policies⁸⁵. Further, a human right based approach also fosters climate justice by ensuring that climate finance is available and accessible to vulnerable communities and countries and that is effectively utilized in strengthening climate action therefore ensuring equity and justice⁸⁶. It is therefore necessary to foster a human rights- based approach to climate finance in order to achieve climate justice.

Finally, there is need to integrate human rights in national climate change mitigation and adaptation actions⁸⁷. It has been noted that incorporating existing human rights

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⁸⁰ United Nations., 'Finance & Justice' Available at [https://www.un.org/en/climatechange/raising-ambition/climate-](https://www.un.org/en/climatechange/raising-ambition/climate-finance#:~:text=Justice%20also%20depends%20on%20wealthier,a%20path%20to%20climate%20justice.)

[finance#:~:text=Justice%20also%20depends%20on%20wealthier,a%20path%20to%20climate%20justice.](https://www.un.org/en/climatechange/raising-ambition/climate-finance#:~:text=Justice%20also%20depends%20on%20wealthier,a%20path%20to%20climate%20justice.) (Accessed on 29/06/2024)

⁸¹ Ibid

⁸² Ibid

⁸³ Ibid

⁸⁴ Office of the United Nations High Commissioner for Human Rights., 'Promoting Rights-Based Climate Finance for People and Planet' Op Cit

⁸⁵ Ibid

⁸⁶ Ibid

⁸⁷ Office of the United Nations High Commissioner for Human Rights., 'Integrating Human Rights at the UNFCCC' Op Cit

obligations and commitments into the design of climate action has the potential to inform and strengthen national and international policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes that foster human rights⁸⁸. Countries have an opportunity to integrate human rights and demonstrate adherence to human rights standards in climate action through their Nationally Determined Contributions (NDCs) envisaged under the Paris Agreement which requires states to prepare, communicate and maintain successive NDCs demonstrating their climate commitments⁸⁹. It has been noted that NDCs should highlight priorities, implementation, and support needs for addressing relevant human rights obligations, including efforts to fulfill the rights of children to education on matters related to climate change; the right to an adequate standard of living (housing, food security, water, sanitation, livelihoods, and health); the right to a clean, healthy, and sustainable environment; the right to development; the right to life; and cultural rights⁹⁰. Integrating human rights obligations as enshrined in human rights instruments including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and other UN human rights instruments in the formulation and implementation of NDCs strengthens the effectiveness of climate action, and promotes policy coherence and synergies with other objectives, including the 2030 Agenda for Sustainable Development and the SDGs⁹¹. Further, ensuring that the NDC planning process and the NDC itself include human rights considerations empowers communities to contribute thus increasing public support for climate policies and ensuring their

⁸⁸ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit
⁸⁹ Office of the United Nations High Commissioner for Human Rights., 'Integrating Human Rights in Nationally Determined Contributions (NDCs)' Available at https://www.ohchr.org/sites/default/files/documents/issues/climatechange/publications/2022-12-09/Integrating-Human-Rights-in-Nationally-Determined-Contributions_Toolkit-for-Practitioners.pdf (Accessed on 29/06/2024)

⁹⁰ Ibid

⁹¹ Ibid

effectiveness⁹². NDCs are therefore vital policy instruments that can be effectively utilized to integrate human rights in climate action towards climate justice.

5.0 Conclusion

Climate change has adverse impacts on the attainment of human rights including the right to health, right to water and sanitation, right to food, and right to housing⁹³. Climate justice means putting equity and human rights at the core of decision-making and action on climate change⁹⁴. Climate justice requires structural inequalities, socioeconomic inequalities, and intergenerational inequities perpetuated by climate change to be addressed in order to foster human rights. It envisages the participation of low income and developing countries and vulnerable populations including women, people with disabilities, indigenous peoples, and the youth in climate-decision making and action⁹⁵. Climate justice acknowledges that these groups are adversely impacted by climate change which threatens attainment of their fundamental human rights⁹⁶. Integrating human rights and inclusivity for all into climate action is therefore key in achieving climate justice. This can be achieved by understanding how climate change, and climate action, can impact on human rights in order to design appropriate responses⁹⁷; embracing a human rights- based approach to climate finance⁹⁸; and integrating human rights in national climate change mitigation and adaptation actions including NDCs⁹⁹. Integrating human rights and inclusivity for all is a key approach towards achieving Climate Justice. It is imperative to achieve this goal at all levels.

⁹² Ibid

⁹³ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit

⁹⁴ United Nations Development Programme., 'Climate Change is a Matter of Justice - Here's Why' Available at <https://climatepromise.undp.org/news-and-stories/climate-change-matter-justice-heres-why> (Accessed on 29/06/2024)

⁹⁵ Ibid

⁹⁶ Mary Robinson Foundation Climate Justice., 'Incorporating Human Rights into Climate Action' Op Cit

⁹⁷ Ibid

⁹⁸ Office of the United Nations High Commissioner for Human Rights., 'Promoting Rights-Based Climate Finance for People and Planet' Op Cit

⁹⁹ Office of the United Nations High Commissioner for Human Rights., 'Integrating Human Rights at the UNFCCC' Op Cit

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