

Climate Change is a Human Rights Issue

Outline

1. Introduction

Thesis Statement:

Climate Change is not merely an environmental or economic issue, it is a profound human rights crisis that threatens the rights to life, food, health, shelter, and dignity; especially for the world's most vulnerable populations.

2. Legal Foundations and Climate-Rights Nexus

3. Climate Change as Human Rights Violation

- a. Right to Life - Lost to floods, heatwaves, wildfires and rising disasters
- b. Right to Health - Worsened by pollution, disease and heat stress
- c. Right to Food and Water - Threatened by droughts, crop failures and scarcity
- d. Right to Shelter - Destroyed by displacement, floods and sea-level rise
- e. Right to Livelihood and Development: Damaged by land loss, fisheries collapse, and ecosystem decline
- f. Right to Dignity: Undermined in camps, crises, and broken systems
- g. Cultural and Indigenous Rights: Eroded by vanishing lands and traditions

- h. Rights to Information, Expression, and Justice: Silenced by disinformation and shrinking civic space

4. Disproportionate Burden of Climate Change on Marginalized and Vulnerable Communities

- a. Climate Change is not Gender Neutral
- b. Childhood in Crisis: Growing Up on a Warming Planet
- c. Indigenous and Marginalised Communities; First to suffer, Last to be heard.

d. The Global South Pays, the North Delays

5. Litigation for Survival: The legal Battle for Climate Justice

6. How can Climate Justice be Achieved?

7. Conclusion

After the catastrophic floods of 2022 swept through Sindh, a 10-year-old girl and her family, displaced from Shikarpur, took shelter on a footpath near Karachi's Clifton shrine. They had lost everything - their home, livelihood, and any sense of stability. One afternoon, as she sat quietly waiting for food, a man approached, promising to bring her rations. Desperate to get food, she followed him. Hours later, she was found bleeding and unconscious - raped and abandoned. The flood had not only taken her shelter; it stripped her of safety, dignity and protection. Her story is not an isolated tragedy - it is a stark reflection of how climate induced displacement exposes the most vulnerable, especially women and children, to deprivation, exploitation and violence. While global attention often centers on submerged cities and damaged infrastructure; the deeper human costs remain overlooked. Climate change is no longer a distant threat, it is a present and escalating crisis, that is reshaping lives across the globe. Rising sea levels, prolonged droughts, devastating floods, and record-breaking heatwaves are not only damaging ecosystems and economies; they are systematically infringing on people's most basic human rights. From the loss of housing and clean water to food insecurity, forced migration, and gender-based violence, the impacts of climate fall hardest on those who are least responsible for it. To confront ^{climate} change without addressing its human rights dimension is

to ignore its most brutal cost: the erosion of dignity, justice and survival itself. Climate change is not merely an environmental or economic issue - it is a profound human rights crisis that threatens the rights to life, health, shelter, food, and dignity, especially for the world's most vulnerable populations.

"Climate change is the defining issue of our time, and it is a moral imperative, a

human rights imperative, and an economic imperative"

~ Antonio Guterres

The legal foundations linking human rights and climate action are no longer abstract ideals. They are concrete obligations embedded in international law. Core instruments like the Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) guarantee the rights to life, health, food, water, housing, and an adequate standard of living, all of which are directly threatened by climate breakdown. The 1992 UN Framework Convention on Climate Change (UNFCCC) further advanced this nexus through the principle of "common but differentiated responsibilities" (CBDR), asserting that while all nations must act, those historically responsible must lead. Documents like the Marrakech Declaration (2007), which recognizes the right to a healthy environment as foundational to all other rights, and the Oslo Principles (2014), which establish legal duties for states and corporations to prevent climate harm, have solidified environmental protection as a legal and moral imperative. These legal foundations collectively affirm that climate justice is not just a political choice; it is a legal obligation rooted in the global human rights regime.

Building on the growing legal recognition of climate change as a human rights obligation, it is crucial to examine which specific rights are being violated when the government fails to act. The Universal Declaration of Human Rights (UDHR), ICCPR, ICESCR, UN resolutions, and landmark court decisions collectively affirm that climate-related harms are not incidental, they systematically undermine foundational rights protected by international law and domestic constitutional systems.

The right to life, enshrined in UDHR Article 3 and ICCPR Article 6, is the most fundamental human right and yet climate change poses one of its most severe threats. The UN Human Rights Committee explicitly warns that, "Environmental degradation, climate change and unsustainable development constitute some of the most pressing and serious threats to the ability of present and future generations to enjoy the right to life." Recent data reinforces this legal assertion where the World Health Organisation (WHO) estimates that between 2030 and 2050, climate change will cause around 250,000 additional deaths annually, due to malnutrition, malaria, diarrhoea, and heat stress. Meanwhile, World Weather Attribution researchers found that the 2022 European summers experienced approximately six extra weeks of extreme heat, contributing to record mortality, particularly among the elderly, highlighting the immediate and measured impacts of climate related hazards. The 2025 flashfloods in Pakistan claimed 19 lives of a single family stranded in the Swat river, which is a clear manifestation of how climate change related incidents deprive people of their right to life.

Building on threats to life, climate change poses an existential threat to public health. Under ICESCR Article 12 and UDHR Article 25, individuals have the right to the highest attainable standard of physical and mental health. But shifting weather patterns, worsening air quality, and extreme heat are pushing this right to the brink. According to WHO, climate change acts as a "threat multiplier", increasing mortality and diseases from heatwaves, floods, droughts, wildfires, and vector-borne illnesses like malaria and dengue. In Pakistan, for example, rising temperatures above 49°C have overwhelmed healthcare facilities, causing spikes in heatstroke, heart failures, respiratory disorders and maternal malnutrition. Research from Agha Khan University, Pakistan further links floods to outbreaks of malaria, dengue, gastroenteritis, and skin diseases. Critically, these health impacts are not random, they disproportionately afflict the poor, the elderly, children and pregnant women. A study in the Journal of Maternal Health states that climate induced food scarcity ~~are~~ is pushing up mortality rates among indigenous pregnant women. The UNHRC Resolution 47/24 explicitly calls out "increased susceptibility to diseases, heat stress, water scarcity" as climate-driven factors violating the right to health.

"Extending beyond health concerns, climate change also intensifies threats to the basic necessities of life - food and water".

The right to food (ICESCR Article 11) is at serious risk as erratic weather, floods and droughts undermine crop production causing malnutrition. In Pakistan's Punjab, declining wheat and cotton yields from heatwaves / water shortage or extreme floods have

③
deepened rural food insecurity. Globally, the Intergovernmental Panel on Climate Change (IPCC) warns that agricultural yields may decline by up to 25% by 2050 due to climate volatility. Simultaneously, the right to water (UN Resolution 64) is also jeopardized as melting glaciers, reduced rainfall, and saltwater intrusion disrupt access for billions. The Hindu Kush, Himalayan region, supplying water to 240 million people, faces accelerated glacial loss. This crisis reflects a global failure to treat climate adaptation and resource equity as legal obligations and not as policy goals. When states prioritize short-term economic growth over sustainable resource access, they deepen structural injustice and violate basic human entitlements.

Moreover, the right to adequate housing (shelter CESCR, Article 1 and UDHR Article 25) is dramatically threatened as climate change triggers rising sea levels, storms and floods, displacing entire communities. According to the Internal Displacement Monitoring Centre, an estimated 20 million people are displaced annually by such climate-driven events. The 2022 Pakistan floods, for example, left over 30 million homeless, many huddling in makeshift shelters that are exposed to diseases and violence. Globally, coastal megacities like Jakarta and Miami face "climate gentrification", where vulnerable populations are pushed into hazard-prone zones due to displacement-driven inflation. A deeper analysis reveals that governments often prioritize property markets and short-term economic gains over inclusive disaster planning, exacerbating housing insecurity.

Climate change also gravely undermines the right to development and sustainable livelihoods, particularly in low-income regions. As floods, droughts, and shifting weather patterns devastate agriculture and natural resources, millions lose traditional sources of income. The International Labour Organisation (ILO) warns that heat stress alone could eliminate over 80 million jobs by 2030. In rural areas of Pakistan, Bangladesh and Sub-Saharan Africa, economic desperation forces families to send children into labour, often exploitative, informal and unsafe. The ILO-UNICEF joint report (2024) confirms that climate-induced poverty is a growing driver of child labour, with over 138 million children affected globally. Meanwhile, wages in climate-hit sectors fall below subsistence levels, degrading the standard of living and violating Article 11 of ICESCR that recognizes the right of everyone to an adequate standard of living, including adequate food, clothing and housing. Livelihoods tied to agriculture, fishing, and pastoralism are collapsing, pushing families into urban slums or unsafe migration. Climate damaged yields and sporadic income push families into exploitative low-wage jobs, denying them both dignity and security. When work ^{becomes} a survival tactic, it undermines the right to development, denying future opportunities and entrenching intergenerational poverty.

While not always named explicitly, human dignity is the cornerstone of all human rights, as affirmed in the Preamble of the UDHR and echoed in constitutional and legal traditions globally. Climate change undermines this dignity by stripping people of control, agency and stability. The 2022 Pakistan floods forced millions to live in exposed, unsanitary camps, where women reported heightened sexual violence, including rapes and gang rapes, lack of menstrual hygiene, and the indignity of public defecation as published by UN Women in an article named "Stepping up for women and girls during the flood crisis in Pakistan." In Tuvalu and Kiribati, rising sea levels not only threaten housing but also erase burial grounds and cultural identity — dignity drowned beneath seawater. As Mary Robinson, former UN High Commissioner for Human Rights, warns: "Climate change is the greatest threat to human rights in the 21st century because it undermines the very conditions for a life of dignity."

Climate change not only displaces communities physically, it dislocates them culturally. For indigenous people, land is not just territory; it is identity, heritage and survival. As rising sea levels, deforestation, and glacial melt accelerates, they erode sacred sites, ancestral lands and homes, and cultural continuity. The UN Declaration on the rights of people (UNDRIP) and ICCPR Article 27 protects indigenous rights to cultural expression and land, yet these are routinely violated. In Gilgit-Baltistan (Pakistan) retreating glaciers threaten traditional pasturelands vital to seasonal festivals and livelihoods. Globally, the Inter-American Court of Human Rights has affirmed that ecological harm to indigenous land

4
constitutes a breach of cultural rights. As former UN Special Rapporteur Victoria Tauli-Corpuz warns, 'Without land and biodiversity, Indigenous people cannot maintain their languages, ceremonies, or governance.' Lex Kieffer warns of "climate exile", where entire nations are uprooted without legal recognition under refugee frameworks.

Last but not the least, climate change not only threatens environmental stability, it also undermines civil and political rights. Freedom of information and expression (ICCPR Article 19, 21) and the right to justice (Article 14) are under direct attack from disinformation, censorship, and legal harassment. According to a report of Amnesty International, ~~the~~ "fossil fuel interests and allied politicians weaponize false narratives to delay climate action - an intentional distortion of public understanding. UN Special Rapporteur Elisa Mergera has called for criminalizing climate deniers and banning lobbying, arguing that misinformation "has systematically obstructed access to this knowledge and meaningful climate action". Around the world, civil society and activists face repression: in Italy, climate protesters like Valentina Corona were arbitrarily detained during G7 Summit during a peaceful protest on 9th July 2024 in Bologna, as reported by the University of Padova Human Rights Centre (2024). Human Rights Watch notes an alarming rise in legal intimidation of environmental defenders globally. This repression isn't incidental, it's a deliberate erosion of democratic safeguards, ensuring that those challenging the fossil fuel status quo, fight climate change — are muzzled, criminalized or silenced.

"The climate crisis is not gender-neutral - it amplifies existing inequalities and disproportionately affects those who are already pushed to margins".

-(Phumzile Mlambo-Nguka, former Executive Director, UN Women)

Building on the widespread human rights violations caused by climate change, its impacts on vulnerable groups, particularly women and gender minorities, is even more acute.

In the 2022 floods, 80% of displaced persons in Pakistan were women, many of whom faced gender-based violence, unsafe childbirth, and lack of sanitation. Senator Sherry Rehman highlighted that women are "14 times more likely to die in climate-related disasters" due to structural inequality and restricted access to aid. According to a report of UN Women 2022, in Punjab and Balochistan, displacement increased ~~access to~~ ^{risks of} ~~aid~~ early marriage, trafficking and sexual exploitation. Transgender communities also face compounded exclusion. In a city of Pakistan (Nowshera), trans woman Bunti was denied flood compensation for lacking documents, forcing her to live without shelter (Dialogue Earth, 2023). Others, like trans activist Farzana Riaz noted, were pushed into unsafe labor or sex work. Climate justice cannot be achieved without addressing gendered and trans-specific vulnerabilities noted in social and institutional neglect.

"Children are not just future victims of climate change, they are today's casualties." Moreover, children and youth suffer both immediate harm and disrupted futures during climate change. Heatwaves are closing schools as India reported a 10% school dropout increase during extreme heat in 2024. And globally, infectious diseases,

malnutrition and flood related trauma threaten youth health.

Yet they are emerging as powerful voices: Pakistan's Ayesha Siddiqa made waves at Conference of Parties 27 (COP27), saying "Our planet is burning but nobody is taking coal to jail," while the Fridays for Future movement is mobilizing millions. However, policymakers remain slow to integrate children's rights into climate law or public health strategies. By ignoring the needs of young people, governments perpetuate a silent injustice, sacrificing children's present dignity and future opportunity at the altar of insufficient climate action. Critical reform must include robust child protection measures, climate informed education, and youth participation in decision making.

"Indigenous people are the guardians of ecosystems, yet they suffer the most when nature turns hostile." Indigenous and marginalized communities face the harshest and most unjust climate impacts, losing not just land, but language, livelihood and identity. The 2025 California wildfires, particularly the Madre fire, scorched over more than 50,000 acres of sacred Yurok and Karuk territory, ~~displaced~~ and displaced more than 20,000 people from their ancestral lands. In Pakistan's Gilgit-Baltistan, glacial lake outburst floods continue to displace Shina and Wakhi speaking communities, threatening centuries old alpine cultures. Though frameworks like UNDRIP and recent Inter-American Court rulings recognize cultural survival as a legal right, implementation remains inconsistent. As Karuk fire ecologist Bill Tripp stated, "Without sovereignty over land, our knowledge dies." Climate justice must move beyond token inclusion-ensuring ^{that} indigenous people are not merely consulted but empowered as co-leaders in environmental governance, with full recognition of their land rights and ecological expertise.

"Justice requires that those least responsible for the crisis should not bear its worst consequences. Building on this, the stark divide between the Global North and South illustrates the deep inequality at the heart of climate change. Developed nations, responsible for over 92% of cumulative CO₂ emissions since the Industrial Revolution, continue to enjoy the benefits of fossil-driven development. Meanwhile, developing countries, many contributing less than 1% of global emissions, suffer the harshest impacts. Pakistan, for instance, has under 1% of emissions yet faced more than \$30-40 billion in damages during the 2022 floods, which displaced 33 million people. Despite COP 27's historic 'Loss and Damage' fund, pledges remain inadequate, just \$700 million committed thus far, far below real needs. Rich countries often evade deeper accountability, citing voluntary language over binding commitments. UN Special Rapporteur Elisa Morga underscores that this is not charity, it is a legal obligation of climate justice. Until developed states commit meaningful finance and emission reductions, the North-South gap will only deepen injustice and impede global equity.

In a world where emissions are uneven, but impacts are universal, the courts have become unlikely engines of climate accountability:

As the disproportionate effects of climate change grow starker, legal systems worldwide are increasingly stepping in where diplomacy stall. In the Global North *Neubauer vs. Germany* (2021) saw the Constitutional Court compel stronger post-2030 emission targets, recognizing the unjust burden on future generations. More recently, in the *Swiss Federation case* (2024), the European Court

of Human Rights ruled that inadequate climate measures endangered older women's health, violating Article 8 of European Commission of Human Rights (ECHR) ^{while} ~~and~~ in the Global South, Leghari vs. Federation of Pakistan (2015), became a landmark case when the Lahore High Court ruled that governmental inaction on climate policy violated constitutional rights to life and dignity. The court didn't stop at critique, it created a Climate Change Commission to ensure enforceable adaptation. These rulings signal a global judicial shift: climate inaction is no longer just a bad policy, it is a breach of human rights. Yet access to justice remains uneven, and without global enforcement mechanisms, litigation alone cannot close the equity gap.

"Climate justice is not charity - it's about rights, responsibilities, and fairness." ~Dr. Saleemul Huq

To achieve climate justice, we must shift from abstract climate goals to rights-based, feminist or gender neutral and equitable solutions that address the problems outlined above. First, implementing feminist climate justice frameworks, as advocated by UN Women, ensures that policies recognize and redistribute power to women, gender-diverse and Black, Indigenous and People of Color (BIPOC) communities. Second, adequately ~~funding~~ funded loss and damage mechanisms, with streamlined, transparent access, must deliver grants, not loans, to vulnerable nations bearing disproportionate impacts, as Conference of Parties' (COP) meetings promised but failed to enact as published in an article in the Financial Times by David Pilling. Third, a just transition must include green job creation, reskilling and social safety nets for

displaced workers, while eradicating child labor and improving living standards. Finally, fossil fuel disinformation must be criminalized and climate defenders protected, ensuring civic space and justice. These measures, rooted in justice, equality, and accountability, are not optional. They are foundational for a world where human rights, lives and livelihoods are resilient to climate breakdown.

In a nutshell, climate change is no longer a distant environmental crisis, it is a direct assault on the most fundamental human rights. From the right to life and health to water, food, housing and dignity, this global emergency is dismantling the very foundations on which justice and equality are built. Through the lens of law, lived experience, and growing judicial activism, it is evident that climate injustice is neither accidental nor evenly distributed. The world's poorest, least responsible populations continue to bear the gravest consequences, while powerful states and corporations delay transformative action. Gendered inequalities, indigenous erasure, intergenerational neglect, and restricted civic spaces all reveal how climate change amplifies pre-existing systems of oppression. However, hope lies in the rising global consciousness that frames climate justice not as a matter of charity, but of accountability, reparations and systemic change. Courtrooms, youth movements, and frontline communities are rewriting the narrative; demanding not just survival but fairness. True justice will not come from pledges and policies alone, but from centering human rights at the heart of climate governance. Only then can states chart a future that is not only sustainable, but just, inclusive and dignified for all.