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THE RELATIONSHIP BETWEEN THE INTERNATIONAL CLIMATE CHANGE REGIME AND HUMAN RIGHTS



Project DIMC

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Introduction

The right to life, to health, to social and personal security, to adequate food and housing. These are rights expressly listed in the 1948 Universal Declaration of Human Rights and in the 1996 United Nations Covenants on Human Rights, which find themselves threatened by the consequences of an emergent climate crisis. Occasioned mainly by GHG (Greenhouse Gases) emissions, global warming generates the radicalization of climate events. It increases the sea's level rise and causes ecosystems changes, problem that turn to be categorized by Lavanya Rajamani as "the issue of our age". In this regard, it's measured that about 150.000/year of premature deaths are related to the climate crisis. Also, it is estimated that over 150 million people may need territorial reallocation until 2050, due to these impacts. This scientific contribution seeks to answer to the following research question: How the relationship between the International Climate Change Regime and Human Rights is established in international society? This scientific contribution is inserted in the Research Project called "International Climate Change Law in Brazil: between obligations, responsibilities and socioeconomic potentials", belonging to the Research Group Direito Ambiental Crítico (DAC).

Objective

The main objective of this research is to understand the relationship between the International Climate Change Regime and Human Rights, while the specific goals comprise: a) Analyze the legal-normative instruments of International Climate Change Regime related to Human Rights; b) Collect data directly related to climate crisis' impacts on Human Rights; and c) Outline the main violations of Human Rights caused by the climate crisis.

Methodology

On methodology issues, the conceptual-analytic method was the study's choice, starting from the analysis of the International Climate Change Regime and its relationship with Human Rights. The research's technique was exploratory and bibliographic, with emphasis on international documents, specialized books and data collection in national and international organizations's databases.

Results and Discussion

The relationship between climate change and Human Rights gains (officially) space in the international discussions mostly from Paris Agreement, in 2015. The instrument's preamble expressly refers a recommendation that Parties "*when taking action to address climate change, respect, promote, and consider their respective obligations on human rights*". This relatively recent inclusion, responsible for addressing the environmental demand as an "human issue", although, couldn't predict the serious points listed by the first part of the Sixth Assessment Report, the "Climate Change 2021: The Physical Science Basis, the Working Group I contribution to the Sixth Assessment Report". Caused by human activities, the climate crisis will increase, in most scenarios, up to Paris Agreement's maximum safe level, which is 1,5°C. Also, the main GHG (carbon dioxide, methane and nitrous oxide) have the highest concentration in the atmosphere in 800.000 years. As consequences, can be verified the increase of heat waves and of sea level rise, the intensification of extreme events and the modification of climate and ecosystems around the world. Regarding the implications of climatic events on Human Rights, besides the direct effects of environmental catastrophes, it's possible to verify a risk to health and to food safety, even as a demand to relocate human populations, when they are not forced to stay in risk areas due this impossibility.

In this sense, rights related to life, human dignity, health and adequate housing are examples of the main Human Rights in violation by climate crisis.

Conclusion

Concerning the results, they are capable of indicating that climate change impacts directly and negatively on Human Rights effectiveness. Through instruments mentioned by the study and the structure of the International Climate Regime, is possible to consider an effort of international society to face the climate crisis, aiming to ensure human life as known nowadays.

RAJAMANI, Lavanya. **Innovation and Experimentation in the International Climate Change Regime**. E-book version.

Direitos humanos, ameaçados pelas mudanças climáticas, podem também fornecer soluções. UN Environment Programme, 2019.

Disponível em: <https://www.unep.org/pt-br/noticias-e-reportagens/story/direitos-humanos-ameacados-pelas-mudancas-climaticas-podem-tambem>

Climate Change 2021: The Physical Science Basis, the Working Group I contribution to the Sixth Assessment Report. IPCC, 2021.