



## **INTERNATIONAL CLIMATE CHANGE LITIGATION UNDER HUMAN RIGHTS OBLIGATIONS**

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Considering that global warming generates the radicalization of climate events, increases the sea's level rise, and causes ecosystem changes, many expressly listed Human Rights find themselves threatened by the consequences of the climate crisis. Through judicialization, claimants protest Human Rights violations related to the climate crisis against States or corporations that do not fulfill their climate commitments. This scientific contribution seeks to answer the following question: At the international level, in what ways does climate change litigation provide the means to remedy possible human rights violations arising from climate change? The main objective is to understand the relationship between International Climate Change Litigation and international Human Rights obligations, while the specific goals comprise: a) Analyze and collect data about Climate Change Litigation cases, comparing its emergence about ten years ago and nowadays; and b) Outline the leading cases on International Climate Change Litigation, in what bases they were reasoned, and the decisions made by the International Courts on it. To respond to the research's problem, two hypotheses have been raised: (I) Climate change litigation at the international level provides means to remedy the possible violations of Human Rights arising from climate change in an insignificant or non-existent way because: a) the recent emergence of such demands; and b) the difficulty in linking state human rights obligations to international climate commitments; or (II) Climate change litigation at the international level provides the means to remedy possible international human rights violations resulting from climate change in a progressive way, despite the recent emergence of demands, given the claim of state obligations in human rights to support the necessary compliance with climate commitments, as well as the consolidation of the recognition of the link between them by the International Courts and Tribunals. On methodology issues, the hypothetical-deductive method was the study's choice. The research's technique was exploratory and bibliographic, emphasizing international documents, specialized books, and data collection in national and international organizations' databases. Concerning the results, although the recent emergence of climate change cases based on Human Rights obligations, it is possible that, although the first decade could confirm the first hypothesis, the Climate Change Litigation scenario tends to confirm the second one.

Palavras-chave: Climate Change, Human Rights, International Climate Change Litigation

Apoio: UCS, CNPq