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International Mechanisms for Ensuring the Human Right to a Favorable Environment

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Annotation: The right to a favorable environment is increasingly recognized as fundamental to the enjoyment of various other human rights, including the rights to health, life, water, food, and housing. This article undertakes a comprehensive exploration of the development, implementation, and challenges surrounding the international mechanisms designed to ensure this right. It analyzes a wide array of global and regional legal frameworks, including the United Nations system, multilateral environmental agreements, and international judicial bodies. Through a critical review of legal instruments and enforcement practices, the article highlights the importance of integrating environmental protection with human rights law. The study concludes with policy recommendations to strengthen international cooperation, accountability, and legal coherence in securing the right to a healthy environment for present and future generations.

Key words: human rights, environmental law, sustainable development, United Nations, Aarhus Convention, climate justice, regional courts, environmental democracy.

Introduction. The human right to a clean, healthy, and sustainable environment is an emerging legal principle that reflects growing global awareness of the interdependence between environmental protection and the full enjoyment of fundamental rights. Environmental degradation, pollution, climate change, and biodiversity loss are no longer viewed as isolated ecological issues but as direct threats to the quality of human life, public health, and even survival. These threats disproportionately affect vulnerable populations, including Indigenous peoples, women, children, and low-income communities, emphasizing the urgent need for international cooperation and legal mechanisms to safeguard this right.

In recent decades, the international legal landscape has evolved considerably. The Stockholm Declaration, the Rio Declaration, and more recently, the UN General Assembly Resolution 76/300 have gradually laid the foundation for recognizing environmental protection as a human right. These developments have prompted the inclusion of environmental provisions in a growing number of treaties, national constitutions, and regional human rights systems.

This paper critically analyzes the international mechanisms aimed at protecting and promoting the human right to a favorable environment. It evaluates their normative foundations, institutional structures, enforcement tools, and practical outcomes. In doing so, it aims to provide a detailed understanding of the existing legal landscape, its achievements, and the remaining gaps. The ultimate goal is to contribute to the discourse on strengthening international environmental governance through human rights-based approaches.

The Evolution of Environmental Rights in International Law. The integration of environmental considerations into international human rights law began as a soft aspiration and has gradually become a more concrete and widely accepted legal principle. The 1972 Stockholm Declaration was the first

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major international instrument to articulate the idea that individuals have a right to "an environment of a quality that permits a life of dignity and well-being." This set the stage for subsequent developments linking environmental sustainability with human welfare.

In 1992, the Rio Declaration on Environment and Development further advanced the notion of sustainable development, placing it at the core of environmental governance. Principle 1 of the Rio Declaration reaffirmed that human beings "are entitled to a healthy and productive life in harmony with nature."

Over the past two decades, legal scholars and environmental advocates have pushed for stronger normative frameworks to articulate environmental rights explicitly. National courts and international human rights bodies have responded by recognizing that environmental harm can violate established human rights such as the rights to life, health, property, and privacy.

Customary Law and Soft Law Instrument. Although there is no single binding international treaty specifically devoted to environmental human rights, customary international law and soft law play a crucial role. Repeated references to environmental rights in UN resolutions, national practices, and judicial decisions contribute to the formation of a customary norm.

Soft law instruments such as the UN Human Rights Council's resolutions on the environment, the UNEP's Environmental Rule of Law reports, and the Framework Principles on Human Rights and the Environment by the Special Rapporteur, have provided valuable guidance. While these texts are not legally binding, they exert normative influence and can pave the way for future treaty development.

The increasing recognition of environmental rights in national constitutions—over 150 to date—also strengthens the argument for a global customary norm. These developments reflect an evolving consensus that the environment is a matter of universal concern and must be protected through coordinated legal responses.

United Nations Framework. The United Nations has played a pivotal role in advancing the recognition of environmental protection as an essential component of human rights. Through its resolutions, agencies, and special procedures, the UN provides both normative guidance and institutional platforms to promote environmental governance. This section explores the role of the UN General Assembly, the Human Rights Council, the Special Rapporteur on Human Rights and the Environment, and the United Nations Environment Programme.[1]

*Role of the UN General Assembly and Human Rights Council***.** The UN General Assembly has increasingly embraced environmental concerns as part of the global human rights agenda. In 2010, the Assembly recognized the right to water and sanitation as a human right.[2] This was a precursor to more expansive recognition.

The milestone came in July 2022 when the General Assembly adopted Resolution76/300, formally recognizing the right to a clean, healthy, and sustainable environment as a universal human right. Although not legally binding, this resolution reflects a significant normative shift and adds political weight to national and international environmental actions.

The Human Rights Council has also been instrumental. In October 2021, it adopted Resolution 48/13, affirming for the first time within the UN system that having a clean, healthy, and sustainable

[1] UNEP. (2022). *Environmental Rule of Law: Tracking Progress and Charting Future Directions*. Nairobi: United Nations Environment Programme.
[2] UN Human Rights Council. (2021). Resolution 48/13: The human right to a safe, clean, healthy and sustainable environment.

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environment is a human right.[3] These resolutions demonstrate growing global consensus and help establish a foundation for future binding instruments.

Special Rapporteur on Human Rights and the Environment. Established in 2012, the mandate of the Special Rapporteur on Human Rights and the Environment has been critical in articulating the relationship between environmental harm and human rights violations. The first mandate-holder, Professor John H. Knox, produced the Framework Principles on Human Rights and the Environment, which outline 16 principles to guide states in implementing environmental human rights obligations.[4]

The Special Rapporteur engages in country visits, issue-specific reports, and recommendations for both governments and civil society. Reports have addressed themes such as biodiversity, climate change, and children's environmental rights. These efforts help translate abstract principles into actionable guidance.

UNEP and Environmental Governance. The United Nations Environment Programme serves as the principal global authority on environmental issues. While not a human rights body per se, UNEP's work significantly contributes to the realization of environmental rights through legal research, technical support, and advocacy.

UNEP's "Environmental Rule of Law" initiative emphasizes the need for clear legal frameworks, public participation, and enforcement mechanisms. Its work in assisting countries to draft environmental legislation and build institutional capacity is fundamental to securing the right to a healthy environment at the domestic level.[5]

Furthermore, UNEP collaborates with human rights institutions and supports the implementation of multilateral environmental agreements. It has also advocated for stronger recognition of environmental rights in the post-2030 global development agenda.

Regional Human Rights Mechanisms. While the United Nations provides a global framework for recognizing environmental rights, regional human rights systems play a complementary and often more enforceable role in safeguarding these rights. These systems include the European, Inter-American, and African human rights frameworks, each of which has developed its own jurisprudence and mechanisms for addressing environmental harm.

European System. The European Court of Human Rights (ECtHR), operating under the European Convention on Human Rights (ECHR), does not explicitly recognize a right to a healthy environment. However, it has interpreted various provisions of the Convention to protect individuals from severe environmental harm.

A landmark case is *López Ostra v. Spain* (1994), where the ECtHR held that severe environmental pollution from a waste treatment plant violated the applicant's right to private and family life under Article 8 of the Convention. Since then, the Court has expanded its environmental jurisprudence in cases such as *Fadeyeva v. Russia*, where prolonged exposure to industrial emissions was deemed a violation of human rights.

The ECtHR's approach emphasizes the procedural dimension of environmental protection: ensuring access to information, effective participation in environmental decision-making, and access to

[3] UN Human Rights Council. (2021). Resolution 48/13: The human right to a safe, clean, healthy and sustainable environment.
[4] Knox, J. H. (2018). Framework Principles on Human Rights and the Environment. UN Doc. A/HRC/37/59.
[5] UNEP. (2022). *Environmental Rule of Law: Tracking Progress and Charting Future Directions*. Nairobi: United Nations Environment Programme.

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remedies. Although it stops short of declaring a standalone environmental right, its rulings establish important precedents for linking human rights with environmental integrity.

Inter-American System. The Inter-American Court of Human Rights and the Inter-American Commission on Human Rights have taken a more explicit stance on environmental rights. The Court's 2017 Advisory Opinion OC-23/17 was groundbreaking: it affirmed that the right to a healthy environment is an autonomous human right under the American Convention on Human Rights.

The Opinion emphasized states' extraterritorial obligations to prevent environmental harm that could affect people beyond their borders. It also articulated a duty to regulate both public and private actors. This marked a major development in the recognition of environmental rights as enforceable and justiciable within the Inter-American system.[6]

The Court has since issued judgments reinforcing these principles. In *Lhaka Honhat v. Argentina*, the Court found that environmental degradation of Indigenous lands violated their rights to communal property, cultural identity, and a healthy environment.

African System. The African Charter on Human and Peoples' Rights (ACHPR) is unique among regional instruments in expressly recognizing the right to a satisfactory environment. Article 24 states: "All peoples shall have the right to a general satisfactory environment favorable to their development."

The African Commission on Human and Peoples' Rights has interpreted this provision progressively. In *Social and Economic Rights Action Center (SERAC) and Another v. Nigeria*, the Commission held that the Nigerian government violated Article 24 by failing to prevent oil companies from polluting the Ogoni people's environment.

This case highlighted the obligation of states not only to refrain from environmental harm but also to take positive measures to protect ecosystems and communities. The African system thus reinforces both substantive and procedural aspects of environmental rights and serves as a strong model for integrating environmental justice into human rights law.

Multilateral Environmental Agreements (MEAs). Multilateral Environmental Agreements (MEAs) are pivotal in the architecture of international environmental governance. Although MEAs are not always framed in human rights language, they are instrumental in operationalizing the right to a favorable environment by regulating state behavior, setting environmental standards, and promoting cooperation across borders. This section discusses several key MEAs that contribute to the protection of environmental rights.

Aarhus Convention. The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, known as the Aarhus Convention, is one of the most human-rights-oriented MEAs. Adopted under the auspices of the United Nations Economic Commission for Europe (UNECE), the Convention enshrines three procedural rights: access to environmental information, public participation in environmental decision-making, and access to justice in environmental matters.

These rights empower individuals and civil society to hold governments and polluters accountable. The Convention has been hailed as a groundbreaking instrument for environmental democracy. Its Compliance Committee allows for non-compliance cases to be submitted by the public, enhancing transparency and enforcement.[7]

[6] Inter-American Court of Human Rights. (2017). Advisory Opinion OC-23/17.
[7] UNECE. (1998). *Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)*. https://unece.org

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Escazú Agreement. The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, known as the Escazú Agreement, is the first legally binding regional environmental treaty in Latin America. It mirrors the Aarhus Convention but goes further by including specific protections for environmental human rights defenders.

The Escazú Agreement emphasizes the principle of non-discrimination, inclusiveness, and intergenerational equity. It was developed in response to the region's high levels of violence against environmental activists. By legally obligating states to protect these defenders and guarantee procedural environmental rights, Escazú is an essential step toward environmental justice in Latin America.[8]

Paris Agreement and Climate Rights. The Paris Agreement under the United Nations Framework Convention on Climate Change represents the global community's most comprehensive effort to address climate change. Though not a human rights treaty per se, the preamble of the Agreement explicitly acknowledges the need to respect and promote human rights in climate action.

This includes the rights of Indigenous peoples, local communities, migrants, children, persons with disabilities, and people in vulnerable situations. The emphasis on transparency, participation, and accountability aligns with the procedural dimensions of environmental rights.[9] The Paris Agreement obligates parties to pursue efforts to limit global warming to well below 2°C and to strive for 1.5°C. It encourages the adoption of nationally determined contributions adaptation planning, and climate finance, all of which directly affect the capacity of states to ensure environmental and climate justice.

Biodiversity and Pollution Treaties. Beyond climate agreements, numerous MEAs contribute to the protection of specific environmental components. For instance:

- *The **Convention on Biological Diversity (CBD)** (1992) aims to conserve biodiversity, promote sustainable use, and ensure equitable benefit-sharing.*
- *The **Basel Convention** (1989) addresses the transboundary movement and disposal of hazardous waste.*
- *The **Stockholm Convention** (2001) targets persistent organic pollutants that threaten human health and ecosystems.*
- *The **Minamata Convention on Mercury** (2013) focuses on controlling mercury pollution.*

These treaties intersect with human rights when pollution, toxic exposure, or biodiversity loss adversely affect communities' health and livelihoods. Through binding obligations, monitoring systems, and international cooperation, they play a vital role in upholding the right to a favorable environment.

Jurisprudence of International and Regional Courts. International and regional courts have increasingly recognized the interconnection between environmental degradation and the violation of fundamental human rights. While many of these institutions were not originally designed to address environmental concerns, they have gradually adapted their jurisprudence to reflect the growing importance of environmental protection in upholding human dignity and justice.

ECtHR Jurisprudence. The European Court of Human Rights has contributed significantly to the evolution of environmental rights within the human rights framework. Although the European

[8] ECLAC. (2018). *Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement)*. https://www.cepal.org/en/escazuagreement

[9] Paris Agreement. (2015). United Nations Framework Convention on Climate Change. https://unfccc.int

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Convention on Human Rights does not explicitly guarantee a right to a healthy environment, the Court has interpreted various articles—particularly Article 2 (right to life), Article 8 (right to respect for private and family life), and Article 6 (right to a fair trial)—to address environmental grievances.

In *López Ostra v. Spain*, the Court held that exposure to environmental pollution could interfere with a person's well-being and, thus, their right to private life. Similarly, in *Fadeyeva v. Russia*, the Court ruled that prolonged exposure to industrial emissions in a residential area constituted a violation of Article 8.

In *Tătar v. Romania*, the ECtHR extended its reasoning by referencing the precautionary principle, indicating that authorities must act in cases of scientific uncertainty when public health is at stake. This marked a shift toward a more preventive and rights-oriented environmental jurisprudence.

Inter-American Court of Human Rights Cases. The Inter-American Court of Human Rights (IACtHR) has gone further by explicitly recognizing the right to a healthy environment as an autonomous right. The Advisory Opinion OC-23/17 clarified that the environment is a legal interest in itself, beyond its utility to human beings. It emphasized both substantive and procedural obligations of states, including prevention, regulation, cooperation, and redress.

In *Lhaka Honhat v. Argentina*, the Court found that environmental degradation affecting Indigenous lands violated their economic, social, cultural, and environmental rights. The Court emphasized the holistic relationship between Indigenous communities and their environment, expanding the concept of collective rights.

African Commission Decisions. In the African context, the African Commission on Human and Peoples' Rights has issued landmark decisions that integrate environmental protection with socio-economic and cultural rights. The most notable case is *Social and Economic Rights Action Center (SERAC) and Another v. Nigeria*, where the Commission found that the Nigerian government's failure to prevent oil companies from polluting the Niger Delta violated multiple provisions of the African Charter, including Article 24 (right to a satisfactory environment).

The Commission held that the state had both a duty to prevent environmental harm by third parties and to provide effective remedies. This case exemplifies the principle of state responsibility and the enforceability of environmental rights in African jurisprudence.

International Court of Justice and Advisory Opinions. The International Court of Justice (ICJ), while not a human rights court per se, has contributed to the development of environmental principles in international law. In *Pulp Mills on the River Uruguay (Argentina v. Uruguay)* (2010), the ICJ reaffirmed the duty of states to conduct environmental impact assessments (EIAs) before initiating projects that may cause transboundary harm.

Although the ICJ has yet to deliver a definitive judgment solely on environmental human rights, its advisory role is growing. In 2023, at the request of the UN General Assembly, the ICJ agreed to issue an advisory opinion on states' obligations regarding climate change and human rights—a potentially landmark development that may clarify the scope of legal duties under international law.

Through these judicial developments, international and regional courts are reinforcing the legal character of environmental rights and integrating them into broader human rights and public international law frameworks.

Procedural Environmental Rights. Procedural environmental rights are essential tools for the realization and enforcement of the substantive right to a healthy and favorable environment. These rights ensure that individuals and communities have the means to participate in environmental decision-making processes, access critical environmental information, and seek remedies when their rights are violated. These procedural rights are widely recognized in international environmental law

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and are particularly emphasized in instruments such as the Aarhus Convention and the Escazú Agreement.

Access to Information. The right to access environmental information includes the ability to obtain timely, clear, and comprehensive data about environmental risks, pollution levels, and governmental or corporate activities that may affect the environment. Transparency empowers citizens to understand environmental challenges and to hold duty bearers accountable.

The Aarhus Convention obligates public authorities to make environmental information available proactively and upon request, without the need to demonstrate a specific interest. The Escazú Agreement (2018) further strengthens this right by requiring states to ensure that environmental information is available in accessible formats, particularly to vulnerable or marginalized groups.

Access to information is also supported by the 1992 Rio Declaration (Principle 10), which underscores that environmental issues are best handled with the participation of all concerned citizens, at the relevant level.

Public Participation. Meaningful public participation in environmental decision-making processes is crucial to ensuring that environmental policies reflect the needs and concerns of affected communities. This includes involvement in decisions about projects such as mining, industrial development, deforestation, or infrastructure construction that may have significant environmental impacts.

Both the Aarhus and Escazú agreements legally obligate states to facilitate early and effective participation. This includes ensuring that public input is taken into account before decisions are finalized and that there are mechanisms in place for public consultation at all stages of policy development.

Participation also extends to the international level. For example, the United Nations Framework Convention on Climate Change encourages states to include civil society actors in climate negotiations and national action plans. This participatory ethos is key to the legitimacy and effectiveness of environmental governance.

Access to Justice. Access to justice in environmental matters refers to the ability of individuals and communities to seek redress through judicial or administrative procedures when their environmental rights have been violated. This includes challenging environmental decisions, enforcing environmental laws, and obtaining compensation for environmental harm.

The Aarhus Convention mandates that parties ensure access to impartial and effective judicial review for environmental matters. Likewise, the Escazú Agreement explicitly guarantees the right of access to justice for environmental issues and requires states to eliminate barriers—legal, financial, or procedural—that might prevent the poor or marginalized from seeking remedies.

Moreover, the notion of environmental justice also encompasses procedural fairness. It requires that decisions are made transparently, without discrimination, and with due consideration of the rights and voices of Indigenous peoples and other historically disadvantaged groups.

Overall, procedural environmental rights serve as the backbone of environmental democracy and are indispensable for making environmental protection more inclusive, transparent, and accountable.

Environmental Defenders and International Protection. Environmental human rights defenders (EHRDs) are individuals and groups who work to protect the environment, including land, water, forests, and biodiversity, often at great personal risk. Their work is critical to the realization of the right to a healthy environment, as they often stand at the front lines of environmental degradation and human rights violations.

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Threats to Environmental Human Rights Defenders. Globally, EHRDs face increasing threats, including harassment, intimidation, arbitrary detention, criminalization, and even murder. According to Global Witness, over 200 environmental defenders were killed in 2022 alone, making environmental defense one of the most dangerous fields of human rights work. Many of these attacks occur in contexts involving extractive industries, agribusiness, and large-scale development projects where powerful interests collide with environmental protection.

Indigenous leaders and women defenders are particularly vulnerable, as they often work in remote areas and challenge deeply entrenched social and economic structures. These threats not only endanger individuals but also have a chilling effect on civic engagement and democratic participation in environmental governance.

International Responses and Protective Mechanisms. The international community has begun to respond to these threats through declarations, resolutions, and protection mechanisms. The UN Declaration on Human Rights Defenders (1998) affirms the right of all people to promote and strive for the protection of human rights, including environmental rights. It obliges states to create conditions that allow defenders to work freely and safely.

The Escazú Agreement is particularly notable for being the first treaty to include explicit and binding provisions on the protection of environmental defenders. Article 9 of the Agreement requires states to guarantee a safe and enabling environment for persons and groups that promote and defend environmental rights.

The UN Special Rapporteurs on human rights defenders and on the environment have also issued joint statements and reports emphasizing the need for urgent action to protect EHRDs. In addition, regional systems, such as the Inter-American Commission on Human Rights, provide precautionary measures for defenders at risk.

Various NGOs and international organizations offer support, including emergency funding, legal aid, relocation assistance, and advocacy. However, there remains a critical gap in the enforcement of protection mechanisms at the national level, and impunity for attacks on EHRDs remains widespread.

Efforts to strengthen protections must include legal reforms, better implementation of existing laws, and robust monitoring. States should also consult with defenders and their communities to co-create security strategies that respect cultural contexts and avoid further marginalization.

Corporate Accountability and the Environment. Corporations, particularly multinational enterprises (MNEs), exert significant influence over environmental outcomes. Their activities in sectors such as mining, energy, agriculture, and manufacturing often lead to deforestation, water and air pollution, greenhouse gas emissions, and harm to local ecosystems and communities. Therefore, ensuring corporate accountability is vital to the effective realization of the human right to a favorable environment.

Business and Human Rights Frameworks. The primary international instrument guiding corporate conduct is the United Nations Guiding Principles on Business and Human Rights endorsed by the Human Rights Council in 2011. While not legally binding, the UNGPs articulate three pillars: (1) the state duty to protect human rights, (2) the corporate responsibility to respect human rights, and (3) access to remedy for victims of abuses.

Under the second pillar, corporations are expected to conduct human rights due diligence to identify, prevent, mitigate, and account for environmental harms associated with their operations. Although the UNGPs do not create direct legal obligations, they have significantly influenced national legislation, corporate policies, and investor practices.

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The OECD Guidelines for Multinational Enterprises also include environmental expectations and due diligence standards. They call upon companies to assess environmental impact, promote sustainable resource use, and engage in stakeholder consultation.

Due Diligence and Environmental Harm. Environmental due diligence is gaining traction as a legal requirement in various jurisdictions. The European Union is in the process of adopting a Corporate Sustainability Due Diligence Directive, which would obligate companies to identify and mitigate adverse environmental and human rights impacts throughout their supply chains.

Litigation against corporations for environmental harm is also increasing. Notable cases include *Milieudefensie et al. v. Royal Dutch Shell* (2021), where a Dutch court held Shell responsible for reducing its global carbon emissions. Another example is *Vedanta Resources v. Lungowe* (UK Supreme Court, 2019), which allowed Zambian villagers to sue a UK-based parent company for pollution caused by its subsidiary.

There is also growing advocacy for a binding international treaty on business and human rights, which would impose enforceable obligations on transnational corporations and close accountability gaps that currently exist due to jurisdictional and regulatory fragmentation.

Corporate environmental accountability should be further reinforced through mandatory disclosure requirements, independent environmental audits, grievance mechanisms, and collaboration with affected communities. Companies must also embrace the principles of environmental justice, ensuring that their operations do not disproportionately affect vulnerable populations.

Ultimately, aligning corporate practices with environmental and human rights norms is not only a legal imperative but also a critical pathway toward sustainable development and climate resilience.

Environmental Justice and Climate Change. Environmental justice is a principle that seeks to ensure fair treatment and meaningful involvement of all people, regardless of race, nationality, income, or gender, in the development, implementation, and enforcement of environmental laws and policies. Climate change, as one of the most pressing environmental issues of our time, has underscored the urgency of environmental justice, particularly given its uneven impacts across regions and populations.

Disproportionate Impact on Vulnerable Groups. Climate change disproportionately affects those who have contributed least to its causes. Small island developing states (SIDS), Indigenous communities, low-income populations, and people living in fragile ecosystems often lack the resources and infrastructure to adapt to changing climate patterns. Rising sea levels, extreme weather events, and disruptions to food and water supplies threaten their fundamental human rights, including the rights to life, health, shelter, and food.

For example, prolonged droughts and floods in sub-Saharan Africa have led to displacement, malnutrition, and heightened conflict over scarce resources. In the Arctic, melting ice and ecosystem disruption severely affect Indigenous livelihoods. The principle of environmental justice demands that these inequities be addressed through international solidarity, climate finance, and inclusive policy-making.

Global North–South Divide. The historical emissions of industrialized nations have largely driven the current climate crisis, while developing countries bear the brunt of its impacts. This disparity has led to growing calls for climate justice, which emphasizes accountability, reparation, and equity in international climate negotiations.

The principle of common but differentiated responsibilities, enshrined in the UNFCCC and reaffirmed in the Paris Agreement, recognizes this imbalance. However, implementation has been uneven, and many low-income countries continue to struggle with underfunded adaptation and mitigation

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initiatives. Equitable access to green technologies, climate resilience infrastructure, and decision-making platforms remains a key demand of the Global South.

Intergenerational Equity. Environmental justice also encompasses the rights of future generations. Intergenerational equity asserts that current generations have a duty to preserve the environment so that future generations can enjoy the same ecological benefits and rights. Climate inaction today will result in severe consequences tomorrow, including rising temperatures, biodiversity collapse, and irreversible ecological damage.

Legal mechanisms to protect intergenerational rights are gaining recognition. Several countries have incorporated this principle into constitutional and statutory law. For example, Colombia's Supreme Court, in the *Future Generations v. Ministry of Environment and Others* case, recognized the rights of future generations to a healthy environment and ordered government action to halt Amazon deforestation.

International bodies are increasingly receptive to intergenerational arguments. Youth movements and organizations like Fridays for Future have propelled the issue into the legal and political mainstream, advocating for climate policies that are science-based and long-term.

Climate change presents both a profound challenge and an opportunity to reimagine environmental governance through a justice lens. Ensuring that climate solutions are equitable, inclusive, and rights-based is essential to achieving sustainable development and protecting the right to a favorable environment for all.

Conclusion. The recognition and realization of the human right to a favorable environment stand at the intersection of environmental law, human rights law, and sustainable development. Over the past five decades, the international community has made considerable progress in framing this right through soft law instruments, regional human rights systems, judicial decisions, and multilateral environmental agreements. These mechanisms have helped define both the substantive and procedural dimensions of environmental rights.

Despite this progress, challenges persist. Implementation gaps, weak enforcement mechanisms, corporate impunity, and the disproportionate impact of environmental degradation on vulnerable populations continue to hinder the full realization of environmental rights. Climate change, biodiversity loss, and pollution threaten not only ecosystems but the very foundations of human dignity and intergenerational equity.

A holistic and coordinated approach is required to strengthen international mechanisms. This includes enacting binding international treaties, enhancing regional jurisprudence, protecting environmental defenders, and ensuring meaningful public participation. Private sector accountability must also be addressed through stronger regulatory frameworks and global cooperation.

Ultimately, securing the right to a healthy and sustainable environment is not merely a legal obligation—it is a moral imperative. It demands inclusive, transparent, and accountable governance at all levels. By reinforcing the synergy between human rights and environmental protection, the international community can build a just and resilient future for both people and the planet.

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