

# Climate Refugism :An Introductive Study In Human Rights Perspective

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*“Climate change is still considered a solely environmental problem. It is seen as a distant threat that might affect our future a viewpoint reinforced by pictures of glaciers and polar bears not human beings.”*

– Kofi Annan

## **Introduction**

The human security is the question of the current times. The need to explore it and have solution is a priori duty of the men from the all sets of life and time to build an intellectual and workable Noahs Ark policies to serve the nature and to save the seed of balanced ecology, economy best suited to preserve life whether of Anthropocentric prophecy or any other philosophy suited to humanism. This was the basic sense of choosing “climate refugee” as a topic. As climate change poses risk to human security principally through its potentially negative effects on people’s livelihood. Substantially more research is needed on the climate change and migration of human being in common nexus to each other. And this is one simple effort towards it.

## **The Current Anthropocene<sup>2</sup>& Understanding Climate Change**

The reliable detection and attribution of changes in climate and their effects is fundamental to understanding the scientific basis of climate change and in enabling decision makers to manage climate-related risk. The climate change problem is related to changes in the concentration of the greenhouse gases such as water vapour, CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, and CFCs, which trap infrared radiation from the Earth's surface and thus cause the greenhouse effect. This effect is a natural phenomenon, which helps maintain a stable temperature and climate on Earth. Human activities, such as fossil fuel combustion, deforestation, and some industrial processes have led

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<sup>2</sup> The word anthropocene is the time period from when human activities have had a significant impact on the Earth's climate and ecosystems to the present. The term was coined in 2000 by the Nobel Prize-winning atmospheric chemist Paul Crutzen, who regards the influence of human behaviour on the Earth in recent centuries as so significant as to constitute a new geological era. Crutzen first used it in print in a 2000 newsletter of the International Geosphere-Biosphere Programme (IGBP), No.41. For the document kindly visit- <http://web.archive.org/web/19990117062310/http://www.ciesin.org/TG/HDP/igbp.html>.

2 The Intergovernmental Panel on Climate Change (IPCC), defines it so.

to an increase in greenhouse gases concentration. Consequently, more infrared radiation has been captured in the atmosphere, which causes changes in the air temperature, precipitation patterns, sea-level rise, and melting of glaciers.

Very simply put 'Climate Change' is term that refers to any significant and long-term change in average weather in a given region or entire Earth. Technically it is 'any change in climate over time whether due to natural variability or as a result of human activity'<sup>3</sup>. Broadly it can be laid down as a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere, and that is in addition to natural climate variability over comparable time periods.<sup>4</sup> Basically every significant variability of average weather over longer time period can be classified as climate change. In the early beginnings of Earth's history these changes were usually caused by different dynamic processes on Earth and recently by human activities. The most sensitive indicators of climate change are glaciers and they are currently melting at rapid level which means climate change has already started. And this time only because of human activities that resulted in global warming phenomenon. As the temperatures rise globally we can expect serious changes in weather patterns, rising sea levels and not before seen frequency and intensity of extreme weather. The most vulnerable areas are around Earth's poles and Africa, and these areas are already experiencing significant increase of average temperature, with worse to follow. One such problem due to cumulative effects of climate change is human displacement due to disastrous scarcities resulting as its aftermath .

### **Climate Change: The Disastrous Scenario**

The havoc of climate change in large scenario will be seen out in Asia, where over 60per cent of the world's population, around four billion people, live. Over half of those live near the coast, making them directly vulnerable to sea-level rise. Disruption to the region's water cycle caused by climate change also threatens the security and productivity of the food systems upon which they depend.

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<sup>4</sup> Definition as provided by United Nation's Framework Convention on Climate Change.

In the twentieth century average global temperature increased by 0.740 C while sea level rise resulting from thermal expansion of the ocean and melting of ice across the globe amounted to 17 cms. With this increase the Maldives Islands with land surface barely a metre or two above sea level, every storm surge and major upwelling of the seas represents a major danger to life and property. But this is not all. Climate change is already resulting in an increase in the frequency, intensity and duration of floods, droughts and heat waves. Precipitation has increased significantly in eastern parts of North and South America, northern Europe and northern and central Asia, whereas it declined in the Mediterranean, southern Africa and parts of south Asia. Globally the area affected by drought has increased since the 1970s.

The frequency of heavy precipitation events or proportion of total rainfall from heavy falls has increased over most areas. If we take no action to stabilize the concentration of greenhouse gases in the atmosphere, then average temperature by the end of this century would increase anywhere from 1.1 degrees to 6.4 degrees C. The world is increasing its emissions at a rate that may take us to the upper end of the range projected, which implies a total increase in these two centuries of over 7 degrees C, that is, over 12 degrees Fahrenheit. Between 1970 and 2004 global GHG emissions increased by 70% and carbon dioxide by 80%.<sup>5</sup> In Africa<sup>6</sup>, by 2020, between 75 and 250 million people are projected to be exposed to water stress due to climate change, and in some countries yields from rain fed agriculture could be reduced by up to 50%. The impacts of climate change would be disproportionately severe on some of the poorest regions and communities of the world.

Climate change, in the absence of mitigation policies would in all likelihood lead to:<sup>7</sup>

- Possible disappearance of sea ice by the latter part of the 21st century.<sup>8</sup>
- Increase in frequency of hot extremes, heat waves and heavy precipitation.

<sup>5</sup> Climate Change 2007: Synthesis Report, [http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4\\_syr\\_spm.pdf](http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr_spm.pdf)

<sup>6</sup>[http://www.unep.org/roa/amcen/docs/AMCEN\\_Events/climatechange/2ndExtra\\_15Dec/FACT\\_SHEET\\_CC\\_Africa.pdf](http://www.unep.org/roa/amcen/docs/AMCEN_Events/climatechange/2ndExtra_15Dec/FACT_SHEET_CC_Africa.pdf)

<sup>7</sup> <http://www.un.org/wcm/webdav/site/climatechange/shared/Documents/SpeechPachauri.pdf>

<sup>8</sup> [http://www.ipcc.ch/publications\\_and\\_data/ar4/wg1/en/ch10s10-3-4.html](http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch10s10-3-4.html)

- Increase in tropical cyclone intensity.
- Decrease in water resources due to climate change in many semi-arid areas, such as the Mediterranean Basin, western United States, southern Africa and north-eastern Brazil.
- Possible elimination of the Greenland ice sheet and a resulting contribution to sea level rise of about 7 metres. Without mitigation future temperatures in Greenland would compare with levels estimated for 125,000 years ago when palaeoclimate information suggests 4 to 6 m of sea level rise.
- Approximately 20 to 30% of species assessed so far are likely to be at increased risk of extinction if increases in global average warming exceed 1.5 to 2.5 degrees C.
- *International Clashes related to "Climate Induced Migration" and its related problems (Emphasis of Author).*

The long-run damage to human development generated through climate shocks is insufficiently appreciated. Climate change will not announce itself as an apocalyptic event in the lives of the poor in simple understanding but different scientific studies and events happening show that any how there is danger looming. Climate change will steadily increase the exposure of poor and vulnerable households to climate-shocks and place increased pressure on coping strategies, which, overtime, could steadily erode human capabilities as would be clear from upcoming portion as the paper will proceed.

### Climate Change the Reversible Effects

Agricultural production and food security: The threat from climate change to food production in Asia is striking in the case of Bangladesh. Over 70 per cent of Bangladeshis rely on farming in one way or another, and it employs seven out of ten people in the labour force. But temperature and rainfall changes have already affected crop production in many parts of the country, and the area of arable land has decreased. A study by the International Rice Research Institute showed that increases of 1°C at night-time during the growing season, well within the predicted range of global warming, would reduce global rice yields by 10 per cent while another global study showed that the production of rice and wheat could fall by

eight per cent and 32 per cent respectively by the year 2050.<sup>9</sup> By the second half of this century, the production of three staple crops – wheat, rice and corn could fall by up to 37 percent. In India, less water for rain- and melt water-fed agriculture could cause a loss of

up to 30 per cent of India's agricultural production, including food grains. Climate change will affect rainfall, temperature and water availability for agriculture in vulnerable areas. For example, drought affected areas in sub-Saharan Africa could expand by 60 to 90 million hectares, with dry land zones suffering losses of US\$ 26 billion by 2060,

**Water stress and water insecurity:** Changed run-off patterns and glacial melt will add to ecological stress, compromising flows of water for irrigation and human settlements in the process. An additional 1.8 billion people could be living in a water scarce environment by 2080. Central Asia, Northern China and the northern part of South Asia face immense problem associated with the retreat of glaciers at a rate of 10-15 metres a year in the Himalayas. Seven of Asia's great river systems will experience an increase in flows howsoever the short term, followed by a decline as glaciers melt. Already, some 82 percent of the glaciers in western China<sup>10</sup> reportedly are retreating due to climate change. The Andean region also faces imminent water security threats with the collapse of tropical glaciers. Several countries in already highly water-stressed regions such as the Middle East could experience deep losses in water availability.

**Rising sea levels and exposure to climate disasters:** Sea levels could rise rapidly with accelerated ice sheet disintegration. Global temperature increases of 3-4°C could result in 330 million people being permanently or temporarily displaced through flooding. India's climate is dominated by the southwest monsoon, which brings most of the region's life-giving rainfall. Heavier rainfall during the summer monsoon could increase flooding, but, there is a worse prospect of the monsoon

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<sup>9</sup> IPCC Fourth Assessment Report (2007) *Climate change 2007: Impacts, Adaptation and Vulnerability* (Intergovernmental Panel on Climate Change: Geneva).

<sup>10</sup> Chinese Government (2006) *National Assessment Report on Climate change*.

potentially failing with the increasing frequency and intensity of the El Niño phenomenon<sup>11</sup>. With over 6,500 kilometres of low-lying, densely populated land, millions of Indians are at significant risk from sea-level rise. Over 70 million people in Bangladesh, 6million in Lower Egypt and 22 million in Vietnam could be affected. Small island states in the Caribbean and Pacific could suffer catastrophic damage. Warming seas will also fuel more intense tropical storms. With over 344 million people currently exposed to tropical cyclones, more intensive storms could have devastating consequences for a large group of countries. The 1 billion people currently living in urban slums on fragile hillsides or flood-prone river banks face acute vulnerabilities.

**Ecosystems and biodiversity:**<sup>12</sup>Climate change is already transforming ecological systems around one-half of the world's coral reef systems have suffered 'bleaching' as a result of warming seas. Increasing acidity in the oceans is another long-term threat to marine ecosystems. Ice-based ecologies have also suffered devastating climate change impacts, especially in the Arctic region. While some animal and plant species will adapt, for many species the pace of climate change is too rapid: climate systems are moving more rapidly than they can follow. With 3°C of warming, 20–30 percent of and species could face extinction.

**Human health:** Rich countries are already preparing public health systems to deal with future climate shocks, such as the 2003European heat wave and more extreme summer and winter conditions. However, the greatest health impacts will be felt in developing countries because of high levels of poverty and the limited capacity of public health systems to respond. Major killer diseases could expand their coverage. For example, an additional 220 to 400 million people could been exposed to malaria a disease that already claims around 1 million lives annually. Dengue fever is already in evidence at higher levels of elevation than has previously been the case, especially in Latin America and parts of East Asia. Climate change could further expand the reach of the disease.

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<sup>11</sup> Details available at <http://kids.earth.nasa.gov/archive/nino/intro.html>.

<sup>12</sup> Climate Change And Biodiversity: IPCC Technical Paper 5 available at <http://www.ipcc.ch/pdf/technical-papers/climate-changes-biodiversity-en.pdf>

In the light of above study it can be very well understood that improper climate change has the potential to deliver powerful systemic pullback to human developments across a large group of countries around the globe. In contrast to economic shocks that affect growth or inflation, many of the human development impacts i.e losing opportunities for health and education, decreased and diminished productive potential, loss of important and vital ecological systems, which are likely to prove irreversible.

Also there is increasing evidence that serious and relatively rapid alterations to ecosystems induced by climatic, anthropogenic factors will have direct and indirect impacts on societies which, when other coping mechanisms are overcome, will have no other option but to migrate to other safer and suitable places as a permanent or temporary coping strategy. It is basically this perspective and new aspect of climate change affecting human societies which is to be studied and analysed through this paper.

### **Human Rights Law Rights of Individuals & Climate Change**

The drafters of the Universal Declaration of Human Rights were looking back at a human tragedy, the Second World War that had already happened. The values that inspired the drafters of the Universal Declaration of Human Rights provide a powerful point of reference. That document was a response to the political failure that gave rise to extreme nationalism, fascism and world war. It established a set of entitlements and rights civil, political, cultural, social and economic for all members of the human family. The values that inspired the Universal Declaration were seen as a code of conduct for human affairs that would prevent the disregard and contempt for human rights that have resulted in barbarous acts which have outraged the conscience of mankind.

But climate change is different. It is a human tragedy in the making which whole of the humanity has to face. Allowing that tragedy to evolve would be a failure of international fraternal concept of a dignified human life. Camps with starving refugees in sub-Saharan Africa, endless lines of refugees of tsunamis in Thailand, hurricanes in Louisiana, earthquakes in China, or the open-air prisons of Palestinian and Lebanese refugees in the Middle East. Almost if not completely all, of the

ongoing human rights disasters have an environmental or resource-based origin or we can say that climate and environmental conditions aggravate the problems faced by these individuals and groups, and are recognized as contributing factors to their eventual flight. What we often miss to look in to is that the impact of climate change goes much beyond land-loss due to sea-level rise, and that it is not just climate change but environmental degradation in general as looked in earlier portion of the paper which puts in pressure and imperils the livelihoods of hundreds of millions of people. Such degradation often results, for example, from overuse of natural resources, population pressure, and unsustainable development programmes.

Current climate change without much doubt is predominantly an anthropogenic act aggravating such degradation and putting additional pressures on living conditions and the environment. As climate change increases vulnerability, experts and observers in the mass media have claimed that this vulnerability will be a major factor driving future migration flows, particularly in the global south.<sup>13</sup>The major human rights treaties were developed before climate change was taken to be understood as a looming threat to human life & security. The environmental dimension of these rights has not been extensively articulated and the precise connection between climate change and the international human rights law system is as of now yet undeveloped.<sup>14</sup>

**Impact of climate change on human rights, as understood in the key international human rights instruments can be seen in following dimensions.**

### The Right to Life

The right to life is protected in both the UDHR and the ICCPR. Article 3 of the UDHR provides 'everyone has the right to life, liberty and security of person'. Article 6(1) of the ICCPR provides 'every human being has the inherent right to life.

<sup>13</sup>"Up in smoke? Asia and the Pacific: The threat from climate change to human development and the environment", The fifth report from the Working Group on Climate Change and Development.

<sup>14</sup> Advisory Council of Jurists of the Asia Pacific Forum, Observations and Recommendations, Reference on the Right to Environment(2007). Available at: [http://www.asiapacificforum.net/acj/references/righttoenvironment/downloads/environment/observations\\_recommendations.doc](http://www.asiapacificforum.net/acj/references/righttoenvironment/downloads/environment/observations_recommendations.doc).

This right shall be protected by law. No one shall be arbitrarily deprived of his life'. The right to life of children also receives specific protection in article 6 of the CRC. In its General Comment on the right to life, the UN Human Rights Committee warned against interpreting the right to life in a narrow or restrictive manner. It stated that protection of this right requires the State to take positive measures and that 'it would be desirable for state parties to take all possible measures to reduce infant mortality and to increase life expectancy...'<sup>15</sup>

### The Right to Adequate Food

The right to adequate food is recognised in several international instruments; most comprehensively in the ICESCR. Pursuant to article 11(1), state parties recognise 'the right of everyone to an adequate standard of living for himself and his family ,including adequate food, clothing and housing, and to the continuous improvement of living conditions', while pursuant to article 11(2) they recognise that more immediate and urgent steps may be needed to ensure 'the fundamental right to freedom from hunger and malnutrition'. The UN Special Rapporteur on the Right to Food has defined the right as follows; 'The right to adequate food is a human right, inherent in all people, to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of people to which the consumer belongs, and which ensures a physical and mental, individual and collective fulfilling and dignified life free of fear'.<sup>16</sup>

Also there are little doubts that climate change will detrimentally affect the right to food in a significant way. Regional food production is likely to decline because of increased temperatures accelerating grain sterility; shift in rainfall patterns rendering

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<sup>15</sup> UN Human Rights Committee, General comment No. 6 - the Right to Life (1982) UN Doc HRI/Gen/1/Rev.7 at 128, at paras . 1 and 5

<sup>16</sup> Jean Ziegler, The Right to Food (Report by the Special Rapporteur on the right to food to the Commission on Human Rights 57th session, 2001) UN Doc E/CN.4/2001/53 at p. 2 Available at: <http://daccessdds.un.org/doc/UNDOC/GEN/G01/110/35/PDF/G0111035.pdf?OpenElement>

previously productive land infertile, accelerating erosion, desertification and reducing crop and livestock yields; rising sea levels making coastal land unusable and causing fish species to migrate; and an increase in the frequency of extreme weather events disrupting agriculture.<sup>17</sup>

### The Right to Water

As the earth gets warmer, heat waves and water shortages will make it difficult to access safe drinking water and sanitation. There will be lower and more erratic rainfall in the tropical and sub-tropical areas of the Asia and the Pacific. This will be exacerbated by the recession of the Himalayan glaciers, which flow in into the Ganges, Indus, Brahmaputra, Salween, Mekong, Yangtze and Yellow Rivers.<sup>18</sup> Violent conflicts over water are likely to become more severe and widespread.<sup>19</sup> In 2002 the UN Committee on Economic, Social and Cultural Rights recognised that water itself was an independent right.<sup>20</sup> Drawing on a range of international treaties and declarations it stated 'the right to water clearly falls within the category of guarantees essential for securing an adequate standard of living, particularly since it is one of the most fundamental conditions for survival'.<sup>21</sup> Though not expressly articulated in the ICESCR, the right to water is intricately related to the preservation of a number of rights; underpinning the right to health in article 12 and the right to

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<sup>17</sup>IPCC, 'Chapter 11 - Australia and New Zealand', in *Climate Change 2007: Impacts, Adaptation and Vulnerability*, Available at: <http://www.ipcc.ch/pdf/assessment-report/ar4/wg2/ar4-wg2-chapter11.pdf>

<sup>18</sup> Alan Dupont and Graeme Pearman, " *Heating up the Planet: climate change and security*" (Lowy Institute Paper 12, 2006) at p34. Available at: <http://www.lowyinstitute.org/Publication.asp?pid=391>

<sup>19</sup> Human Development Report 2007/2008 ' *Fighting climate change: Human solidarity in a divided world*' (November 2007) at p. 186. Available at: <http://hdr.undp.org/en/reports/global/hdr2007-2008/chapters>.

<sup>20</sup> UN Committee on Economic, Social and Cultural Rights, General comment No. 15 - the Right to Water (2002) UN Doc E/C.12/2002/11.

<sup>21</sup> *Ibid*, at para. 3.

food in article 11. The right to water is also specifically articulated in the article 24 of the CRC and article 14(2) (h) of the CEDAW.

### The Right to Health

Article 25 of the UDHR states that ‘everyone has the right to a standard adequate for the health and well-being of himself and his family’. Article 12(a) of the ICESCR recognises the right of everyone to ‘the enjoyment of the highest standard of physical and mental health’. The right to health is also referred to in a number of articles in the CRC. Article 24 stipulates that state parties must ensure that every child enjoys the ‘highest attainable standard of health’. It stipulates that every child has the right to facilities for the treatment of illness and rehabilitation of health. Article 12 of the CEDAW contains similar provisions.

Climate change poses significant risks to the right to health. A 2003 joint study by the World Health Organisation and the London School of Hygiene and Tropical Medicine states that global warming may already be responsible for more than 160,000 deaths a year from malaria and malnutrition; a number that could double by 2020.<sup>22</sup> Climate change will have many impacts on human health. It will affect the intensity of a wide range of diseases vector-borne, water-borne and respiratory.<sup>23</sup> In the Pacific, changes in temperature and rainfall will make it harder to control dengue fever.

### Climate Change and Human Displacement

Human displacement due to climate change is the basic problem which will lead to the germination of unforeseen and unstudied problems. An estimated 26 million of the 350 million displaced worldwide are considered climate displaced people. Of these, 1 million each year are estimated to be displaced by weather-related disasters brought on by climate change.

Building on the links between human rights and climate change, if we focus solely on the question of forced displacement due to climate change for the moment, estimates range from a global total of 50 million to worst-case scenarios predicting

<sup>22</sup> Shaoni Bhattacharya, ‘Global warming kills 160,000 a year’, *New Scientist*, 1 October 2003.

<sup>23</sup> Working Group on Climate Change, “*Up in Smoke – Asia and the Pacific*”, note 2, at p. 6.

that up to one billion people could face the loss of their homes and lands during the coming century.

Norman Myers puts it as "Thus the environment related refugees problem is not a problem confined to few countries. Note, moreover, that the problem will surely grow bigger fast. Morocco, Tunisia and Libya are each losing over 1000 square kilometres of productive land a year to desertification. In Egypt, which is uniquely dependent upon irrigation, half of irrigated croplands suffer from salinization and Egypt already imports a huge share of its food. Turkey has lost 160,000 square kilometres of farmlands to soil erosion. These environmental pressures are aggravated by population pressures. North Africa today features 152 million people, and the eastern Mediterranean 100 million, with a joint total of 252million. Contrast the European Union 459 million, a good deal larger. But the Mediterranean countries are growing much faster.

Projected for 2025 North Africa, Eastern Mediterranean 333 million people, for an increase of 32%, whereas the European Union is projected to grow to 470 million, for an increase of 2%. Across the Atlantic, Mexico, Central America, Caribbean today totals 185 million, way behind the United States with 294 million. But a 2025 projection that Mexico, Central America, Caribbean will grow to 235 million, for an increase of 27%, whereas the United States will grow to 349 million for an increase of just 19%."<sup>24</sup>

Christian Aid also estimates a higher figure of some 200-250 million people will face forced displacement.<sup>25</sup> 'The International Organisation for Migration' estimates that eventually some one billion people could be environmentally displaced from their

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<sup>24</sup> Norman Myers, "Environmental Refugees in a globally warmed world" in 'Bioscience', 43 (11), December1993). In a later study by Myers, he raised his estimate to 200 million (Norman Myers, "Environmental refugees: an emergent security issue: OCSE", 2005.

<sup>25</sup> "Christian Aid, Human tide: The real migration crisis", 2007, available at [www.christianaid.org.uk/Images/human-tide.pdf](http://www.christianaid.org.uk/Images/human-tide.pdf)

original homes and lands.<sup>26</sup> But what form will this displacement take? Nobody knows that, only estimations can be made to as of food crisis, Clashes for territory and national securities can be seen as the future aftermath. All in all, the issue of environmental refugees promises to rank as one of the foremost human crises of our times. To date, however, it has been viewed as a peripheral concern, it generates myriad problems of political, social and economic sorts. As such, it could readily become a cause of turmoil and confrontation, leading to conflict and violence. Yet as the problem becomes more pressing, our policy responses fall ever-further short of measuring up to the challenge.

A point has been reached in history when we must shape our actions throughout the world with a more prudent care for their environmental consequences. Through ignorance or indifference we can do massive and irreversible harm to the earthly environment on which our life and well being depend. Conversely, through fuller knowledge and wiser action, we can achieve for ourselves and our posterity a better life in an environment more in keeping with human needs and hopes.

There are broad vistas for the enhancement of environmental quality and the creation of a good life. What is needed is an enthusiastic but calm state of mind and intense but orderly work. For the purpose of attaining freedom in the world of nature, man must use knowledge to build, in collaboration with nature, a better environment. To defend and improve the human environment for present and future generations has become an imperative goal for mankind-a goal to be pursued together with, and in harmony with, the established and fundamental goals of peace and of worldwide economic and social development.<sup>27</sup> To repeat a pivotal point: climate refugees have still to be officially recognized as a problem at all. This is what the paper keeps its focus on and shall become clear as the paper proceeds.

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<sup>26</sup> S, Lonergan and A. Swain, *"Environmental Degradation and Population Displacement"*; Global Environmental Change and Human Security Project, Research Report No. 2, Victoria, BC, Canada, May 1999.

<sup>27</sup> Proclamation 6, Declaration of United Nations Conference on The Human Environment, 1972. Also known as Stockholm Declaration.

## Types of Human Displacements

When displacement due to climate change actually takes place, this can happen in essentially five primary ways. These can be as following:

**Temporary Displacement** - People who for generally short periods of time are temporarily displaced due to a climate event such as a hurricane, flood, storm surge or tsunami but who are able to return to their homes once the event has ceased, such as during hurricane Katarina.

**Permanent Local Displacement** - People who are displaced locally, but on a permanent basis due to irreversible changes to their living environment, in particular sea-level rise, coastal inundation and the lack of clean water and increasingly frequent storm surges. This form of displacement implies that localised displacement solutions will be available to this group of forced migrants, such as higher ground in the same locality. For e.g. this would include dwellers along Bangladesh's coastline who flee to higher ground in the immediate vicinity.<sup>28</sup>

**Permanent Internal Displacement** - People who are displaced inside the border of their country, but far enough away from their places of original residence that return is unlikely or impossible. This would concern a family displaced from one region of a country to another region in country, for instance, from a coastline to an inland town or city, such as the ongoing resettlement from the Carteret Islands to the larger island of Bougainville in Papua New Guinea.<sup>29</sup>

**Permanent Regional Displacement** - People for whom displacement solutions within their own countries are non-existent or inaccessible and who migrate to nearby countries willing to offer permanent protection. This would involve, for instance, a citizen of Tokelau or Tuvalu migrating<sup>30</sup> on a permanent basis to New Zealand.<sup>31</sup>

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<sup>28</sup> See *infra* note 29.

<sup>29</sup> Scott Leckie, "Climate-related Disasters and Displacement: Homes for Lost Homes, Lands for Lost Lands".

<sup>30</sup> Tuvalu is one of the most vulnerable places to the impacts of global warming on earth. Most of Tuvalu is just two metres above sea level, with its highest point a mere 4.6 metres above sea level. Sea-level rise could spell complete disaster to the 11,000 Tuvaluans currently residing on nine low-

**Permanent Inter-Continental Displacement** - People for whom no national or regional displacement solutions are available, and who are able to receive the protection of another State in another continent, such as a Bangladeshi resident who migrates to India.<sup>32</sup> *Last given points i.e 4 & 5, are the major serious problems as they are the where Sovereignty and internal security matters of different states would come to play the lead and world war like situations might arise. Though it may seem a mere perception but is a valid conception if current international politics is seen.* (Authors emphasis)

### **Migration Dynamics and Current International Political Scenario on Climate Change Control:**

Most of these migration dynamics, according to the Stern Review on the economics of climate change, will take place in developing countries due to their geographic exposure to climate change events, the often poor state of their economies, the lack of adaptation capacities, and the large numbers of impoverished people. States in Africa and in South and Southeast Asia especially will face major challenges. Subsequently, Stern calls environmentally induced migration “a last-resort adaptation for individuals, but one that could be very costly to them and the world”<sup>33</sup>

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lying coral atolls. Its entire population could have to relocate to other countries over the next few decades. Currently, the population of Tuvalu lives by fishing, receiving financial support from Tuvaluan workers overseas and accessing an international trust fund set up in 1987. The rising sea levels are taking their toll on infrastructure and the

remaining population. Assistant Secretary for Foreign Affairs in Tuvalu, PaaniLaupepa made it clear that they ‘feel threatened, their whole culture would have to be transplanted’. Tuvalu has twice approached the Australian Government for assistance with accepting climate change refugees. So far, the Australian Government has refused. Kindly see <http://news.bbc.co.uk/1/hi/sci/tech/1581457.stm> [7 October 2007].

<sup>31</sup>*ibid*

<sup>32</sup> Al Gore, ‘*An Inconvenient Truth: The Planetary Emergency of Global Warming and What We Can Do About It*’, Rodale Books, 2006

<sup>33</sup> Nicholas Stern, ‘*The economics of climate change. The Stern review*’; Cambridge:Cambridge University Press’,(2007),p.111.

As the above study shows the enormity of the problem hence climate induced migration needs to be checked and this can be achieved by cordial approach of collective global support and governance of the problem both at macro and micro levels of disaster management. Which can be ascertained from capabilities ideology of Amartya Sen. In the larger context of human rights according to Amartya Sen, capabilities are not the things that people may be able to do their functioning's but their capacity to choose and to live a life they value. For that of course, they need basic resources to make decisions on the functions they want to be fulfilled. Such functions include access to food or education, or mobility, and which are important to persons idea of a good life, which in turn strongly depend on the assets at that persons disposal. Fulfilling functions may necessitate natural, physical, mental cultural, social, economic, financial, and political assets as well as their depth embedded in societal structures and institutions. In general, the term capability connects to the broader issue of human development which depends axiomatically on freedom<sup>34</sup> to achieve those chosen goals. He himself confines his capability (instances and situations to ones', survival) approach to the level of the individual. Nevertheless, he appreciates the vital role of social networks as well as of organisational and institutional capacities of states, local authorities, political parties, private sector, civil society, and other proximate organisations that can offer support and security nets. He notes, for example, the critical role of institutions such as democracies for avoiding famines.<sup>35</sup> To consider international migration in its fullest context, the capabilities approach should be enriched with a transnational perspective.

The clear advantage of a transnational approach over the more widespread methodological nationalism is that it embraces not just push factors in sending countries, such as high unemployment rates or adverse environmental conditions.

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<sup>34</sup> Amartya Sen, 'Development as freedom'; Oxford University Press',(Oxford),(1999).

<sup>35</sup> Amartya Sen,'Poverty and famines:An essay on entitlements and deprivation';Clarendon Press(Oxford),1982.

That is why perhaps there were Montreal Convention and Kyoto Protocol<sup>36</sup> established in the league to fight environment or climate induced disastrous situations of ozone depletion and global warming. But the one in prior succeeded and the second yet awaits the success due on complete ratification to it. Later on efforts were made through Copenhagen Accord and 16 meetings of 'Conference of Parties'. Due to the predominance of politics the world has got divided into various climate camps and the division is confine not only to developed and developing countries but also among developed countries.

The US led camp believes that emission reduction will come at high cost and are searching low cost solution as possible and wants India and china should also have their emission reduction commitments. The US opposition to any hard target is largely determined by its position as the world's largest producer of coal oil and gas and the presence of the well organized industrial lobby groups which play a vital role through financial support during the period of elections where as the European countries who have a strong pro environment public opinion and green parties in their permanence want to take serious action on global warming. Besides the green parties Climate Network Europe (CNE) that was establish in 1989 and the regional sub network of the global climate action network have played an important role. The picture is equally complex for the developing countries which are divided into three main groupings the 42 members Alliance of Small Island States (AOSIS) who will be directly affected by climate change is pushing for a tough position; the Oil and Exporting Countries(OPEC), afraid of seeing their oil revenues dwindle argue for more research and for emphasis on increasing absorption of carbon dioxide through forestry activities, the majority of the other developing countries are having a

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<sup>36</sup>Under the Protocol, 37 countries ("Annex I countries") commit themselves to a reduction of four greenhouse gases (GHG) (carbon dioxide, methane, nitrous oxide, sulphur hexafluoride) and two groups of gases (hydrofluorocarbons and perfluorocarbons) produced by them, and all member countries give general commitments. Annex I countries agreed to reduce their collective greenhouse gas emissions by 5.2% from the 1990 level. Emission limits do not include emissions by international aviation and shipping, but are in addition to the industrial gases, chlorofluorocarbons, or CFCs, which are dealt with under the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer.

concern to maintain their own natural resources and insist that any commitments they make will be dependent on prior emission cuts by the industrialized countries and extension of financial resources for them.

A part from the division of world into various compartments, non enforcement of the Kyoto protocol and other efforts can be attributed to differences in perception of the US led developed countries and developing countries. The US led developed countries are of the view that Climate Change is a common technological and economic problem and it is caused by green house gas emissions it could be tackled by providing aid and encouragement of new technologies in developing countries.

On the other hand developing countries are of the view of climate change is a western problem It is caused by consumption patterns it cannot be dealt with without looking into the problem inherent in the development paradigm and at distribution issues such as show is entitled to what emissions As a result of the Kyoto Protocol<sup>37</sup> is passing through a phase of uncertainty.

The other important reason for the non enforcement of the Kyoto protocol could also be attributed to the partial success of negotiations because in all the COPs the negotiations have revolved around the peripheral aspect like transfer of technologies economic aid as funds conservation of forest and reluctance on the part of the developed countries to reduce the carbon dioxide emissions. In order to make the negotiations meaningful its sphere should be broadened with the incorporation of issues like removal of poverty, writing off the debt of the least developed countries, moreover developed countries are required to increase their share for the Overseas Development Assistance(ODA) increase their contributions to help the less endowed countries. The developed countries had committed themselves to increase their contributions to the ODA to 0.7 per cent of their GNP, but the actual flow had declined over the years. At the time of the Earth Summit these countries were providing an average of 0.35% of there Gross National Produce (GNP )as foreign aid but it had dropped to 0.22%. At the top of all the most urgent steps is that the countries have to stand a above petty politics for the sake of a safe and clean earth

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<sup>37</sup> It is being said so basically that same agenda of saving from disaster of Climate Change is being forwarded in Copenhagen Accord 2009 .

for future generations and enforce the KP. The KP can only come into force if it is ratified by the annex 1 the countries representing at least 55 per cent of total carbon dioxide emissions in 1990.<sup>38</sup>

In the context of the climate change regime, the only thing the international community has agreed upon is that the climate and adverse effects are common concern of humankind.<sup>39</sup> This implies an acknowledgement that the climate can only be addressed through common action of all states but it does not indicated whether states are in a position to lay specific claims on air or air pollution. The Kyoto protocol does not address this issue directly either however the protocol indirectly provides the most polluting nations of the earth specific polluting entitlement in other words while no legal claims to air or the atmosphere are staked by any state an indirect appropriation takes place this is problematic because science has clearly showed that the global sink that is the atmosphere can only absorb a limited amount of carbon above a certain limit , consequences which are extremely harmful will most likely take place in other words the polluting rights indirectly given to developed countries under the Kyoto protocol constitute entitlements that effect all nations on earth.

Given that there is only one atmosphere it follows that it needs to be managed as such. Any individual control is physically impractical and would go against the need for a global solution. Air the atmosphere and the global climate should thus be seen as common heritage of human kind that needs to be commonly conserved and managed. The most obvious starting point for the developing this concept is the notion of common heritage developed in the context of the law of the sea. This will include international regulation and private appropriation.

The introduction of common heritage status would make a significant contribution to policy debate of the future climate change regime. Indeed it would provide a new solid basis for rethinking the allocation of emissions reduction commitments and

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<sup>38</sup> Article 25, Kyoto Protocol.

<sup>39</sup> Preamble, Climate Change Convention. Kindly also see Copenhagen Accord...and Conference of the Parties (COP 16 ) to the United Nations FrameWork Convention on the Climate Change, held at Cancun Mexico from 29 Nov 2010 to 10 Dec 2010.

regulating the use of flexibility mechanics according to priorities focused the differential treatment then in terms of economic indirect allocation of individual human right of a global heritage. The introduction of common heritage status would for instance necessitates rethinking CDM<sup>40</sup> since benefits enjoyed by project partner in the name of global warning mitigation cannot be justified unless the policy framework priorities social and environmental benefits ahead of economic benefits indeed the resources through the CDM is used for activities that specifically contribute to fulfilling the global partnership implied by the common heritage status. This is even more important in a context where government claim that they have insufficient resources to implement effective environmental and social policies.

Turning the air the atmosphere and the global climate into a common heritage will no doubt be fiercely the resisted by a number of actors who have and still benefit immensely from the absence of clear concepts determining who is entitled to “Use “and air” pollute” the atmosphere. Yet this is infected but a small extension of a nation which was accepted years ago by the Supreme Court Of India which determined that air is public trust.<sup>41</sup> The notion of public trust implies that the state has to act as trustee on behalf of all individuals use take a long term view of its protection and must to and use for resource it also implies that the state is not in a position to trade away or sell pollution rights or carbon credits. These safeguard include fostering the realization of human rights and ensuring that no violations of existing protection level takes place as well as the respect for environmental law in general and not just of global warming law. And amid all this we must understand that climate refugism will be a big future problem being generated out of climate change phenomenon which needs tobe talked of and tackled at the earliest venture before junction of disaster leaves no time to act upon.

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<sup>40</sup> Clean Development Mechanism (CDM) is one of the flexible mechanisms following the Kyoto Protocol. Article 12 of this protocol states all the regulating framework of the CDM. The CDM offers industrialized countries the possibility to engage in economically and environmentally competitive emission reduction projects in developing countries.

<sup>41</sup>*M.C Mehtav Kamal Nath, 1997, 1 SCC 388.*

## Who Is A Climate Refugee? 'The Problem Of definition'

The world distribution of opportunities is extremely unequal. This inequality is a key driver of human movement and thus implies that movement has a huge potential for improving human development. Yet movement is not a pure expression of choice people often move under constraints that can be severe, while the gains they reap from moving are very unequally distributed because many a times the place to which they move is not their choice it is more of burden or necessity. Because nature's fury differentiates none nor does it recognises man made system of national, international boundaries or any political set up.

Under the present head, the paper shall look into the various international documents defining Refugee. The definition given by convention on the Status of Refugees Article 1 A(2) shows four elements to it:

- (i) The refugees is outside the country of his/her own origin
- (ii) He/she is unable to avail himself/herself the protection of that country or to return to that country
- (iii) Such inability or unwillingness is based on a well founded fear of **persecution**, and
- (iv) The persecution is based on the reason of race, religion, nationality, membership of a particular group, or a political opinion

Alongwith this two conditions must be satisfied. They must be outside the country of their nationality or of their habitual residence. Secondly, they must be their as a result events which took place before 1 January 1951. This is the basic shortcoming of definition of 1951 Convention. Refugee convention 1951 confers status of refuge mainly on the ground of political persecution. Buy many parts of the world refugees were victims of civil war and political conflict rather that persecution. Africa is the best example of this notion because, there were ethnic tension exaggerated by poverty, population explosion and environmental degradation leading to repression

and violence. Communal strives and civil war intensified famines and food shortage, forcing people to move in search of survival.<sup>42</sup>

In order to remove the above laid limitations of 1951 Convention, Protocol Relating to the Status of Refugee was adopted on 31<sup>st</sup> January 1967. As per this Protocol the term refugee includes a person “who owing to well founded fear of being persecuted for the reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail to himself of protection of that country; or who, not having a nationality and being outside the country of his former habitual residence owing to such fear, is unwilling to return to it.”<sup>43</sup>

### Definition as given under a few regional Instruments:

Organisation of African Unity (convention governing the specific aspect of refugee problem in Africa) defines refugee as a person to include also “every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either parts or the whole of his country origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside of his country of origin or nationality.”<sup>44</sup>

Secondly, Cartagena Declaration on Refugees was adopted by Central American States, joined by Mexico and Panama on 22<sup>nd</sup> November 1984 accepted the OAU Convention definition with addition of one more phrase that is massive violation of human rights.

If we see the definition of convention of 1951 and 1967 protocol in context of present climate change scenario then they do not seem to cover the problem in relation to climate refugism.

It will be better if we take a small help, what we derive from definition of OAU and Cartagena Convention which relate the term persecution in expanded lights in

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<sup>42</sup> Eduardo Arbolda and Ian Hoy, “the Covention Refugee Definition in the West Disharmony of Interpretation and Application”, International Journal of Refugee law, vol 5, 1993,p71,72.

<sup>43</sup> Article 1 (2) of the Protocol.

<sup>44</sup> See article 1 (2) of the OAU Convention.

relation to foreign aggression, internal conflicts, massive violation of human right or other circumstances which has seriously disturbed by public order.

Here in the definition as lead by these two Conventions the massive human rights violation and disturbed public order terminology can very well contain violations and disorders caused due to socio economic disturbances caused by the resource shortening in any locality, state or intercontinental regions due to climate change.

Particularly if the country or region facing climate change havoc, is not a developed one in context of science, technology, economics etc., then it is very much possible that it might not be able to contain the disastrous situation on its own without international cooperation and help. Thats why Climate refugism as a phenomenon is in a need to be understood ,recognized and included in current scheme of human right laws. So what the paper pleads through above discussions is that let the term “persecution fear” be construed in terms of the situations circumstances of a state or regions environmental changes governed by evidences of climate change because under such situation if a person chooses to live he won’t survive because of climate change generated economic crisis, food crisis, shelter crisis, and many unfortunate unforeseen circumstances if he doesn’t move out from his local, national or regional dwelling.

First in the early 1970s Lester Brown of World Watch Institute coined the term ‘Environmental Refugism’ which became popularized in 1990. It is increasingly used despite having no agreed definition in international law and never being formally endorsed by United Nation.

The most quoted definition of Environmental Refugism is provided by Essam el Hinnawi<sup>45</sup> in 1985 as “those people who have been forced to leave their traditional habitat, temporarily or permanently, because of marked environmental destruction (natural or triggered by people) that jeopardized their existence or seriously affected the quality of their life)”.

Secondly the most accepted definition is of Norman Myers. He states, Environmental Refugee “as people who can no longer gain secure livelihood in their homeland

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<sup>45</sup> He Was then in 1985 working for United Nation development Programme(UNEP).Studying aftermath of Chernobyl disaster and Bhopal gas tragedy.

because of draught, soil erosion, desertification, deforestation and other environmental problem, together with associated problem of population pressure and profound poverty in their desperation, these people feel they have no other alternative but to seek sanctuary elsewhere, however hazardous the attempt. Not all of them have fled their countries, many being internally displaced. But all have abandoned their homelands on semi permanent if not on permanent basis, with a little hope of foreseeable return.”

As far as UNHCR is concerned they have avoided the term “refugee” and gave a phrase of “environmentally displaced persons”. As per UNHRC, they are “who are displaced from or who feel obliged to leave their usual place of residence, because their lives, livelihoods and welfare have been placed at serious risks as a result of adverse environmental ecological or climatic processes and events.”<sup>46</sup>

We see that most of the times term environmental refugee is used but as to perception of paper the term climate is the key fulcrum of environment and ecology. Henceforth, the basic analogy is applied to which climate word in itself works as a genus for the words environment, eco system, ecology, etc acting as a species to it. There may be a debate over the choice of term climate refugee over environmental refugee, but in the name of above said logic ,perhaps, it seems that the term climate refugee is better as climate change is now not a regional but a worldwide phenomena of worry. Henceforth, the term climate refugee seems to be apt in current scenario.

### Suggested Definition

Keeping the above three notions of Hinnawi, Norman Myers and that of UNHRC ideologies a definition for the term Climate Refugee is suggested. *“when there is change in climate cycle due to geographical, biological, ecological, economical changes induced by human indulgence or over consumption beyond their required needs, which in fact is to the detriment to the fellow human beings. Thus causing condition unfavourable for a simple and dignified livelihood and when such human who so unwillingly moves out for better chances of survival in different parts of the adjacent boundaries whether local, national*

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<sup>46</sup> B. Gorlick Environmentally-Displaced Persons: a UNHCR Perspective, (2007), [www.ony.unu.edu/seminars/2007/16May2007/presentation\\_gorlick.ppt](http://www.ony.unu.edu/seminars/2007/16May2007/presentation_gorlick.ppt).

*or international is a climate effected refugee.”[ this is a humble suggestive definition pertaining to further empirical dissection] .*

### **Conclusion and Suggestions**

If we do not look up to the problem of climate refugee then it would be like a blindfolded walk on a busy highway. It is sign of great disaster to be under stood. There will be clashes among nations due to migration of populations across borders due to lack of human resources. There will be war and crime all around world security and peace would be disturbed. Economies will fail due to food crisis and loss of natural resources. So is there any solution....? The answer is yes still there is a hope if we manage the crisis now or else there would be no time to cure the malady. It is a natural human discourse and convention that whenever there are times of crisis ,we humans look up to wisdom and foresight of our forefathers and learned doyens in the times of growth of human civilization. To here by to seek an answer to problem of climate change and its effect in shape of climate refugism,in terms of jurisprudential aspect paper looks up to Bentham. Bentham in his jurisprudential discourse to puts security before cry of equality.<sup>47</sup> Human security can be interpreted as the major purpose of conferring Rio Convention. Benthams philosophy to keep security before any claims to equality as because when there is no humanity then what for equality would be seeked for. Same thing in a sort of way gets reflected in Rio Conventions <sup>48</sup> i.e the three Rio Conventions on Biodiversity<sup>49</sup>, Climate Change<sup>50</sup> and Desertification<sup>51</sup> each derive directly from the 1992 Earth

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<sup>47</sup> Upendra Baxi, ‘Benthams Theory of Legislation’; Butterworths Wadwa(Nagpur),2010.

<sup>48</sup> For Details Visit “ <http://www.cbd.int/rio/>”.

<sup>49</sup> The objectives of the CBD are the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising from commercial and other utilization of genetic resources. The agreement covers all ecosystems, species, and genetic resources.

<sup>50</sup> The UNFCCC sets an overall framework for intergovernmental efforts to tackle the challenge posed by climate change. Its objectives are to stabilize greenhouse-gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, within a time-frame sufficient to allow ecosystems to adapt naturally to climate change; to ensure that food production is not threatened; to enable economic development to proceed in a sustainable manner.

Summit. Each instrument represents a way of contributing to the sustainable development goals of the Agenda 21.<sup>52</sup>

The three conventions are intrinsically linked, operating in the same ecosystems and addressing interdependent issues. All in all Rio conventions call for treating Earth as one home<sup>53</sup> there is an echo of request and prayer for getting united and collective face, control and eradicate the anthropocenic harm being done to mother earth. It keeps human beings as centre concerns for sustainable development (Principle.1). It further asks States in simily of Article 1(2) of ICESCR, to ensure their jurisdictional exploiting of their own resources in their own sovereign function be so as it ought not to damage other States (Principle.2).

The Rio Convention further calls for “Equitable Development”, this term is of marked importance as fight or debate of equal development may hamper sustainable development because of marked differences of economical and resource

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<sup>51</sup> The UNCCD aims to combat desertification and mitigate the effects of drought in countries experiencing serious drought and/or desertification, particularly in Africa, through effective actions at all levels, supported by international co-operation and partnership arrangements, in the framework of an integrated approach which is consistent with Agenda 21, with a view to contributing to the achievements of sustainable development in affected areas.

<sup>52</sup> Agenda 21 is a comprehensive plan of action to be taken globally, nationally and locally by organizations of the United Nations System, Governments, and Major Groups in every area in which human impacts on the environment.

Agenda 21, the Rio Declaration on Environment and Development, and the Statement of principles for the Sustainable Management of Forests were adopted by more than 178 Governments at the United Nations Conference on Environment and Development (UNCED) held in Rio de Janerio, Brazil, 3 to 14 June 1992.

The Commission on Sustainable Development (CSD) was created in December 1992 to ensure effective follow-up of UNCED, to monitor and report on implementation of the agreements at the local, national, regional and international levels. It was agreed that a five year review of Earth Summit progress would be made in 1997 by the United Nations General Assembly meeting in special session.

The full implementation of Agenda 21, the Programme for Further Implementation of Agenda 21 and the Commitments to the Rio principles, were strongly reaffirmed at the World Summit on Sustainable Development (WSSD) held in Johannesburg, South Africa from 26 August to 4 September 2002.

<sup>53</sup> The preamble to “The Rio Convention on Environment and Development,1992.”

gaps among different nations. But principle of just equity will avoid all clashes as it calls for duty for all before rights of one as propounded from Duguits Philosophy.<sup>54</sup> The same resonance is further carried forward by saying that need for developing countries must be given priority, especially the ones which are least developed and environmentally vulnerable must have the priority and 'International Actions' in the field of environment and development<sup>55</sup> must assure this. The other highlights of this comes as that states shall cooperate in a spirit of global partnership<sup>56</sup> to converse, protect and restore the health and integrity of earths ecosystem. In view of the different contributions to the global environmental degradation States shall have common but differentiated responsibilities.

Differentiated responsibilities<sup>57</sup> here must be "equified one" as per status and economy of the States'. It must not be left to whims and capricistic guards of cultural or religious shades of political aspirations of politically motivated self centeredness, as humanity is the biggest core of all religions and cultures and the time calls for this. The protection and improvement of the human environment is a major issue which affects the well-being of peoples and economic development throughout the world; it is the urgent desire of the peoples of the whole world and the duty of all Governments.<sup>58</sup> Theses all above told notions are very well laid as scheme of solution to climate change crisis "Agenda 21"<sup>59</sup> The agenda is seeked out here as a

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<sup>54</sup> Duty comes before claim to any of the given rights.

<sup>55</sup> Principle 6, Rio Convention 1992.

<sup>56</sup> Principle 7, Rio Convention 1992.

<sup>57</sup>*ibid*

<sup>58</sup> Proclamation 2,Stockholm Declaration 1972.

<sup>59</sup>overview of agenda 21 includes accelerating of sustainable development by combating poverty, inducing changing consumption patterns,bringing in population and sustainability measures,protecting,protecting the atmosphere, managing land sustainably combating deforestation combating desertification and drought,sustainable mountain development sustainable agriculture and rural development,conservation of biological diversity,management of biotechnology,protecting and managing the oceans,protecting and managing fresh water safer use of toxic chemicals,managing hazardous wastes,managing solid wastes and sewage,managing radioactive wastes, strengthening the role of indigenous peoples,partnerships with nongovernmental groups [civic groups],technology

solution because it is the mother document from where all the new accords and meetings evolve and revolve.

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transfer,science for sustainable development strengthening the role of farmers,creating capacity for sustainable development,education, training , and public awareness mmoulding international law,organizing for sustainable development using information for decision making.