

The Impact of Climate Change on the Right to Life

تأثير التغيرات المناخية على الحق في الحياة

Dr. Aziza Bendjemil⁽¹⁾

Lecturer (Class B) Faculty of Law, Badji Mokhtar- Annaba University, (Algeria)

Azizaben81@hotmail.com

RECEIVED
21 - 04 - 2020

ACCEPTED
27 - 08 - 2020

PUBLISHED
30 - 09 - 2020

Abstract:

The right to life has always been threatened by traditional threats of armed conflict, apartheid policies and violations of the rights of children and women. However, nowadays there are more serious new threats to it, which cause major human losses. These are the environmental threats. This is because the death of individuals and groups due to natural disasters was included in the natural rate of human losses due to these phenomena, which have accompanied human lives since their presence on earth. But, their high rates due to the increased levels of pollution and global warming threatening the lives of all living organisms not only that of the human being expose them to complete collapse, if no serious work is executed to address the causes of climate change.

Key words:

climate change, right to life, global warming.

المخلص:

تغيرت تهديدات الحق في الحياة، من تلك التهديدات التقليدية التي مصدرها النزاعات المسلحة وسياسات الفصل العنصري وانتهاكات حقوق الطفل والمرأة... إلى تهديدات نوعية جديدة أكثر خطورة، ثرتب وفيات بأعداد كبيرة، وهي التهديدات البيئية. ذلك أن موت الأفراد والجماعات بسبب الكوارث الطبيعية، كان يدخل ضمن المعدل الطبيعي للخسائر البشرية جراء هذه الظواهر، التي رافقت حياة البشر منذ وجودهم على سطح الأرض، إلا أن ارتفاع معدلاتها نتيجة زيادة نسب التلوث والاحتباس الحراري، أصبح يهدد حياة كل الكائنات الحية ليس فقط الانسان، بل ويعرضها للانهايار الكامل، إن لم يتم العمل حقيقة لمعالجة أسباب التغيرات المناخية.

الكلمات المفتاحية:

التغيرات المناخية - الحق في الحياة - الاحتباس الحراري.

(1) Corresponding author: Dr. Aziza Bendjemil,

e-mail: azizaben81@hotmail.com

Introduction:

The security of states and peoples is not limited to the sole reasons for their existence, but indeed extends to the conditions of their survival and continuity. This goal is not achieved unless there are certain situations in which the human being is safe from fear, so that the dangers arising from the general environment in which he lives do not threaten him. However, the current international situation reveals many threats to human security as a result of the exacerbation of many problems, especially environmental ones. In fact, the link between the environmental situation and collective security has become an absolute postulate due to the global nature of environmental problems.

In its fifth assessment report for 2014, the Intergovernmental Panel on Climate Change states that climate change is a serious issue, and that anthropogenic emissions of greenhouse gases are its primary cause. The report has also monitored the increase in the frequency of extreme weather events and natural disasters, rising sea levels, floods, heat waves, droughts, desertification and water shortages, and the spread of tropical and vector-borne diseases. Indeed, these phenomena directly and indirectly endanger the full and effective enjoyment of a variety of human rights; perhaps the most important of which is the right to life, the right to water and sanitation, the right to food, the right to health, the right to housing, the right to self-determination, the right to culture, and the right to development. With 150,000 deaths and 5 million sicknesses recorded annually due to climate change, these numbers are expected to double by the year 2030¹.

There are many names that appear in different scientific books and the media regarding climate change. But, they all have the same meaning whether they are called global warming, climate warming, global heating, the increase in the average temperature of the earth's atmosphere, or the greenhouse effect. This is because they are all intended to refer to “climate

change”, which means an imbalance in the usual climatic conditions such as the temperatures, wind patterns, and rain that characterize every region on earth due to the dynamic processes of the globe such as volcanoes, or because of external forces such as the change in the intensity of solar radiation or the fall of large meteorites, and recently because of various human activities as a result of industrial development which led to the extraction and burning of billions of tons of fossil fuels, coal, oil and gas derivatives for energy generation. This has resulted in greenhouse gas emissions such as carbon dioxide, which is the main

gas in causing climate change. In fact, these large quantities of gases have raised the earth's temperature to 1.2 degrees Celsius compared to pre-industrial levels².

Indeed, the importance of the topic lies in the fact that climate change is a human rights issue. This is because it does not only have implications for the enjoyment of human rights, especially the right to life, but also because it is a human-made phenomenon, which governments can mitigate. Actually, the threats to the right to life have changed from traditional threats of armed conflicts, violations of the rights of children and women, and others to more serious new threats that cause major human losses, which are the environmental threats. Indeed, the death of individuals and groups as a result of natural disasters here and there was considered to be part of the natural rate of human losses due to these phenomena which have accompanied human life since its existence on the surface of the globe. However, its high rates due to condensed pollution and global warming is now threatening the lives of all living things and not only that of human beings.

In order to reduce the impact of climate change on human rights in general, foremost of which is the right to life, states have struck a number of international agreements in this field, beginning with the United Nations Framework Convention on Climate Change of 1992, which resulted from the Earth Summit, as a first step to address the problem of climate change. In fact, this agreement enjoys near-universal membership since 197 countries have ratified it. Its primary goal is to prevent “dangerous” human interference in the climate system. By 1995, countries began negotiations to strengthen the global response to climate change. Two years later, the Kyoto Protocol, which commits developed country parties to reduce emissions, was adopted by 192 countries. Then the countries that met at the 21st Conference of the Parties in Paris in 2015 reached another agreement to combat climate change and adapt to its effects by continuing efforts to reduce the temperature rise to less than 1.5° C. and accelerating the necessary measures to achieve a sustainable low carbon future while strengthening support to help developing countries do so. In fact, 184 countries have ratified the Paris Agreement³.

Based on the foregoing, we present the following main problem:

How do climate changes affect the human right to life and its most important components ?

This study relies on two approaches:

A- The Descriptive Approach: this is in order to review the various numbers and statistics related to the effects of climate changes on human rights.

B – The Analytical Approach: this is in order to show how climate changes affect the right to life, and in highlighting its relations with other human rights that constitute the right to life.

This topic is further discussed in two sections:

Section I: The direct impact of climate change on the right to life.

Section II: The impact of climate change on the most important components of the right to life.

Section I: The direct impact of climate change on the right to life.

Human rights are closely related to climate change because of its devastating impact that is not only limited to the environment, but also includes the threat to our existence itself i.e. the right to life, where climate change threatens the lives of billions of people on this planet, and the best evidence for this is related events to extreme weather such as storms, floods and major fires. Hurricane "Yolanda" in the Philippines, for instance, killed about 10,000 people in 2013. Also, the summer heat wave in Europe of 2003 led to the loss of 35,000 lives. On the other hand, there are many other less clearer ways in which climate change threatens human life⁴.

In order to dig deep into the direct impact of climate change on the right to life, we will look at two parts:

A) The legal nature of the right to life :

The right to life is the most important right among the protected rights, which must be respected and protected for the benefit of individuals in line with the description of the Human Rights Committee as the supreme right of the human being. In fact the right to life is an innate and inherent right whose protection is a basic condition for the enjoyment of all other human rights, which are actually no more than additions to the quality of life, its circumstances and conditions just as all other recognized rights depend mainly on the existence of life itself. The right to life is the basic right that does not accept obstruction or restriction, as this right occupies the primacy of rights and the head of the pyramid component of protected human rights according to those who support the idea of graduation between protected rights. While those who reject the issue of progression between protected rights, the right to life remains for them a fundamental right, and a precondition for the enjoyment of all other recognized rights⁵.

The first paragraph of Article 6 of the International Covenant on Civil and Political Rights of 1966⁶, and before it Article 3 of the Universal Declaration of Human Rights of 1948⁷, and other international covenants stated the right to life as the supreme right that cannot be violated even in times of public emergency since it is considered the basis for all human rights⁸. This is because The article VI of the International Covenant on Civil and Political Rights describes the right to life as an “inherent right to man”, which means that it is a natural right derived from human existence as the law reveals and not creates it. As a consequence, the legal texts must protect this right assuring that no one shall be deprived of it arbitrarily⁹.

It appears that the text of Article Six of the International Covenant on Civil and Political Rights focuses on the negative side of the right to life, which is to refrain from arbitrarily attacking it without a legal reason, except that the jurisprudence of the Human Rights Committee and other oversight bodies¹⁰ have agreed upon through their interpretation of the right to life to put a number of positive obligations that states must respect, the most important of which are:

- The commitment of states to protect the right to life legally within the limits of their jurisdiction by enacting legislation to prevent the abuse of this right and to punish it whenever occurred, and to protect the life of every individual subject to their jurisdiction ;

- The obligation of states to take the necessary preventive and remedial measures to protect the right to life from any danger, threat or attack that may occur to it by the behavior of ordinary individuals. States are also obliged to combat and prosecute the perpetrators of criminal attacks on people's lives, whether they have an official capacity or not, as states usually criminalize an act of killing or attempting it through its criminal laws ;

- States shall abide to secure basic needs such as food, clothing, housing, health care and work opportunities that guarantee decent income, which are all aspects of economic and social human rights, given the link between the right to life and the human right to a “decent standard of living” and “enjoyment of the highest level of physical and mental health” recognized by Articles (11) and (12) of the International Covenant on Economic and Social Rights¹¹.

B) How Climate Changes Affect the Right to Life:

Environmental studies, including those from the United Nations Environment Program, indicate that approximately 7 million people die around the world each year as a result of air pollution with about 4 million of these deaths occurring in Asia and the Pacific region. This equals half of the number of

people killed by smoking, or three times the number of people infected with AIDS, tuberculosis and malaria combined, more than six times the number of people killed in road accidents, and 15 times the number of people killed in wars or violent cases¹².

The observed and expected impacts of climate change constitute direct and indirect risks to human life. In fact, an increase in the number of deaths, diseases and injuries due to heat waves, floods, storms, fires and drought is expected. Moreover, climate change affects the right to life through an increase in hunger, malnutrition and related disorders that affect the growth and development of children. For example, it is estimated that 262 million people are affected by climate disasters annually between 2000 and 2004 where more than 98% of them live in developing countries. Furthermore, it is estimated that the risks of tropical cyclones have caused 250,000 deaths in the period between 1980 and 2000¹³.

These frightening numbers have clear indications that climate change has become a matter of existence, because of its direct and major impact on one of the most important human rights, which is the right to life. So, when will countries review their accounts and their passion for economic profits and stop their industrial activities that threaten the right to life? Indeed, the longer governments are reluctant to implement meaningful measures, the more difficult it becomes to solve the problem, and the greater the risk will be of reducing greenhouse gas emissions by using methods that increase inequality rather than reduce it.

Section II: The Impact of Climate Change on the most Important Components of the Right to Life

The Human Rights Committee has made clear the close relationship between the right to life and other rights by affirming in its General Comment No. 6 of 1982 that the right to life must be broadly interpreted. It, hence, requested the states parties in the 1966 Covenant on Civil and Political Rights to take all possible measures to raise the rate of human life, reduce child mortality and increase the expected life expectancy, especially by taking measures to eliminate malnutrition and epidemics¹⁴.

On the other hand, the protection of the right to life in the context of climate change is closely related to measures aimed at realizing other rights, such as those related to food, water, health, treatment and housing. That is, the impact of climate change is not limited to the right to life, but also includes the well-being of our private lives¹⁵. This is because the right to health along with the right

to water, food and housing are considered to be essential components of the right to life. This will be actually clarified by the following:

A) The Effect of Climate Change on the Right to Health:

The World Health Organization defines the right to health as "a state of complete physical, psychological and social well-being, which cannot be achieved by the mere absence of disease or infirmity"¹⁶. That is, the right to health includes the human right to control his health and body, and the right to be safe from interference such as torture or the undergoing medical treatment or medical experiences without his consent in addition to the right to access health services and access to appropriate health care facilities. This obliges states to take appropriate measures related to social and economic components of health, such as the provision of food, water, sanitation, safe and healthy working conditions, and housing¹⁷.

The Committee on Economic, Social and Cultural Rights has also interpreted the right to health, in accordance with the definition contained in Article 12, paragraph 1 of the International Covenant on Economic, Social and Cultural Rights¹⁸, as a comprehensive right that not only provides appropriate and timely health care, but also includes basic foundations of health such as access to safe drinking water and adequate supply of safe and homogenous food, access to safe drinking water, work in safe and healthy conditions, and a healthy environment, and obtain awareness and information related to health, including those related to sexual and reproductive health¹⁹.

All human rights are indeed integrated, interrelated and indivisible so that the enjoyment of the right to health depends on the availability of a number of rights such as good health services, safe working conditions, decent housing, food, water and sanitation, and the healthy environment²⁰.

As for the impact of climate change on the right to health, the United Nations Human Rights Council has affirmed, through many seminars, that climate change constitutes a serious threat to human health and to the social and environmental determinants of the right to health²¹.

The best cites are the reports issued by the World Health Organization on the relationship between climate change and the right to enjoy the highest possible level of physical and mental health, which includes the most important facts and statistics as follows:

1. Climate and weather, from the tropics to the Arctic, have severe direct and indirect impacts on human life. Extreme climatic phenomena, such as heavy rains, floods and disasters like Hurricane Katrina that struck the

American state of New Orleans in August 2005, pose risks to people's health and destroy their property and livelihoods. It is also worth noting that natural climate-related disasters caused the killings of about 600,000 people in the 1990s knowing that about 95% of these disasters occurred in poor countries;

2. Severe climatic fluctuations that occur in short periods can lead to severe health effects since they may cause thermal stress, hypothermia or reactions that contribute to increasing death rates from heart and respiratory diseases. The temperatures that rose to record levels in Western Europe during the summer of 2003 resulted in 44,000 additional deaths compared to the same period in previous years;

3. Global temperature increases affect the levels of airborne particles such as pollens that can cause asthma. Notably, 300 million people suffer from asthma. This burden is expected to increase as temperatures continue to rise;

4. The changing patterns of rainfall are likely to contribute to affecting freshwater supplies. In fact, water scarcity is already having impacts on four-tenths of the population worldwide. The lack of water and its poor quality can also contribute to the deterioration of health and the low level of personal hygiene, which increases the risk of diarrhea knowing that this disease kills about 2.2 million people every year. It also increases the risk of trachoma, which is one of the infections that affects The eye can lead to blindness, in addition to other diseases;

5. Climate conditions affect water-borne diseases and vectors such as mosquitoes. Indeed, one of the biggest killers in the world is climate-affected diseases. Diarrhea, malaria and malnutrition caused by protein and energy deficiency are diseases that alone caused more than 3 million deaths worldwide in 2004, with one third of those deaths occurring in Africa²².

B) The Effect of Climate Change on the Right to Water and Food:

1- On the Right to Water:

The Committee on Economic, Social and Cultural Rights has defined the right to water as the right of everyone to obtain an amount of water that is sufficient, safe, acceptable and physically accessible and affordable to use for personal and domestic purposes. In fact, providing an adequate amount of water is necessary to prevent death due to the loss of fluid from the human body and to reduce the risk of water-borne diseases, as it is necessary for consumption, cooking and personal and household health requirements²³.

Although the International Covenant on Economic, Social and Cultural Rights does not explicitly refer to the right to water, the Committee on Economic,

Social and Cultural Rights affirms that this right falls within the category of basic guarantees to ensure an adequate standard of living. In addition, given that it is one of the most basic conditions for survival, it is also closely related to the right to health, adequate housing and food because the right to water is an essential component for enjoying a decent life and for the realization of many other rights like the right to health, life and the adequate standard of living²⁴.

Climate change affects the right to water through the increase in the melting of glaciers and the shrinking of snow cover, which negatively affects the availability of water for more than a sixth of the world's population who usually get water flowing from the melting of snow in mountain ranges. Moreover, severe weather events such as droughts and floods do also affect water supply making the access to drinking water really difficult. Indeed, an estimated 1.1 billion people in the world are currently denied water, which is a major cause of diseases. Finally, climate change also interacts with a host of other causes that increase the problem of water availability such as population growth, environmental degradation, poor water management, poverty and inequality²⁵.

On the other hand, the Intergovernmental Panel on Climate Change predicts that the negative impacts of climate change on water resources will increase and that by the 1950s, the area exposed to increased water stress would more than double the size of the one currently facing a shortage of water stress. In fact, the last century has witnessed a sixfold increase in global water demand that nearly three billion people survive from. That is also 40% of the world's population, who live in areas where demand for water supplies increases²⁶.

Climate change is expected to significantly affect the availability, diversification, and annual distribution of freshwater resources. This is because agriculture uses about 70% of all water sources, and because of the shrinking water flow of up to 40% in many major rivers in the dry season due to high temperatures, increased evaporation, and lower rainfall rates which will greatly affect agriculture, inland fisheries and aquaculture²⁷.

2- On the Right to Food:

The right to adequate food is expressly referred to in the International Covenant on Economic, Social and Cultural Rights (Article 11 thereof). This right includes the following elements:

- Everyone has the right to have adequate food for himself and his family²⁸.
- The right to be free from hunger and malnutrition²⁹.
- The right to adequate food is linked to the inherent dignity of the human being, which is an indispensable right to enjoy other human rights enshrined in

the International Bill of Human Rights, and this right cannot also be separated from social justice. This is why states must ensure that the necessary food is provided, and that necessary measures are taken to eradicate hunger even in times of disaster³⁰.

As for the implications of climate change for the right to food, for global food security and for international trade, the experts of the Food and Agriculture Organization of the United Nations have revealed that global warming will have far-reaching consequences for the locations and how food is produced in the world, as it will also weaken the nutritional properties of some crops. Furthermore, it will cause the continuous extinction of some animal and plant varieties leading to repercussions for policies to fight hunger and poverty. Lastly, it will affect global food trade³¹.

The ability to produce food is expected to increase between middle and upper latitudes in conjunction with an increase in average global temperatures of 1 to 3°C. However, crop productivity is expected to decrease in lower latitudes increasing by it the risk of hunger and food insecurity in poor regions of the world. In fact, an additional 600 million people will face malnutrition due to climate change in addition to the more than 840 million people worldwide, most of them in Developing countries, who already suffer from chronic hunger. In addition, millions of people suffer from starvation as a result of natural disasters and the increase in civil conflicts and wars. Indeed, the poor who live in developing countries are particularly vulnerable to being affected because of their dependence to climate-affected resources for their food and livelihoods³².

C) The Effect of Climate Change on the Right to Adequate Housing.

The right to adequate housing is mentioned in the International Covenant on Economic, Social and Cultural Rights as one element of the right to an adequate standard of living, so that this right is essential for the enjoyment of all other economic, social and cultural rights³³.

According to the Committee on Economic, Social and Cultural Rights, the right to housing should not be interpreted narrowly making it equal to the shelter provided to a person by simply having a roof over his head. However, this right should be seen as the right of one to live somewhere in security, peace and dignity, and this is due to two main reasons:

* The right to housing is completely linked to other human rights, and to the fundamental principles underlying the International Covenant on Economic, Social and Cultural Rights. Therefore, the right to housing must take into account a variety of considerations. Most importantly, this right has also to be

guaranteed to all people regardless of their income, or the possibility of acquiring economic resources;

* The reference in Article 11, paragraph 1 of the International Covenant on Economic, Social and Cultural Rights is not only a reference to housing but to adequate housing. As announced by the Commission on Human Settlements as well as the Global Strategy for Shelter that: “adequate shelter means [...] enjoying the appropriate degree of privacy, adequate space, adequate safety, adequate lighting and ventilation, the appropriate infrastructure, and the appropriate location in relation to workplaces and basic facilities; all of it should be at reasonable costs”³⁴.

The United Nations estimates that more than 100 million people lack shelter, and that more than a billion people live in inadequate housing across the world. Moreover, there is no evidence that this number is decreasing³⁵. However, climate change will affect the right to adequate housing in many ways. Actually, storms and the high level of the sea will have a direct impact on many residents of coastal areas and island states, where it is estimated that a billion people live in poor urban neighborhoods on fragile mountain slopes or river banks threatened by flood making them vulnerable to extreme weather events³⁶.

The Intergovernmental Panel on Climate Change Report states that floods, earthquakes, droughts, and sea-level rise have forced 184 million people to leave their homes between 2008 and 2014. This is because one meter rise in sea level could oblige 150 million people to flee unless dams, barriers, and similar measures are built to protect areas at risk. The report of the Global Panel on Migration on the Impact of Climate Change on Migration also indicates that incidents of climate displacement will lead to instability of host countries economically (surplus in the labor market, low wages and forced labor) and socially (religious or ethnic imbalances, the spread of human trafficking and sexual exploitation), and even politically (the tension between host countries and countries exporting refugees) which can lead to the occurrence of military frictions³⁷.

On the other hand, the International Organization for Migration confirms the fact of the emergence of the phenomenon of environmental migration due to climate changes. For 17.2 million people were forced to leave their homes in 2018. Also, the number of people displaced by climate is expected to reach 143 million by 2050³⁸. In fact, the description of "environmental or ecological migrants" applies to the people fleeing an imminent environmental threat. This description, hence, covers all forms of migration that environmental changes

stand behind, whether severe natural disasters, the gradual deterioration in environmental conditions, or the deterioration of the state of the soil³⁹.

The common stereotype is that victims of climate change leading to natural disasters do not leave their countries and that their governments are rushing to provide immediate assistance to them. The example is what happens almost every year in Mozambique following the floods of the Zambezi River, meaning that it is rare to find themselves outside the borders of their countries except in some cases. There is also the case of the Vietnamese migrants to Cambodia due to floods, and cross-border migration that Kazakhstan, Kyrgyzstan and Tajikistan usually witness as a result of natural disasters. However, some studies indicate that there are some countries that will completely disappear in the future leaving their citizens homeless, stateless, and forced to seek refuge in other countries. In fact, the phenomenon of evacuating the islands began to appear, as it has happened with some Alaska islands and the Bay of Bengal due to the high water levels and the rapid erosion of the coasts of these islands⁴⁰. The question that needs to be posed is, then, how can they be recognized as refugees?

Conclusion:

After detailing the various aspects of this topic, the following results are reached:

- The main reason for the exacerbation of the greenhouse effect that causes climate change is due to human activities especially economic ones. The developed countries are also considered the most contributors to the increase of the phenomenon, and this is due to the pace of economic development that they witness.

- There is a great and direct impact of climate changes on the right to life and all the rights constituting it because these changes hinder the enjoyment of the most basic rights of man. Furthermore, there are environmental risks that are even difficult to predict and limit such as the tsunami.

- Countries are more aware than ever that climate change is a problem that requires a global solution based on controlling the human factors causing global warming and through a commitment to reduce greenhouse gases stabilizing them at levels that do not significantly affect global climate security and human security and rights.

- Despite the efforts made to reduce the effects of climate change and with the conclusion of a number of international agreements to reduce greenhouse gas emissions, these agreements were only concerned with economic and

environmental aspects. As for human rights issues and their vulnerability to climate change, they were not referred to.

Depending on the results reached, a number of procedures and measures are required in the following proposals:

- Providing human considerations with primacy or at least the same importance compared to economic considerations in the field of limiting the negative effects of climate change.

- Finding international mechanisms that impose deterrent penalties for countries that violate international agreements on reducing emissions.

- Field embodiment of the various studies and research issued by international bodies regarding the extent to which human rights are affected by climate change.

- Supporting the efforts of developing countries that contribute to a lower level in greenhouse gas emissions to protect and respect human rights that may be affected by climate change especially those that are more sensitive such as the right to life, the right to food, the right to water, the right to health, the right to adequate shelter, and the right to a safe environment...

It is lastly worth noting that work has been started in the United Arab Emirates to build the first city in the world without carbon or waste, as it depends entirely on renewable energy.

Bibliography:

¹ - IPCC, *Climate Change 2014, Synthesis Report, Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*, Geneva, 2015, pp. 67-73: https://www.ipcc.ch/site/assets/uploads/2018/02/SYR_AR5_FINAL_full.pdf, 1 April 2020

² - See: Paragraphs 1, 2, 4 and 5 of Article 1 of the United Nations Framework Convention On climate change for the year 1992.

- محمد عبيدي، أثار تغير المناخ على الأمن البشري وحقوق الإنسان، مجلة الحقوق والعلوم الإنسانية، جامعة زيان عاشور-الجلفة-، المجلد 9، عدد 1، مارس 2016، ص ص 196-198.

³ - <https://www.un.org/en/sections/issues-depth/climate-change/index.html>, 6 April 2020

⁴ - Kumi Naidoo, *Why is Climate Change a Human Rights Issue?* <https://www.amnesty.org/en/what-we-do/climate-change/>, 5 April 2020

⁵ - محمد يوسف علوان و محمد خليل موسى، القانون الدولي لحقوق الإنسان- الحقوق المحمية-، الجزء الثاني، الطبعة الأولى، دار الثقافة، عمان، 2006، ص ص 148 و 149.

⁶ - Article 6 First Paragraph of the International Covenant on Civil and Political Rights: "1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life".

⁷ - Article 3 of the Universal Declaration of Human Rights: "Everyone has the Right to Life, Liberty and Security of Person".

⁸ - See compilation of general comments and general recommendations, adopted by Human Rights Treaty Bodies, Volume I, HRI/GEN/1/Rev.9(Vol. I), 27 May 2008:

- General comment No 6: Article 6 (Right to life), adopted by the Human Rights Committee, Sixteenth session (1982), paragraph 1, p 176.

- General comment No. 14: Article 6 (Right to life), adopted by the Human Rights Committee, Twenty-third Session (1984), paragraph 1, p 188.

⁹ - علي عيد حمد، الحق في الحياة: المفهوم والتهديد، مجلة جيل حقوق الإنسان، مركز جيل البحث العلمي، لبنان، العام الخامس، العدد 26، جانفي 2018، ص ص 26 و27.

¹⁰ There are ten human rights treaty bodies:

-Committee on the Elimination of Racial Discrimination (CERD): monitors implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (4 January 1969);

-Committee on Economic, Social and Cultural Rights(CESCR): monitors implementation of the International Covenant on Economic, Social and Cultural Rights (3 January 1976);

-Human Rights Committee(CCPR): monitors implementation of the International Covenant on Civil and Political Rights (23 March 1976) and its optional protocols;

-Committee on the Elimination of Discrimination against Women(CEDAW) monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women (1979) and its optional protocol (3 September 1981);

-Committee against Torture (CAT) monitors implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (26 June 1987);-Committee on the Rights of the Child(CRC) monitors implementation of the Convention on the Rights of the Child (2 September 1990) and its optional protocols (12 February 2002);

-Committee on Migrant Workers(CMW) monitors implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1 July 2003);

-The Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) established pursuant to the Optional Protocol of the Convention against Torture (OPCAT) (22 June 2006);

-Committee on the Rights of Persons with Disabilities(CRPD) monitors implementation of the International Convention on the Rights of Persons with Disabilities (3 May 2008);

-Committee on Enforced Disappearances (CED) monitors implementation of the International Convention for the Protection of All Persons from Enforced Disappearance (23 December 2010). See: <https://www.ohchr.org/EN/HRBodies/Pages/Overview.as>, 5 April 2020

¹¹ - محمد يوسف علوان ومحمد خليل موسى، المرجع السابق، ص ص 149 - 153.

¹² - See: UN Environment Programme, Emissions Gap Report 2019: <https://www.unenvironment.org/resources/emissions-gap-report-2019>, 6 April 2020

- علي عيد حمد، المقال السابق، ص 31.

¹³ - Report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights, A/HRC/10/61 15, January 2009, paragraphs 22 and 23, p. 9.

¹⁴ - GEN/1/Rev.9 (Vol. I), paragraph 5, p. 177.

¹⁵ - See : A/HRC/10/61, Paragraph 24, p. 9.

- واثق عبد الكريم حمود، حق الانسان في الصحة في القانون الدولي، مجلة جامعة تكريت للعلوم القانونية، السنة 7، العدد 26، جوان 2015، ص ص 274 و275.

¹⁶ - *The Right to Health*: <https://www.escr-net.org/rights/health>, 18 June 2020

¹⁷ - *Human rights and health*. 29 December 2017:

<https://www.who.int/news-room/fact-sheets/detail/human-rights-and-health>, accessed 7 April 2020.

¹⁸ - Article 12, first paragraph of International Covenant on Economic, Social and Cultural Rights: "1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health."

¹⁹ - See : HRI/GEN/1/Rev.9 (Vol. I), General comment No. 14: The right to the highest attainable standard of health (art. 12), Adopted by the committee on economic, social and cultural rights, Twenty-second session (2000), paragraphs 4 p. 78 and 11 p. 80.

- واثق عبد الكريم حمود، المقال السابق، ص 269.

²⁰ - Report of the Office of the United Nations High Commissioner for Human Rights about the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health. A/HRC/32/23, 6 May 2016, paragraph 4, p. 3.

²¹ - See for example: Outcome of the panel discussion on the adverse impact of climate change on States' efforts to progressively realize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and related policies: Lessons learned and good practices, A/HRC/32/24, 19 April 2016.

²² - See: https://www.who.int/features/factfiles/climate_change/en/, 6 April 2020

- A/HRC/32/23, 6 May 2016, p. 5 and others.

²³ - HRI/GEN/1/Rev.9 (Vol. I), General comment N: 15. The right to water (arts. 11 and 12 of the Covenant), adopted by the committee on economic, social and cultural rights, Twenty-ninth session (2002), paragraph 2, p. 97.

²⁴ - HRI/GEN/1/Rev.9 (Vol. I), General comment No 15, Paragraphs 3 and 6, p. 97 p. 98, respectively.

²⁵ - A/HRC/10/61, paragraph 29, p. 11.

²⁶ - IPCC, Climate Change 2014, Synthesis Report, p 60.

²⁷ - <http://www.fao.org/foodclimate/expert/em2/en/>

²⁸ - Article 11 paragraph 1: "1. The States Parties to the present Covenant recognize 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..."

²⁹ - Article 11 paragraph 2: "2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;

(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need".

³⁰ - HRI/GEN/1/Rev.9 (Vol. I), General comment No. 12: The right to adequate food (art. 11), Adopted by the committee on economic, social and cultural rights, Twentieth session (1999), paragraph 4, p. 56.

³¹ - FAO'S WORK ON CLIMATE CHANGE United Nations Climate Change Conference 2018, p 11: <file:///C:/Users/PC/Downloads/ca2607en.pdf>, 5 April 2020

³² - A/HRC/10/61, paragraph 26, p. 10.

³³ - HRI/GEN/1/Rev.9 (Vol. I), General comment No. 4: The right to adequate housing (art. 11 (1) of the Covenant), Adopted by the committee on economic, social and cultural rights, Sixth session (1991), paragraph 1, p. 11.

³⁴ - HRI/GEN/1/Rev.9 (Vol. I), General comment No. 4: The right to adequate housing (art. 11 (1) of the Covenant), Adopted by the committee on economic, social and cultural rights, Sixth session (1991), paragraph 7, p. 12.

³⁵ - HRI/GEN/1/Rev.9 (Vol. I), General comment No. 4: The right to adequate housing (art. 11 (1) of the Covenant), paragraph 4, p. 11.

³⁶ - A/HRC/10/61, paragraphs 36 and 37, p. 13.

³⁷ - IPCC, Climate Change 2014, Synthesis Report, p. 42.

³⁸ - See: Frank Laczko and Christine Aghazarm, Migration, Environment and Climate Change: ASSESSING THE EVIDENCE, International Organization for Migration, Geneva, 2009, from p. 13 on.

- OHCHR's Key Messages on Human Rights, Climate Change and Migration:

https://www.ohchr.org/Documents/Issues/ClimateChange/Key_Messages_HR_CC_Migration.pdf, 3 April 2020

³⁹ - See : Maria Stavropoulou, Drowned in definitions? Climate change and displacement, Forced Migration Review, Issue 31, October 2008, p. 12.

- Olivia Dun and François Gemenne, Defining 'environmental migration', Climate change and displacement, Forced Migration Review, Issue 31, October 2008,p. 10.

- María José Fernández, Refugees, climate change and international law, Disasters and displacement in a changing climate, Forced Migration Review, Issue 49, May 2015,p. 42.

⁴⁰ - Island evacuation and Ilan Kelman, Climate change and displacement, Forced Migration Review, Issue 31, October 2008,p. 20.