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Human Rights in Climate Change Governance

Najiba MUSTAFAYEVA*

The escalating and immediate impacts of climate change pose a pressing global challenge that directly threatens the fundamental human rights of individuals and communities worldwide. In light of this urgent situation, this research aims to offer a comprehensive analysis of the intricate relationship between human rights and climate change governance, providing a roadmap for effective policy development and implementation at both domestic and international levels.

This paper explores the multidimensional intersection of human rights and climate change by meticulously reviewing existing international legal frameworks, case studies, and the evolving discourse on climate justice. Hence, the author delves into the existing legal instruments and mechanisms that safeguard human rights within the context of climate change, including the Paris Agreement, the United Nations Framework Convention on Climate Change (UNFCCC), and various regional and national initiatives, among other things within EU, as well as touches upon the BITs and FTAs that also address environmental element recently. The author critically assesses the strengths and weaknesses of these mechanisms and their effectiveness in addressing the human rights dimensions of climate change.

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Furthermore, the research will present a policy framework that integrates human rights principles into climate change governance, offering concrete recommendations for governments, international intergovernmental organizations, businesses, and civil society actors to uphold the rights of affected individuals and ensure climate justice. The proposed framework focuses on the importance of inclusive decision-making, meaningful participation, equitable access to adaptation and mitigation strategies, and issues of international responsibility and access to effective remedies.

Keywords: Human Rights, Climate Change Governance, Paris Agreement, UNFCCC (United Nations Framework Convention on Climate Change)