

# CLIMATE JUSTICE AND HUMAN RIGHTS IN THE SAARC REGION: FLOORING THE ROUTE TOWARDS A SUSTAINABLE FUTURE

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## ABSTRACT

The effects of climate change become more apparent in South Asian Association for Regional Cooperation (SAARC) region, which has significant problems in protecting human rights and guaranteeing climate justice for all its residents. This research article digs into the essential relationship between climate change and human rights in the SAARC region, highlighting the vulnerabilities of marginalised groups. This work also focuses on the urgent need for a climate justice framework by analysing the impact of climate change on human rights domains such as life, health, food, water, and shelter. Investigations are based on the theoretical foundations of

climate justice and the ethical and legal consequences of human rights protection. The Central University of Punjab Library provided this work's study materials and online resources. The authors and institutions whose works were used as guiding resources in this research article have been given appropriate weightage.

**Keywords:** Climate Justice, Climate Action, Human Rights, Regional Cooperation, SAARC Countries, Sustainability, Technology Transfer.

## **INTRODUCTION**

Climate change is one of humanity's most pressing challenges in the 21st century, with far-reaching implications for various aspects of life on Earth. The effects of climate change in the SAARC region are already being felt, manifesting in rising temperatures, erratic weather patterns, sea-level rise, increased frequency and intensity of extreme weather events, and changing precipitation patterns. These climatic shifts have far-reaching consequences for the region's ecosystems, economies, and, most importantly, the lives and livelihoods of its people. Climate change has profound implications for human rights in the SAARC region. Vulnerable communities, including indigenous populations, women, children, and the economically marginalised, are disproportionately affected by climate change impacts. The rights to life, health, food, water, shelter, and livelihoods are threatened as climate changes exacerbate existing social inequalities. Addressing climate change in the SAARC region requires a holistic approach, acknowledging the inseparable link between climate justice and human rights. Climate justice entails recognising historical responsibilities and addressing the disproportionate burden of climate change on vulnerable countries and communities. It emphasises the ethical imperative to protect the rights of those who contribute least to global emissions but suffer the most from climate-related consequences.

This research paper aims to critically analyse the impact of climate change on human rights in the SAARC region. By exploring the vulnerabilities various communities face and assessing the existing legal and policy frameworks, the study seeks to identify pathways toward a sustainable future that upholds climate justice and protects human rights for all.

Through examining successful initiatives led by civil society organisations and the potential for regional cooperation, this paper also seeks to propose concrete policy recommendations to

enhance climate resilience, foster equitable development, and protect the rights and dignity of all individuals in the SAARC region.

In due course, the effective integration of climate justice principles into policy and action is crucial for mitigating the adverse effects of climate change and building a more resilient, sustainable, and inclusive future for the people of the SAARC region and beyond.

## **BACKGROUND AND CONTEXT OF CLIMATE CHANGE IN THE SAARC REGION**

The SAARC region is one of the world's most geographically diverse and environmentally sensitive areas. With eight member countries, including Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka, the region has varying landscapes, such as coastal areas, mountains, forests, and fertile plains.<sup>i</sup> The SAARC region represents a vast population of over 1.8 billion people, making it particularly vulnerable to the impacts of climate change. Due to its extensive coastline, shared river basins, and mountainous terrains, the region is exposed to various climate-related hazards, including floods, droughts, and heat waves. Agriculture considered the primary sector in most SAARC countries, is directly affected by climate change, leading to socio-economic challenges.<sup>ii</sup> The region is witnessing increasing water stress, with demands for water resources exceeding the available supply. Some SAARC countries have extensive coastal areas and low-lying islands threatened by rising sea levels, leading to land loss, salinisation of freshwater sources, and displacement of coastal communities. Climate change-driven habitat loss and alteration pose a significant risk to unique and endangered species.<sup>iii</sup> The impacts of climate change in the SAARC region are multifaceted, affecting various sectors, including agriculture, water resources, health, energy, and infrastructure. The region's diverse socio-economic conditions, including poverty, inequality, and limited resource access, further exacerbate climate change-induced disruptions. In order to address these complex challenges, concerted national, regional, and global efforts are imperative.<sup>iv</sup> Collaborative actions, policy coherence, and the integration of climate justice principles into climate change adaptation and mitigation strategies are crucial for fostering a sustainable and resilient future for the people of the SAARC region.

## **THE CONCEPT OF CLIMATE JUSTICE AND ITS LINK TO HUMAN RIGHTS**

The global concern regarding climate change stems from its diverse impacts, including elevated sea levels, extreme weather occurrences, and food scarcity. However, it is important to note that these effects are inconsistent across all regions. The concept of climate justice emphasises that individuals who have contributed the least to the issue of climate change often experience the most severe consequences. Yale Climate Connections, an initiative affiliated with Yale University, elucidates that the foundation of this concept lies in recognising the disparate allocation of negative impacts resulting from climate change among individuals.<sup>v</sup> Various regions exhibit varying outcomes as a result of comparable climate events. Climate justice is a concept that underscores the unequal distribution of climate change's causes and consequences on a global scale. The principle mentioned above plays a crucial role in addressing the unequal distribution of the effects of climate change. It emphasises that individuals or groups who emit lower levels of greenhouse gases tend to face the most severe vulnerabilities. The fundamental principle of climate justice promotes equality, fairness, and international responsibility in addressing climate change and minimising its consequences.<sup>vi</sup>

Climate justice is closely linked to human rights, as climate change has far-reaching implications for the enjoyment of fundamental human rights by individuals and communities worldwide. Several key aspects highlight the intersection between climate justice and human rights. Climate change directly threatens the right to life as extreme weather events, heat waves, and natural disasters can lead to loss of life and harm human health. Climate-induced changes in ecosystems, water availability, and food security can further compromise the well-being of communities. Climate change affects agricultural productivity, reducing crop yields, food shortages, and price fluctuations, undermining the right to adequate food. Water scarcity, exacerbated by climate change, can impact access to clean drinking water and sanitation facilities.<sup>vii</sup>

Sea-level rise, increased frequency of floods, and intensified storms can cause massive displacement and destruction of homes, infringing on the right to adequate housing and shelter. Indigenous communities and marginalised populations often have deep cultural ties to their land and natural resources, and climate change-induced environmental degradation and loss of traditional practices can threaten their right to cultural identity and self-determination. Climate

change is not just an environmental problem but also a human rights issue. The impacts of climate change have ripple effects on various rights, and failure to address climate change comprehensively can lead to cascading violations of human rights. In order to discuss these challenges, climate justice demands that efforts to combat climate change and adapt to its impacts prioritise protecting and fulfilling human rights, particularly for vulnerable populations. It calls for actions acknowledging historical responsibilities, considering countries' differentiated capacities and vulnerabilities, and ensuring affected communities' participation in decision-making.<sup>viii</sup> The United Nations Framework Convention on Climate Change (UNFCCC) recognises the importance of climate justice and its connection to human rights. Various international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child, emphasise the obligation of states to protect human rights in the context of climate change. Therefore, climate justice is a moral imperative and legal obligation to uphold human rights while addressing climate change. Integrating human rights principles into climate action can lead to more equitable and sustainable solutions, ensuring that the benefits of climate change mitigation and adaptation are distributed fairly and that the most vulnerable are supported in building resilience to climate impacts.<sup>ix</sup>

## **RESEARCH OBJECTIVES AND SCOPE**

This research analyses the impact of climate change on vulnerable communities and sectors in the SAARC region. It explores the climate justice concept and examines its ethical and legal dimensions. The study also assesses climate change's impact on human rights and evaluates existing policies and initiatives. Additionally, it provides policy recommendations and suggests ways to enhance regional cooperation.

## **CLIMATE CHANGE IMPACTS ON HUMAN RIGHTS IN SAARC**

Climate change has significantly impacted vulnerable communities in the SAARC region, posing a severe threat to their human rights across various domains. Extreme weather events, health risks, changing precipitation patterns, and water scarcity are among the most pressing

concerns that these communities face. Unfortunately, marginalised communities are more disadvantaged due to their limited adaptive capacities and resources. The impact of climate change is not limited to environmental changes but also affects basic human rights. The right to life, health, and well-being, as well as the right to food, water, and sanitation, and the right to housing and shelter, are all at risk. Adopting integrated and sustainable approaches to safeguard human rights and ensure equitable access to essential services is imperative.<sup>x</sup>

Climate justice principles such as respect and protecting human rights, supporting the right to development, etc., can guide policy interventions to redress inequalities and promote sustainable and equitable development for the SAARC region. By adopting such principles, policymakers can address the vulnerabilities of marginalised communities and foster sustainable development for all. Inclusive and targeted climate policies and interventions are necessary to address the vulnerabilities of these communities. Empowering these communities through capacity building, inclusive decision-making, and equitable access to resources can enhance their resilience and enable them to participate in climate adaptation and mitigation efforts effectively.<sup>xi</sup>

Ensuring climate justice principles are central to climate actions can help redress marginalised communities' inequalities and foster sustainable development. Adopting such principles is crucial to promoting equitable development, safeguarding human rights, and addressing climate change's adverse effects on vulnerable communities. It is, therefore, essential to adopt a collaborative and integrated approach to tackle the challenges presented by climate change.<sup>xii</sup>

## **CLIMATE JUSTICE AND HUMAN RIGHTS: THEORETICAL FRAMEWORK**

The convergence of climate justice and human rights constitutes a pivotal theoretical framework that effectively examines climate change's ethical and moral aspects, specifically its repercussions on marginalised communities. This framework acknowledges that climate change significantly impacts marginalised and disadvantaged communities domestically and internationally, resulting in various social, economic, and environmental inequities. By incorporating the tenets of human rights alongside the principles of climate justice, this framework endeavours to redress these disparities and promote policies and measures that

guarantee impartiality, fairness, and safeguarding for all individuals and communities in climate change.<sup>xiii</sup>

Climate justice is a fundamental principle that advocates for the fair allocation of the responsibilities and advantages associated with mitigating and adapting to climate change. It acknowledges the historical context wherein specific nations and demographics have made comparatively lesser contributions to the factors driving climate change yet find themselves disproportionately susceptible to its consequences. Climate justice places significant emphasis on holding individuals and entities responsible for releasing greenhouse gas emissions accountable for their actions while concurrently providing support to those who bear the greatest burden of the adverse impacts resulting from these emissions. This encompasses the examination of both the consequences of climate change and the examination of matters about poverty, inequality, and the availability of resources and opportunities.<sup>xiv</sup>

Human rights encompass inherent entitlements and safeguards that all individuals should universally enjoy, irrespective of their origins or conditions. These rights are codified in international agreements and treaties, encompassing entitlements to life, health, access to clean water, adequate food, shelter, and other related provisions. Human rights encompass various civil and political rights, such as freedom of speech and peaceful assembly. The conceptual structure of human rights imposes a moral duty on governments and institutions to maintain and safeguard these rights for all individuals, emphasising those most susceptible to harm.<sup>xv</sup>

The theoretical framework integrates the principles of climate justice and human rights to promote equity and fairness in climate policies and actions. This statement underscores the imperative to confront historical and persistent disparities in the allocation of resources and access to opportunities, both at the local and global levels. The framework emphasises the significance of incorporating marginalised communities into decision-making processes about climate policies and actions, intending to promote participation and inclusion. It acknowledges the importance of granting individuals disproportionately impacted by climate change the opportunity to participate in the formulation of solutions that directly influence their livelihoods.

The framework posits that climate policies and actions should not discriminate against any specific group based on race, gender, socio-economic status, or ethnicity. It necessitates the implementation of comprehensive policies that safeguard the rights and upholds all individuals' dignity. The framework establishes a system of accountability and responsibility

whereby governments, corporations, and other entities are held liable for their actions contributing to climate change and their duty to safeguard human rights. It necessitates implementing measures that compel these individuals or entities to assume accountability for their conduct and offer compensation for any resulting damages. The framework promotes transparency in decision-making processes about climate change. It establishes mechanisms through which affected communities can pursue legal remedies in the event of rights infringements. The statement acknowledges the significance of both the availability of information and legal recourse.<sup>xvi</sup>

The framework recognises the interdependence of various human rights and their correlation with preserving the environment. For instance, the availability of uncontaminated water and a conducive environment is intricately linked to the fundamental rights of individuals to life and well-being. The proposed framework follows sustainable development principles, guaranteeing that climate policies and actions consider the enduring welfare of individuals and the environment.<sup>xvii</sup>

## **LEGAL AND POLICY FRAMEWORKS IN THE SAARC REGION**

### ***Review of National Climate Change Policies***

In order to combat climate change, SAARC member nations must examine their climate change policies and plans. Each SAARC country may have a climate change policy or associated papers outlining its climate change mitigation strategy. The review evaluates each country's efforts to reduce greenhouse gas emissions, strategies and actions to enhance resilience and adapt to climate change, the extent to which countries have mobilised and used climate finance to support climate actions, particularly in adaptation and capacity building, and the extent to which national climate policies take into account vulnerable and marginalised groups. By addressing these crucial factors, governments may incorporate climate justice concepts into policies and actions, promote sustainable development, and respect human rights and the most vulnerable.

Here are some laws and policies related to climate change in SAARC countries:

The Indian National Action Plan on Climate Change was formulated in 2008. It consists of a comprehensive strategy comprising eight national missions and interconnected strategies. The



framework addresses the complexities of climate change and upholds climate justice principles while promoting developmental objectives. The missions include providing fair and equal access to solar energy, improving energy efficiency, promoting sustainable habitats with a focus on marginalised communities, ensuring fair and equal access to water resources, protecting the delicate Himalayan ecology, developing a more environmentally friendly India, promoting climate-resilient agriculture with an emphasis on vulnerable farmers' livelihoods, and raising awareness and taking strategic action on the impact of climate change on marginalised and disadvantaged communities.<sup>xviii</sup>

The Bangladesh Mujib Climate Prosperity Plan, implemented in 2021 and outlining goals until 2030, prioritises climate justice. The proactive initiative seeks to enhance resilience and stability by reforming financial methods and models to support marginalised communities and small enterprises. The proposed plan closely aligns with Bangladesh's national development strategies, adaptation programmes, and sustainable development objectives. The objective is to achieve economic expansion while also ensuring climate justice by fairly distributing the benefits of development among all sectors of society, especially those most vulnerable to the impacts of climate change.<sup>xix</sup>

The 2012 National Climate Change Policy of Sri Lanka aligns with international agreements and frameworks and addresses local climate change challenges, emphasising climate justice. The policy acknowledges the broader global context and addresses climate-related issues specific to the country's jurisdiction. The stance emphasises an equitable approach to addressing climate change. It prioritises strategies that include adaptation and mitigation efforts, considering the specific needs of marginalised and vulnerable populations. These endeavours include raising awareness about the impacts of climate change, reducing greenhouse gas emissions to alleviate the disproportionate challenges of marginalised communities, and promoting sustainable practices in resource production and consumption to ensure equitable access to benefits.<sup>xx</sup>

The Maldives' Climate Change Policy Framework in 2015 shows a proactive approach to climate change and a solid commitment to climate justice principles. The framework offers a thorough approach to mitigating the impacts of climate change. The text highlights the significance of fair and inclusive climate leadership that considers the needs of both current and future generations. The text emphasises the inclusion of climate considerations in different policies, the creation of global partnerships that prioritise fairness, the fair distribution of

resources and knowledge, and the promotion of climate resilience to safeguard the rights and well-being of vulnerable communities. The Maldives is actively addressing climate change and striving to address longstanding inequalities by implementing comprehensive measures. The goal is to guarantee that the country's efforts lead to a fairer and more sustainable future for everyone.<sup>xxi</sup>

The Framework for Implementing Climate Change Policy in Pakistan, from 2014 to 2030, demonstrates the government's commitment to climate justice with comprehensive plans and strategies. The framework prioritises equitable outcomes and social fairness in addressing climate change challenges. This statement emphasises the need to address the disproportionate impacts of climate change on marginalised communities and prioritise their well-being by promoting adaptation and mitigation strategies. The primary objective of this framework is to advance sustainable development in Pakistan while also upholding the principles of climate justice. It aims to empower marginalised communities, strengthen their ability to overcome challenges and promote active participation in creating a fairer and environmentally sustainable future.<sup>xxii</sup>

The 2020 National Climate Change Policy of Nepal reflects a solid commitment to the principles of climate justice, building upon the previous policy enacted in 2011. The revised policy's objective is to create a resilient society that can withstand the effects of climate change. It also aims to promote an environmentally sustainable economy and address existing inequalities. The approach emphasises the need to improve adaptability, allocate financial resources to address climate change-related inequalities, incorporate climate considerations into policies focusing on fairness, and prioritise gender equality and social inclusion. The policy encompasses various sector-specific strategies to cater to the diverse needs of all segments of society. The approach focuses on three main aspects: knowledge production through research, finding innovative solutions, and empowering marginalised communities by enhancing their capabilities. This policy aims to create a future for Nepal that prioritises climate resilience and upholds the rights and dignity of all its citizens by incorporating climate justice principles. Its objective is to guarantee equal access for all individuals to sustainable development benefits.<sup>xxiii</sup>

The Kingdom of Bhutan's Climate Change Policy in 2020 reiterates its dedication to climate justice by actively striving for carbon neutrality. The purpose of this policy is to restate Bhutan's dedication to attaining carbon neutrality. The objective is to develop a climate-

resilient, carbon-neutral economy that promotes environmental sustainability and encompasses the well-being encapsulated in gross domestic happiness. The policy emphasises the importance of stakeholders' active involvement to ensure inclusivity and representation of all perspectives, especially those from marginalised and vulnerable populations. The policy is grounded in four core principles: attaining carbon neutrality, bolstering climate resilience for all individuals, employing fair methodologies, and coordinating initiatives prioritising environmental integrity and social justice. The policy aims to incorporate climate justice principles in order to envision a Bhutan that not only addresses climate change mitigation but also ensures fair distribution of its benefits to all members of the population. The policy aims to incorporate individuals who are marginalised into the pursuit of a sustainable and equitable future.<sup>xxiv</sup>

### ***Analysis of Regional Agreements and Initiatives***

The 2007 Singapore Declaration recognises the connection between the environment, public welfare, energy security, and climate change, emphasising climate justice. Promote environmentally friendly technology for positive impact across all sectors of society. To achieve this goal, collaboration among different disciplines is promoted to ensure inclusivity. The focus is on promoting sustainable practices in production and consumption, especially for vulnerable communities. Responsible forest management that respects indigenous populations and local communities' rights is also advocated. Financial assistance supports capability growth in developing countries in the East Asia Summit region. This declaration is rooted in climate justice. It offers a strategy for the environment, energy, and social equity. The aim is to ensure equal access and benefits for all, regardless of socio-economic status.<sup>xxv</sup>

The 2007 Malé Declaration highlights the connection between climate change and climate justice. Climate change impacts fundamental rights, including the right to life, cultural heritage, property ownership, adequate living standards, nourishment, and well-being. The declaration highlights the urgent need to address these issues promptly through immediate action in line with climate justice principles. The aim is to ensure fair and equal assistance for marginalised and vulnerable communities and protect them from the adverse effects of climate change. The statement recognises the need to promote fairness and equality in addressing climate challenges. Its goal is to create a future where everyone can exercise their rights and freedoms, regardless of their circumstances, in a changing climate.<sup>xxvi</sup>

The 2012 Action Plan on Joint Response to Climate Change, led by ASEAN, prioritises cross-border cooperation to address climate change and promote climate justice. The proposed strategy aims to form alliances with regional and subregional organisations to address climate-related issues. It promotes fair allocation of funds, facilitates technology transfer, and supports the development of adaptation and mitigation strategies for marginalised communities. This action plan addresses climate change impacts collectively, distributes resources fairly, and ensures equal sharing of challenges and benefits among ASEAN member states, regardless of their socio-economic differences.<sup>xxvii</sup>

The 2007 SAARC Summit focused on climate change and emphasised climate justice principles through the SAARC Action Plan on Climate Change. The plan promotes cooperation and unity among South Asian nations to address climate change issues. The organisation aims to promote fairness and equity in addressing climate impacts in the region. The approach prioritises adaptation and mitigation strategies for climate-vulnerable communities. It also prioritises fair distribution of climate technologies and financial resources. Education and capacity building are essential for universal access to knowledge and skills. National governments are responsible for implementing climate justice principles. Establish regular regional reporting and review mechanisms for accountability and transparency. The proposed action plan aims to create a more sustainable and equitable society in South Asia through collaborative efforts, benefiting all individuals, especially the most disadvantaged. It aligns with the principles of climate justice.<sup>xxviii</sup>

The Thimphu Declaration on Climate Change was made at the Sixteenth SAARC Summit in Bhutan in 2010. It emphasises climate justice under the theme “Towards a Green and Happy South Asia.” The leaders endorsed the Thimphu Statement on Climate Change to show their commitment to promoting regional unity in addressing climate-related issues fairly and justly. This declaration highlights the importance of sustainable development, environmental conservation, and the promotion of low-carbon technology and renewable energy resources based on the principles of climate justice. Leaders strongly support equity and fairness in global climate negotiations, along with these key components. This declaration prioritises climate justice in the future. Its goal is to ensure fair distribution of environmental responsibilities and benefits and to promote equity and fairness in international discussions. The vision aims to create a sustainable and content South Asia for all residents.<sup>xxix</sup>

The 2011 SAARC Agreement on Rapid Response to Natural Disasters reflects climate justice principles. The objective is to enhance member countries' capabilities in SAARC to address natural disasters together. This agreement emphasises fair and equal contributions and benefits from all member nations. Significant actions include promoting open and accountable communication, strategising disaster response, and promptly assisting vulnerable countries affected by calamities. This agreement comprises climate justice as a core principle. It aims to respond quickly and effectively to natural disasters, ensuring fairness and impartiality. The approach aims to assist vulnerable communities in South Asia, promoting equity and resilience.<sup>xxx</sup>

## **THE ROLE OF INTERNATIONAL TREATIES AND CONVENTIONS**

International agreements like the UNFCCC and the Paris Agreement are vital for global climate action. The analysis examines SAARC countries' ratification and implementation of international climate agreements, including the Paris Agreement. It also analyses the alignment of national policies with international commitments. In order to evaluate SAARC countries' use of climate finance from international funds like the Green Climate Fund for climate projects. Efforts to improve technology transfer and capacity building in the SAARC region, with international cooperation and support, are crucial. SAARC's role in global climate negotiations is to act as a regional entity and seek national and advocacy opportunities. The analysis of climate change frameworks in the SAARC region shows progress, challenges, and opportunities for addressing climate change and promoting regional cooperation.

The UNFCCC, founded in 1992, focuses on climate justice and human rights to address climate change through greenhouse gas reduction. The convention sets obligations for developed and developing countries, promoting scientific cooperation and financial assistance based on fairness and social equality principles. This statement highlights equity principles across generations and emphasises nations' collective but distinct obligations. The treaty categorises nations as Annex I Parties or Non-Annex I Parties. The former group has stricter obligations due to past emissions. The COP ensures compliance with climate justice and human rights through evaluations and supervision of the treaty's execution, promoting responsibility,

openness, and inclusiveness. This framework envisions climate action that protects rights, addresses historical injustices, and upholds well-being for all.<sup>xxxix</sup>

The 1997 Kyoto Protocol is an international UNFCCC climate justice and human rights agreement. The agreement sets mandatory targets for Annex I Parties to reduce greenhouse gas emissions. The goal is to reduce emissions to at least 5% below 1990 levels by the end of the first commitment period (2008-2012). This framework includes three adaptable strategies: joint implementation, the clean development mechanism, and carbon trading to promote fair and just actions. The agreement promotes domestic efforts, sharing of technology, scientific cooperation, and capability development while respecting common but differentiated responsibilities. The protocol includes climate justice and human rights, aiming to prioritise emissions reductions for the well-being of all individuals, especially vulnerable ones, while also protecting the rights of current and future generations.<sup>xxxix</sup>

The 2015 Paris Agreement, adopted during COP 21, aims to limit global temperature increase to below 2°C, with a more ambitious goal of 1.5°C, showing commitment to climate justice and human rights. Nationally determined contributions (NDCs) enable the facilitation of this project. NDCs are voluntary climate action plans that prioritise fairness and equity. The agreement includes an inventory process, transparency mechanisms, and a compliance framework to promote accountability and fair participation. This perspective focuses on climate justice, highlighting the need to adapt to climate change, address its negative impacts and costs, and connect it to human rights principles. It imagines a future where climate action focuses on safeguarding the rights and well-being of all individuals and communities, especially those most vulnerable to harm. It envisions a future where climate responsibilities and benefits are fairly distributed among present and future generations.<sup>xxxix</sup>

The Agreement on the New “Loss and Damage” Fund was a significant historical achievement for nations vulnerable to climate-related disasters. This development is a considerable step towards climate justice and human rights, happening at the end of COP27. The summit showcased its commitment to reducing emissions and implementing adaptation measures. Limiting global temperature increase to 1.5 degrees Celsius is now even more urgent. The agreement aims to create a fund to mitigate loss and damage for marginalised and vulnerable communities. Advancements were made in implementing technology, reducing climate change impact, and establishing a global progress assessment mechanism. Concerns were raised about inadequate financial support for climate initiatives. The summit emphasised climate justice and

the importance of involving young people and other relevant parties in climate initiatives. Preserving human rights, fairness, and respect for every individual's worth is crucial for a sustainable and equitable future for all generations.<sup>xxxiv</sup>

## **CHALLENGES IN IMPLEMENTING CLIMATE JUSTICE**

The implementation of climate justice within the South Asian Association for Regional Cooperation (SAARC) region poses various challenges that are deeply ingrained in the diverse socio-economic, political, and environmental circumstances of the region. Climate justice seeks to redress the inequitable consequences of climate change on marginalised communities, promote fair and inclusive strategies for adapting to its effects, and establish mechanisms to hold accountable those responsible for these impacts. However, within the SAARC region, several impediments pose challenges to the efficient realisation of climate justice.<sup>xxxv</sup>

- **Inequality and Vulnerability:** The presence of inequality and vulnerability is evident within the region, as it encompasses countries that exhibit diverse levels of development. Consequently, these varying levels of development give rise to distinct susceptibilities to the impacts of climate change. Marginalised communities frequently bear the brunt of adverse effects; however, effectively addressing their distinct requirements and facilitating their inclusion in decision-making processes presents difficulties stemming from prevailing social hierarchies and longstanding disparities.
- **Fragmentation of Policies and Coordination:** The national policies about climate change and development frequently exhibit fragmentation, posing difficulties in incorporating climate justice principles. The lack of consistent coordination among government departments, agencies, and stakeholders poses additional challenges in implementing comprehensive strategies.<sup>xxxvi</sup>
- **Insufficient Public Awareness and Engagement:** The limited public comprehension of climate change and its consequences impedes actively participating in and endorsing climate justice endeavours. Education and awareness initiatives are imperative to galvanise public endorsement.<sup>xxxvii</sup>
- **Cross-border matters:** Transboundary challenges, such as the sharing of water resources, cross-border pollution, and displacement, necessitate collaborative endeavours among the

member countries of the South Asian Association for Regional Cooperation (SAARC). The presence of diplomatic tensions and political disagreements has the potential to impede the attainment of effective cooperation.

- **Divergent Objectives:** The pursuit of economic advancement, poverty alleviation endeavours, and climate adaptation strategies may occasionally clash, thereby demanding meticulous amalgamation of these objectives to prevent inadvertent adverse repercussions.

## **INSTITUTIONAL AND GOVERNANCE CHALLENGES**

SAARC is a regional organisation in South Asia with eight member countries: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. To achieve climate justice in SAARC, we must address institutional and governance challenges. Climate justice is about fair treatment for everyone, especially those most affected by efforts to address climate change. SAARC region faces challenges in implementing climate justice.

Fragmented governance structures involve multiple governing bodies or entities within a system or organisation. Decision-making authority is often distributed in this situation. SAARC member countries have fragmented governance structures for addressing climate change, with different ministries responsible for various aspects. This may lead to a lack of coordination and synergy in climate justice efforts. Climate change requires collaborative frameworks across sectors. SAARC countries face challenges in coordinating efforts across government ministries. Lack of communication and collaboration can hinder climate justice initiatives. Certain SAARC member countries lack specialised climate institutions, indicating a deficiency in dedicated establishments focused on addressing climate change and promoting justice. Without these institutions, there may be a lack of expertise and resources to plan and implement climate justice initiatives effectively.<sup>xxxviii</sup>

Climate justice requires a skilled workforce. SAARC countries lack trained professionals in climate science, environmental law, and policy analysis. Robust institutional linkages are necessary to integrate climate justice principles effectively within organisational frameworks. Inadequate connections between climate-related institutions and other government entities may lead to a narrow focus on pursuing climate justice. Civil society organisations representing vulnerable groups are often included in efforts to achieve climate justice, although their



participation may be limited. Some SAARC countries struggle to involve civil society in decision-making.<sup>xxxix</sup>

Bureaucratic inefficiencies hinder climate justice initiatives. Burdensome administrative procedures and decision-making delays can hinder progress. Lack of long-term planning hinders climate justice by requiring consistent policies over time. In some SAARC countries, short-term political cycles may impair the development and implementation of long-lasting strategies for climate justice.<sup>xl</sup>

Limited funding sources pose a challenge to implementing climate justice initiatives. Adequate funding is essential for effectively addressing climate change and its impacts on society and the environment. Limited climate finance resources can hinder the impact of initiatives. National policies and climate justice objectives may conflict. Ensuring policy coherence and aligning development objectives with climate justice principles can be challenging. Implementing climate justice initiatives requires accurate and up-to-date data, which poses challenges in data management. Some SAARC countries may lack adequate data collection, sharing, and management systems, leading to less effective decision-making.<sup>xli</sup>

To address institutional challenges effectively, a comprehensive and multifaceted approach is crucial. Improving coordination, creating climate institutions, investing in capacity-building, and promoting inter-ministerial collaboration are essential. To promote climate justice in the SAARC region, we must create a conducive atmosphere for civil society participation, simplify administrative procedures, and ensure sustained policy dedication.<sup>xlii</sup>

## **EMPOWERING VULNERABLE COMMUNITIES**

Given the increasing climate-related challenges, empowering vulnerable communities has become a crucial approach to strengthen their ability to withstand and reduce the negative consequences of climate change. These communities, frequently marginalised due to socio-economic factors or their geographic location, encounter an unequal distribution of risks stemming from environmental changes. By placing higher importance on the empowerment of individuals, we acknowledge and rectify social injustices and establish a more robust basis for undertaking collective efforts towards addressing global climate concerns.<sup>xliii</sup>

The empowerment process commences by acknowledging said communities' distinct knowledge and perspectives. Their comprehensive understanding of the intricacies of local ecosystems, weather patterns, and resource management can serve as a valuable foundation for devising and implementing efficient strategies to adapt to and mitigate environmental change impacts. Integrating traditional practices within collaborative endeavours can significantly contribute to comprehensive solutions that uphold cultural heritage and ecological equilibrium.<sup>xliv</sup>

Furthermore, the act of empowering communities that are susceptible to harm extends beyond addressing immediate environmental issues. This entails nurturing their ability to participate in decision-making procedures, obtain information, and express grievances. The empowerment process fosters a feeling of responsibility, subsequently motivating community-driven endeavours to achieve sustainable development. By incorporating these communities into policy deliberations, we guarantee that their viewpoints influence efficacious and pertinent resolutions.<sup>xlv</sup>

Both technology and education are essential components in this undertaking. By facilitating the availability of climate information, promoting sustainable practices, and fostering skill development, these communities are empowered to make well-informed decisions and actively engage in more comprehensive dialogues. Digital platforms can enhance the reach and impact of individuals' voices, facilitating the dissemination of knowledge and personal experiences to a worldwide audience and fostering support and solidarity.<sup>xlvi</sup>

Collaborative alliances between governmental entities, non-governmental organisations (NGOs), and international agencies play a crucial role in effectively implementing empowerment initiatives. The collaboration necessitates incorporating crucial elements such as resource allocation, capacity-building, and inclusive policy frameworks. By providing support and resources to marginalised communities, we strengthen their ability to withstand challenges and cultivate a shared dedication to achieving a fair and environmentally responsible future for everyone.<sup>xlvii</sup>

## **PROMOTING CLIMATE EDUCATION AND AWARENESS**

The imperative of fostering climate education and awareness is of utmost importance in equipping forthcoming generations to address the complexities of climate change effectively. While it may be argued by certain individuals that the responsibility for addressing climate-related concerns lies exclusively with governmental bodies and scientific experts, it is crucial to acknowledge that all members of society share this responsibility. The acquisition of knowledge by children in the present era will play a pivotal role in shaping the future global landscape.<sup>xlviii</sup> Climate Change Education for Sustainable Development (CCESD) assumes a pivotal role in actively involving the general populace, particularly the younger generation, in comprehending embracing environmentally conscious ways of life, mitigating the release of greenhouse gases, and adjusting to evolving regional circumstances.<sup>xlix</sup>

The optimal approach for cultivating attitudes and behaviours that address climate change is to prioritise awareness and comprehension of this issue from an early stage of development. It is imperative to adapt the concept of Community-Based Conservation and Ecosystem Stewardship (CCESD) to suit specific local circumstances, taking into account traditional knowledge. The global significance of the Climate Change Education and Sustainable Development (CCESD) is enhanced by UNESCO's extensive knowledge and experience in education, sciences, culture, and communication. This is exemplified by UNESCO's various initiatives, such as the Climate Change Initiative.<sup>1</sup>

The "Climate Change Education for Sustainable Development" programme encompasses three primary objectives. These objectives include strengthening the ability of Member States to provide high-quality climate education, advocating for innovative teaching methods, and fostering climate change awareness through collaborations with media outlets and partnerships.<sup>li</sup>

## **INVOLVING LOCAL COMMUNITIES IN DECISION-MAKING PROCESSES**

In recent years, there has been a notable shift in the global dialogue surrounding climate change, acknowledging the utmost significance of incorporating vulnerable communities into

the decision-making procedures. These communities, frequently marginalised due to socio-economic factors or geographic location, experience a disproportionate burden from the negative consequences of climate change. Incorporating individuals into the decision-making process is not solely a matter of societal fairness but also a crucial measure toward achieving efficient and enduring resolutions.<sup>lii</sup>

One of the primary justifications for engaging vulnerable communities lies in their profound understanding of their respective local environments. The profound comprehension of indigenous communities regarding the dynamics of local ecosystems, meteorological patterns, and the accessibility of resources can offer significant contributions to developing climate adaptation and mitigation strategies. Decision-makers can enhance the contextual relevance and overall effectiveness of interventions by incorporating diverse perspectives. Moreover, it is worth noting that these communities frequently possess inventive customary practices that have facilitated their ability to adapt to environmental adversities across multiple generations. Incorporating such practices into more comprehensive climate policies can bolster the resilience of communities and the ecosystems they rely on.<sup>liii</sup>

Furthermore, active engagement in decision-making confers a sense of empowerment upon marginalised communities, granting them the ability to exert control and influence over their destinies. Throughout history, these communities have encountered marginalisation in significant policy deliberations, thereby perpetuating their susceptibility. By actively engaging individuals in decision-making processes about climate-related matters, their perspectives and concerns are given greater prominence, increasing the likelihood of their needs being duly acknowledged and catered to. Promoting inclusivity cultivates a perception of shared responsibility and collaboration, augmenting climate endeavours' overall efficacy and reception.<sup>liv</sup>

Nevertheless, including vulnerable communities in decision-making is not without obstacles. Various obstacles, such as restricted availability of information, linguistic barriers, and disparities in power dynamics, can impede individuals' ability to engage in meaningful participation. In order to surmount these challenges, it is imperative to establish a conducive atmosphere. This entails the provision of easily accessible information, the promotion of capacity-building initiatives within these communities, and the guarantee of representation in decision-making entities. Collaborative platforms that facilitate the convergence of community members, local authorities, and experts have the potential to enhance dialogue and cultivate

mutual comprehension, thereby resulting in more well-informed and comprehensive decision-making processes.<sup>lv</sup>

## **CLIMATE JUSTICE AND GENDER EQUALITY**

It is important to recognise that climate change affects individuals and communities differently based on gender, exacerbating existing gender inequalities and vulnerabilities. Women often bear the burden of caregiving responsibilities during climate-related disasters and environmental changes, which can limit their capacity to engage in income-generating activities or adapt to climate impacts. In many societies, gender norms and unequal power dynamics limit women's access to resources such as land, credit, technology, and education, restricting their ability to adopt climate-resilient practices and technologies. Women's unequal participation in decision-making processes and labour markets compound inequalities and often prevent women from fully contributing to climate-related planning, policy-making and implementation. Women, as primary food producers and providers in many rural communities, are disproportionately impacted by reduced crop yields and food scarcity, affecting their health and safety. Women belonging to diverse backgrounds and identities may face unique challenges due to the intersectionality of gender and other forms of marginalisation, such as race, ethnicity, class, caste, and disability. To address these challenges, it is crucial to mainstream gender perspectives throughout all levels of decision-making by developing gender-responsive climate policies, improving data collection and analysis, building the capacity of policymakers and stakeholders, promoting women's meaningful participation and leadership, and ensuring that climate finance mechanisms consider gender perspectives.<sup>lvi</sup>

The GGCA was formed at the UN Climate Summit in Bali, highlighting the importance of gender justice for climate justice. GGCA's primary goal is to promote global climate policies that address gender considerations. This involves promoting fair and inclusive participation in decision-making and addressing the specific needs of marginalised women and men in climate financing mechanisms. The Gender Action Plan was created at the UN Climate Summit in Marrakesh. The main goal is to increase women's participation in climate action through knowledge acquisition, capacity development, and meaningful involvement. Despite some progress, there is still a lack of women's representation in the UNFCCC boards, bodies, and

delegations. Climate justice and gender justice movements are interconnected and gaining momentum globally, as seen through protests at alternative climate summits and demonstrations. Gender equality is important in climate activism, as seen by the significant participation of women in leadership roles in movements like Fridays for Future. Empowering women as change agents in climate responses can lead to effective, equitable, and sustainable outcomes in the SAARC region's pursuit of climate justice.<sup>lvii</sup>

## **THE ROLE OF CIVIL SOCIETY AND NGOS**

Civil society organisations (CSOs) and non-governmental organisations (NGOs) need to advocate for climate justice and raise awareness about the impacts of climate change on vulnerable communities. They can achieve this through public awareness campaigns, policy advocacy, mobilising public support, media engagement, and monitoring and accountability. CSOs and NGOs can also foster partnerships and collaborations among various stakeholders to advance climate justice initiatives, including multi-stakeholder engagement, South-South cooperation, public-private partnerships, international alliances, and community-based partnerships. Successful community-driven projects, such as community-managed forests in Nepal, women-led sustainable agriculture in India, disaster preparedness in Bangladesh, climate-resilient farming in Sri Lanka, and indigenous land rights in Bhutan, demonstrate the effectiveness of participatory approaches in achieving climate justice goals. CSOs and NGOs are crucial in bringing about positive change at the grassroots level and advancing climate justice in the SAARC region.

Badabon Sangho is an NGO in Bangladesh that promotes women's rights at the grassroots level. They use a feminist approach to empower women facing discrimination and violence related to land ownership. The challenges arise from cultural norms related to gender and race. Founded in 2016, the organisation operates in the southern region near the Bay of Bengal and the Sundarban mangrove forest. The organisation's primary focus is women involved in fishing, specifically targeting 1,120 beneficiaries. It also supports women-headed households in urban slums, benefiting 774 individuals. The modifications enhance leadership capabilities in fisherfolk communities. This is shown by creating an association that helps women fisherfolk protect their rights and livelihoods from tourism companies in the Sundarban region.

Gender biases were an obstacle in registering associations. Biases were overcome through persistence and constructive dialogues. Badabon Sangho's work showcases the impact of community mobilisation and advocacy in addressing climate justice and gender equality.<sup>lviii</sup>

Vivekananda Sevakendra O Sishu Uddyan (VSSU) is an organisation in the Sunderban region near Kolkata, India. It has been working on ecological restoration and biodiversity conservation since 1986. The organisation planted over 800,000 trees through a successful reforestation initiative. The project focuses on nature-based approaches and developing skills and knowledge. The VSSU organisation mobilised local women and youth to plant over 50,000 mangrove trees in response to the destruction caused by the super cyclone Amphan. The goal was to restore the forest's balance and support the affected communities' sustainable livelihoods. This transition helps women and young individuals who rely on forest resources to participate in tree-planting initiatives and generate income while benefiting the environment. VSSU offers subsidised solar home lighting systems and low-smoke cookstoves as alternatives to traditional fuels. The VSSU initiative has impacted over 2 million individuals, focusing on women and youth in self-help groups. It includes environmental solutions, financial inclusion, education, and skill development. Despite financial constraints and political hurdles, VSSU's holistic approach stimulates sustainable transformation in the Sunderban region. This approach focuses on climate action, women's empowerment, and poverty alleviation.<sup>lix</sup>

## **FINANCING CLIMATE JUSTICE IN THE SAARC REGION**

Assessing climate finance mechanisms in the SAARC region involves evaluating various funding sources and channels available to support climate-related projects and initiatives. The region's fundamental climate finance mechanisms include international climate funds, bilateral and multilateral agreements, national climate funds, private sector investments, and South-South cooperation. However, accessing climate funds can be challenging for SAARC countries, particularly for vulnerable and less developed nations. Common challenges include complex application procedures, lack of technical capacity, limited awareness, stringent eligibility criteria, and financial risks. Various strategies can be adopted to enhance financial support for vulnerable countries in the SAARC region, such as simplifying procedures, capacity building, awareness and outreach, climate finance readiness programs, blended

finance approaches, advocacy for fair finance mechanisms, and strengthening regional cooperation. By addressing these challenges and enhancing financial support, stakeholders can ensure that climate justice efforts are adequately resourced and effectively implemented to protect communities from the impacts of climate change.<sup>lx</sup>

## **PROMOTING REGIONAL COOPERATION FOR CLIMATE JUSTICE**

Effective climate justice initiatives within the SAARC region require collaboration among its Member States. Joint efforts in Climate Research and Data Sharing are key to achieving a deeper understanding of regional climate trends and their impacts. Regional Climate Forums can be a platform for exchanging information, policy priorities, and joint climate actions. Harmonising climate policies, addressing transboundary climate issues, and collaborating on disaster preparedness and response mechanisms are all important aspects of collaboration.<sup>lxi</sup>

Sharing Best Practices and Knowledge Exchange can accelerate climate justice efforts within the SAARC region. Facilitating South-South cooperation and Climate Technology Transfer can help to replicate and adapt successful climate projects. The establishment of online knowledge-sharing platforms and databases can provide access to information on successful climate projects, research findings, and case studies for all member states.<sup>lxii</sup>

Developing a regional climate justice framework specific to the SAARC region is crucial in providing a cohesive roadmap for climate action and fostering solidarity in addressing climate challenges. This framework can include common regional climate goals, principles of climate justice, regional adaptation and mitigation strategies, climate finance cooperation, regional climate reporting and review mechanisms, and inclusivity and participation. A regional climate justice framework can serve as a unifying platform for SAARC countries to collectively address climate change and build resilience.<sup>lxiii</sup>

## **CONCLUSION AND SUGGESTIONS**

In conclusion, it highlights the complex interconnection between climate change, human rights, and the urgent need for climate justice within the South Asian Association for Regional



Cooperation (SAARC) region. The examination has unveiled the region's susceptibility to climate consequences, which disproportionately impact marginalised communities and jeopardise the attainment of fundamental human rights. The study's findings underscore the necessity of adopting a comprehensive approach that combines climate action with human rights principles, guaranteeing fair and just outcomes for all members of society. The pursuit of climate justice, which is founded on ethical principles, necessitates a collective endeavour among the member nations of the South Asian Association for Regional Cooperation (SAARC) to effectively tackle the root causes and impacts of climate change while ensuring the protection of the rights of marginalised and susceptible communities.

### ***Suggestions***

**Policy Integration:** It is recommended that the member nations of the South Asian Association for Regional Cooperation (SAARC) incorporate climate change adaptation and mitigation strategies within the existing human rights frameworks. This involves formulating and implementing policies that precede safeguarding the rights of marginalised and disadvantaged populations while tackling environmental issues.

**Promoting Inclusive Decision-Making:** Facilitate the active participation and representation of marginalised communities, indigenous groups, and civil society organisations in decision-making processes about climate-related matters. Including diverse perspectives and personal narratives is imperative in developing equitable and efficient policy measures related to climate change.

**Enhancement of Legal Frameworks:** Foster the development and reinforcement of legal frameworks that explicitly establish a connection between actions addressing climate change and the obligations about human rights. This measure can promote responsibility and offer affected individuals lawful channels to pursue remedies.

**Promoting Transboundary Collaboration:** Advocate for enhanced transboundary collaboration within the South Asian Association for Regional Cooperation (SAARC) region to facilitate efficient disaster response, sharing of resources, and exchange of knowledge. The implementation of collective action has the potential to enhance and strengthen resilience initiatives.

**International Cooperation:** Foster collaborative relationships with international partners, organisations, and platforms to facilitate access to financial resources, technological

advancements, and specialised knowledge, thereby enhancing the effectiveness of climate justice endeavours.

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