

THE RIGHT TO A HEALTHY ENVIRONMENT AND THE ROLE OF COP

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Abstract

Since the beginning of human history, the realization and protection of human rights have been one of the main issues. In the 80s of the 20th century, the so-called third generation rights were added to the classification, which are also called collective rights and solidarity rights. Living in a healthy environment is characterized as one of the difficult but equally important rights to be realized as one of the 3rd generation rights. The difficulty is, first of all, that these rights are possible with the solidarity of all mankind, not individual people. In 1995, one of the important steps taken by the world states was the holding of the first meeting of the COP in Berlin. World leaders gather at COPs to discuss the best approaches to combat climate change and to assess progress. Various solutions for environmental protection are discussed, and unresolved topics are discussed at other conferences. Currently, 198 Parties to the comprise 197 nations and the European Union, resulting in nearly universal membership. The following conference is scheduled for November 2024 in Baku, Azerbaijan. In this article, all the issues related to the right to live in a healthy environment will be discussed in detail in each case.

Keywords: *healthy environment, COP, climate change, Special Rapporteur, human rights, protection, international, United Nations, development, General Assembly, constitution, poverty.*

I. Introduction

Human rights are fundamental freedoms and rights to which every individual is entitled, irrespective of their gender, ethnicity, religion, national or ethnic origin, national or ethnic background, or any other status. These are inalienable rights shared by every person. Regardless of the laws that are in place or not in our communities, we all have these rights.

Economic and social rights are all human rights that pertain to our capacity to live with dignity and actively engage in our community. These encompass rights concerning employment, social security, and the availability of shelter, food, water, healthcare, and education. These include the rights to equitable compensation and earnings, sufficient income protection in the case of unemployment, illness, or old age, and a sufficient quality of life.

Human rights encompass not only economic, social, and cultural rights but also civil and political rights. "These rights are all interrelated, interdependent, and indivisible," according to the United Nations High Commissioner for Human Rights.

These essential human rights, which every person has a right to, are outlined in the Universal Declaration of Human Rights (UDHR), the founding text. On December 10, 1948, the United Nations General Assembly endorsed it.

In addition, the United Nations has drafted a number of international treaties, sometimes known as "Covenants," which specify rights and delineate governmental duties.

The United Nations enacted the two agreements that make up the UDHR in 1966: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). The foundations of both Covenants are non-discrimination and equality.

UN committees conduct routine ("periodic") assessments of the adherence of States to the numerous treaties they have ratified and agreed to over time. National governments are in charge of providing the Committee on Economic, Social, and Cultural Rights (CESCR) with an official report outlining how they are fulfilling their responsibilities with regard to social rights. In addition, the province and municipal governments, as well as advocacy organizations, civil society, and others, are welcome to provide input to the Committee, while it is not legally necessary.

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In addition, UN Special Rapporteurs are responsible for identifying structural obstacles to the progressive fulfillment of social rights and evaluating adherence. They are people who are assigned for a set amount of time to travel to other nations and provide reports on particular topics, like housing, indigenous rights, and food security.

In addition, national and sub-national human rights commissions also supervise to fulfill other important tasks (for example, to take targeted legal measures). Lastly, vital oversight is also carried out by civil society organizations.

II. The importance of the right to live in a healthy environment and its effects on people

The ultimate condition of all human rights is environmental health. The connection between the environment and the enjoyment of fundamental human rights and the well-being of people was acknowledged fifty years ago. It is acknowledged now that the "single greatest challenge to human rights of our era" is the triple planetary crises of pollution, biodiversity loss, and climate change.

Days before the passing of the General Assembly resolution, Andersen cited a 2010 decision that acknowledged the right to clean water and sanitation. She claimed that as a result, the protection of drinking water has been incorporated into the constitutions of several nations. The most recent resolution, according to her, has the same historic potential.

The resolution will trigger environmental action and provide necessary safeguards to people all over the world, added Andersen. People will be better able to defend their rights to clean air to breathe, clean water to drink, wholesome food, healthy ecosystems, and safe, non-toxic places to live, work, learn, and play.

Proponents of the idea argue that the United Nations General Assembly's declaration today that all people have the right to a healthy environment is a critical first step in halting the planet's alarming natural decline.

One of the most urgent risks to the future of humanity, according to the General Assembly, is climate change and environmental degradation. The resolution was voted Thursday morning at the UN headquarters in New York City. States were urged to intensify their efforts in order to guarantee that their citizens had access to a "clean, healthy, and sustainable environment."

Climate change already has negative effects on health and is undermining the "right to health" cited in the Paris Agreement. Climate change undermines the social and environmental determinants of health, including peoples' access to clean air, safe drinking-water, sufficient food and secure shelter. It already affects health, particularly in the poorest, most vulnerable communities, and least developed countries, including SIDS, thus extending health inequity [5].

The 193 UN Member States are not required to abide by the resolution legally. However, proponents believe that it will trickle down and force nations to include the right to a healthy environment in their national constitutions and regional accords, as well as motivate states to put those laws into action. Advocates claim that would provide environmental activists with additional tools to oppose environmentally harmful laws and initiatives.

According to Inger Andersen, Executive Director of the UN Environment Programme (UNEP), this resolution sends a message that nobody can take nature, clean air and water, or a stable climate away from us – at least, not without a fight.

The resolution is made at a time when the world is dealing with what Hans Christian Andersen dubbed a "triple planetary crisis"— that is, the loss biodiversity, pollution, and climate change. According to the new resolution, if those issues are not addressed, they might have terrible effects on people all around the world, particularly the impoverished and women and girls. The resolution passed by the General Assembly follows hasty changes to relevant national and international laws. The UN Human Rights Council proclaimed the right of everyone to a "clean, healthy, and sustainable environment" in April.

Climate change means a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods [14].

Latin American and Caribbean nations made a commitment earlier this year to provide increased protections for "environmental defenders," which includes indigenous peoples fighting against mining, logging, and oil exploration in protected areas. 227 environmental advocates are said to have died in 2021. Additionally, a constitutional amendment guaranteeing residents' right to a healthy environment was ratified by the state of New York last year.

These modifications follow growing legal efforts by environmental activists to compel nations to take action on urgent environmental issues like climate change.

The Netherlands' highest court mandated the government to take further action to reduce carbon emissions in 2019 in response to a case brought by an environmental group, citing climate change as a direct threat to human rights.

Climate change interacts with poverty, conflict, resource depletion and other factors to cause or exacerbate food insecurity, loss of livelihoods, infrastructure breakdown and loss of access to essential services including electricity, water, sanitation and health care. Poor people are disproportionately affected by climate impacts, which could push an additional 100 million people into extreme poverty by 2030. It is estimated that by 2050, 150 million people or more could be displaced by the impacts of climate change as a result of extreme weather, slow-onset events such as rising sea levels and desertification, relocation from high-risk areas (such as floodplains), and conflicts over scarce resources [6].

More recently, the Paris Climate Change Agreement was deemed a human rights treaty by Brazil's Supreme Court, which determined that it should take precedence over domestic laws. Supporters expect that other choices along those lines may eventually result from the most recent General Assembly resolution.

Almost every nation has national legislation aimed at combating climate change, limiting pollution, and safeguarding flora and fauna. However, those laws are not often strictly enforced, and when they are, it is frequently difficult for the public to hold businesses and governments responsible. Declaring a healthy environment to be a human right would enable citizens to contest policies that harm the environment at the national level using human rights law, which is widely defined in many nations.

There is emerging evidence that climate lawsuits based on human rights are more likely to be successful if they include reliance on the right to a healthy environment. 140 Cases based on the right to a healthy environment, unfortunately, are not always successful. For example, in 2020, the Supreme Court of Norway ruled that the issuance of new permits for offshore oil and gas exploration did not violate the constitutional right to a healthy environment. The decision has been heavily criticized by experts and the applicants have taken the case to the European Court of Human Rights. 141 A 2024 court decision in Norway reached the opposite conclusion, striking down permits for offshore petroleum exploration because of a failure to comprehensively assess potential greenhouse gas emissions violated the right to a healthy environment. The government is appealing the decision [13].

AZS ISO 14001:2021(en) Environmental management systems were created for the purpose of increasing the effectiveness of environmental management and reducing the negative effects on the environment and strengthening its control capabilities.

A systematic approach to environmental management provides top management with the information needed to achieve long-term success and enables them to help promote sustainable development by:

- environmental protection by preventing or reducing negative environmental effects;
- reduction of potential negative effects of environmental conditions on the organization;
- providing assistance to the organization in fulfilling compliance obligations;
- increasing the environmental activity index;
- controlling or influencing the methods of designing, manufacturing, distributing, consuming and disposing of the organization's products and services using the life cycle concept that can prevent accidental deviations from affecting the environment at any stage of its cycle;
- obtaining financial and operational advantages that may arise as a result of applying environmentally significant alternatives aimed at strengthening the organization's position in the market;
- delivering environmental information to relevant stakeholders.

This standard, like other international standards, is not intended to reinforce or replace the organization's legislative requirements [4].

Before the voting, UN Special Rapporteur on Human Rights and the Environment David Boyd said, These resolutions may seem abstract, but they are a catalyst for action and they empower ordinary people to hold their governments accountable in a way that is very powerful. All human rights ultimately depend on a healthy environment. It was recognised 50 years ago that the environment is essential to humanity's wellbeing and to the enjoyment of basic human rights. It is recognised today that the triple planetary crises of climate change, biodiversity loss and pollution pose the 'single greatest challenge to human rights of our era'. On 28 July 2022, the right to a healthy environment received universal recognition when the UN General Assembly passed a landmark resolution reaffirming recognition of the right as a human right [1].

The UN has acknowledged that everyone, everywhere, has the right to live in a clean, healthy, and sustainable environment for the first time in its existence. This essential human right is now included in the collection of rights that are acknowledged globally thanks to resolutions passed by the General Assembly in 2022 and the Human Rights Council in 2021. It is our sincere goal that the right to a clean, healthy, and sustainable environment can act as a catalyst for systemic and transformative changes to achieve a just and sustainable future in harmony with nature, especially as mankind faces an unparalleled planetary crisis.

Everyone has an inalienable right to a sustainable, healthy, and clean environment. They are entitled to the guarantee that the land they live on, the water they drink, and the air they breathe be uncontaminated and undisturbed. Biodiversity and healthy ecosystems are the cornerstones of all life on Earth. However, the climatic catastrophe that we are currently experiencing is all our own fault and poses a threat to humankind. Every national, regional, and international policy decision must be based on our fundamental right to a healthy environment. As environmental degradation releases even greater instability, it is vital for maintaining peace, saving lives, safeguarding the Sustainable Development Agenda, and defending basic human rights.

The Special Rapporteur on human rights and the environment (Special Rapporteur) defines the right to a healthy environment as being comprised of six substantive elements:

- clean air,
- a safe climate,
- access to safe drinking water and sanitation,
- healthy biodiversity and ecosystems,
- toxic free environments in which to live, work and play, and
- healthy and sustainably produced food [2].

People's demands for climate justice must be brought before parliaments, multistakeholder forums, the courts, and all points in between. For the sake of today's kids as well as future generations, we should be dedicated to collaborating with States to advance everyone's right to a clean, healthy, and sustainable environment.

We have to make a commitment to phase out fossil fuels fairly. When someone violates the right to a clean, healthy, and sustainable environment, we must pledge to hold them accountable. We need to make a commitment to promoting everyone's right to free, meaningful, active, safe, and informed involvement in environmental decision-making. This includes the disproportionately impacted groups, such as Native Americans, the poor, and those with disabilities. To defend the rights of upcoming generations, we must take action. We appreciate your support in advancing all human rights, especially everyone's right to a healthy environment.

Good practices related to access to justice and effective remedies often seek to overcome three major obstacles — standing to sue, economic barriers, and lack of judicial expertise in environmental matters. In most of the States where the right to a safe, clean, healthy, and sustainable environment is recognized in the constitution, individuals and NGOs have standing to bring lawsuits based on the violation of this right or environmental laws (e.g. Argentina, Colombia, Costa Rica, India, Portugal, Romania, Slovenia) [11].

The planetary environmental crisis that humanity has caused is already well known to us and includes the following: an emergency climate, a collapse in biodiversity, widespread pollution of the air, water, and soil, an increasing shortage of water, desertification and land degradation, unhealthy, unsustainable, and exploitative food systems, and an increase in zoonotic diseases that spread from animals to people. Other dangers are beginning to surface, such as microplastics and persistent chemicals, both of which are present in our bodies and have unknown but definitely harmful effects.

The life support system that sustains millions of other species as well as humans is being threatened by these interconnected disasters. The health of ecosystems, human health, and the ability of billions of people to exercise their fundamental human rights both now and in the future are significantly impacted by the global crisis. The rights to food, water, sanitation, culture, life, health, and a clean, healthy, and sustainable environment are among these rights, as is the right of the children. Climate injustices and environmental injustices are the result of the negative effects that disproportionately affect those who are marginalized, poor, and vulnerable.

Economic, political, social, legal, and cultural institutions that put profit, economic growth, and extractivism ahead of people, the environment, human rights, and community are the main causes of these interconnected crises. The fact that the richest 1% of people produce the same amount of greenhouse gas emissions overall as the poorest 66% of people is startling! The world's population has surpassed eight billion people and is expected to reach 10 billion by 2050. This, along with business-driven overconsumption by wealthy nations and individuals, has created a scenario where the cumulative effects of human activity exceed multiple planetary boundaries. Overshoot, a dire condition when our society consumes more resources by mid-August than the Earth can sustainably produce in a year, is the result.

An extraordinary environmental disaster is currently engulfing us. Global warming has reached one degree, with two or three times as much warmth occurring in certain places as in others, such as the Arctic and high mountain regions. As of 2018, the Intergovernmental Panel on Climate Change reported that human activity is already causing extreme weather events to occur more frequently, intensely, and for longer periods of time; melting glaciers and ice sheets; rising sea levels; storm surges; saltwater intrusion; ocean acidification; changes in precipitation; flooding, heatwaves, droughts, wildfires; increased air pollution; desertification; water shortages; destruction of ecosystems; loss of biodiversity; and the spread of vector and water-borne diseases.

Food insecurity, loss of livelihood, infrastructure failure, and lack of access to basic services like power, water, sanitation, and healthcare are all caused by or made worse by the interaction of climate change with poverty, war, resource depletion, and other causes. The effects of climate change disproportionately affect the poor, and by 2030, an extra 100 million people may live in extreme poverty. The effects of climate change are predicted to force out at least 150 million people by 2050 due to harsh weather, gradual occurrences like desertification and increasing sea levels, evacuation from high-risk locations like floodplains, and disputes over limited resources.

III. The UN Climate Change Conference and signed acts

Every year, conferences on climate change are organized under the auspices of the United Nations Framework Convention on Climate Change (UNFCCC). The purpose of these gatherings is to evaluate the progress made in addressing climate change and, starting in the mid-1990s, to negotiate the Kyoto Protocol, which imposes legally binding obligations on developed nations to reduce their greenhouse gas emissions. These gatherings are known as the Conference of the Parties (COP) of the UNFCCC. Parties to the convention who are not parties to the protocol may attend protocol-related meetings as observers. Beginning in 2005, the conferences have furthermore functioned as the "Conference of the Parties Serving as the Meeting of Parties to the Kyoto Protocol" (CMP). The Durban platform, which established a broad course for climate action, included the Paris Agreement, which was negotiated at the sessions that took place between 2011 and 2015. A COP's final text must be approved by consensus.

Berlin hosted the inaugural UN Climate Change Conference in 1995, Germany's Bonn hosts COP 6-2.

On July 17–27, 2001, in Bonn, Germany, the COP 6 discussions were held again. However, not much progress had been achieved in resolving the issues that had resulted in a deadlock at The Hague. Nevertheless, the United States delegation to this meeting declined to take part in the Protocol's negotiations and instead opted to attend as an observer because the meeting was held after George W. Bush became president of the United States and rejected the Kyoto Protocol in March 2001.

According to the Kyoto Protocol, the implementation of these existing commitments shall take into account the need for adequacy and predictability in the flow of funds and the importance of appropriate burden sharing among developed country Parties. The guidance to the entity or entities entrusted with the operation of the financial mechanism of the Convention in relevant decisions of the Conference of the Parties, including those agreed before the adoption of this Protocol, shall apply *mutatis mutandis* to the provisions of this paragraph [7].

Considering the low expectations that preceding the conference, most observers were surprised to find consensus on most of the important political issues as the other parties negotiated them. December 11, 1997, saw the adoption of the Kyoto Protocol. It took a while to ratify, but on February 16, 2005, it became official. The Kyoto Protocol has 192 Parties as of right now.

To put it succinctly, the Kyoto Protocol essentially puts the United Nations Framework Convention on Climate Change into practice by requiring industrialized nations and economies in transition to set and adhere to individual emission reduction targets for greenhouse gases (GHGs). The Convention just requires such nations to implement mitigation policies and actions and to submit periodic reports.

The Kyoto Protocol adheres to the Convention's annex-based structure and is founded on its provisions and guiding principles. Because it acknowledges that industrialized nations have a major portion of the blame for the current high levels of greenhouse gas emissions in the atmosphere, it only binds them and imposes a greater burden on them in accordance with the idea of common but differentiated responsibility and respective capacities.

The agreements included:

1. Flexible mechanisms: These include emissions trading, joint implementation (JI), and the Clean Development Mechanism (CDM), which enables developed nations to finance emissions reduction initiatives in developing nations as an alternative to domestic emission reductions. The United States had strongly supported these "flexibility mechanisms" when the Protocol was first drafted. One of the main features of this agreement was that, as long as domestic action played a major role in each Annex B nation's attempts to fulfill its objectives, there would be no quantitative cap on the credit a country may claim from using these methods.

2. Carbon sinks: It was decided that there would be no upper limit on the total amount of credit that a nation may claim for sinks activities. Instead, credit would be given for a wide range of activities that store or absorb carbon from the atmosphere, such as replanting, managing crops and forests, and managing forests. Regarding forest management, each Annex I country's country-specific caps are outlined in Appendix Z. Japan might thus be credited with a limit of 13 million tons, or around 4% of its base-year emissions. Countries may only be credited for farmland management improvements in carbon sequestration over 1990 levels.

3. Compliance: The final decision regarding the procedures and mechanisms for handling non-compliance with Protocol provisions was postponed until COP 7. Nevertheless, general guidelines for the consequences of not meeting emissions targets were provided. These included the need to "make up" shortfalls at a ratio of 1.3 tons to 1, the suspension of the ability to sell credits for excess emissions reductions, and the requirement for non-compliant parties to submit a compliance action plan.

4. Financing: Three new funds were agreed upon to support climate change-related needs: (1) a fund for climate change that promotes various climate measures; (2) a fund for least-developed countries to support National Adaptation Programme of Action; and (3) a fund for Kyoto Protocol adaptation financed by a CDM levy and voluntary contributions. 2001: COP 7, Marrakesh, Morocco.

The Buenos Aires Plan of Action was completed by negotiators during the COP 7 conference in Marrakesh, Morocco, from October 29 to November 10, 2001. This completed the majority of the

operational details and prepared the groundwork for countries to ratify the Kyoto Protocol. The final set of agreements is referred to as the Marrakech Accords. The US delegation refrained from taking part in the discussions, choosing instead to watch.

The Kyoto Protocol needed to be ratified by 55 countries, including those that accounted for 55% of developed-country emissions of carbon dioxide in 1990. Other parties expressed hope that the United States would re-engage in the process at some point and worked to achieve this goal. The World Summit on Sustainable Development, which took place in August and September of 2002, was proposed as the deadline for ratifying the Kyoto Protocol. The planned location of the World Summit on Sustainable Development (WSSD) was Johannesburg, South Africa.

The main decisions at COP 7 included:

- A compliance regime that outlined consequences for failing to meet emissions targets but deferred to the parties to the Protocol, once it came into force, the decision as to whether those consequences would be legally binding;
- Operational rules for international emissions trading among parties to the Protocol and for the CDM and joint implementation;
- A determination to examine at COP 8 how to do an assessment of the sufficiency of commitments that may lead to talks on future obligations by developing countries;
- Accounting processes for the flexibility mechanisms.

At the COP 7 summit that followed, a variety of operational aspects related to these choices that needed to be addressed and decided upon were the key concerns.

2012: COP 18/CMP 8, Doha, Qatar

COP 18 was held in Doha, Qatar, from November 26, 2012, to December 7, 2012. Qatar was the host nation. The conference resulted in a collection of papers known as The Doha Climate Gateway. Together, the papers included:

1. The Doha Amendment to the Kyoto Protocol, which must be approved before going into effect, includes a second commitment period that will run from 2012 until 2020 and will only cover 15% of global carbon dioxide emissions due to the fact that developing nations like China, India, and Brazil, as well as the United States and Canada, who are not parties to the Protocol during that time, have not committed to reducing their emissions, and because Japan, Russia, Belarus, Ukraine, and New Zealand have not done so.

2. The terminology for loss and damage, which was initially codified in the conference proceedings. Little progress was achieved at the summit in terms of financing the Green Climate Fund. As permitted under the session's regulations, Russia, Belarus, and Ukraine voiced their objections at the conclusion of the meeting. The President stated that he will take notice of these complaints in his final report before calling the conference to a close.

The Doha Amendment to the Kyoto Protocol was ratified in Doha, Qatar, on December 8, 2012, for a second commitment period that will run from 2013 to 2020. As of October 28, 2020, 147 Parties had lodged their instrument of acceptance; so, the Doha Amendment's 144-instrument acceptance criterion has been met. The modification became operative on December 31, 2020.

The amendment includes:

- A revised list of greenhouse gases (GHGs) that Parties to the Kyoto Protocol are required to report on during the second commitment period;
- new commitments for Annex I Parties to the Protocol who agreed to take on commitments in a second commitment period from 1 January 2013 to 31 December 2020; and
- amendments to several articles of the Protocol that specifically referenced issues pertaining to the first commitment period and that needed to be updated for the second commitment period.

According to the Amendment, the implementation of these existing commitments shall take into account the need for adequacy and predictability in the flow of funds and the importance of appropriate burden sharing among developed country Parties. The guidance to the entity or entities entrusted with the operation of the financial mechanism of the Convention in relevant decisions of the Conference of

the Parties, including those agreed before the adoption of this Protocol, shall apply *mutatis mutandis* to the provisions of this paragraph [3].

In line with Kyoto Protocol Articles 20 and 21, the modification was sent to all Parties on December 21, 2012, by the Secretary-General of the United Nations, serving in his position as Depositary.

37 developed nations, economies in transition, and the European Community pledged to cut their greenhouse gas emissions to 1990 levels by an average of 5% over the first commitment period. Parties pledged to cut GHG emissions by at least 18% below 1990 levels in the eight-year period between 2013 and 2020 during the second commitment period; however, the second commitment period's Parties are not the same as the first.

The world is not tackling the situation quickly enough or in the correct direction, despite 29 years of pledges stemming from the United Nations Framework Convention on Climate Change. An international agreement on climate change that is legally binding is the Paris Agreement. On December 12, 2015, during the UN Climate Change Conference (COP21) in Paris, France, it was accepted by 196 Parties. It became operative on November 4, 2016.

Referring to article 2 of Paris Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by:

(a) Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

(b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and

(c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development [10].

Parties submitted nationally determined contributions outlining the steps they intend to take by 2030 to address climate change. Regretfully, the existing nationally decided contributions would violate the Paris Agreement by causing a catastrophic global temperature rise of 3°C over pre-industrial levels, even if fully implemented by all States.

The main objective of the The Global Environment Facility was to provide funding to countries interested in either starting up projects or introducing environmental components to existing projects. The main areas of concern for the The Global Environment Facility were:

- Depletion of the Ozone layer
- Greenhouse Gas emissions
- Biodiversity
- Pollution of international waters [9].

IV. Domestic legislation on the right to live in a healthy environment

The right to live in a healthy environment is recognized by the Republic of Azerbaijan at the regional level as well as internationally. So, according to Article 39 (Right to live in healthy environment) of our constitution:

I. Everyone has the right to live in a healthy environment.

II. Everyone has the right to gain information about the true ecological situation and to get compensation for damage done to his/her health and property because of violation of ecological requirements.

III. No one may cause threat or damage to the environment and natural resources beyond the limits set by law.

IV. The state guarantees the preservation of ecological balance and protection of the species of wild plants and animals determined by law [12].

Another major source of environmental protection and living in a healthy environment is the Law on Environmental Protection adopted on June 8, 1999. Article 81 of the Law is about international cooperation in the field of environmental protection. The article states:

“The Republic of Azerbaijan is guided by the principles of the priority of environmental safety and carries out international cooperation in the field of environmental protection” [8].

As a member of the United Nations Framework Convention on Climate Change, Azerbaijan will host the 29th session of the Conference of the Parties (COP29) in 2024. The decision in this regard was taken during the COP28 plenary session on December 11.

Azerbaijan's goal to cut greenhouse gas emissions by 40% by 2050 includes a strong commitment to utilizing the nation's renewable energy potential. In order to become a pioneer in green energy, the nation plans to diversify its current energy infrastructure and raise the capacity of renewable electricity to 30% by 2030. Azerbaijan is dedicated to setting a good example, and in its next 1.5-aligned Nationally Determined Contribution, it will revise its national objectives.

V. Conclusion

Finally, no matter how many difficulties arise in ensuring the right to live in a healthy environment, it is possible to solve this problem with the help of all people, not just individual people. Protecting the environment helps satisfy human rights, which in turn help defend the ecosystem. Some states are gradually implementing the right to a safe, clean, healthy, and sustainable environment. international organizations created for this purpose, regional and international agreements concluded have irreplaceable power. However, all states must use all available resources to meet their human rights commitments and solve environmental concerns. Globally, millions labor tirelessly to promote the right to a clean, healthy, and sustainable environment. In a world of violence and injustice, the right to a healthy environment underscores a fundamental reality that should unite us all: the Earth is our only home.

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SAĞLAM ƏTRAF MÜHİT HÜQUQU VƏ COP-UN ROLU

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Annotasiya

Bəşər tarixi yaranandan insan hüquqlarının həyata keçirilməsi və qorunması əsas məsələlərdən biri olmuşdur. 20-ci əsrin 80-ci illərində təsnifata üçüncü nəsil hüquqlar da əlavə edildi ki, bunlara kollektiv hüquqlar və həmrəylik hüquqları da deyilir. Sağlam mühitdə yaşamaq 3-cü nəsil hüquqlardan biri kimi həyata keçirilməsi daha çətin, lakin eyni dərəcədə vacib hüquqlardan biri kimi xarakterizə olunur. Çətinlik, ilk növbədə, bu hüquqların ayrı-ayrı insanların deyil, bütünlükdə bəşəriyyətin həmrəyliyi ilə mümkün olmasıdır. 1995-ci ildə dünya dövlətləri tərəfindən atılan mühüm addımlardan biri ÇNL-in ilk iclasının Berlində keçirilməsi oldu. Dünya liderləri iqlim dəyişikliyi ilə mübarizədə ən yaxşı yanaşmaları müzakirə etmək və tərəqqini qiymətləndirmək üçün ÇNL-də toplaşdılar. Ətraf mühitin mühafizəsi üçün müxtəlif həll yolları müzakirə edilir və həll olunmamış mövzular başqa bir konfransda yenidən müzakirə edilir. Hazırda Konvensiyanın 198 Tərəfi 197 dövləti və Avropa İttifaqını birləşdirir və nəticədə demək olar ki, universal üzvlük əldə edilir. Növbəti konfransın 2024-cü ilin noyabrında Azərbaycanda, Bakıda keçirilməsi planlaşdırılır. Bu yazıda sağlam ətraf mühitdə yaşamaq hüququ ilə bağlı bütünlükdə məsələlər hər bir halda ətraflı müzakirə olunacaq.

***Açar sözlər:** sağlam ətraf mühit, ÇNL, iqlim dəyişikliyi, Xüsusi Məruzəçi, insan hüquqları, müdafiə, beynəlxalq, Birləşmiş Millətlər Təşkilatı, inkişaf, Baş Assambleya, konstitusiyaya, yoxsulluq.*

ПРАВО НА ЗДОРОВУЮ ОКРУЖАЮЩУЮ СРЕДУ И РОЛЬ СОР

АЙША ГАСИМОВА²

Резюме

С самого начала истории человечества реализация и защита прав человека были одними из главных вопросов. В 80-х годах 20 века в классификацию были добавлены так называемые права третьего поколения, которые также называются коллективными правами и правами солидарности. Жизнь в здоровой окружающей среде характеризуется как одно из наиболее сложных, но не менее важных прав, которые необходимо реализовать как одно из прав 3-го поколения. Сложность заключается, прежде всего, в том, что эти права возможны при солидарности всего человечества, а не отдельных людей. В 1995 году одним из важных шагов, предпринятых государствами мира, стало проведение первой встречи КС в Берлине. Мировые лидеры собираются на КС, чтобы обсудить наилучшие подходы к борьбе с изменением климата и оценить прогресс. Обсуждаются различные решения по защите окружающей среды, а нерешенные темы снова обсуждаются на другой конференции. В настоящее время 198 Сторон Конвенции включают 197 стран и Европейский союз, что приводит к почти всеобщему членству. Следующую конференцию планируется провести в ноябре 2024 года в Баку, Азербайджан. В этой статье все вопросы, связанные с правом жить в здоровой окружающей среде, будут подробно рассмотрены в каждом конкретном случае.

***Ключевые слова:** здоровая окружающая среда, КС, изменение климата, Специальный докладчик, права человека, защита, международный, Организация Объединенных Наций, развитие, Генеральная Ассамблея, конституция, бедность.*

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