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Climate Change is a Human Rights Issue

~ *Sakshi Mishra*

INTRODUCTION

Climate change is no longer only an environmental issue. It has become one of the biggest human rights challenges of our time. Rising temperatures, floods, droughts, heatwaves, cyclones, and pollution are affecting millions of people across the world. These changes are not only damaging nature but are also making it difficult for people to live healthy, safe, and dignified lives.

Every human being has basic rights such as the right to life, health, food, clean water, shelter, education, and a healthy environment. When climate change destroys crops, forces families to leave their homes, spreads diseases, or causes loss of life, these basic rights are threatened. Therefore, climate change should be understood not only as an environmental problem but also as a serious human rights issue.

India is one of the countries most affected by climate change. From floods in Assam and Kerala to severe heatwaves in northern and central India, the impact is visible everywhere. The Indian judiciary has also started recognizing that environmental protection and human rights are closely connected. This blog explains why climate change is a human rights issue and discusses two important Indian landmark cases that have shaped this understanding.

UNDERSTANDING CLIMATE CHANGE

Climate change refers to long-term changes in the Earth's climate caused mainly by human activities. Burning fossil fuels such as coal, oil, and natural gas releases greenhouse gases into the atmosphere. These gases trap heat and increase the Earth's temperature. Deforestation, industrial pollution, and unsustainable development further worsen the problem.

The effects of climate change include rising sea levels, melting glaciers, irregular rainfall, stronger cyclones, water shortages, and frequent heatwaves. These environmental changes directly affect people's lives and livelihoods, especially those who depend on agriculture, fishing, forests, and natural resources.

WHY CLIMATE CHANGE IS A HUMAN RIGHTS ISSUE

Climate change affects almost every basic human right.

First, it threatens the right to life. Every year, extreme weather events such as floods, cyclones, and heatwaves claim thousands of lives. Rising temperatures have also increased health risks, especially for children, older persons, and people with disabilities.

Second, climate change affects the right to health. Air pollution, contaminated water, and the spread of diseases such as dengue and malaria become more common because of changing weather conditions. Heat stress also causes serious health problems among workers and vulnerable communities.

Third, it threatens the right to food. Farmers face crop failures due to droughts, floods, and unpredictable rainfall. Lower agricultural production leads to food shortages and rising prices, making it difficult for poor families to meet their nutritional needs.

Fourth, climate change affects the right to water. Many parts of India experience severe water shortages during summer, while other areas suffer from floods. Clean drinking water becomes difficult to access, increasing the risk of disease.

Fifth, it affects the right to shelter and livelihood. Coastal erosion, cyclones, and floods force many families to leave their homes. Fishermen, farmers, daily wage workers, and tribal communities often lose their means of earning a living.

Thus, climate change is not simply about rising temperatures; it is about protecting human dignity and ensuring that every person can enjoy fundamental rights guaranteed under the Constitution.

CLIMATE CHANGE AND THE INDIAN CONSTITUTION

Although the Constitution of India does not expressly mention climate change, it provides strong protection for environmental rights.

Article 21 guarantees the Right to Life and Personal Liberty. The Supreme Court has interpreted this provision broadly to include the right to live in a clean and healthy environment. Articles 48A and 51A(g) also place responsibilities on the State and citizens to protect and improve the environment.

Over the years, Indian courts have expanded environmental jurisprudence by treating environmental degradation as a violation of constitutional rights. This approach has become increasingly relevant in addressing climate-related challenges.

LANDMARK CASE I: M.C. MEHTA V. UNION OF INDIA

One of the most significant environmental cases in India is *M.C. Mehta v. Union of India*, (1987) 1 SCC 395.

This case arose after the leakage of oleum gas from a factory in Delhi, which endangered public health and safety. The Supreme Court introduced the principle of absolute liability, holding that industries engaged in hazardous activities are fully responsible for any harm caused by them, regardless of fault.

Although this case did not directly deal with climate change, it established a strong legal foundation for environmental accountability. It emphasized that industries cannot ignore the safety of people or the environment in the name of economic development. The judgment strengthened the connection between environmental protection and the right to life under Article 21.

Today, this principle remains highly relevant because industries are among the major contributors to greenhouse gas emissions and environmental pollution.

LANDMARK CASE II: RANJITSINH V. UNION OF INDIA

A recent and highly important decision is *Ranjitsinh v. Union of India*, 2024 SCC OnLine SC 49.

In this case, the Supreme Court considered the protection of the Great Indian Bustard, one of India's most endangered bird species. While deciding the matter, the Court made an important constitutional observation by recognizing that people have a right to be free from the adverse effects of climate change under Articles 14 and 21 of the Constitution.

The Court explained that climate change affects equality, health, livelihood, and the quality of life. Therefore, governments must carefully balance developmental projects with environmental protection. This judgment is considered a major step in Indian constitutional law because it directly links climate change with fundamental human rights.

The decision reflects the growing understanding that environmental conservation is essential for protecting present and future generations.

CHALLENGES IN PROTECTING CLIMATE RIGHTS

Despite progressive judicial decisions, several challenges remain.

Many environmental laws are not implemented effectively. Illegal mining, deforestation, industrial pollution, and poor waste management continue to damage ecosystems. Rapid urbanization often takes place without proper environmental planning.

Climate change also affects vulnerable groups more severely than others. Poor communities, women, children, indigenous people, and persons with disabilities often have fewer resources to recover after climate disasters. Climate justice therefore requires special attention to the needs of these communities.

Another challenge is balancing economic development with environmental protection. While development creates employment and improves infrastructure, it should not come at the cost of human rights or environmental sustainability.

THE WAY FORWARD

Addressing climate change requires collective action from governments, businesses, courts, and citizens.

Governments should strengthen climate policies, encourage renewable energy, improve disaster preparedness, and enforce environmental laws strictly. Industries must adopt cleaner technologies and reduce greenhouse gas emissions. Educational institutions should create awareness about sustainable lifestyles.

Individuals also have an important role. Conserving water, planting trees, reducing plastic use, using public transport, and saving electricity may seem like small actions, but together they make a significant difference.

Most importantly, policymakers should recognize that climate action is not merely about protecting forests or wildlife. It is about protecting people and ensuring that every individual can enjoy their constitutional and human rights.

CONCLUSION

Climate change is one of the defining challenges of the twenty-first century. Its impact goes far beyond environmental degradation because it directly threatens the rights to life, health, food, water, shelter, and livelihood. Recognizing climate change as a human rights issue helps governments, courts, and society focus on protecting people rather than treating climate change as a purely scientific or environmental concern.

Indian courts have played a significant role in this journey. Decisions such as *M.C. Mehta v. Union of India* and *Ranjitsinh v. Union of India* demonstrate that environmental protection and human rights are deeply interconnected. These judgments remind us that a healthy environment is essential for living with dignity.

Ultimately, climate justice is about ensuring that every person, regardless of economic or social background, has the opportunity to live safely in a clean, healthy, and sustainable environment. Protecting the planet is therefore not only an environmental responsibility but also a constitutional, legal, and moral obligation.

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