

Analyzing International Environmental Law in Addressing Air Pollution

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Abstract

Air pollution remains a pressing global concern, transcending geographical borders and posing significant challenges to environmental sustainability. This study delves into the realm of international environmental law and its efficacy in addressing the complexities of air pollution on a global scale. By analyzing key legal frameworks, treaties, and mechanisms, this research aims to evaluate the strengths, weaknesses, and potential avenues for improvement within the existing international legal landscape. The study explores the multifaceted nature of air pollution, considering its environmental, health, and socio-economic impacts, while critically assessing the legal instruments designed to mitigate its effects. Additionally, the research investigates the role of international cooperation, compliance mechanisms, and emerging trends in shaping the effectiveness of these legal frameworks. Through a comprehensive analysis, this article seeks to offer insights into the evolution, challenges, and future directions of international environmental law concerning air pollution, advocating for more robust and collaborative approaches to safeguarding the global atmosphere.

Keywords: *Compliance Mechanisms, Global Environmental Governance, Multilateral Treaties, Public Health Impacts, Transboundary Pollution.*

Introduction

This article is divided into several parts. It will be assessed first what is International environmental law and its brief history. In addition, this article further elaborates the types of international conventions, declarations, protocols, and treaties related to environmental law. The subsequent part will make sense of various worldwide and local organizations working for the assurance of the climate. Furthermore, this part explicitly sheds light on concise history of the right to a clean environment, the impact of natural law and air pollution on human wellbeing (Nanda, & Pring, 2012).

Public international law is a body of rules created by States for States to regulate problems that arise between States. International environmental law is one of these rules. Controlling population increase

and resource depletion within a framework of sustainable development is the aim of international environmental law. International environmental law has a recent history. Few international agreements concerning water, fisheries, protecting species of commercial value, including migratory birds and navigation rights were present in international law during the nineteenth and early twentieth centuries, but there was no agreement addressing the issue of pollution at that time. Public international law has a relatively young subspecialty called international environmental law. The importance of preservation of the environment is mentioned in ICJ's advisory opinion on the *"The legality of the threat or use of Nuclear weapons"* in the following words:

"That the environment is not an abstraction but represents the living space, the quality of, life, and the very health of human beings, including generations unborn. The existence of the general obligations of the states to ensure that activities within their jurisdiction and control respect the environment of other States or areas beyond national control is now part of the corpus of international law relating to the environment (Weiss, 1992)"

For the most part, State is liable for the acts that came about due to unwarranted activities. Unlawful activities of one state results disastrous implications on its neighbor states as well. It was impractical for the states to address environmental issues separately rather all the global collaboration is required to address the pertaining problems. Therefore, the traditional state accountability approach to harm brought on by a regime of international cooperation has slowly been abandoned by the international community. The United Nations General Assembly has passed numerous environmental resolutions in a variety of fields. The UN Conference on Human Environment, held in Stockholm in 1972, had a significant role in the development of international environmental law. Since then, several declarations have been passed by the UN and various treaties have been entered into under its auspices which are dealing with different aspects of the environment (Brandi, Blümer, & Morin, 2019).

International Legal Regime for Environmental Protection

There are numerous ambiguous areas of international environmental law that overlap with other fields of study like commerce, ecology, humanitarian, and human rights law. Until the early 1970s, the majority of international agreements were often made to further charitable causes. The need to reduce environmental harm was originally discussed during the Stockholm Conference on Human Environment in 1972. All of the international environmental agreements were created with the intention of harmonising with national environmental legislation. All of the different types of spoiling, such as, soil deterioration, the discharge of hazardous and unsafe waste have polarized supporters of regular certification and spread respect for auditing this issue appropriately because auditing is thought to be better than any other form of treatment on Earth. Climate-related difficulties make it impossible to distinguish between metropolitan and general issues. As a result, local and international legal presentations are rapidly developing. Environmental Resources and Environmental Quality (EREQ) events, such as those that may pollute the air and water, are governed by state-specific national regulations. The planet has become vulnerable due to resource exploitation, technology progress, and overpopulation. Market globalisation and the development of an unified civil society have created both new opportunities and new obstacles. A global environmental law was required in order to protect both natural and man-made resources for future generations because of these difficulties. Because environmental law has a trans-boundary focus, other areas of international law, such as trade, business, and human rights, are also influencing it (Carlarne, 2014).

Economies and Sustainable Development

Since many years ago, the goal of the entire world has been economic progress. Economic growth is seen as essential and necessary to eradicating poverty in developing nations and boosting living standards all around the world. The rate of economic growth in the twenty-first century is incompatible with the viability of the environment. However, the world is powerless to stop progress; all it can do is promote sustainable development. The only thing we can do to control development is to combine it with environmental protection and achieve sustainable development.

International environmental law contains many multilateral agreements that the governments consciously agree to. According to the Vienna Convention on the Law of Treaties of 1969 (VCLT), some agreements have legal force. International law differs significantly from custom-based law in that there is no single party maintaining a relationship aside from nations to ensure that their commitments are fulfilled and that they have a chance to succeed. As a result, the topic of any positive office doesn't arise (Selin, 2014).

Multilateral Environmental Agreements

The Multilateral Environmental Agreements (MEAs), as opposed to domestic environmental laws and regulations, are those whose compliance matters most when it comes to environmental law. It is learned that the compliance procedures are attached thereunder when we look at the examples of the Kyoto Protocol of 1997 and the Montreal Protocol on Substances that Deplete the Ozone Layer from 1987. The general principles of international law are related with compliance theories, which are not created in a vacuum. Even non-binding treaties and non-binding standards have a part in encouraging adherence to the commitments made under MEAs.

International forums, unlike national courts, do not have mandatory jurisdiction, however the International Court of Justice and international arbitration panels are two places where international environmental conflicts can be settled. The parties to the dispute must normally voluntarily consent to the panel's or court's jurisdiction in order for these venues to be used. The International Whaling Commission and Montreal Protocol's proposed sanctions are very difficult to implement. In essence, no international institution is licenced or allowed to quickly implement environmental laws. Rapid implementation is still the responsibility of the states, whose political authorities propose and take on the duty of having the policies implemented. Sometimes the implementing of national law and the international agreement are the same. By passing the Migratory Birds Treaty Act, for instance, Canada and the United States put the Migratory Birds Treaty into effect. The law is essentially a legislative codification of the international agreement since the language of the act is the same as that in the treaty (Gonzalez, 2015).

Conventions on Environmental Law and Air Pollution

The United Nations Conference on the Human Environment, 1972

1972 was a significant year because it was the first time that governments from all around the world worked together to identify and address environmental concerns. The United Nations Conference on the Human Environment, held in Stockholm in 1972, was the first worldwide intergovernmental assembly to focus on environmental concerns. The Conference's organisation, the Conference itself, and the immediate post-Conference era all had long-term consequences for international environmental law. There were an increasing number of international environmental treaties in the 20 years after the Stockholm Conference. By the end of the century, there were over 1100 international law documents that

either dealt completely with environmental matters or featured significant environmental features. This number adds both binding agreements and nonbinding legal instruments, such as the U.N. Stockholm Declaration on the Human Environment.

As per Article 21 of this announcement, States have the sovereign right to take advantage of their assets as per their natural strategies and the obligation to guarantee that exercises under their locale or control do not hurt the conditions of different States or regions that are beyond their boundaries infringing upon worldwide regulation and the Contract of the Unified Countries. The report additionally suggested that fitting strategies and measures ought to be embraced to manage natural issues like contamination brought about via air, water, and seas. It was the principal gathering in global ecological regulation to feature the natural issues of creating and least creating states. An achievement consequence of this meeting of worldwide power known as the Unified Countries Climate Program (UNEP) appeared. After the Stockholm meeting, multilateral arrangements about contamination were decided up between the states (Breitmeier, Young, & Zürn, 2006).

Convention on Long-Range Trans boundary Air Pollution (LRTAP), 1979

The 1979 Convention on Long-Range Transboundary Air Pollution (LRTAP), the first multilateral accord addressing transboundary air pollution, established a regional framework for lowering transboundary air pollution and better understanding the science of air pollution that was applicable to Europe, North America, Russia, and former East Bloc countries. LRTAP has significantly reduced air pollution emissions in the area, notably those that include sulphur, and the correlation between trends in air pollution and economic growth has steadily faded.

51 Parties and 8 Protocols make up the Convention, the bulk of which focus on specific pollutants. LRTAP is a convention that was established by the United Nations Economic Commission for Europe (UNECE). The United States joined the Convention in 1981 and is a party to four of the protocols, including the 1998 Protocol on Heavy Metals and the 1999 Gothenburg Protocol. The Heavy Metals Protocol makes an effort to cut down on human-made lead, cadmium, and mercury emissions that are likely to travel great distances in the atmosphere. The Gothenburg Protocol aims to reduce the harmful effects of air pollution, such as acid rain and ground-level ozone, by reducing emissions of sulphur dioxide, nitrogen oxides, and volatile organic compounds (Shelton, 2021).

Vienna convention for the protection of the Ozone Layer, 1985 and Montreal Protocol 1987

Because of the improvement of science and innovation the worldwide society was significantly more aware of the natural issues by 1985. The primary worry at the time was ozone exhaustion, its consequences for both human wellbeing and the climate. In this manner the Vienna Show for the Assurance of the Ozone Layer was laid out. The reason for this settlement is to increment global participation by trading data on what human action means for the ozone layer. No limitations on the utilization and assembling of ozone-exhausting mixtures are remembered for the Vienna Convention for the Assurance of the Ozone Depletion Substance (ODS). Following two years of overwhelming clash, an answer would be found for this issue with the Montreal Show, which was carried out on September 15, 1987.

The Montreal Convention on Substances that Exhaust the Ozone Layer, a milestone global natural accord, directs the creation and utilization of roughly 100 falsely made particles known as ozone-draining substances (ODS). It lays out, in addition to other things, evaluated, time-bound, and compelled

commitments for the marking nations to quit utilizing and delivering ODS. The Convention contains arrangements on various subjects, for example, Control Measures (Article 2), Control of Exchange with Non-Contracting Parties (Article 4), Unique Circumstance of Agricultural Nations (Article 5), Announcing of Information (Article 7), Non Compliance (Article 8), Specialized Help (Article 10), and other (Weiss, 2011).

The Rio Declaration on Environment and Development (1992)

The United Nations Conference on Environment and Development (UNCED), which was held in Rio de Janeiro in June 1992, was a historic occasion that brought together Heads of State and Chiefs of Governments more frequently than any other meeting in the history of international relations, as well as senior diplomats and government officials from all over the world, delegates from United Nations agencies, representatives of other international organisations, and tens of thousands of nongovernmental organisations (NGOs). Rio Declaration of 1992, Principle 7:

“States shall co-operate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth’s ecosystem. Given the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development given the pressures their societies place on the global environment and the technologies and financial resources they command (Victor, Raustiala, & Skolnikoff, 1998).”

Furthermore, elective energy sources to petroleum derivatives, careful assessment of creation and the age of destructive materials were the subjects of the meeting. This gathering prompted the making of various lawfully enforceable agreements remembering the Rio Statement, the UNFCCC’s Structure Conference on Environmental Change and the Woodland Rule. An agreement with teeth Plan 21 was a unprecedented work program of the 21st century that gives proposals on global collaboration to speed up maintainable improvement in emerging nations and related homegrown strategies, preservation and the board of assets for improvement, security of the climate, destroying destitution, making and scattering information about the associations between segment patterns and factors and reasonable turn of events, safeguarding and advancing common freedoms. It was a verifiable record of 700 pages that illustrated an arrangement for feasible turn of events (Yamineva, & Romppanen, 2017).

United Nations Framework Convention on Climate Change (UNFCCC), 1992

The United Nations Framework Convention on Climate Change (UNFCCC), which was established in 1992, signed by 154 member states, and entered into force in 1994, was another significant outcome of the Rio Earth Summit or UNCED 1992. A legally binding agreement known as the UNFCC emphasises the detrimental impact that greenhouse gases have on climate change.

The United Nations Framework Convention on Climate Change (UNFCCC) defines greenhouse gas as follows: Those gaseous elements of the atmosphere, both natural and man-made, known as “greenhouse gases,” are those that absorb and reemit infrared radiation. Two principles agreed upon in the UNFCCC are that (1) Parties should act “based on equity and by their common but differentiated responsibilities and respective capabilities” and (2) developed country Parties should take the lead in combating climate change. Its goal was “to stabilize greenhouse gas concentrations in the atmosphere at a level that will prevent dangerous human interference with the climate system, in a time frame which allows ecosystems to adapt naturally and enables sustainable development”. It set out obligations on parties to this convention such as to develop cooperation among parties to cope with climate change, formulate future

policy and review reports, exchange information, and transfer scientific technology and funding, among others. Due to economic crisis developing countries were unable to mitigate the climate crisis and for this purpose developed countries agree under the convention to provide financial aid to developing countries (Tarlock, 1996).

To help the adequacy of the 1992 UNFCCC, the first subordinate agreement known as the Kyoto Protocol was adopted in Japan on 11 December 1997 and came into force in December 2005. Currently, 192 countries are party to the Kyoto protocol. The Kyoto Convention was a noteworthy endeavor to handle environmental change with blended results. Its essential objective is to diminish the discharge of ozone harming substances. Specifically, Kyoto expects to advance the exchange of green advancements across countries and cut ozone depleting substance (GHG) emanations in Extension I nations by something like 5% from 1990 levels. To achieve these two goals, the Kyoto Convention embraced a mix of GHG outflows decrease responsibilities regarding Extension I nations and three adaptability systems: discharges exchanging, Joint Execution (JI) and the Spotless Advancement Component (CDM) (Louka, 2006).

- a) Emissions trading: As per Article 17 of the Kyoto Convention, legislatures that have abundance discharge units that are "allowed" however not "utilized" can offer this additional ability to different states that have surpassed their objectives. Along these lines, another item emanation decreases or evacuations was delivered. Since carbon dioxide is the essential ozone-draining gas, individuals for the most part talk about trading carbon.
- b) Joint Implementation (JI): A country with an emission reduction or limitation commitment under the Kyoto Protocol may obtain emission reduction units (ERUs), each equal to one tonne of CO₂, from an emission-reduction or emission removal project in another Party. These ERUs may then be used to help the country reach its Kyoto target. This mechanism is known as "joint implementation," and it is described in Article 6 of the Kyoto Protocol.
- c) Clean Development Mechanism (CDM): As per Article 12 of the Kyoto Convention, the Clean Development Mechanism (CDM) empowers discharge decrease (or emanation evacuation) projects in developing nations to procure Certified Emission Reduction (CER) attributes, every one of which is equivalent to one ton of CO₂. These CERs can then be exchanged, offered or utilized by industrialized countries to somewhat meet their Kyoto Convention outflow decrease targets. With the assistance of this natural venture and advance program industrialized nations are urged to be more adaptable so that they achieve their emission decrease objectives for both manageable turn of events and emanation decreases. This framework was overseen by the CDM Executive Board which will eventually pay all due respects to the countries that have sanctioned the Kyoto Protocol (Dupuy & Viñuales, 2018).

The Protocol places a heavier responsibility on developed states than developing states which are more accountable for GHG emissions and are based on the principle of proportionality. The main motivation for the Kyoto Protocol was that countries that ratified it were given limits on their carbon emissions for specific time period and were required to participate in the trading of carbon credits. The Kyoto protocol talks about reducing the emission of GHG to a great extent but does not address different toxins. For example, sulfur dioxide and nitrogen oxides which cause direct damage to human wellbeing. The flaw in the Kyoto protocol is that it has failed to bind the fastest growing economies like China, India and Brazil from restriction.

UNFCCC, the subsequent subordinate legitimately authoritative arrangement known as the Paris understanding was embraced at the 21st meeting (COP 21) in Paris on 25 December 2005. The fundamental reason for the Paris Agreement is made sense of in Article 2, for example;

“This 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; (Byrne, 2017)”
- c) The Agreement also aims to make financing streams predictable with low GHG emissions and environmentally sound paths. Additionally, to enhance the capacity of governments to manage the effects of environmental change. To arrive at these progressive objectives suitable arrangement of monetary assets, scientific technology and supporting activity of developing states and the least developing states are required so that they can achieve their national objectives in this regard.
- d) United Nations Environment Program (UNEP): The UN Climate Program was made during the Stockholm Meeting in 1972 and the UN General get together has passed various goals on the climate. Since its foundation in 1972, the United Nations Environment Program (UNEP) has been the global organization responsible for laying out the environmental plan. Moreover, cultivating the reliable use of the natural resources to maintain improvement inside the United Nations framework and working as a valid representative for the climate on a worldwide scale are its sole objectives. The significant target of UNEP is to empower countries and people to work for environmental for people in the future. UNEP makes arrangements, choices and passes goals relating to worldwide natural issues through the UN Climate Gathering. United Nations Environment Program arranges its work into seven wide topical regions:
 - e) Environmental change
 - f) Fiascos and clashes
 - g) Biological system of board and natural administration
 - h) Chemicals and waste
 - i) Asset effectiveness and
 - j) Climate under review

UN Environment program has introduced a mechanism known as the Global Environment Monitoring System for Air (GEMS Air). Its basic purpose is to form and keep up with joint effort among worldwide partners to improve and keep the condition of the WHO proposals on-air nature of the world's air quality. It constructs limits and produces administrations in an organization with numerous partners utilizing minimal expense sensors to help the advancement of proof-based air quality administration arrangements and to help activities for alleviating air pollution. GEMS Air catalyzes scalable innovation using science and technology know-how, to enable developing country governments to drive transformation that improves the air their citizens breathe. GEMS Air catalyzes scalable innovation using

science and technology know how to enable developing countries' governments to drive transformation that improves the air their citizens breathe in. Along with several treaties and conventions, one significant case dealing with environment is that of Trail Smelter Arbitration between Canada and the United States. The decision in this case gave the legal proposition that no state should knowingly allow its territory to be used in manner which may cause serious physical injury to the environment of another state. This was affirmed by cases such as Lac Lanoux case and Gut Dam case. The legal proposition expounded by these cases form format of customary international law related to environmental obligations. Some international and regional Organizations working against air pollution are discussed below (Byrne, 2015).

International and Regional Organizations Working Against Air Pollution

Numerous organizations are working to reduce air pollution globally. Some of them are explained below:

a) World health organization (WHO)

A global health organization was one of the topics that diplomats addressed when they met to create the United Nations in 194 and on 7 April 1948. The WHO's Constitution came into effect. The goal is outlined in the WHO constitution which reads: "The objective of the World Health Organization (hereinafter called the Organization) shall be the attainment by all peoples of the highest possible level of health". The function of WHO is

"To promote, in co-operation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene" (Selin, & VanDeveer, 2003).

Assuring environmental sustainability is important for enhancing peoples' health through the water we drink, the air we breathe and the food we cultivate is one of the objectives of WHO. Globally environmental policies were essentially affected by air quality guidelines provided by WHO. States with solid strategy-driven upgrades in air quality have consistently seen a stepped decline in air pollution though decays throughout recent years were less observable in the region with currently great air quality.

b) World Economic Forum (WEF)

World Economic Forum was founded in Geneva in 1971. This forum basically highlights the economic and political issues globally such as war, poverty and environmental issues. The World Economic Forum is focused on supporting worldwide endeavors in the private and public areas to restrict worldwide temperature rise and disasters. WEF is working on different projects to tackle economic and environmental problems such as Transitioning Industrial Clusters towards Net Zero, The Clean Skies for Tomorrow Coalition, Green trade, Net Zero Carbon Cities, Low-Carbon Emitting Technologies Initiative (LCET), Consumers for Climate Action and so forth.

Many other organizations and agencies are working globally on regional and national level to cope climate change and air pollution such as Air Quality News: UK, United States Environmental Protection Agency (EPA), United Nations Development Program (UNDP), European Environment Agency (EEA), National Oceanic and Atmospheric Administration, Central States Air Resource Agencies (CenSARA), Lake Michigan Air Directors Consortium (LADCO) and the Northeast States for Coordinated Air Use Management.

c) International Union of Air Pollution Prevention and Environmental Protection Associations (IUAPPA):

International Union of Air Pollution Prevention and Environmental Protection Associations (IUAPPA) is a non-governmental organization working against air pollution. It was established in 1964 consist of 40 national organizations. The objective of this organization is to focus on the development and implementation of more effective policies for the prevention and control of air pollution, the protection of the environment and the adoption of sustainable development through the promotion of scientific understanding and the development of skills and techniques, and the review and development of policies at local, national and international level.

Emergence of the concept of Right to clean environment

Concept of Right to clean environment is mentioned in first principal Stockholm declaration 1972 which proclaims that "Man is both creature and molder of his environment which gives him physical sustenance and affords him the opportunity for intellectual, moral, social and spiritual growth. In the long and exhausting evolution of the human race on this planet a stage has been reached when through the rapid acceleration of science and technology man has acquired the power to transform his environment in countless ways and on an unprecedented scale. Both aspects of man's environment, the natural and the man-made are essential to his well-being and to the enjoy of basic human rights (World Health Organization, 2006)."

The Rio Declaration on Environment and Development (1992) Principle 1 proclaims that "*Human beings are at the center of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature (World Health Organization, 2021).*"

When we look fifty years back into the historical backdrop of United Nations. It has adopted and recognized various human rights in its treaties and declarations but United Nation had not endorsed right to health/clean environment. The concept of environment starts emerging in mid-sixties and later on 1972 the Stockholm declaration and the UN Conference on Environment and Development 1992 had highlighted right to clean environment in its principals. Later many proposals had been drafted to recognize right healthy environment but this right had not yet recognized as universal right. At that time many countries had incorporated in their national and regional documents. More than hundred countries have recognized right to healthy environment in their constitutions and legal instruments

Interface Between Human Rights, Health And Clean/Healthy Environment

Notwithstanding, it has become progressively clear throughout the course of many years that environmental security and basic freedoms have a general sense of reliant relationship from one viewpoint a safe climate is expected for the full satisfaction in fundamental rights and on the other the activity of privileges (counting the right to data, cooperation, and cure) is crucial for natural insurance. At the end of the day natural security is a vital device in the progress to guarantee the accomplishment of the widespread advantage in human rights. There are a couple of immediate and distant organization between the conservation of the climate and human wellbeing in worldwide ecological regulation. Natural factors essentially influence human wellbeing. Klaus Toepfer, Chief Overseer of the Unified Countries Climate Program, mirrored this methodology in his proclamation to the 57th Meeting of the Commission on Basic freedoms in 2001:

“Human rights cannot be secured in a degraded or polluted environment. The fundamental right to life is threatened by soil degradation and deforestation and by exposures to toxic chemicals, hazardous wastes and contaminated drinking water. Environmental conditions clearly help to determine the extent to which people enjoy their basic rights to life, health, adequate food and housing, and traditional livelihood and culture. It is time to recognize that those who pollute or destroy the natural environment are not just committing a crime against nature but are violating human rights as well (World Health Organization, 2004).”

Shaw in his book International Law has stated,

“While the growth of international law in human rights, environment and trade has led to arguments that holistic international law is facing fragmentation into self-contained legal regimes, there is still a powerful centralizing dynamic and a strong presumption against normative conflict (Gall, Carter, Matt Earnest, & Stephens, 2013).”

The United Nations Human Rights Council has recognized by consensus that “human rights law sets out certain procedural and substantive obligations on States in relation to the enjoyment of a safe, clean, healthy and sustainable environment (Khan, & Ximei, 2022)”. In spite of the reality just a few human rights instruments expressly allude to the climate, lately basic freedoms components have progressively applied human rights guidelines to environmental issue.

The interface between human rights, health and environment has been mentioned in preamble of Paris agreement 2015 as:

“Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity (World Health Organization, 2003).”

International environmental laws incorporate and utilize those human rights guarantees which are necessary or important to ensure effective environmental protection. As Judge Weeremantry of the International Court of Justice expressed it:

“The protection of the environment is a vital part of contemporary human rights doctrine, for it is a sine qua non for numerous human rights such as the right to health and the right to life itself. It is scarcely necessary to elaborate on this as damage to the environment can impair and undermine all the human rights spoken of in the Universal Declaration and other human rights instruments (emphasis added) (Krzyzanowski, & Cohen, 2008).”

Furthermore, some national and regional instruments in which right to healthy environment has been incorporated such as:

- a) UN Economic Commission for Europe known as Aarhus Convention states that its parties are required to guarantee the rights of access to information, public participation in decision-making and access to justice in environmental matters
- b) Czech Republic’s Constitution: Article 35(2): everybody is entitled to timely and complete information about the state of the environment and natural resources.

- c) France's Charter for the Environment (2005): Article 2. Every person has the duty to take part in the preservation and the improvement of the environment.
- d) Portugal's Constitution of 1976: Article 66
 1. Everyone shall possess the right to a healthy and ecologically balanced human living environment and the duty to defend it.
 2. In order to ensure enjoyment of the right to the environment within an over Framework of sustainable development, acting via appropriate bodies and with the involvement and participation of citizens, the state shall be charged with.
- e) The African Charter on Human and Peoples' Rights (1981) provides that all peoples shall have the right to a general satisfactory environment favorable to their development.
- f) The Arab Charter of Human Rights (2004) Article 38 Every person has the right to an adequate standard of living for himself and his family which ensures their wellbeing and a decent life, including food, clothing, housing, services and the right to a healthy environment.
- g) The Additional Protocol to the American Convention on Human Rights, (1988) article 11: declared that everyone shall have the right to live in a healthy environment' and that 'the states parties shall promote the protection, preservation and improvement of the environment.

Hence the insurance of the environment and the successful conservation of humans is at the focal point of every one of these definitions. Hence, it is the responsibility of every state to prevent serious environmental issues such as an air pollution that could undermine human existence and wellbeing or to react when people have endured injury.

Conclusion

The development of international environmental law has a significant influence on how climate change issues like air pollution, marine pollution, water pollution, etc. are addressed. International environmental regulations must be properly followed on a global scale to prevent injustice. regional and global Organizations and agencies have made significant contributions to the creation of international environmental legislation, for example, by hosting several conferences and meetings where the negative effects of climate change on the environment and human health were explored. In order to address environmental issues, the United Nations Environment Programme (UNEP) and the World Health Organization (WHO) have launched numerous programmes in developing nations. Various environmental laws, declarations, policies, and principles were developed as a result of these conferences to address environmental challenges.

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