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Right To Life Vis A Via Sustainable Development

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ABSTRACT

No individual, group or country can afford to ignore the environmental problems. Therefore, if humans produce adverse environments, then the reality of Earth and limited resources is actual, for instance, climate change or habitat destruction and pollution depletion.

Only through these fears will the fate of present and coming generations be secured. To protect the environment, public actions would be sustainable development or preservation of natural resources such as carbon footprint reduction, minimisation and recycling. Second, issues of a transnational environmental nature require international coordination and government policy measures.

It appears like most of the bodies, the government and individuals created to support efforts aimed at solving environmental problems came up with resolutions that were prevalent globally. So, socially responsible acts should be conducted in the life zones as carbon reduction utilising renewable energy and waste-reducing activities are essential to trigger nature. Through converging on climate change, we can identify ways to shape a viable future in addition to one that is welcoming and lasting for the planet.

KEYWORDS

Renewable Energy, Environment, Sustainable Development ,Pollution free environment, Carbon reduction

RESEARCH METHODOLOGY

The researchers is using both an analytical and theological approach here. Consequently, the investigator reviewed a substantial quantity of print and digital resources, encompassing books, journals, online sources, and journal articles. All of the data and materials in the collection came from books and other secondary sources.

REVIEW OF LITERATURE

Books:

1. "Human Rights and Sustainable Development: The Right to Development as a Sustainable Right" by Danwood Mzikenge Chirwa

o This study examines the right to development in the framework of sustainable development, going over the associated difficulties and legal ramifications.

Websites:

1. United Nations Development Programme (UNDP)

o Website: UNDP

o The UNDP website provides a wealth of information on sustainable development goals (SDGs) and their connection to human rights.

2. World Health Organization (WHO)

o Website: WHO

o To find out more about the rights to life in connection to health and sustainable development, visit the WHO website.

Research Papers:

1. "The Right to Development as a Human Right: A Historical Overview" by Stephen P. Marks

o This study examines how the right to development has changed throughout time in order to provide light on the idea's relevance in the contemporary day.

2. "The Right to Life in the Era of Sustainable Development: A Human Rights Approach to Climate Change" by Margreet Wewerinke and Maria A. G. Wewerinke-Singh

o This article discusses how climate change affects people's right to life and how human rights might be important in solving environmental issues.

ARTICLE 21'S SCOPE:

Article 21 of the constitution guarantees that no one's life or personal liberty may be taken away from them without first going through the proper legal procedures. The right to life and the pursuit of personal freedom are fundamental.

The Constitution assures every citizen of this essential right. It ought to be accessible to all. There is no doubt that both will occur. If this right didn't exist, though, the legitimacy of the other rights would be called into question. Without a doubt, there are other factors that contribute to the concept of "life" in Article 21. Everybody is entitled to the following: protection from harm, a clean and unpolluted environment, access to clean water and sanitary facilities, dignity and respect, a living wage, and a balanced diet.

Ironically, this sociopolitical change in the future is best mirrored through case law that guides us as to how we understand such an idea. The contribution of the Indian judiciary towards the expansion of Article 21 to protect other fundamental rights and promote social justice cannot be overemphasised. It contains much more elements than a mere construction on the right of life. Some of the critical aspects that fall within the scope of Article 21 include:

Right to life: Regardless of the possible consequences for their physical or mental health, everyone has the inalienable right to pursue pleasure in a way that is compatible with their own personal values and ideals. In the case of *Maneka Gandhi v. Union of India*, the Indian government contended that every individual possesses an unalienable right to life, which encompasses the autonomy to choose their own lifestyle and the value of their belongings. The golden triangle was therefore established by Articles 14, 19, and 21. Laws shall adhere to the procedures outlined in the Articles and, as stipulated in Article 21, enhance terms pertaining to the thesis by using the appropriate connectives.

Personal liberty: This includes an ability to move freely, as well as prohibition of unlawful detention and prevention from arrests in custody abuse. The freedom of a human is not only in the absence of physical obstacles but also in those rights and capacities that are fundamental for a person's development. In **Sunil Batra v. Delhi Administration (1978)**. The humanitarian treatment afforded to prisoners is justified by the underlying reasons that their rights of personal liberty and whatnot are not being deprived of them arbitrarily nor, crucially neither, courts as such states.

Right to livelihood: A man's sole option, after mortality and other needs are met, is to accumulate material and financial wealth. This category includes shelter, food, and employment as necessities of life. The right to livelihood is a component of and derives from the right to subsistence, according to the ruling in **the Olga Tellis v. Bombay Municipal Corporation case**.

The principles of open access to justice have significantly protected the natural justice theory, which is founded on rights and norms. This is shown in the case **Hussainara Khatoon v. State**, wherein prisoners are kept in appalling circumstances. These prisoners also lost the right to a speedy and fair trial, which is another fundamental freedom. Therefore, regardless of their financial situation, defendants are guaranteed by the

Constitution to have access to state-funded legal counsel. Ensuring that people may access justice when needed is the aim.

The right to a hygienic surroundings: However, the court has determined that a man has the right to seek pleasure and satisfaction in the most substantial way feasible, which includes the right to an unpolluted environment. Protection of the environment and the right to breathe clean air are both addressed in Article 21. The right to exist as an organism on Earth depends on the availability of opportunities for personal growth and the absence of circumstances that would hinder advancement. Therefore, life cannot be described as an ordered, structured society, according to *Chameli v. State of Uttar Pradesh*. Healthy food, clean water, enough housing, medical treatment, and a safe place to live are all considered rights in the context of A Human Right. Even in a really liberal nation, it would have no effect.¹

ENVIRONMENT AND CLIMATE CHANGE

Following the discussion, we can discuss a long-term problem, not only local landslides or the warmth of Earth but also global warming. Man-made activities include the emission of carbon dioxide by human beings after burning fossil fuels and cutting down trees. Thus, they can also retain the infrared rays of heat radiated from the Earth to avoid a greenhouse effect and mitigate global warming.

Global Warming: The impact of climate change and changing weather patterns is evident across the globe.

Changing Weather Patterns: However, global warming has brought changes that include rainfall variance, snow depth, wind speed and intensity in conditions of dangerous weather like hurricanes, droughts, heat waves, and heavy rains, among others.

Rising Sea Levels: When the polar ice caps and glaciers melt due to climate change, it raises the sea levels. As a matter of fact, coastal flooding is becoming worse and wiping off coastal towns that are vital habitats for marine life.

Ocean Acidification: Ocean acidification, which is caused by continual CO₂ absorption, has a detrimental effect on many marine creatures, especially those with calcium carbonate-based shells and bones. In the worst event, this may destroy all marine resources, which would be disastrous for many industries that rely on the water, including fishing.

Melting Glaciers and Polar Ice: This also involves sea-level rise and changes in the accessibility of the freshwater for glacier melt like Greenland or Antarctica.

¹ "Right to a Healthy and Sustainable Environment Under Article 21 of the Constitution of India." The Amikus Qriae, 2023. Available at: <https://theamikusqriae.com/right-to-a-healthy-and-sustainable-environment-under-article-21-of-the-constitution-of-india/>. Accessed on January 27, 2024.

Biodiversity Loss: Many lives of plant or animal species are at risk in the system that climate change is a part of. The ecological links are also altered by changing settings and the preserved species extinction resilience via migrations.

How has climate change affected the life form?

- **Health Risks:** Warmer weather creates more homes for mosquitoes, which encourages the growth of infections mostly linked to vector-borne illnesses like dengue and malaria. Heat waves and other extreme weather may lead to respiratory issues, stress syndrome, and other ailments that can directly harm people's health.
- **Food Security:** Crop failures, in turn, take place as a result of reduced yields due to changes in sources providing food, which is also related to climate change. It may lead to food scarcity, high prices and malnutrition in places like drought regions where the people live largely through agriculture.
- **Water Scarcity:** The amount and quality of water resources are a result of rainfall pattern changes, as well as glacial melting. The factors that caused were people to get water, hygiene and the spread of disease through dirty or polluted drinking waters due to widely a state of scarcity in many other locations.
- **Displacement and Migration:** Displacement from homes and communities may take place because of seawater level changes, extreme weather events or habitat destruction, and people become climate refugees when circumstances are appropriate while internally displaced persons under some other circumstances. This typically results in social disorder, town traffic, and further stress on the utilization of resources and infrastructure.
- **Economic Impacts:** Massive economic consequences have been projected due to climate change. The destruction of infrastructure due to natural disasters and adverse weather conditions results in interrupted supply chain interruptions, along with loss of livelihood. Climate change costs can also contribute to the overloading of national economies.
- **Ecosystem Disruption:** The loss of ecosystems and biodiversity brought on by climate change may result in the extinction of whole species. Contrarily, ecosystem services include benefits including pollination, temperature control, and water purification, all of which have a substantial impact on human health.
- **Mental Health Effects:** Climate-related disasters usually cause immense hardship to both people and communities. Depression, anxiety, and post-traumatic stress disorder (PTSD) are a few examples.

The idea behind a sustainable environment

A fair playing field for future generations requires both present and future demands, which are balanced by sustainable growth. It is aware that maintaining equilibrium requires a relationship between these intricate social, economic, and ecological challenges.

- **Environmental Sustainability:** The goal of this part is to manage waste and promote green development as a means of preserving the environment and getting rid of pollution. Additionally, the ecology and the variety of life are in harmony..
- **Economic Sustainability:** Economic resilience is attained when resource-efficient economies all grow at the same pace and have no adverse environmental repercussions. Additionally, it includes economic models that anyone may use to direct competition toward the development of jobs that preserve capital and respect the rights of future generations.
- **Social Sustainability:** There is a connection between social sustainability and human societies as well as people's quality of life. Human rights, equality, and social justice are some of the topics covered in this book. To mention a few other features, it fights poverty, provides excellent healthcare and education, promotes gender equality, fosters social cohesion, and protects the rights of minorities.

The socio-economic and environmental qualities feature in sustainable development that originate from the system's approach integration. It is an era of strategic thinking, decision-making, and synergy or win-win situations.

INTERNATIONAL TREATIES AND CONVENTIONS

- International environmental regulations created by several treaties and conventions may provide a person with a comprehensive approach to living in a healthy environment. Several noteworthy ones may be found here:
- **United Nations Framework Convention on Climate Change (UNFCCC):** In 1992, the United Nations Framework Convention on Climate Change was approved. One of its main goals is to make it more difficult for humans to produce and store greenhouse gas emissions. This manner, it takes into account sustainable development as a necessary condition for combating climate change and recognizes that everyone has an inherent right to an environment that can support life.
- **Rio Declaration on Environment and Development (1992):** One of the sustainable developments from UNCED and Rio Declaration to individual rights was a healthy environment. This naturally defines a human life in terms of Principle 1.
- **Convention on Biological Diversity (CBD):** Since its founding in 1992, the preservation of biodiversity has been the main objective of the CBD. On the other hand, it recognizes the intrinsic value of biodiversity and offers a roadmap for using natural systems as providers of products and services in the future. It includes both the conservation of natural resources and the coexistence of people and the environment.

- World Summit on Sustainable Development (2002)-The Johannesburg World Summit served as a crucial reminder of the connections between environmental sustainability, human rights, and development. It highlighted the need of coordinating human rights concerns with sustainable development policies and practices.
- Paris Agreement: Efforts to address climate change were amplified in 2015 with the Paris Agreement, which was ratified by the United Nations Framework Convention on Climate Change. Every living creature, including those who will come after us, deserves to be able to live in an unspoiled natural setting. This protects it from the effects of global warming.²
- These conventions and accords provide the framework for international environmental governance, encouraging the launch of worldwide initiatives to protect and improve the environment for all people. On the other hand, nations must use them to deal with urgent issues and move quickly, especially when it comes to minors.

In contemporary India, sanitation and safety are regarded as basic human liberties.

- MC Mehta v. Union of India (1986): Even the supreme court of India's suo-moto acts on polluted River Ganga because industries are not free from such events. The Ganga River injunctions involved different Orders and injunctions regarding Pollution, which included the closure of Industry, the Galim action plan, etc.
- Subhash Kumar v. State of Bihar (1991)- Therefore, the Supreme Court noted that a pollution-free atmosphere is a freedom under Article 21 of the Indian Constitution. It should also be the State's responsibility to look after and develop a human habitat.
- Vellore Citizens Welfare Forum v. Union of India (1996)- This issue was associated with Pollution from Vellore tanneries. This 'Polluter Pays principle', which, according to the Honble'S Court, simply meant that industries polluting the environment should pay out not only for remediation costs but also compensations paid to victims.
- Goa Foundation v. Union of India (2014): Hence, the Supreme Court annihilated all mines in Goa, and environmental degradation occurred because of mine-related accidents. The verdict underlines the necessity for sustainable mining as an approach to conserve nature.³
- Animal Welfare Board of India v. A. Nagaraja (2014)- Bulls in traditional jallikattu and ox cart races are not used as a biodiversity conservation strategy by the Supreme Court. This decision was concerned with animal welfare and environmental sustainability.⁴

² ibid

³ ibid

⁴ ibid

CONCLUSION

We get the oxygen we breathe and the water to cultivate plants—the means by which we get our food—from Mother Nature. Its aesthetic appeal, cultural significance, and recreational opportunities lead to higher living standards. The only way to ensure that future generations may live on a healthy world is to actively work to save and preserve it. Both internal and external factors are working to end greenhouse gas management and pave the way for renewable energy sources, which are driving sustainability practices forward. Our primary goal is to adhere to the Paris Agreement's mandate to limit global warming to far below two degrees Celsius and mitigate its most severe consequences. Sustainable development, however, can only be achieved via concerted efforts on a global, national, and regional scale. Sustainability practices, renewable energy programs to bolster education, and sector-specific skill development activities are all part of this.

This form of critical analysis can even be used through the account that the purpose of protecting environmental legislation at least seeks the right to life and individual freedom. They may be compared to the interpretation of this article by Indian jurists in terms that go beyond its practical intent and include a clean environment, which implies revolutionary principles over even with best human rights international compacts. A greater level applies to a big-scale map setting out a solution towards increasing nature risk, global warming and climate change that affects health – food safety emanating from lack of water aid for the primitive species' economy. Second is coordination in international agreements and conventions leading to global cooperation on sustainable development. Such should be addressed in the future by the development of a tight legal process and a general public awareness to implement sustainability on the global level during thrilling campaigns for world emissions. This was one of the major cross-cultural approaches in environmental governance due to interpenetration among national and international stakeholders.

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