

INSTITUTE OF LAW NIRMA UNIVERSITY CENTRE FOR ENVIRONMENTAL LAW

NEWSLETTER (OCTOBER 2021 ISSUE)





It is a pleasure to bring to you the OCTOBER issue of the Centre for Environmental Law at the Institute of Law Nirma University, Newsletter! We hope that all our readers are safe in these times of the COVID19 pandemic. We are elated to share with you some of the relevant recent news in the area of Environmental Law. We would love your feedback and suggestions, as to how to make the newsletter more relevant for you. THANK YOU! HOPE YOU ENJOY READING!

CENTRE HEAD:

CENTRE ASSOCIATES:

Dr. Madhuri Parikh

Prof. SwatiMawandiya
•

Prof. Neeraj Gupta

Prof. Abhinav Kumar

STUDENT CHAIRPERSON:

Nandini Goyal NEWSLETTER TEAM:

.Astitva Sharma. .Aditi Insaa. .Jahnvi Mishra. .Jahnavi Tolani. .Vidhi Maharishi. .Payodhi Agrawal. .Pranathi .G .Isha Jagetiya.

.G Moushmi.

DESIGNING CREDITS:

Astitva Sharma Jahnvi Mishra





ACCESS TO A HEALTHY ENVIRONMENT DECLARED A HUMAN RIGHT BY UN RIGHTS COUNCIL

For the first time, the Human Rights Council recognized that having a clean, healthy, and sustainable environment as a human right on October 8, 2021. Costa Rica, the Maldives, Morocco, Slovenia, and Switzerland offered the proposal, which was approved with 43 votes in favor and four abstentions from Russia, India, China, and Japan. Michelle Bachelet, the UN High Commissioner for Human Rights, said she was "gratified" that the decision "clearly recognizes environmental degradation and climate change as interconnected human rights concerns," as she had long campaigned for.

Climate change and environmental deterioration have harmed millions of people around the world, according to the new resolution. It also emphasizes that the most disadvantaged members of society are disproportionately affected. Michelle Bachelet praised the efforts of a wide range of civil society organizations, including youth groups, national human rights agencies, indigenous peoples' organizations, enterprises, and many more, after the resolution was passed. Last year, an unprecedented number of environmental human rights defenders were reported dead, prompting the High Commissioner to call on the Member States to take strong measures to safeguard and empower them.

According to the World Health Organization (WHO), the environment is responsible for 24 percent of all global mortality, or around 13.7 million deaths per year, due to risks such as air pollution and chemical exposure. The decision comes just weeks before the key UN climate change summit, COP26, which took place in Glasgow in early November.





CAN THE WORLD'S MOST POLLUTING HEAVY INDUSTRIES DECARBONIZE?

Our modern urban environment is mostly made from concrete, that is, with cement and steel. The food we eat is mostly grown with the help of fertilizers which are made up of ammonia, though there is hype for organic food in recent years. All these materials- cement, steel, ammonia, and other chemicals, etc require large amounts of energy to produce. For example, steel manufacturing is responsible for 11 percent of CO2 emissions.

The waste products that result from its manufacturing contain large amounts of carbon dioxide. If we are to reach the target of net-zero CO2 emissions by the mid of this century, how are we supposed to take steps and accelerate the work in that direction? It is obvious that it is impossible to eliminate or at least reduce the usage of such components at least in the next few years because these are also involved in building up our basic necessities like food and shelter.

One of the measures we can take to avoid such huge amounts of CO2 emissions is by switching away from or avoiding fossil fuels to produce electricity. In the meanwhile, of avoiding fossil fuels, what we can do is to use the resultant products most efficiently with the least wastage. Recycling these used products as much as possible along with optimum utilization of resources is important. Heavy industries, in process of producing steel, cement, and other chemicals, require a high temperature of heat which is produced through the use of fossil fuels.

Hydrogen would however play the key role as a renewable energy carrier to help avoid the use of fossil fuels, without which it is not possible to reach the target by mid of this century. Though the initial costs for such a process are very high, eventually it benefits us and the future in the long term.





INDIA TO STRESS 'CLIMATE JUSTICE' AT COP 26 GLOBAL SUMMIT

On the eve of his departure to Glasgow for the 26th edition of the United Nations Conference of Parties, Environment Minister Bhupender Yadav told that India will emphasize climate justice and urge developed countries to transfer the necessary finance and technology to deal with the consequences of global warming (COP). At least 195 countries are anticipated to attend the Glasgow gathering, which will take place from November 1 to 12.

He claimed that the world had openly praised India's pledge to install 450 GW of renewable energy by 2030 as "ambitious." According to him, India's electric car strategy, promise to enhance forest cover, and national hydrogen policy all received equal recognition. These actions by India, which are in line with the 2015 Paris Agreement's aim, will be discussed during the conference, according to the Minister.

Many developed countries, led by the United States, are anticipated to push for a timeframe by which all countries pledge to stop emitting net carbon dioxide emissions at the 26th COP.

India, the world's third-largest emitter, is one of the few countries that has not set a timeline or even a tentative path toward achieving a "net-zero" target. The other two big polluters, China and the United States have set 2060 and 2050 as possible timelines for reducing net emissions. India has resisted being obliged to commit to such a deadline on the grounds that it breaches agreed-upon climate justice principles that require countries to bear "differential responsibilities" in tackling the crisis, told Mr. Yadav.





CLIMATE CHANGE: ADAPT OR DIE' WARNING FROM ENVIRONMENT AGENCY

As pollution is a critical problem, Union Minister for Environment, Forest and Climate Change, Bhupender Yadav, launched the National Clean Air Programme dashboard—PRANA—or the Portal for Regulation of Air pollution in non-attainment cities for the abatement of air pollution in 132 cities along with a smog tower in Delhi. This air pollution dashboard will have real-time information in a user-friendly manner for all polluting parameters being monitored in 132 cities currently under the National Clean Air Programme (NCAP).

The Ministry of Environment, Forest and Climate Change, and GIZ, an arm of the German government working in tandem with several Indian ministries and states on environmental issues have developed the dashboard. The smog tower will be inaugurated at Anand Vihar, one of the most polluted areas in the national capital. The Central Government has launched several initiatives to improve air quality in the entire country. The Prime Minister set a goal for holistic improvement in air quality in more than 100 cities. In 2020, 104 cities showed better air quality. This increased from 86 cities in 2019 in comparison to 2018, the Union Environment Minister informed.

PRANA's approach is multidisciplinary, spanning across several ministries, regional institutes including IITs, NITs, laboratories across India, as well as international organisations. In this way, PRANA aims to increase public awareness and capacity-building measures. All these small measures would lead to a bigger change someday collectively and will help to eradicate pollution in the long run.





COP-26 HEADLINES

Glasgow, Scotland got the honour this time to host the biggest summit dealing with climate crisis. As the conference got delayed by a year due to the Covid-19 pandemic, the United Nations Climate Change Conference that experts are touting as the most important environmental summit in historywhich dates back to the year 1995.

The Conference, postponed by a year because of the COVID-19 pandemic, was planned as the checkin for the advancement nations are settling on in the wake of entering the Paris Agreement, which aims to limit an Earth-wide temperature increase to well under 2 degrees Celsius, a worth that would be awful to surpass, as indicated by climate scientists .More aggressive endeavors expect to restrict warming to 1.5 degrees Celsius. Not one nation is going into COP26 on target to meeting the objectives of the Paris Agreement, according to experts. They should cooperate to find aggregate arrangements that will radically eliminate ozone harming substance outflows.

All eyes will be on the biggest emitters: China, the U.S. and India. While China is answerable for around 26% of the world's ozone depleting substance emanations, more than any remaining created nations joined, the combined outflows from the U.S. over the previous century are reasonable twice that of China's.

Biden said the U.S. had the option to make "genuine advancement" at COP26 on methane decrease and reforestation procedures, remembering persuading nations for "the sideline" to focus on driven objectives in those fields also. He condemned China, the world's greatest producer, and Russia for neglecting to appear in Glasgow.

U.K. Leader Boris Johnson said the energy in Glasgow is not the same as six years prior when the Paris Agreement was agreed upon and that while the normal time of pioneers in the room was more than 60, the aftereffects of the COP26 meeting will be decided by the youngsters outside and kids who are not yet conceived.

At COP26, world pioneers are beginning to "mark the cases" on the best way to decrease outflows, Johnson said, adding that he presently has "presumably" that progress has been made in the course of the most recent two days.

- U.N. Secretary-General Anthony Guterres repeated the requirement for earnestness in his comments, featuring the need to alleviate and diminish worldwide outflows by 45% by 2030.
- "Enough of dealing with nature like a latrine," Guterres said. "Enough of consuming and boring and mining our direction more profound. We are burrowing our own graves."





COP26 CLIMATE CONFERENCE AND WHY IT IS IMPORTANT

From October 31 to November 12 this year, the 26thConference of Parties (COP26) will be hosted by UK in the Scottish Event Campus in Glasgow. The event witnesses attendance from the leaders of around 190 countries along with conscious researchers and citizens alike who come together to address the threat of climate change. It is a platform through which the world can come together to find solutions to the rapidly growing problem of Climate change.

The conference was initiated under United Nations Climate Change Framework Convention (UNFCCC) that was formed in 1994 and since then UNFCCC has been organising COPs every year starting from the first one in 1995 held in Berlin. The UNFCCC has 198 member states including countries like India, USA and China. The goal of the COP is that the member states can form measures to mitigate climate change; cooperating with each other to quickly adapt to the changes that climate change is bringing and to promote education and awareness about climate change. At COP3 held at Kyoto, Japan in 1997 the famous Kyoto protocol that pushes member states to reduce/ limit greenhouse gas emissions, was adopted. India also hosted COP8 in 2002 in New Delhi where seven measures including, 'strengthening of technology transfer... in all relevant sectors, including energy, transport...and the promotion of technological advances through research and development...and the strengthening of institutions for sustainable development' were laid out. Another important COP was COP21 held in 2015 in Paris, France in which all the members vowed to work together to 'limit global warming to well below 2, preferably to 1.5 degrees Celsius, compared to pre-industrial levels.'

According to the UNFCCC, COP26 will work towards four goals this year: First Goal is to secure global net-zero by mid-century and keep 1.5 degrees within reach. To meat this goal countries are required to accelerate the phase-out of coal, curtail deforestation, speed up the switch to electric vehicles and encourage investment in renewables' to meet this goal.At the National Conference on COP26 Charter of Actions, Navroz K. Dubash, Senior Fellow at Centre for Policy Research pointed out that "Time may have come for India to announce that we will not be building any more coal-fired power plants beyond what is in the pipeline. India also needs to ramp up the legal and institutional framework of climate change." Second goal is to adapt to protect communities and natural habitats and for this, countries will need to work together to protect and restore ecosystems and build defences, warning systems and resilient infrastructure and agriculture to avoid loss of homes, livelihoods and even lives.

Third goal is to mobilise finance. Anne-Marie Trevelyan, UK Secretary of State for International Trade said in a release: "With the impacts of COVID-19, it is vitally important we work together to scale up finance from all sources and improve access (to finance). We must push for all countries to have National Adaptation Plans in place and to produce Adaptation Communications sharing best practices to help turn ambition into action." Fourth goal is to work together to deliver. Leaders will need to work together to frame a list of detailed rules that will help fulfil the Paris Agreement.





CHINA HURRIES TO BURN MORE COAL, PUTTING CLIMATE GOALS AT RISK

Desperate to meet its electricity needs, China is opening up new coal production at a tremendous cost to the global effort to fight climate change. The campaign has unleashed a flurry of activity in China's coal country. Idled mines are restarting. Cottage-sized yellow backhoes are clearing and widening roads past terraced cornfields. Long columns of bright red freight trucks are converging on the region to haul the extra cargo.

China's push will carry a high cost. Burning coalwill increase China's emissions and toxic air pollution. It will endanger the lives of coal miners. And it could impose a long-term cost on the Chinese economy, even while helping short-term growth.China's extra coal by itself would increase humanity's output of planetwarming carbon dioxide by a full percentage point. Rapid expansion means extra risks for the country's 2.6 million coal miners.

Beijing's leaders are determined to provide ample coal this winter to power China's factories and heat its homes. Widespread electricity shortages, caused partly by coal shortages, nearly paralyzed many industrial cities three weeks ago. China is expanding mines to produce 220 million metric tons a year of extra coal, a nearly 6 percent rise from last year. China already burns more coal than the rest of the world combined.

If the campaign succeeds, China will generate enough electricity not only for its own people but also for the hundreds of global companies in China that churn out everything from consumer electronics to car parts.





POORER COUNTRIES SPEND FIVE TIMES MORE ON DEBT THAN CLIMATE CRISIS – REPORT

According to a renowned anti-poverty charity, low-income nations spend five times more on debt than they do on dealing with the effects of climate change and decreasing carbon emissions.

According to the Jubilee Debt Campaign, 34 of the world's poorest countries spend \$29.4 billion (£21.4 billion) on debt payments each year, compared to \$5.4 billion (£3.9 billion) on climate-related initiatives.

Uganda stated it would invest \$537 million on climate-related initiatives between 2016 and 2020, including monies from international agencies and donors, to adapt the country's infrastructure and respond to climate catastrophes. However, the annual budget of \$107.4 million is swamped by foreign debt payments, which will total \$739 million in 2021 and \$1.35 billion in 2025. According to the organisation, Uganda is not the only low-income country that will need to find additional funds to pay loan interest during the next four years. Jubilee Debt Campaign forecasts that by 2025, the 34 countries studied will be paying seven times more on debt repayments than on mitigating the effects of climate change. At the Cop26 summit in Glasgow this weekend, Heidi Chow, executive director of the Jubilee Debt Campaign, stated that lower-income countries will emphasise the impact of debt on their ability to combat climate change."At a time when resources are critically required to combat the climate problem, lower-income countries are giving over billions of dollars in loan repayments to rich countries, banks, and international financial institutions," she said.

"Wealthy polluting nations must cease avoiding their obligations in Glasgow and contribute climate funding in the form of grants, as well as refund debts."





RICH NATIONS TO ACKNOWLEDGE CLIMATE CHANGE THREAT, TAKE URGENT STEPS

According to a draught communique revealed before of the COP26 conference, leaders of the world's 20 wealthiest countries will recognise the existential threat of climate change and will take urgent action to prevent global warming. Pope Francis joined a clamour demanding action, not just words, from the conference starting on Sunday in Glasgow, Scotland, as people around the world prepared to demonstrate their dissatisfaction with politicians.

The leaders of the Group of 20 will meet in Rome ahead of the summit and promise to take immediate action to keep global warming below 1.5 degrees Celsius (2.7 degrees Fahrenheit). While participants to the 2015 Paris Agreement pledged to keep global warming "well below" 2 degrees Celsius above preindustrial levels, preferably 1.5 degrees, carbon levels in the atmosphere have increased since then.

Members of the G20 countries, which are responsible for an estimated 80% of global greenhouse gas emissions, underlined "the critical importance of attaining worldwide net zero greenhouse gas emissions or carbon neutrality by 2050," according to the statement.

UN climate experts say meeting the 1.5 degree limit by 2050 is critical, but some of the world's major polluters claim they won't be able to accomplish it, with China, by far the greatest carbon emitter, aiming for 2060.The 2050 timeline for net zero emissions appears in brackets in the G20 draught communique, indicating that it is still up for discussion.





WHO'S 10 CALLS FOR CLIMATE ACTION TO ASSURE SUSTAINED RECOVERY FROM COVID-19

The WHO COP26 Special Report on Climate Change and Health, released today in advance of the United Nations Climate Change Conference (COP26) in Glasgow, Scotland, lays out the global health community's prescription for climate action, based on a growing body of research that demonstrates the many and inextricable links between climate and health. If countries are to recover from the COVID-19 epidemic in a healthy and environmentally friendly manner, they must make substantial national climate pledges.

The WHO report is being released at the same time as an open letter signed by more than two-thirds of the global health workforce - 300 organisations representing at least 45 million doctors and health professionals worldwide - urging national leaders and COP26 country delegations to take more action on climate change. Unprecedented extreme weather events and other climate impacts are wreaking havoc on people's lives and health, prompting the release of the report and open letter. Extreme weather events, such as heat waves, storms, and floods, are becoming more common, killing thousands and disrupting millions of lives while jeopardising healthcare systems and facilities at a time when they are most needed.

The Health Argument for Climate Action, a WHO Special Report on Climate Change and Health released at COP26, offers ten recommendations for governments on how to maximise the health benefits of addressing climate change in a variety of sectors while avoiding the worst health consequences of the climate crisis.

The recommendations represent a broad consensus statement from the global health community on the priority actions governments must take to address the climate crisis, restore biodiversity, and protect health. They are the result of extensive consultations with health professionals, organisations, and stakeholders around the world.





POLAR BEARS COULD VANISH BY THE END OF THIS CENTURY.

Life on Ice sounds a bit peculiar but it is interesting. It is well known that in winters most of the Arctic Ocean freezes and in the summers' ice melts and factors like wind and currents carry them to great distances resulting into a rich marine ecosystem. On the Arctic ice, algae bloom. These feed tiny animals, which in turn feed fish, which in turn feed seals, which feed polar bears at the top of the chain. A new study published in the journal Earths' Future has given us a timeline of an impending disaster: If carbon emissions continue at current levels, summer ice will disappear by 2100 — and, along with it, creatures such as seals and polar bears.

The study covers a 1 million-sq km region north of Greenland (also known as 'Last Ice Area') and the coasts of the Canadian Archipelago, where sea ice has traditionally been thickest round the year, and thus likely to be most resilient. The research pondered upon two scenarios, optimistic (if the emissions are bought down) and pessimistic (if emissions remain the way they are). Under the optimistic scenario, some summer ice could persist indefinitely. Under the pessimistic scenario, summer ice would disappear by the end of the century. The study forecasts that under the lowemissions scenario, at least some seals, bears and other creatures may survive. However, under the higher-emissions scenario, by 2100, even the locally formed ice will disappear in summer. With no summer ice anywhere, there will be no icedependent ecosystems. To waste, to destroy our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness, will result in undermining in the days of our children the very prosperity which we ought by right to hand down to them amplified and developed.

— Theodore Roosevelt

