



Global Warming and Climate Change: A Critique on International Law and Policy

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ABSTRACT

Global warming and climate change, a multidisciplinary topic is a matter of international concern. There are some international environmental treaties related to global warming and climate change. The most significant international agreement in this area is - UNFCCC - the United Nations Framework Convention on Climate Change adopted at the Rio Earth Summit in 1992 and ratified by 195 countries. It mainly deals with greenhouse gases emissions mitigation, adaptation and finance starting in the year 2020. The Kyoto Protocol which extends the 1992 UNFCCC mandates State Parties to reduce greenhouse gas emissions: its two basic premises are - global warming exists, and human-made CO₂ emissions caused global warming. The Kyoto Protocol came into force in 2005 and each COP has served as the 'meeting of parties' to Kyoto Protocol such as COP13 (Bali, 2007), COP15 (Copenhagen, 2009), COP16 (Cancun, 2010), COP17 (Durban, 2011), COP18 (Doha, 2012), COP19 (Warsaw, 2013), COP21 and (Paris, 2015). There are other international legal instruments such as 1979 Geneva Convention on Long-Range Trans-boundary Air Pollution. Against this backdrop, this paper will critically examine the existing international legal regime (treaties, conventions, agreements, etc.) on global warming and climate change.

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1. Introduction

Global warming and climate change is no longer a problem of the future generation, though it continues to affect future generations. Global warming from carbon dioxide (CO₂) and other greenhouse gases pose a severe threat to the international community. The Earth's atmosphere is dilapidated at an unprecedented rate. Law plays a critical and important role for the effective and equitable climate change governance. There is some legal framework adopted to address the issues relating to global warming and climate change. However, global warming and climate change is not an isolated topic to address independently. It is connected

to all environmental issues. This paper attempts to examine:

1. Why is global warming of serious concern?
2. How does the present international legal regime respond to climate change?
3. What are the lacunae in the existing international laws?

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