

## Dialogue between environmental and climate justices: building a generational approach

### **HIRDAN KATARINA DE MEDEIROS COSTA**

Doutora em Ciências na área de Energia e Mestra em Direito (USP). Mestra em Direito de Energia e de Recursos Naturais pela Universidade de Oklahoma (EUA). Pesquisadora Visitante PRH 33.1 (ANP/FINEP).

### **REGINA VILLAS BÔAS**

Pós-Doutora em Democracia e Direitos Humanos (Portugal). Doutora e Mestra em Direito (PUC-SP). Professora e Pesquisadora na Graduação e na Pós-Graduação em Direito (PUC-SP).

Artigo recebido em 6/8/2021 e aprovado em 1/11/2021.

**CONTENTS:** *1 Introduction • 2 From environmental justice to climate justice • 3 From climate justice to generational justice idea • 4 Generational justice: the brazilian case • 5 Conclusion • 6 References.*

**ABSTRACT:** The theme of climate change presents several ramifications in Law, starting with the concepts that involve justice. In this line, this article aims to correlate environmental and climate justices to develop the generational approach. The methodology is analytical and qualitative, using literature review methods and exploring the Brazilian case. The results show the essential aspects for balancing climate justice and generational justice. The final considerations draw attention to conciliate sustainability development and measures to tackle climate change.

**KEYWORDS:** Climate Change • Law • Environmental Justice • Climate Justice • Generational Justice.

## **Diálogo entre as justiças ambiental e climática: construindo uma abordagem geracional**

SUMÁRIO: 1 *Introdução* • 2 *Da justiça ambiental à justiça climática* • 3 *Da justiça climática à ideia de justiça geracional* • 4 *Justiça geracional: o caso brasileiro* • 5 *Conclusão* • 6 *Referências*.

RESUMO: O tema mudanças climáticas apresenta diversas ramificações no Direito, a começar pelos conceitos que envolvem a justiça. Nessa linha, o objetivo deste artigo é correlacionar as justiças ambientais e climáticas para desenvolver a abordagem geracional. A metodologia é analítica e qualitativa, utilizando métodos de revisão de literatura e explorando o caso brasileiro. Os resultados mostram os aspectos essenciais para equilibrar justiça climática e justiça geracional. As considerações finais chamam atenção para conciliar o desenvolvimento da sustentabilidade e medidas para enfrentar as mudanças climáticas.

PALAVRAS-CHAVE: Mudanças Climáticas • Direito • Justiça Ambiental • Justiça Climática • Justiça Geracional.

## **Diálogo entre justicia ambiental y climática: construyendo un enfoque geracional**

CONTENIDO: 1 *Introducción* • 2 *De la justicia ambiental a la justicia climática* • 3 *De la justicia climática a la idea de justicia generacional* • 4 *Justicia generacional: el caso brasileño* • 5 *Conclusión* • 6 *Referências*.

RESUMEN: El tema del cambio climático presenta varias ramificaciones en la Ley, comenzando con los conceptos que involucran la justicia. En esta línea, el objetivo de este artículo es correlacionar la justicia ambiental y climática para desarrollar el enfoque generacional. La metodología es analítica y cualitativa, utilizando métodos de revisión de la literatura y explorando el caso brasileño. Los resultados muestran lo esencial para equilibrar la justicia climática y la justicia generacional. Las consideraciones finales llaman la atención sobre la conciliación del desarrollo sostenible y las medidas para enfrentar el cambio climático.

PALABRAS CLAVE: Cambio Climático • Derecho • Justicia Ambiental • Justicia Climática • Justicia Generacional.

## 1 Introduction

The accomplishment of the United Nations Framework Convention on Climate Change (1992), the establishment of the Kyoto Protocol (1997) and the Paris Agreement (2015) provided a new perspective for the future of international climate policy, with the target to reduce CO<sub>2</sub> emissions into the atmosphere, mainly using fossil fuels (IPCC, 2018). In this period, many countries pointed out collaboration intentions nationally determined (INDCs – Intended Nationally Determined Contributions) (KEOHANE; OPPENHEIMER, 2016).

In 2016, Brazil ratified, through the National Congress, an essential document to define the strategy to accomplish the country's commitments from 2020 on, according to the INDCs, expecting to reduce greenhouse gas emissions by 37% below 2005 levels by 2025, indicating further contribution to reducing greenhouse gas emissions by 43% below 2005 levels by 2030, considering GWP-100 (IPCC AR5) (BRAZIL, 2016). The country has got committed to several initiatives, such as increasing the percentage of sustainable bioenergy in its matrix to approximately 18% by 2030; restore and reforest 12 million hectares of forest; approximately 45% of renewable energy in the composition of the energy matrix by 2030 (BRAZIL, 2017). In 2021, during the COP26, Brazil has announced a new goal to achieve climate neutrality by 2050 (BRAZIL, 2021).

Law n. 12,187/2009 was issued establishing the National Policy on Climate Change (NPCC), resulting from the National Plan on Climate Change, presented at the end of 2008, which aimed to "encourage the development of collaborative Brazil's actions to combat the problem and create the internal conditions for coping with its consequences." (INTERMINISTERIAL COMMITTEE ON CLIMATE CHANGE, 2008, p. 7). As Gabriel Wedy (2017, p. 2) highlights, "the Act provides the principles, goals, guidelines, and instruments of NPCC".

Therefore, parallel with the political movements described in mitigation, data from the United Nations High Commissioner for Refugees (UNHCR) show that 59.9 million people were in climate change hotspots, experiencing a second or repeated displacement (UNHCR, 2015). In other words, it is observed that "the violation of human rights is one of the consequences of climate change". (FAGUNDEZ *et al.*, 2020, p. 227).

An emblematic case, also reported as an effect of climate change, is the rise in sea level that could cause the disappearance of Kiribati Island and, consequently, the displacement of 100,000 people (TERRA, 2014).

Together with the policies of mitigation and implementation of the goals outlined in the Paris Agreement, one must also ask about the adaptation measures, which are necessary actions to reverse the vulnerability of people impacted by the effects of climate change in Brazil, with respect to human rights as a paradigm.

The Paris Agreement deals with migrants in vulnerable situations, corresponding to the large displacement of populations at risk due to environmental impacts caused by human action. Fagundez *et al.* (2020) believe that the most vulnerable ones are the most affected by the transformations caused by global warming and are the most susceptible to having their fundamental human rights violated by climate change.

Thus, there is an increasing systematic analysis of climate justice as legal compliance to climate change law and the accomplishment of human rights in the theoretical sphere. This article aims to correlate environmental and climate justices. In addition, it aims to bring theoretical collaboration with the purpose to build the generational justice through the reading of the *caput* of Art. 225 of the Brazilian Constitution of 1988.

## 2 From environmental justice to climate justice

From the initial experience of the social movements in the United States and social and economic inequalities, the environmental ones also began to be the target for the demand of poor citizens and socially discriminated and vulnerable ethnic groups (HERCULANO, 2002).

Environmental justice scholars have sought to demonstrate, since then, the proportional effects of environmental burdens for poor, racialized, and marginalized communities that generally have less power and capacity to participate in decision-making processes (LEVENDA *et al.*, 2002; BORRÁS, 2016).

As Schlosberg and Collins (2014, p. 360) said:

Many academics and activists trace the beginning of the environmental justice movement to the 1982 protests of the disposal of PCB-tainted soil at a new landfill in Warren County, North Carolina. The resistance to dumping highly toxic waste in a poor, majority African-American community brought together civil rights activists and black political leaders, along with environmentalists, and was the first major action joining civil rights and white campaigners since the 1960s. (SCHLOSBERG; COLLINS, 2014, p. 360).

The discussion on environmental justice advocates the uniform scope of environmental assets and the benefits of the concrete application of sustainable development for all members of today's society, as well as the sharing of the burden of progress to be borne by the entire community, without any racial, ethnic, or economic discrimination (ACSELRAD, 2009; FERRARESI, 2012).

Accordingly, Fagundez *et al.* (2020) correlate extreme events, such as Hurricane Katrina, as one of the events observed by the scientific community as the intersection of environmental and climate justice. Schlosberg and Collins (2014) address climate justice correlated to the concern about local impacts and experiences, vulnerabilities, inequalities, and the importance of the community's active participation movement and its demands for sovereignty and functioning. They also said that the creation of The California Global Warming Solutions Act of 2006 was due to all this discussion of community empowerment (SCHLOSBERG; COLLINS, 2014).

Yildirim (2020) points to climate justice as the action against the harms of excessive greenhouse gas emissions in a city, which must be analyzed from a cross-sectional perspective, considering gender, housing, and socioeconomic structures, since the negative externalities of climate problems fall heavily on social minorities in vulnerable places. Low-income social groups are more vulnerable to the climate change process due to their cities' lack of structure.

On a global scale, climate change vulnerability is uneven across the globe, as revealed by Althor *et al.* (2016) study. Carvalho (2013, p. 401) states that "climate change exacerbates existing vulnerabilities in developing countries, both the economic costs of natural disasters and their frequency have grown dramatically recently." Thus, extreme events, such as floods, hurricanes, and cyclones, have devastated communities, compromised biodiversity, expanded poverty, and enhanced inequalities (DAMACENA, 2020).

Countries like China and the United States, despite their carbon emissions, do not suffer the adverse consequences in the same way as African countries do, which do not have negative emissions but are more vulnerable to climate change's adverse effects (ALTHOR *et al.*, 2016).

Climate change is projected to reduce water supply and access to clean water, increase risks to food security, and establish substantial stress for many other sectors that provide essential livelihood services to the poor in developing countries (NYIWUL, 2021).

In the context of discussions on the relationship between climate change and human rights, the UNHCR (2009) presented several implications, considering the vulnerability of specific groups and rights and their influence on the outbreak of conflicts and forced displacement. For Gonzalez (2020), human rights shelter the concept of climate justice, as the treaties of the last decade have sought to include recommendations to ensure that state policies on climate change ensure human rights for populations.

With this, Moss (2009) points out that to deal with the potential for inequalities and vulnerabilities regarding climate change adaptation or mitigation responsibilities, one must build a justice capable of bringing answers with respect to human rights within a social justice theory, which seeks collective solutions. Moreover, at this point, one may wonder whether climate justice is the answer.

For Schlosberg and Collins (2014, p. 370):

[...] these kinds of ideas, demands, and principles can also be seen in the environmental justice movement, which has had a direct influence on the conceptualization of climate justice. The two thriving grassroots movements have influenced each other, and even fused in many ways. Both are at once international and local, and demand attention—and challenges—to the existing relationships between human communities and the environments that sustain them. Ultimately, neither academics nor policymakers can comprehend the meaning of climate justice without understanding the long and pluralistic history of the social movements that have developed the concept over the past decades. (SCHLOSBERG; COLLINS, 2014, p. 370).

Climate change denotes mitigation and adaptation measures. For Schlosberg and Collins (2014), adaptation is an interaction between environmental justice, climate justice and social justice for the most vulnerable. According to Peel and Lin (2019), litigation and the development of climate policies are linked to adaptation. In the absence of mitigation measures, the expansion of risks and extreme climate events are visible. As a previous policy to cope with the effects of climate change, adaptation helps in the best scenario to avoid extreme vulnerabilities (BARNETT, 2009).

Therefore, the development of mitigation measures is ideal in terms of public policies and, in the second hypothesis, given the scenario of consequences of climate effects, adaptation responses are given. Within this perspective, it is necessary to understand the conceptual contribution of climate justice to structuring public

policies and how relevant their aspects are to sustain the community's sense of justice (CHATTERTON *et al.*, 2013).

Still in this perspective on environmental justice, Levenda *et al.* (2002) point out the following characteristics: distributive justice, which means the allocation of rights; the procedural, referring to the inclusion of individuals in decision-making processes; justice by recognition, which encompasses different social, cultural, ethnic, racial and gender values; and justice by capacities, whose content embraces the ability of groups to live healthy, safe, and dignified lives.

Schlosberg and Collins (2014, p. 364) pointed out that:

Like environmental justice, there are many and varied definitions of climate justice. Clearly, this diversity of conceptions is based on both the wide range of possible approaches to justice itself, as well as the complexity of climate change and the breadth of movements arrayed in response. (SCHLOSBERG; COLLINS, 2014, p. 364).

Gonzalez (2020) addresses four aspects of climate change: (1) distributive injustice, since the northern countries are the major emitters of greenhouse gases and the ones that profit the most from this activity while the most affected by climate change are South hemisphere countries, which contribute the least to the problem; (2) procedural injustice, northern countries dominate global economic and environmental governance structures ignoring the perspectives and priorities of southern countries; (3) corrective injustice, the most affected Southern countries, by climate change, are unable to obtain compensation for the damage caused by the main greenhouse gases emitters; and (4) social injustice, considering that we live in an economic order that stimulates poverty and inequality, ignoring the finitude of the natural resources of the terrestrial ecosystem.

The interaction of the characteristics that involve environmental justice is observed from the point of view of Levenda *et al.* (2002), within a more individual capacity than Gonzalez's (2020) bias on the aspects that involve climate justice. In any case, a dialogue between both authors stands out. Furthermore, when addressing the (in)justices that would make up the climate picture, Gonzalez (2020) stresses the collectivity content that these changes cause to the countries and the North-South dichotomy.

The principles of climate justice dealt with in the document published in Bali in 2002 demonstrate a vision of concern about the connection between regions of the globe and the burden of the populations of the poorest countries in the face

of climate consequences. Industrialized countries, along these lines, owe it to other nations given their greenhouse gas emissions over time (BALI, 2002).

Supported by Bosselmann's (2008, p. 79) lessons, it is possible to state that "distributive concerns are at the heart of most theories of justice" and that "conventional theories of justice have been insufficient to conceptualize the environmental dimension of justice". Facts imply the need for special care with vulnerable minorities, who have faced environmental degradation more directly and intensely. These populations certainly lack equitable access to health and unpolluted ambiance. Consequently, attention to social inequalities, which arise from environmental situations, is gaining concreteness and designating a social dimension of justice.

Therefore, considering these approaches, environmental justice is the foundation to climate justice, both shelter the need for distributive justice, procedural justice, recognition justice, corrective justice, and social justice and both consolidate the generational justice to include future generations on the debate.

### 3 From climate justice to the generational justice idea

In 1992, the United Nations Framework Convention on Climate Change (UNFCCC) recognized the climate debt of northern countries, establishing the principle of Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC), which says that all countries have shared obligations in destroying the environment but denies equitable responsibility among them. The Paris Agreement reaffirmed this same principle, which also has references to climate justice and immigrant rights.

Gonzalez (2020) points out that without measures to reduce these gases' emissions, the globe may face its most significant migratory wave. It is in this point that the immediate applicability of climate justice is palpable.

According to Gonzalez (2020), the first document to address ways to deal with climate change harm was the Warsaw International Mechanism on Loss and Damage, which included provisions for loss and damage and the mitigation and adaptation of climate migrants; however, the document does not address relocation and resettlement measures, an idea advocated by the developing small island states.

Gonzalez (2020) explains three legal and political approaches adopted by countries that receive climate migrants, demonstrating international perception of this class of people. The first approach is that of National Security that stereotypes climate refugees as barbarians, reinforcing these individuals' racialization



(GONZALEZ, 2020). International law does not provide legal protection for people relocated internationally by climate change and without refugee status. The second approach is the Humanitarian Response that includes climate refugees as victims who need help from the international community rather than blaming those responsible for climate disasters (GONZALEZ, 2020). The third approach is Migration Management, which is based on government regulation to control the migratory masses (GONZALEZ, 2020).

Because of this scenario, as noted by Humphreys (2009), several protected human rights are threatened, for example: rights to health and life; rights to water, food, shelter, and property; rights related to livelihood and culture; with personal security in the event of conflict; migration and resettlement.

Nyiwul (2021) notes that African countries prioritize mitigation and adaptation according to perceived sectoral risk profiles and aligning mitigation and adaptation commitments with Sustainable Development Goals (SDGs).

According to Gonzalez (2020), to achieve climate justice, it is necessary to develop legal approaches to climate displacement through which social movements and climate-vulnerable states can join. From this, international law can be used in an anti-hegemonic way by social movements of racialized communities. An example of an approach that originated in Southern countries is the right of people relocated to self-determination recognized in article one of the International Covenant on Civil and Political and other treaties (GONZALEZ, 2020). This alternative approach recognizes climate refugees as political subjects capable of collectively deciding their destinies, reserving peoples, and states the right to preserve their cultural and community integrity and migrate with dignity (GONZALEZ, 2020).

The self-determination approach is a process that aims to create a bridge between the abyssal line that divides North and South by granting communities vulnerable to climate change the right to migrate collectively to preserve their culture, language, customs, and political community (GONZALEZ, 2020). However, the heterogeneity of climate-relocated communities, the need for conflict resolution mechanisms and adaptation to migration present essential obstacles to applying this approach (GONZALEZ, 2020). Another possible challenge is the fact that the right to collective migration must be complemented by the responsibility of northern countries to receive immigrants who decide to migrate individually (GONZALEZ, 2020).

Despite extensive interaction as a possibility, the instruments of protection for people suffering from climate change will need to be cautiously detailed and

understood as much as the consequences are spread and reach more people (OKEREKE, 2010).

For instance, Okereke and Coventry (2016, p. 846-847) state that:

[...] justice remains crucial to a new multilateral climate treaty as the international climate change regime begins a new phase after the Paris COP21 in December 2015. There were some positive signs in advance of COP21, such as the US climate envoy acknowledging the necessity of addressing justice, which was a 'U-turn' from their infamous threat in Durban to walk away from an agreement that incorporates equity. Other positive signs included BASIC nations such as China making gestures toward announcing ambitious targets. However, at the climate talks leading up to Paris discussions remained intractable on transitioning out of fossil fuels, when large developing countries should reduce greenhouse gas emissions, and how much financial support should be provided by which countries. These are familiar themes from the earliest days of climate change governance and proved to be central to the COP21 negotiations and outcome. There are grounds to suggest that the trend toward voluntary commitments and 'parallelism' (the same or similar commitments by both rich and poor countries) poses the greatest threat to successful realization of justice in climate change policy. Despite proposals such as the Equity Reference Framework and efforts by scholars and practitioners to explore various ways of interpreting and embedding widely shared intuitions of fairness into the climate regime, there is little prospect of a robust discussion within the regime about adopting a framework or an equity assessment mechanism to underpin creation and review of INDCs. While the Paris Agreement includes recognition that it will be implemented to reflect equity and the CBDR+RC principle, the only mention of 'climate justice' in the text is a short statement in the preamble section, which notes 'the importance for some of the concept of 'climate justice,' when taking action to address climate change' (our emphasis). While general principles of differentiation have nominal weight, the complexity of realizing justice means that with no framework there is little prospect that voluntary global climate action will be structured in a manner consistent with principles of fairness and justice. The inability of the international regime to impose or encourage the application of one or a limited set of justice principles remains a perennial constraint on the regime's effectiveness and a challenge when translating justice concerns into practical action. Meanwhile, in the midst of the cacophony of perspectives, emissions are increasing as are negative impacts on vulnerable communities around the world. (OKEREKE; COVENTRY, 2016, p. 846-847).

Thus, besides this discussion on human rights protection, the problem of applying the principle of sustainable development and environmental or climate

justice claim, according to Nusdeo (2011), Dornelas and Brandão (2011), has involved a growing debate over the implementation of rights of future generations and intergenerational justice. Sachs (1998, p. 2-6), examining the relationship between human rights and development regarded as an expansion of positive rights in the view of Sen (2000), says that these two issues are essential concerns in the United Nations. Many adjectives were added to development such as economic, social, cultural, political, sustainable, and human to address the issue of fulfillment of men and women rather than multiplication of economic goods.

Adding adjectives to development, then, reflects a multiform and uneven reality composed of economic, social, cultural, political, human, and sustainable fields, where human needs to persist in different ways around the world and cause defenses aimed at enforcing expansive fundamental rights constantly evolving, and include in their agenda the issues related to development, environment, environmental and climate justices, and sustainability (COSTA, 2018). Consequently, changing paradigms and reviewing attitudes are certainly within the intimate relationship between human needs, fundamental rights and sustainability. However, there is vagueness in the definition of sustainability, which enables its continuing expansion, always incorporating new values and ethical judgments (COSTA, 2011).

Thus, sustainability, also on the discourse of fundamental rights, can follow a trend towards adding new dimensions. In this sense, Aloe (2010) and Cabral (2011) draw attention to issues that permeate all human beings while living on planet Earth and that would be in the expansion of the idea of sustainability for completeness. Hence, human beings are regarded as the focus of analysis and within a comprehensive perspective, or rather, completeness, incorporating four dimensions: social, environmental, economic and worldview.

The expansion of the dimensions of sustainability works, therefore, the expansion of individual consciousness, i.e., the social commitment to individual responsibility explicit in Sen (2000). The completeness as a proposed expansion of the dimensions of sustainability confirms the view of Sachs (2002) on the validity of the dimensions of sustainable development discussed at the Stockholm Conference and Rio, namely, social, cultural, ecological, environmental, territorial, economic, political, national, and international politics.

However, integral sustainability offers a full absorption of some of these dimensions within the worldview to make transparent the idea of expanding human consciousness, bringing to man the prospect of his responsibility to himself, with

others, with the territory in which he lives in and the planet Earth. In this logical line, the items in Our Common Future (WCED, 1987) for sustainable development would also be added to the full while expanding the dimensions of sustainability. Thus, individual responsibility, social commitment and solidarity are the core values in this new approach of the dimensions of sustainability, which adds to the idea of generational justice. In 2015, Agenda 2030 highlighted these ideas through the Sustainable Development Goals (SDGs) (UNDP, 2015).

Responsibility considers the individual as an agent, not passive to the reality that surrounds him and the implications that his decisions lead to his surroundings. The social commitment encompasses generational justice, based on "fact-that in any time, each generation is both guardian or custodian of the land and its beneficial owner, beneficiary of its fruits", which imposes the obligation to care for the planet (WEISS, 1993, p. 15).

Moreover, solidarity brings as content the ability to understand human needs in order to expand the possibilities of realization of fundamental rights when problems and similar interests are shared due to the climate change consequences, corroborating the idea that environmental and climate justice should consolidate generational justice. Thus, climate change consequences should be equally shared by successive generations. Accordingly, it is necessary to see all generations as the uniqueness and completeness of humankind on earth.

#### 4 Generational justice: the Brazilian case

On the chapeau of Art. 225 of the Brazilian Constitution of 1988, the reference to the generational justice in these terms:

[...] everyone is entitled to an ecologically balanced environment, an asset of common use and essential to a healthy quality of life, imposing upon the Government and collectivity the duty to defend and preserve it for present and future generations. (BRAZIL, 1988).

This constitutional provision establishes the ethics of solidarity between generations. As it can be observed in the Constitution, generational justice has a content eminently related to *ecologically balanced environment*. The content of generational justice covers the vision of the place or region, their connections with specific socio spatial problems and the quality of life of the population. Ideas are linked to environmental and climate justice. This section addresses climate change

litigation brief overview and a discussion on policies to implement rents from oil to tackle climate change and protect human rights, considering the Brazilian case.

## 4.1 Generational justice and climate litigation

Mitigation and adaptation measures linked to fundamental rights and full sustainability, therefore, allows the realization of generational justice, for it addresses the serious problems of human beings about their real needs inside of tackling. Thus, it is increasing climate litigation to pressure governments to accomplish climate targets or even be more ambitious (WEDY, 2021) (UNEP, 2017; 2020). However, as Gabriel Wedy (2019, p. 104) said “climate change litigation is very recent and rare” in Brazil.

Thus, Wedy (2017, p. 5) illustrated a case in Brazilian Supreme Federal Court, for instance:

The Union of the Alcohol Manufacturing Industries of the State of São Paulo (Sindicato da Indústria de Fabricação do Alcool) (SIFAESP) and the Union of the Sugar Industries in the State of São Paulo (Sindicato da Indústria de Açúcar) (SIAESP) filed a claim asserting the unconstitutionality of the Municipal Act 1.952, of December 20th, 1995, of the Municipality of Paulínia, which prohibited completely the use of intentional burning of sugarcane straw in its territory (...). According to the interpretation of the Constitution by Justice Fux, which was followed by other Justices (except for Justice Weber, who dissented), the Act of the State of São Paulo authorizing the fires and providing for a progressive decrease until the year 2031 shall prevail over the Municipal Law of the Municipality of Paulínia, which provided for the immediate termination of the fires within the Municipality and aimed at instant environmental protection. The Supreme Federal Court stated that the Municipal Law no. 1.952, of December 20th, 1995, of the Municipality of Paulínia, was unconstitutional. The Supreme Federal Court decision did not mention either the severe risk of emission of greenhouse gases deriving from the fires, or the Climate Change National Policy Act. (WEDY, 2017, p. 5).

Therefore, as Wedy (2017) highlighted, this decision is also against international treaties, like the Paris Agreement. There was no mention to the Climate Change National Policy Act, and it is a terrible overview on tackling climate change. Nevertheless, its focus was a Municipal Act, which was not specifically or particular on climate change issue.

Regarding climate change particular issue, another case is already pending before the Federal Court of Paraná that received public civil action on climate change and global warming. The Institute of Amazon Studies filed the lawsuit so that the Federal Union is condemned if the Action Plan for Prevention and Control of Deforestation in the Legal Amazon is not fulfilled. It is requested to be observed that the maximum rate of illegal deforestation in the Amazon does not exceed the speed of 3,925.00 Km<sup>2</sup> and that the Union carries out the forest restoration of the entire deforested area over the annual legal limit, among other measures. However, in 2019, the estimate was that approximately 10,100 Km<sup>2</sup> were deforested in the Amazon and Brazil has reached the status of 7<sup>th</sup> largest emitter of greenhouse gases in the world (PARANÁ, 2020). A critical topic, as 46% of Brazilian's emissions are from land use (SACCO, 2021).

As Wedy (2021) states, this new reality in Brazil seems that the most vulnerable or most affected by climate changes will have access to a good climate court process, with reasonable duration, and that your requests be judged, formal and substantially, with observance of constitutional norms. There is an awareness of the global community on climate change and its consequences and that the State and companies must take responsibility (UNEP, 2020). Thus, ensuring procedural justice is linked to the achievement of environmental, climate, and generational justice and plaintiffs may use those arguments to file actions.

## 4.2 Generational Justice and Human rights

The effectiveness of generational justice aims, thus, to view and evaluate each territory, without pursuing a single formula, but respecting the specificity of each location recipient to tackle climate change. This includes the incorporation of sustainability and the full enforcement of fundamental rights in the life of the population in question, inside the environmental justice and the climate justice.

In addition to the negative liberties, or the fundamental rights of the first dimension (civil and political rights), the existence of material conditions that enable the actual qualities of living in the geographical space is essential, i.e., the positive liberties, which can be understood as bases for the fundamental rights of the second dimension-consistent in social, cultural, economic as well as collective rights or collectivities (BONAVIDES, 2010, p. 564). New needs and problems were emerging throughout human history, which led to the emergence of fundamental rights of third dimension based on the right of development, peace,

environment, and communication (BONAVIDES, 2010, p. 568) as new issues for the twenty-first century.

For instance, the development linked to the consumption of natural resources to provide for current generations may cause, in future, impossibility of forthcoming generations to make use of these resources. Observing that some natural resources are or become scarce, there is the choice to consume it all today or to save any type of stock for future generations. Besides, some of those natural resources contribute to the climate change problem, for example, oil or mineral production.

By focusing on the use of revenues derived from mineral activities, considering the concept of mining income exposed in Hotelling (1931), Hartwick (1977) showed that investment in reproducible capital goods would meet the development needs of future generations. Thus, it is resolved, in principle, the ethical problem between generations when the current populations consume only a portion of the remaining capital in the production of natural resources. However, in those analyses, we did not see the climate justice consideration.

Hartwick (1977, p. 974), through the technological function of Cobb-Douglas, established the following rule, known as the Hartwick rule: the investment of the income generated in the current exploitation of nonrenewable natural resources in reproducible capital implies a constant consumption per capita. Despite the absence of the natural resource itself, investments carried out with generated mineral revenues may guarantee a consistent future wealth, allowing the maintenance of individual income and social wealth. However, when viewing the allocation of oil revenues in developing countries, which have high degrees of social inequality, it is worth asking whether the Hartwick rule is not satisfactory to reproduce such imbalances and social injustices in the future. In addition, for instance, there is not an analysis on climate change consequences due increasing carbon emission because of oil or mineral exploration.

Therefore, the following question can be formulated: what would be the balance between climate justice and generational justice? In Brazil, after the 90s, when revenues from the economic exploitation of hydrocarbons reached considerable heights in its percentage relationship with the public budget of certain beneficiary localities, the issue definitively entered the national political agenda.

Pacheco (2007), while analyzing the Brazilian case, notes that in the localities he studied, concrete actions to promote a sustainability project, the promotion of intergenerational justice, and diversification of local production were not found.

Serra (2007, p. 2-3) criticizes the Brazilian reality of decentralized application of the government takes (or oil rents). To the author, the beneficiary states and municipalities do not have legal guidelines regarding the use of resources. Thus, without the due caution in the application of this amount, decisions that promote the current consumption inhibit investments in this sector that can cope with the subsequent depletion of mineral resources.

Carvalho (2008, p. 81-82) emphasizes the importance of diversity for the allocation of government takes in public policies that encourage the generation of future income by diversifying the economy through investment in health, education and infrastructure, and policy research and development to promote the diversification of energy sources. In this sense, we may see a balance between climate justice and generational justice.

Torronteguy (2009, p. 84) links the application of oil revenues to the realization of fundamental social rights such as health, education, housing, welfare, environment and protection of children, adolescents, and elderly. In addition to references to future generations, we can begin to correlate the intergenerational justice with the need for realization of social, economic, and cooperation rights of current generations. The conditions inherited by future generations will depend greatly on the quality of life enjoyed by current generations, including the workings and capabilities experienced by the current community.

Acting, therefore, on the rights of current and future generations allows to follow an ethical and legal scope; a creator of social, economic, and environmental justice that considers the consequences of current choices. For Davis and Tilton (2005), the needs of current and future generations would be met with investments in physical, human, technological and institutional capital.

This paper considers that the use of alternative energy sources should be included in the investments in technological capital and as a measure to balance climate justice and generational justice. Still, it must be included in this list the expenditure requirements and investment in environmental solutions, with the purpose of achieving environmental and climate justices, linking them to the concept of sustainability.

According to these criteria for the application of resources, the realization of fundamental rights also allows to achieve justice between the needs of current and future generations, to allow the reduction of systemic poverty, which includes not only the lack of enjoyment of property materials, but the impossibility of enjoyment



of intellectual assets, such as education, which corresponds to investment in human capital. This study defends a logical continuity between intra and intergenerational justice, considering that the content of intragenerational justice will trigger logical causal relationships in intergenerational justice. Thus, public policies guided by the creation of justice for current generations must also provide the extent of impacts for future generations.

The interactions between these types of justice show that the proper way to understand them is through unity. In this sense, intragenerational and intergenerational justice are observed as one single justice of similar content and the same need for concreteness, but with various forms of enforcement.

For instance, this research defends that climate justice and generational justice shall be a parameter of allocation of revenues derived from the economic extraction of hydrocarbons. For this research, differences between the current and future generations by adopting a unified vision is illusory. Considering the continuity of life on Earth, humans are unique and fully responsible for their co-creations, regardless of the concept of generations. Furthermore, what possible effect might this separation lead to on the attitudes of the current generation? One effect is the distance of the problems created today, which can be resolved by future generations, due to reasons guided in progress to come.

However, when man sees that he can be harmed, it is more noticeable their responsibility and attitude necessary to modify the status quo created by himself. Therefore, the convergence of justice in the current and future generations facing a legal and economic approach shows the importance of its consequences in the mobilization of rights, policies, programs, and adequate public planning to put them into effect, since ethical and economic evaluative judgments serve as the foundation for the effectiveness of law, i.e., at the time of completion of the legal rule, which was outlined and interpreted following specific evaluative judgments.

It is illusory depleting exhaustible natural resources and/or adopting development parameters which will lead to exhaustion of the quality of renewable natural resources due to values and needs built to current generations, from the adoption of a clear political interest to influence the results of elections and to exercise a hegemonic power on the current population and location, which feels immediately supplied with its manipulated needs, perpetuating mechanisms of cyclical political and economic domination in the territories (COSTA, 2018).

It is not a matter of understanding that the income arising from the economic extraction of oil will solve all the problems in a society, but rather to take advantage of the existence of public funds, such as government takes, intended to finance such income in order to create and revise current concepts and developmental parameters to provide the continuity of quality life on planet Earth (COSTA; SANTOS, 2011).

## 5 Conclusion

A climate justice theme is still an object of a few analyses in the academic literature. The authors correlate it, above all, to the concept of environmental justice raised as the flag of social movements in the 1970s in the United States. However, climate justice encompasses a broader spectrum, consistent in the relationship between countries, mainly in the responsibilities of the largest emitters of greenhouse gases.

Climate justice serves as a conceptual space for formalizing public policies through its characteristics and as a source of creation of the possibility to solve emerging problems, such as refugees resulting from the effects of climate change.

Thus, understanding climate justice from the epistemological perspective with content focused on distributive justice, procedural justice, recognition justice, corrective justice, and social justice allows the construction of several mechanisms to strengthen its role of equalizing the climate effects of greenhouse gas emissions.

There is an explicit approximation among climate justice, its applicability, and the question of the concept of sustainability development and human rights. Throughout the work, it was developed the theoretical construction of generational justice supported on the realization of fundamental rights and full sustainability. We debated the balance between climate justice and generational justice to promote sustainability development and tackle climate change.

Through the exposition of generational justice, we could demonstrate the uniqueness and completeness of the human species, treated as one, in the sense that the separation of generations to deal with current problems does not solve intriguing questions posed on the threshold of the 21<sup>st</sup> century.

Certainly, when observing the approach of the dimension of fundamental rights applying this idea to the human species, we perceive the cumulative human life on Earth, and not that one generation should be treated separately from each other, as proposes intergenerational equity. The generational justice believes that problems, for example, related to nature accumulate indistinctly divided human generations.

Thus, generational justice can be an argument to achieve procedural justice and file actions in Brazilian courts to tackle climate change.

Therefore, humanity now living on planet Earth must check what its choices are and relate them to problems that arise from them, such as climate change consequences. In this bias, sustainability has been addressed and, despite recognizing its vagueness and conceptual difficulty, it is a theme which humanity must deal with, for it has emerged, exactly, from the accumulation of problems experienced on the planet. The agenda of issues is complex, but the problems can be seen in a simple way when it assumes the role of integral sustainability and places man as the head of all the problems it has experienced. Thus, to tackle climate changes, one may advocate the consolidation of generational justice and consider as its foundation the climate justice.

Future research may investigate Brazil's current difficulty in complying with internationally agreed climate agreements and assess how Brazil's decisions will affect its greenhouse gas emissions over the past ten years.

## 6 References

ACSELRAD, H.; MELLO, C.C. de A.; BEZERRA, G. das N. **O que é Justiça Ambiental**. Rio de Janeiro: Garamond, 2009.

ALOE, G. **O que é sustentabilidade?** Entrevista realizada em 23 de outubro de 2010, Centro de Sustentabilidade, Fundação Alphaville, Santana do Paranaíba, São Paulo, 2010.

ALTHOR G.; WATSON J.; FULLER R. Global mismatch between greenhouse gas emissions and the burden of climate change. **Scientific Reports**, London, v. 6, n. 20281, 2016. Available at: <https://www.nature.com/articles/srep20281#-citeas>. Accessed on: 3 Nov. 2020.

BALI. **Principles of Climate Justice**. Available at: <http://www.ejnet.org/ej/bali.pdf>. Accessed on: 3 Nov. 2021.

BARNETT, J. Human rights and vulnerability to climate change. *In*: Humphreys, S. **Human rights and climate change**. New York: Cambridge University Press, 2009. p. 257-271.

BONAVIDES, P. **Curso de direito constitucional**. 25. ed. São Paulo: Malheiros, 2010.

BORRÀS, S. Movimientos para la justicia climática global: replanteando el escenario internacional del cambio climático. **Relaciones Internacionales**, Madrid, España, n.33,p.97–119,2016.Available at: <https://revistas.uam.es/relacionesinternacionales/article/view/6729>. Accessed on: 3 Nov. 2021.

BOSSERMANN, Klaus. **The principle of sustainability**. England: Ashgate Publishing Limited, 2008.

BRAZIL. Constituição da República Federativa do Brasil de 1988. Brasília: Senado, 1988. **Diário Oficial da União**, Brasília, 5 out. 1988. Available from: [http://www.planalto.gov.br/ccivil\\_03/Constituicao/Constituicao.htm](http://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm). Accessed on: 3 Feb. 2021.

BRAZIL. **Decreto nº 9.073 de 5 de junio de 2017**. Promulga o Acordo de Paris sob a Convenção-Quadro das Nações Unidas sobre Mudança do Clima, celebrado em Paris, em 12 de dezembro de 2015, e firmado em Nova Iorque, em 22 de abril de 2016. 2017. Artigo 1, “a”. Promulga el Acuerdo de París en virtud de la Convención Marco de las Naciones Unidas sobre el Cambio Climático, celebrado en París el 12 de diciembre de 2015 y firmado en Nueva York el 22 de abril de 2016. 2017. Artículo 1, “a”.

BRAZIL. **NDC Nationally Determined Contribution to achieving the Objective of the United Nations Framework Convention on Climate Change**. UNFCCC, [S. l.], v. 9, p. 6, 2016. Available at: [http://www.mma.gov.br/images/arquivo/80108/BRAZIL iNDC portugues FINAL.pdf](http://www.mma.gov.br/images/arquivo/80108/BRAZIL%20iNDC%20portugues%20FINAL.pdf). iNDC Portuguese FINAL.pdf. Accessed on: 3 Nov. 2021.

BRAZIL. **Brazil First NDC** (Updated submission-letter). Available at: <https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Brazil%20First/2021%20-%20Carta%20MRE.pdf>. Accessed on: 6 Nov. 2021.

CABRAL, W. **Sustentabilidade Integral**. Available at: <http://stoa.usp.br/wagnerk/files/-1/16705/trabalho+de+STPP+-+professor+Cabral.pdf>. Accessed on: 3 Nov. 2021.

CARVALHO, D. W. As mudanças climáticas e a formação do Direito dos desastres. 2013. **Novos Estudos Jurídicos**, 18(3), 397-415. Doi: <https://doi.org/10.14210/nej.v18n3.p397-415>. Accessed on: 3 Nov. 2021.

CARVALHO, F. C. L. **Aspectos éticos da exploração do petróleo: os royalties e a questão intergeracional**. Rio de Janeiro, 2008. Dissertação (Mestrado em Planejamento Energético) – Coordenação dos Programas de Pós-Graduação de Engenharia (COPPE), Universidade Federal do Rio de Janeiro.

CHATTERTON, P.; FEATHERSTONE, D.; ROUTLEDGE, P. Articulating Climate Justice in Copenhagen: antagonism, the commons, and solidarity. **Antipode**, 45: 602-620, 2013. Available at: <https://doi.org/10.1111/j.1467-8330.2012.01025.x>. Accessed on: 3 Nov. 2021.

COSTA, H. K. M.; SANTOS, E. M. dos. 2011. Sustainability and the Allocation of Oil Royalties: a theoretical contribution. In: Giannetti, B. F.; Almeida, C. M. V. B.; Bonilla, S. H (editors), **International Workshop Advances In Cleaner Production**, 3, 2011, São Paulo. Proceedings. São Paulo: UNIP.

COSTA, H. K. M. **Royalties, Justiça e Sustentabilidade**. Rio de Janeiro: Synergia, 2018.

DAMACENA, Fernanda Dalla Libera. A necessária interface entre direito, economia e finanças no processo de adaptação às mudanças climáticas. **Revista Brasileira de Políticas Públicas**, v. 10, n. 3, dez. 2020.

DAVIS, G. A.; TILTON, E. J., 2005. The resource curse. **Natural Resources Forum**, v. 29, 233–242. Available at: <https://core.ac.uk/download/pdf/61689017.pdf>. Accessed on: 3 Nov. 2021.

DORNELAS, H. L.; BRANDÃO, E. J. Justiça ambiental e equidade intergeracional: a proteção dos direitos das gerações futuras. **Jus Navegandi**, Teresina, ano 16, n. 2876, 17 maio 2011. Available at: <http://jus.com.br/revista/texto/19129>. Accessed on: 3 Nov. 2021.

FAGUNDEZ, Gabrielle Tabares; ALBUQUERQUE, Leticia; FILPI, Humberto Francisco Ferreira Campos Morato. Violation of human rights and adaptation and mitigation efforts: an analysis from the perspective of climate justice. **RIDH**, Bauru, v. 8, n. 1, p. 227-240, jan./jun., 2020.

FERRARESI, P. **Racismo Ambiental e justiça social**. Available at: <https://escola.mpu.mp.br/publicacoes/boletim-cientifico/edicoes-do-boletim/boletim-cientifico-n-37-edicao-especial-2012-direito-a-nao-discriminacao/racismo-ambiental-e-justica-social>. Accessed on: 25 Jun. 2021.

GONZALEZ, C. G. **Racial Capitalism, Climate Justice, and Climate Displacement**. USA: Oñati Socio-Legal Series, 2020.

HARTWICK, J. M. Substitution Among Exhaustible Resources and Intergenerational Equity. **The Review of Economic Studies**, v. 45, n. 2, p. 347-354, Jun. 1978. Available at: <http://www.jstor.org/stable/2297349>. Accessed on: 3 Nov. 2021.

HERCULANO, S. **Riscos e desigualdades sociais**: a temática da justiça ambiental no Brasil. I Encontro da ANPPAS – Indaiatuba, São Paulo, GT Teoria e Ambiente. 2002. Available at: [www.anppas.org.br](http://www.anppas.org.br). Accessed on: 3 Nov. 2021.

HOTELLING, H. The Economics of Exhaustible Resources. **The Journal of Political Economy**, v. 39, n. 2, p. 137-175, Apr. 1931.

HUMPHREYS, S. **Human rights and climate change**. New York: Cambridge University Press, 2009. Available at: <https://www.cambridge.org/core/books/human-rights-and-climate-change/introduction-human-rights-and-climate-change/B89D34682C9C05FF50914706A342A275>. Accessed on: 3 Nov. 2021.

INTERMINISTERIAL COMMITTEE ON CLIMATE CHANGE. **National Plan on Climate Change**. (2008). Available at: [https://www.mma.gov.br/estruturas/smcq\\_climaticas/arquivos/plano\\_nacional\\_mudanca\\_clima.pdf](https://www.mma.gov.br/estruturas/smcq_climaticas/arquivos/plano_nacional_mudanca_clima.pdf). Accessed on: 3 Nov. 2021.

IPCC. **Intergovernmental Panel on Climate Change. Global Warming of 1.5°C (Summary for Policymakers)**. Geneva: World Meteorological Organization, 2018.

KEOHANE, R. O.; OPPENHEIMER Michael. **Paris: beyond the Climate Dead End through. Pledge and Review? Discussion Paper 2016**. Available at: [https://www.belfercenter.org/sites/default/files/legacy/files/dp85\\_keohane-oppenheimer.pdf](https://www.belfercenter.org/sites/default/files/legacy/files/dp85_keohane-oppenheimer.pdf). Accessed on: 3 Nov. 2021.

LEVENDA, A. M.; BEHRISIN, I.; DISANO, F. Renewable energy for whom? A global systematic review of the environmental justice implications of renewable energy technologies. **Energy Research and Social Science**, [S. l.], v. 71, p. 101837, Nov. 2020/2021. DOI: 10.1016/j.erss.2020.101837.

MOSS, Jeremy. Climate justice. In: MOSS, Jeremy. **Climate change and social justice**. Victoria: Melbourne University Press, 2009. p. 51-66.

NUSDEO, A. M. **Justiça Ambiental**. Available at: <http://www.esmpu.gov.br>. Accessed on: 4 Apr. 2021.

NIYIWUL, L. Climate change adaptation and inequality in Africa: case of water, energy and food insecurity. **Journal of Cleaner Production**, v. 278, Jan. 2021. Available at: <https://doi.org/10.1016/j.jclepro.2020.123393>. Accessed on: 3 Nov. 2021.

OKEREKE, C. Climate justice and the international regime. **Wiley Interdisciplinary Reviews: climate change**, [S.L.], v. 1, n. 3, p. 462-474, may 2010. Wiley. Available at: <https://onlinelibrary.wiley.com/doi/abs/10.1002/wcc.52>. Accessed on: 3 Nov. 2021.

OKEREKE, C.; COVENTRY, P. Climate justice and the international regime: before, during, and after Paris. **Wires Climate Change**, [S.L.], v. 7, n. 6, p. 834-851, 14 jul. 2016. Wiley. Available at: <https://onlinelibrary.wiley.com/doi/abs/10.1002/wcc.419>. Accessed on: 3 Nov. 2021.

PACHECO, C.A. G. **Avaliação de critérios de distribuição e de utilização de recursos das participações governamentais no Brasil**. Rio de Janeiro, 2007. Dissertação (Mestrado em Planejamento Energético) – Coordenação dos Programas de Pós-Graduação de Engenharia (COPPE), Universidade Federal do Rio de Janeiro.

PARANÁ. Seção judiciária da Justiça Federal. **JF recebe Ação Civil Pública sobre mudanças climáticas**. Available at: <https://www.jfpr.jus.br/noticias/jf-recebe-acao-civil-publica-sobre-mudancas-climaticas/>. Accessed on: 4 Nov. 2021.

PEEL, J.; LIN, J. Transnational Climate Litigation: the Contribution of the Global South. **American Journal of International Law**, Cambridge, v. 113, n. 4, 2019, p. 679-726. Available at: <https://www.cambridge.org/core/journals/american-journal-of-international-law/article/transnational-climate-litigation-the-contribution-of-the-global-south/ABE6CC59AB7BC276A3550B9935E7145A>. Accessed on: 3 Nov. 2021.

SACHS, I. **Caminhos para o desenvolvimento sustentável**. Rio de Janeiro: Garamond, 2002.

SACHS, I. **Desenvolvimento, direitos humanos e cidadania**. Instituto de Pesquisa de Relações Internacionais Fundação Alexandre Gusmão. Seminário Direitos Humanos no Século XXI, 10 e 11 de setembro de 1998, Rio de Janeiro. Available at: [www.mre.gov.br/ipri](http://www.mre.gov.br/ipri). Accessed on: 4 Jun. 2021.

SACCO, R. **Desmatamento e queimadas na Amazônia foram um dos temas da COP 26**. Available at: <http://wp.rcgilex.com.br/desmatamento-e-queimadas-na-amazonia-foi-um-dos-temas-da-cop-26/>. Accessed on: 7 Nov. 2021.

SCHLOSBERG, D., COLLINS, L. B. From environmental to climate justice: climate change and the discourse of environmental justice. **Wires Climate Change**, [S.L.], v. 5, n. 3, p. 359-374, 22 Feb. 2014. Wiley. <http://dx.doi.org/10.1002/wcc.275>. Available at: <https://onlinelibrary.wiley.com/doi/abs/10.1002/wcc.275>. Accessed on: 3 Nov. 2021.

SEN, A. **Desenvolvimento como liberdade**. São Paulo: Companhia das letras, 2000.

SERRA, R. V. **O sequestro dos royalties pelo poder local**: a gênese das quase sortudas regiões petrolíferas brasileiras. XII Encontro da Associação Nacional de Pós-Graduação e Pesquisa em Planejamento Urbano e Regional. Belém, Pará, 21 a 25 de maio de 2007. Available at: <http://www.royaltiesdopetroleo.ucam-campos.br/index.php?cod=4>. Accessed on: 3 Nov. 2021.

TERRA. **Governo de país que pode sumir do mapa compra terras em Fiji**. Available at: <https://www.terra.com.br/noticias/ciencia/clima/governo-de-pais-que-pode-sumir-do-mapa-compra-terras-em-fiji,dd8f9216d5f654a92a3fdaff05b287b1kktvRCRD.html>. Accessed on: 3 Nov. 2021.

TORRONTÉGUY, A. F. **A aplicação dos royalties do petróleo e a efetividades dos direitos fundamentais sociais**. Vitória, 2009. Dissertação (Mestrado em Direito) – Programa de Pós-Graduação em Direitos e Garantias Fundamentais, Faculdade de Direito de Vitória, 2009.

UNFCCC. The United Nations Framework Convention on Climate Change. **Art. 23**, Sept. 5, 1992, 1771 U.N.T.S. 107.

UNHCR. The United Nations High Commissioner for Refugees. **UNHCR report reveals 60 million displaced people worldwide because of wars and conflicts**. Available at: <https://www.acnur.org/portugues/2015/06/18/relatorio-do-acnur-revela-60-milhoes-de-deslocados-no-mundo-por-cao-de-guerras-e-conflitos/>. Accessed on: 3 Nov. 2021.

UNITED NATIONS. **Paris Agreement on Climate Change**. Dec. 12, 2015, 54113 U.N.R.N. 88.

UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP). **The SDGs in Action**. 2015. Available at: [https://www.undp.org/sustainable-development-goals?utm\\_source=EN&utm\\_medium=GSR&utm\\_content=US\\_UNDP\\_PaidSearch\\_Brand\\_English&utm\\_campaign=CENTRAL&c\\_src=CENTRAL&c\\_src2=GSR&gclid=Cj0KCQjw8p2MBhCiARIsADDUFVHq-UGHT6pyarFhPTc0DhqBFXNxaUkhzGY4MOOnoLLOAewjzjObd4aAuuUEALw\\_wcB](https://www.undp.org/sustainable-development-goals?utm_source=EN&utm_medium=GSR&utm_content=US_UNDP_PaidSearch_Brand_English&utm_campaign=CENTRAL&c_src=CENTRAL&c_src2=GSR&gclid=Cj0KCQjw8p2MBhCiARIsADDUFVHq-UGHT6pyarFhPTc0DhqBFXNxaUkhzGY4MOOnoLLOAewjzjObd4aAuuUEALw_wcB). Accessed on: 3 Nov. 2021.

UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP). **The status of climate change litigation: a global review**. 2017. Available at: <https://www.unep.org/resources/publication/status-climate-change-litigation-global-review>. Accessed on: 3 Nov. 2021.

UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP). **The status of climate change litigation: 2020 Status review**. 2020. Available at: <https://wedocs.unep.org/bitstream/handle/20.500.11822/34818/GCLR.pdf?sequence=1&isAllowed=y>. Accessed on: 3 Nov. 2021.

YILDIRIM, B.S. Climate justice at the local level: the case of Turkey. **Politikon: the IAPSS Journal of Political Science**, 45, 2020, 7–30. Available at: <https://doi.org/10.22151/politikon.45.1>. Accessed on: 3 Nov. 2021.

WCED. World Commission on Environment and Development (Gro Harlem Brundtland, Chair). **Our Common Future**. Oxford University Press, Oxford, 1987.

WEDY, Gabriel. **Climate Legislation and Litigation in Brazil**. Available at: <https://ssrn.com/abstract=3052226> or <http://dx.doi.org/10.2139/ssrn.3052226>. Accessed on: 3 Nov. 2021.

WEDY, Gabriel. A importância da litigância climática no Brasil. In: **Litigância Climática: novas fronteiras para o direito ambiental no Brasil**. Joana Setzer, Kamyla Cunha, Amália S. Botter Fabri (coord.). São Paulo: Thomson Reuters Brasil, 2019. p. 87-116.



WEDY, Gabriel. **As novas tendências dos litígios climáticos**. Available at: <https://ssrn.com/abstract=3898054>. Accessed on: 3 Nov. 2021.

WEISS, E. B. **Justice pour les générations futures**. Paris: Editions Sang de la Terre, 1993.