

Analyzing most obvious factors of invalidation of climate change treaties, an approach to facilitating obtaining of the right to climate sustainability

Introduction: In recent years, the failure to fulfill obligations under climate change treaties has emerged as a critical challenge in international law, undermining global efforts to address the climate crisis. This study aims to examine the most prominent factors leading to the invalidation of climate change treaty commitments in the series of United Nations Climate Change Conferences (COP).

Material and Methods: The research is conducted with the overarching goal of facilitating the restoration of the right to climate sustainability. A dual-method approach was utilized, comprising an analysis of international legal documents related to climate change and an expert survey to assess key determinants of treaty inefficacy.

Results and Discussion: The results indicate that several fundamental issues contribute to the failure of climate change treaties. Chief among these is the issuance of non-punitive rulings by international courts, even in cases where nations have demonstrably failed to comply with treaty provisions or have continued high levels of pollution. The lack of transparency in the distribution of benefits from international cooperation further exacerbates non-compliance, leading to disparities in climate action efforts between developed and developing nations. Another significant factor is the instability of commitments from major developed countries, particularly the United States, which has historically oscillated in its adherence to international climate agreements. These deficiencies have collectively fostered an environment where governments show reluctance in implementing climate justice policies, thereby hindering the realization of the right to a sustainable climate for societies worldwide.

Conclusion: This research highlights that the absence of a robust enforcement mechanism within climate treaties has resulted in repeated failures in addressing global climate change challenges. The study recommends that future international climate negotiations incorporate binding legal frameworks that prioritize accountability, transparency, and equity. Moreover, it advocates for a paradigm shift in global climate governance, ensuring that developed nations uphold their historical responsibilities in mitigating climate change while supporting vulnerable nations in their adaptation efforts. The implications of this study extend to policymakers, legal scholars, and environmental advocates, providing a critical assessment of structural weaknesses in climate treaties and offering policy recommendations to enhance global climate governance. By integrating enforceable legal commitments with principles of climate justice, the international community can make meaningful progress toward achieving long-term climate sustainability.

Keywords: Climate treaties, Climate change, Environmental rights, Right to climate sustainability.