

Two Day Symposium on Evolving a Strategic International and National Climate Change Arrangement.

Rapporteur: Abhishek Khare

1. Irfan Hasieb and Subornadeep Bhattacharjee (7th Semester and 5th Semester, B.A., LL.B.)

Irfan and Subornadeep, respectively put their views before the forum on the paper titled “*INDIA’S INTENDED NATIONALLY DETERMINED CONTRIBUTION (INDC) AND ITS PUSH TO BECOME A GLOBAL SUPERPOWER: EXPECTATIONS AND PROBABLE RECONCILIATION*”. Irfan explained the position India took during the COP 20 held in Lima, Peru in December, 2014. He then went on to analyze India’s recently declared Intended Nationally Determined Contributions (INDCs) on the backdrop of the developmental needs of the country. He further mentioned that changing lifestyle of people which is most crucial to mitigate Climate Change is going to be a big problem in India. Also the execution of plan on Climate change is really a tough task. Thus, India requires huge capital to prevent itself against the natural disasters.

Later Subornadeep elaborated on the same topic and told the forum that huge economic losses are incurred due to natural disasters because of the climate change. He suggested two things: firstly that access to food security is very important and secondly that sanitation policy of India should be enhanced.

2. Akshat Srivastava and Akancha Srivastava (Both 5th Semester, B.A., LL.B)

Akshat Srivastava and Akanksha Srivastava presented their paper titled “*UNTOLD STORY OF NORTH EAST INDIA: RAT HOLE MINING IN MEGHALAYA*”. Akancha talked about the Jaintia hills where the problem of rat hole mining is prevalent due to availability of cheap labour which is easily available as it is surrounded by Bangladesh and is full of illegal immigrants. This also results into Child Labour Problems. Since primitive methods of mining are used, harmful gases are released into the atmosphere. Also, acidification of soil takes place. Akshat Srivastava, focused on “*Mined to Death: A Case Study by Rajkamal Goswami*”. He emphasized on the concerns of Lukha River turning into blue colour due to the industrial by-products. He laid focus on the involvement of government in this corrupt cause; quoting a must to know instance that the Chief Secretary of the Meghalaya Government also hold a few mines. This causes huge

economic losses to the Meghalaya Government approximated to 600 crores INR in a financial year. Rat-hole mining has also increased the problem of illegal trafficking.

3. Raman Virk (7th Semester, B.A., LL.B.)

Raman Virk, presented her paper titled “*VEHICULAR EMISSIONS AND IMPACT ON ENVIRONMENT: AN ANALYSIS*”. She mentioned that India’s transport energy use is about 55% to which the Judiciary has already brought concerns over vehicular pollutions. Kerala High Court stated that human life is more important than road traffic. Raman did a case study on the city of Guwahati. She mentioned the regular users do not get their vehicle tested. Bharat Stage 4 shall be implemented in the year 2016 but before that we must achieve our previous set goals and targets. She laid importance on concerned areas and mentioned about the Volkswagen Scam in the USA. She argued if that could be the condition of the USA and then the problem in India would be a major one as the monitoring authorities are not so active. She ended with a remarkable quote, “A developed country is not a place where the poor have cars but where the rich use public transport.”

Rapporteur: Mohit Singh

1. Sweden Doley (7th Semester, B.A.,LL.B.)

Sweden Doley presented his paper titled “*THE NEED FOR ADAPTATION TO CLIMATE CHANGE IN RURAL INDIA*”. He talks about the impact of climate change in rural areas and the reason is the lack of knowledge among rural people. The other main cause for Climate Change is Globalization. It is a threat to human population and countries like India whose 2/3 population is dependent on climate sensitive sectors for their livelihood. Scarcity in crop yields and water affects their lives severely. There should be scientific approach to changing dimensions of Climate Change. There is a need to see which section is affected by this change. The affect is so severe that 1 degree change in temperature will lead to fall in 5-10% productivity. Temperature Variability, water pollution, soil degradation etc. are some of the findings of Indian Network for Climate Change. Poverty, Multi-dimensional nature, lack of knowledge of tribal people, over dependence in traditional means of livelihood are some of the limitations of adaptation.

2. Tushar Solanki (5th Semester, B.A.,LL.B)

Tushar Solanki presented a paper titled “*GLOBAL WARMING AND ITS IMPACT ON CLIMATE OF INDIA*”. Global warming is the cause of increase in carbon-di-oxide gas and other climate change induced disaster. He limited his study to Indian Climate Change. He talks about the diverse nature of climate change in different places. He attributed the cause of ecological degradation to poverty. There are specific nature of disasters which occur in India. Floods, Draught, Cyclones etc. have their specific target in different parts of India. He then showed the statistics of these disasters and its effect in the region of Bihar, UP, Maharashtra, Gujarat. Global Warming affects the ecosystem and aquatic animals. He also stressed on the point that lack of self-interest leads to failure in adopting the measures for eradicating this problem.

Rapporteur: Sanjukta Gogoi

1. Adrita Bhuyan (1st Semester, B.A.,LL.B)

Miss Adrita Bhuyan started her presentation based on her research paper, “*EFFECT OF GLOBAL WARMING ON INDIGENIOUS PEOPLE OF ARUNACHAL PRADESH*”. Highlighting various pertinent aspects, she focused on global warming and how it is leading to adverse consequences, i.e., the melting of glaciers and the subsequent rise in the sea level. Her paper was based on Arunachal Pradesh and she highlights the effects of global warming on the indigenous communities of Arunachal Pradesh which have been untouched by industrialization as of now. Further, she also mentions that due to global warming the quality and quantity of varied medicinal plants which are available in the state are degrading. The focus is on Arunachal Pradesh because it is home to 26 different tribes and is considered a splendid, variegated and rich bio diversity region, which further makes it vulnerable to the harmful effects of global warming. Miss Bhuyan emphasizes on the role played by the indigenous community in maintaining the forests. She mentions that the traditional practice of “Jhum cultivation” has lessened. Her presentation has also highlighted the importance of implementation of reforms, emphasizing on the reforms suggested by the UN. She narrowed the reforms for Arunachal Pradesh and mentioned the various steps that have been taken and that need to be taken to prevent global warming or specifically reduce the rate. She ended her

presentation by telling that we need to introspect and that we have a bigger question to answer.

2. Lidia K. Kharmih (1st Semester, B.A.,LL.B)

Her presentation was based on her research paper, “*AGRICULTURE IN NORTH EAST INDIA: PROSPECT FOR SUSTAINABILITY*”. The prospects of her paper was focussed on:

- A) The debate on climate change: whether it is actually pertinent or not?
- B) Emphasis on statistical figures giving account of the average rise in global temperature as a result of global warming.
- C) Highlighted the organisations that have analysed or focused their research on climate change: The UNFCCC and the Food and Agricultural Organisation (FAO)

A part of her presentation was focused on the Green House Gas emissions and she related it to the impact it has on the agricultural activities. She further also delved in the impacts caused by the gases Carbon dioxide, methane and nitrous oxide which primarily make up the Green House Gases.

Lidia later briefs about the agricultural sector of Northeast and points out the various shortcomings that have affected the agricultural sector in Northeast India. One of them is the lack of advanced infrastructure to mitigate climate change.

The conclusion was analytical and it urges the reforms to be implemented in order to protect the region.

3. Geetashree S. Kurup and Anurupa Chetia (Both 9th Semester, B.A.,LL.B)

Their research paper was titled “*INDIGENOUS PEOPLE AND UN-REDD+ PROGRAM: AN ANALYSIS OF THE CONFLICT BETWEEN RIGHTS OF INDIGENOUS PEOPLE AND IMPLEMETNATION OF REDD+ PROGRAMME*”.

The presentation was given by Geetashree S.Kurup. The focus was on-

- A) Tropical deforestation and reducing tropical deforestation which is a necessary element of any strategy to avert climate change.
- B) The light was on REDD+ programme launched in Bali Conference. The paper highlighted the various facets of the REDD+ programme, its meaning and its significance.

C) Further, the importance of the indigenous community in the implementation of the REDD+ programmes is something which has been deliberated upon. The presenter has focused that the indigenous community will help only if their rights and opinions are recognised.

D) Further, the explanation on the rights of indigenous people under REDD+ mentions the 10th Session of the United Nations Permanent Forum on Indigenous Issues (UNFPII), held 16-27 May 2011 in New York.

POTENTIAL IMPACTS OF REDD TO INDIGENOUS PEOPLES (AND OTHER FOREST DEPENDENT COMMUNITIES): It is more of a critical analysis of the relationship between the REDD+ programme which mentions its prominence or varied pros and cons.

The presentation was concluded by Miss Geetashree by stating that the REDD+ has been brought with the aim of supporting indigenous people's voices and their participation in the global, national or regional negotiations but it also has many negative impacts.

Rapporteur: Anubhab Atreya

1. Neil Dutta and Shivendra Singh Baghel (9th Semester and 5th Semester, B.A., LL.B)

The presenters began with an interactive Trivia round focusing on questions concerning the Antarctic ecosystem. The paper was based on Antarctica and its dialogue with climate change. It primarily focused on West Antarctica and the effects of climate change on this region. West Antarctica is relatively more prone to climate change. An introduction to Antarctica and the effects of climate change on it was also presented. The changing composition of ice shelves in Antarctica is a prime example of this. The presenters also highlighted several statistics regarding the increased melting of ice in Antarctica. The IPCC's prediction of the extinction of several species like Emperor Penguins is an indicator. The food chain is interrelated with humans and the disruption of the food chain in Antarctica would not only stay limited to Antarctica and its ecology, rather it would have a repercussion across the world.

The presenters also focused on the legal aspects of climate change in Antarctica. The Antarctic Treaty which came into force in 1961 is a primary example of this. The relevant Articles in the treaty which govern any proposed activity in the Antarctic region were also discussed. The paper finally concludes that the rising temperatures in the region cannot

only be attributed to localized human activities. Rather it is affected by the violation of emission norms across the world. The threat posed to Antarctica and its imminent loss would have a repercussion across the world as food chains globally would be disrupted.

2. Swastik (7th Semester, B.A., LL.B)

The title of the paper presented by Swastik was “*WHATEVER YOU MAY DEEM FIT*”. The presenter initiated his presentation focusing on the concept of Climate Justice. The concept of climate justice emphasizes the fact the action needed to combat climate change should be based on community led solutions and the well-being of the local communities, indigenous communities etc. as well as biodiversity and ecosystems. However, the presenter argues that the world community has not yet developed the political maturity to make this kind of an effort effective. The world powers have engaged in a blame game with the developed countries blaming the developing countries for the increased emission levels from the use of conventional levels. On the other hand, developing countries including India have been arguing that the burden of meeting up with more stringent pollution and emission norms should lie with the developed countries which have been accused of hypocrisy.

The use of jargon like ‘sustainable development’ can never be effective in the ground level if humans carry on their contradictory activities. People often tend to leave issues related to the environment on the State. The emphasis on the Rights often comes at the cost of duties. The presenter highlighted that people emphasize on their Right to Environment under Article 21 under the Constitution of India but tend to forget their fundamental Duty under Article 51 A (g). People believe in the Public Trust Doctrine but ignore the Personal Trust Principle. Framing laws and making agreements would have no effect on the environment unless human themselves stop their self-destructive behavior.

3. Ms. Shannu Narayan, Visiting Faculty of Law, NLU Assam

Ms. Shannu Narayan began by discussing the status of Antarctica as a global commons. As a result, the responsibility and welfare of Antarctica lies with the world community. The phenomenon of natural degradation and ozone layer depletion has brought about a realization to the international community.

A synopsis of the development of the international conventions regarding climate change and the environment was presented. The differentiation between soft law and hard law was also discussed. The relevance of the UNFCCC as a framework was highlighted. There

is need for a hard law to ensure commitment of developed countries. However, the climate change regime is based on soft law. Japan is an example of a developed country which has complied with targets and is party to the Kyoto Protocol unlike major polluters like USA. The climate change regime has been evolving since 1992, but has not yet fully developed. The international community has not fully comprehended the concept of protection of atmosphere. What is the role of developed countries in protection of atmosphere was also discussed upon. The International Law Commission's role is relevant here. It has focused more on redundant and dry issues. 'Atmosphere' as a concept is evolving. However environmental law issues picked by the Commission recently are relevant, like protection of atmosphere, protection of atmosphere during natural disasters.

The delay and irregular patterns of monsoons is a prime example of climate change that is evident to the lay man. Two important judgments of ICJ are also extremely crucial to this issue (The 1996 Nuclear Weapons case and Gabčíkovo-Nagymaros Case, ICJ 1997) .The legal status of the atmosphere as accepted by the global community over the years has however changed. It has been agreed that the atmosphere is a common concern of mankind and not a global common.

The role of India in these issues was also discussed and the principles guiding India's stand on these issues were also highlighted during the discussion.