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Bringing It All Together: Leveraging Social Movements and the Courts to Advance Substantive Human Rights and Climate Justice

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Description / Abstract

Although significant literature and jurisprudence has amassed on rights-based climate litigation over recent years, less research and case law has emerged on poverty-related court cases and the fulfilment of economic, social, and cultural rights (ESCR) in Canada. Fewer still are studies exploring the interlinkages between these areas of inquiry. The purpose of this paper is to explore, using Canada as a case study, rights-based developments in climate litigation cases and how these could impact the innovative advancement of ESCR (e.g. to food, housing and water). Typically, issues of justiciability and standing emerge, impeding the realization of such rights. Given the grave threats we now face, climate cases and social movements must be brought together to better hold state actors accountable for their rights obligations. We implore the legal community to explore ways to traverse juridical obstacles to realize the interdependencies of human rights and protect the planet from calamitous climate change.

Publication year

2022

Country

Canada

Region

Americas

Publisher

Human Rights Review

Thematic Tagging

Water services

Language English

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Water Rights

A2.01

Source URL: <https://iwrmactionhub.org/resource/bringing-it-all-together-leveraging-social-movements-and-courts-advance-substantive-human>