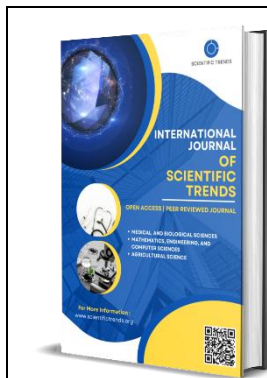


The Role of International Law in Combating Climate Change

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Abstract

This article examines the role of international law in combating global climate change. It explores the legal aspects of global climate change, international agreements and their impact on national legislations, as well as the challenges and future prospects of international law. The study highlights the solutions to global problems that can be achieved through joint actions of countries in the fight against climate change.

Keywords: Global climate change, global problems, international law.

Introduction

One of the greatest challenges of the modern era is global climate change. It is one of the key issues that concerns our entire society. As a result of irregular weather conditions, serious disruptions in natural patterns are being observed. These phenomena are already being felt by society. The melting of glaciers, the rise in sea levels, extreme weather events, and the disruption of ecosystems are causing social, economic, and environmental consequences worldwide. These problems require solutions not only at the national level but also through international cooperation and within an international legal framework[1].

Climate change has become one of the most pressing challenges facing humanity. Not only do these phenomena cause more frequent extreme weather changes such as storms, droughts, and floods, but they also have long-term impacts on ecosystems, biodiversity, and natural resources that are vital for the survival of life on the planet. The impact on human life is vast, including health, food security, water availability, and economic stability, all of which are interrelated and mutually influencing. In many regions, climate change has become a trigger for migration and conflict, as the struggle to access increasingly limited resources has been achieved. Facing the issue of climate change requires a global response, because no single country can

solve this problem alone. International engagement through cooperation and effective implementation of legal policies is key to mitigating the impacts and adaptation to climate change. International initiatives such as the Paris Agreement and the United Nations' sustainable development agenda demonstrate global recognition and commitment to address these issues. However, the implementation of these agreements still faces many obstacles, including the need for adequate funding, technology transfer, and adequate building capacity. Thus, a deeper understanding of how international law can be strengthened to support effective policies is essential in the global fight against climate change.

International law significantly contributes to global cooperation in tackling climate change. Agreements like the UNFCCC and the Paris Agreement provide a structured legal foundation for nations to develop strategies aimed at cutting greenhouse gas emissions and adapting to climate-related challenges. These legal instruments outline the duties of both developed and developing nations and encourage collaboration through technical assistance, technology sharing, and financial backing. This legal approach encourages nations to unite in pursuing agreed climate goals, particularly in limiting global warming.

Additionally, international law addresses environmental harm and promotes climate justice. Instruments such as the Adaptation Fund and the Green Climate Fund help channel essential resources to the countries most at risk from climate change. This is crucial not only for aiding less developed nations in their climate initiatives but also for ensuring fairness and inclusivity in global climate action. The collective engagement of all countries within the framework of international law is essential for reaching just and impactful solutions.

The approach of international law to climate change is one of the key areas dealing with this process. Climate change does not manifest itself only in environmental phenomena. It should be considered not only as an ecological problem but also in the context of human rights, economic development, and security.



Picture 1. Global climate change

International law defines the responsibilities, obligations, and mechanisms of cooperation among states. These are implemented through key international treaties and mechanisms. The United Nations Framework Convention on Climate Change (UNFCCC) forms the foundation of global climate policy and establishes the principle of common but differentiated responsibilities. The Kyoto Protocol assists developed countries in undertaking commitments to reduce greenhouse gas emissions. Carbon markets, joint implementation, and the Clean Development Mechanism are among the main instruments of the Kyoto Protocol. The primary goal of the Paris Agreement is to keep the rise in global temperature below 2°C and to pursue efforts to limit it to 1.5°C as much as possible [2].

International law serves as a powerful tool for monitoring and enforcing climate commitments. Mechanisms like transparent reporting systems and peer reviews, such as those under the Paris Agreement, require countries to regularly disclose their progress towards national climate goals. This fosters mutual trust among nations and motivates stronger global climate action. Moreover, ongoing negotiations and revisions within international forums help improve legal frameworks, ensuring they remain aligned with scientific advances and the evolving nature of climate politics. Nationally Determined Contributions (NDCs) are new implementation mechanisms of international law. International law encompasses a set of principles and mechanisms. The principle of sustainable development requires that economic growth should not undermine ecological balance. The principle of equity and responsibility sharing implies that industrialized countries bear greater obligations. The polluter pays principle ensures accountability for environmental harm. International cooperation mechanisms include financial instruments, technology transfer, and adaptation programs. Nevertheless, a number of legal challenges exist in this field. Among them is the weakness of enforcement mechanisms, which

allows states to evade their obligations. Conflicts between national interests and international commitments, resource limitations in developing countries, and the uncertain legal status of climate migrants also represent significant difficulties [3]. To overcome these limitations, the Paris Agreement—established in 2015—encouraged broader international involvement, including from developing countries. It introduced Nationally Determined Contributions (NDCs), allowing each country to define its own emission reduction goals based on national capabilities. While this approach promoted wider engagement, the lack of a binding enforcement mechanism for NDCs remains a key shortcoming. Consequently, despite a rise in commitments, questions persist about whether the pledges made are sufficient to meet the long-term objective of limiting global temperature rise.

Legal and policy measures are essential in addressing climate change, as they create structured guidance for global, regional, and national action. Effective legislation sets clear targets and standards that both governments and industries must meet, helping reduce greenhouse gas emissions and encouraging adaptation to climate impacts. These frameworks also channel investment into clean technologies and sustainable practices. Importantly, they establish legal consequences for failing to meet environmental requirements, which incentivizes innovation and continuous improvement. International law and policy have contributed significantly to addressing climate change; however, a detailed analysis reveals several areas of weakness that need improvement. The Kyoto Protocol, as one of the first global initiatives to manage greenhouse gas emissions, achieved partial success but also received considerable criticism. Although it imposed legally binding emission reduction targets on developed countries, it did not apply the same obligations to developing nations. This exclusion led to a relocation of heavy industrial activities to countries not restricted by the protocol, thus diminishing its overall effectiveness in lowering global emissions.

However, several prospects are foreseen in the future. These include strengthening monitoring and reporting mechanisms to ensure the implementation of the Paris Agreement, integrating human rights and the concept of climate justice into international law, the possible establishment of climate courts and arbitration mechanisms (Voigt, 2019), and aligning regional agreements with international law[4]

Conclusion

The fight against climate change has become one of the most pressing challenges of the 21st century, requiring the collective efforts of states, international organizations, and civil society. International law provides the necessary framework for regulating state responsibilities, creating accountability mechanisms, and ensuring cooperation at the global level. Instruments such as the Paris Agreement, the Kyoto Protocol, and the United Nations Framework Convention on Climate Change (UNFCCC) have established legal standards that influence both national legislation and international relations. However, the effectiveness of these frameworks is often undermined by divergent national interests, insufficient enforcement mechanisms, and the lack of binding obligations for all parties.

At the same time, international law continues to evolve, introducing new approaches that emphasize climate justice, sustainable development, and the protection of vulnerable communities most affected by climate change. Strengthening compliance mechanisms, enhancing transparency in emission reporting, and expanding financial and technological support for developing countries are critical to making these legal frameworks more effective. Moreover, the integration of climate considerations into trade law, human rights law, and environmental governance shows that international law is becoming increasingly interdisciplinary in addressing the climate crisis. The transfer of technology plays a vital role in the global fight against climate change. Nevertheless, its implementation faces major challenges, particularly concerning patent protections and the confidentiality of technological innovations. Developing nations frequently encounter difficulties in acquiring advanced technologies due to high costs and complex regulatory frameworks. This lack of access to clean and efficient technologies can hinder their ability to meet emissions reduction goals. In addition, although there have been initiatives to strengthen capacity in these countries, gaps remain in education, training, and resource availability, which limit the effective use of international support and climate policies.

A comprehensive and coordinated policy approach is urgently required to tackle the multifaceted nature of climate change, which affects not only the environment but also the socio-economic well-being of societies. Well-crafted policies allow governments to allocate resources fairly and provide targeted support to vulnerable groups, including coastal populations and farmers in less developed nations. These strategies are vital to ensure equitable and sustainable adaptation and mitigation efforts, promote international cooperation, and guarantee that all communities are included in global climate solutions. Similarly, Jensen analyzed the effectiveness of the Paris Agreement and found that while it encouraged nations to set more

ambitious climate targets, gaps in monitoring and enforcement limit its overall effectiveness. These findings underscore both the positive contributions and existing limitations of international legal policies in addressing climate change, suggesting that more refinement and enhancement are still needed. The authors emphasize the need for a major shift in how funding and resources are distributed to enable sustainable and effective climate adaptation. From a policy standpoint, their evaluation suggests revising current strategies to be more inclusive, particularly by considering the unique challenges faced by developing and least developed countries. Overall, the findings support the notion that, although international law has laid a solid groundwork for unified global action, it is essential to enhance certain elements of these frameworks to better address the pressing issue of climate change. In the United States, climate change strategies have shifted notably depending on the ruling administration. For example, the Obama Administration introduced the Clean Power Plan to curb emissions from power plants, although it encountered major political and legal resistance. Despite this, individual states like California have taken the lead by enforcing stricter emission rules and encouraging the use of electric vehicles and renewable energy. This illustrates that much of the impactful climate action in the U.S. originates at the state level rather than through federal directives.

In contrast, Japan has taken several steps to lower emissions and advance clean technologies by offering financial incentives to both businesses and individuals who adopt environmentally friendly innovations. The country has also dedicated substantial resources to research and development in renewable energy and battery technologies, underlining Japan's effort to decrease dependence on fossil fuels.

As a result, this study seeks to examine the contribution of international law in tackling climate change from a legal standpoint and aims to identify practical and effective policy measures.

Ultimately, combating climate change requires not only the adoption of international treaties but also their effective implementation at the national level, backed by political will and global solidarity. The future of international law in this area lies in fostering stronger cooperation, establishing more binding commitments, and ensuring that all states developed and developing alike share both responsibilities and benefits. Only through such coordinated legal and political action can the international community create a resilient system capable of mitigating climate change and safeguarding the planet for future generations. The findings of this research highlight that while international law is vital in addressing climate change,

its implementation and enforcement still face several obstacles. Agreements like the Kyoto Protocol and the Paris Agreement have laid down a solid legal foundation, yet their impact is weakened by inconsistent commitment and insufficient enforcement mechanisms. Although these legal instruments have helped align global efforts, the study emphasizes the need for more robust enforcement tools, improved transparency in monitoring progress, and enhanced collaboration and financial assistance to ensure all nations can participate fairly and effectively in combating climate change.

Additionally, the research suggests expanding international cooperation to include civil society and the private sector as active contributors to climate action. Adopting a more inclusive and adaptive legal framework that considers the diverse needs of different countries and regions could foster innovation and resilience. By promoting policies grounded in global solidarity and mutual responsibility, the international community can advance toward a greener, more sustainable, and just world.

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