



Implicit Ecological Considerations on Paris Agreement

Considerações Ecológicas Implícitas sobre o Acordo de Paris

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Abstract: The object of this study is the structure of the Paris Agreement on the attribution of transparency, the Nationally Determined Contributions, support for the economy and reduction of the emission of polluting gases with consequences of environmental constitutionalism in the Risk Society. The method used to approach is the inductive, through the investigation of bibliographies, rules and laws. The Paris Agreement has not favored mitigation by the international cooperation, although it does offer financing strategies for development projects. Sophisticating documents is not showing the ecological sustainability of human rights as a relationship between all forms of life. Everyone involved in this process needs to have a true and cohesive democratic participation, favoring a new conscience, access to information, popular participation in legislative processes, in decision making and access to environmental justice strengthen the environmental preservation in all its levels.

Keywords: Global Environmental Governance; Risk Society; Ecolog; Paris Agreement.

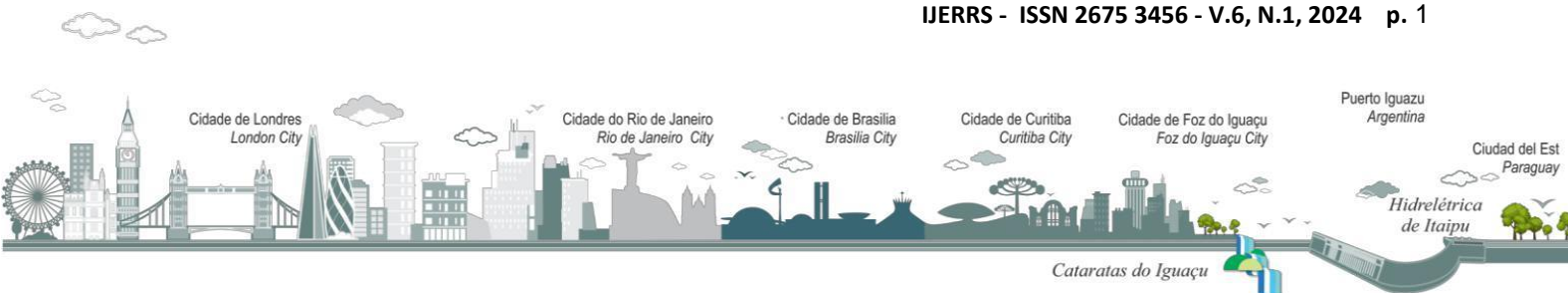
Resumo: O objeto deste estudo é a estrutura do Acordo de Paris sobre a atribuição de transparência, as Contribuições Nacionalmente Determinadas, apoio à economia e redução da emissão de gases poluentes com consequências do constitucionalismo ambiental na Sociedade de Risco. O método utilizado para abordagem é indutivo, por meio da investigação de bibliografias, normas e leis. O Acordo de Paris não tem favorecido a mitigação pela cooperação internacional, embora ofereça estratégias de financiamento para projetos de desenvolvimento. Documentos sofisticados não mostram a sustentabilidade ecológica dos direitos humanos como uma relação entre todas as formas de vida. Todos os envolvidos nesse processo precisam ter uma verdadeira e coesa participação democrática, favorecendo uma nova consciência, o acesso à informação, a participação popular nos processos legislativos, nas tomadas de decisão e o acesso à justiça ambiental para fortalecer a preservação ambiental em todos os seus níveis.

Palavras-chave: Governança Ambiental Global; Sociedade de Risco; Ecologia; Acordo de Paris.

INTRODUCTION

The current feeling about climate events is similar to that manifested before the arrival of a war or the further unrest of a hurricane, because it does not recognize the effects of climate variability and cease to be a signatory to the Paris Agreement directs humanity to cause inevitable damage, threatening nature and present and future generations.

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With the interaction between living and non-living systems that has been impacted by an irresponsible stance by international actors, it will be exposed as nationally determined contributions, the actions of international cooperation for the economy, the reduction of greenhouse gases and instruments of participatory democracy can collaborate with the realization of transparency in the crisis of climate governance in the face of systemic vulnerability.

This requires investigating with fragile, timid or inert initiatives for mitigation need in the Risk Society (Beck, 2011). Thus, international cooperation tends to be configured as a legal institute of aversion to the consolidation of the ecological sustainability of human rights, specifically within the sphere of the Paris Agreement.

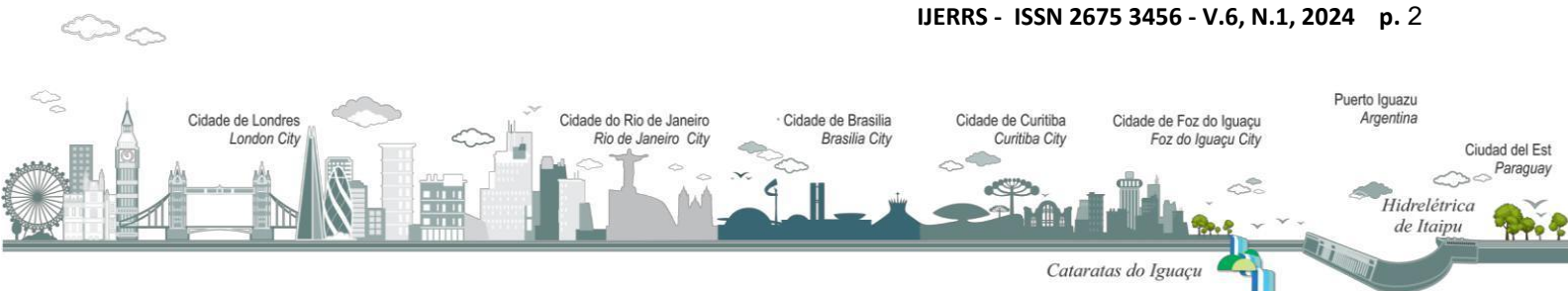
Therefore, human beings as subjects of rights have not achieved an intelligent experience, completely free and independent of other living organisms, because they are all an ecological network of interdependencies. Thus, the principles of responsibility and equality laid out by the Paris Agreement were considered in this research as mitigation capabilities among all peoples.

This implies inserting human awareness to explore understanding between earth, living ecosystems and humanity, whose balance has collapsed to human capabilities to cope with the effects of global climate change nowadays.

It reflects the opportunities for freedom for all those involved to know the power of risks arising from climate events in the human dimension, in which the actors have collective responsibility to exercise the common good for international cooperation and citizens must become agents of positive change, given the weakening of international institutions such as the United Nations and the World Trade Organization for instance.

Therefore, it will be investigated whether under these conditions it may be possible to empower and offer new sustainable human skills and competences to mitigate, the dimensions of human rights in addition to relativism *versus* universalism, multiculturalism, pluriethnic and participatory democracy in the face of the fall of freedoms and fundamental guarantees in the formation of risks to the exercise of public freedoms with the arrival of Latin American constitutionalism in parallel to the Rights of Nature.

Humanity has forgotten that it remains dependent on natural resources and the Earth, which has been undeniably impacted by delays and mistrust about the anemic exercise of





public freedoms. Because of this, there are difficulties in understanding the state of global affectation, because the distance between the artificial world (built), where one lives, and the natural, results in a legal-ecological gap that implies generating support for ethics in the actions among all living beings, including the Earth.

ATTRIBUTIONS OF TRANSPARENCY TO INTERNATIONAL COOPERATION

Understanding effects of global climate change is possible to investigate whether there is already "the first generation to succeed in ending poverty, as well as being the last to have a chance to save the planet" (UN, 2016, p.12). The absence of the exercise of the individual freedoms of the subjects of law in citizen participation in this process is not yielding to a plural-democratic experience, where the fruits of representativeness through international cooperation are not distributed equally, especially to the vulnerable.

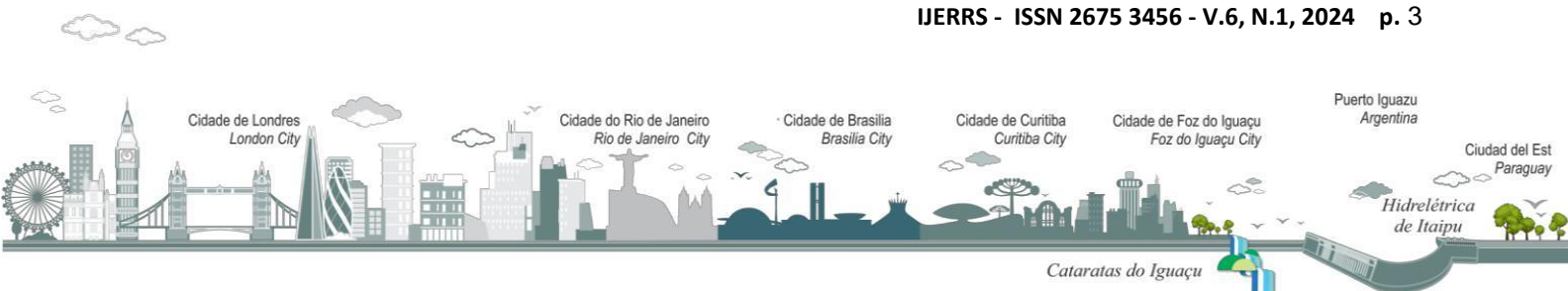
It happens because that contemporary political conditions are not reaching the multidimensional scope of justice and freedom so that this public can receive care regarding access, participation and reinvindication of transformations essential to the exercise of equality (SEN, 2009).

On the other hand, preserving biodiversity, strengthening institutions at all levels by transparency and accountability, integrating education, the use of natural capacities sustainably by knowledge comes to integrate the protection of the Earth, human rights, humanity itself and other forms of life.

This needs to be attributed to the generality of people in multidimensional, inter-territorial and plural extension of both the crisis and the possibility of applying the large set of structures available by the Paris Agreement giving complementarity to their instrumental flaws.

International Cooperation and Nationally Determined Contributions by the Parties

The mitigation strategy for the Paris Agreement has a decentralizing character, since "The Parties must adopt domestic mitigation measures in order to achieve the objectives of those contributions" (UN, 2015, p. 02).





In the bias of equality and accountability, it may not be possible to achieve international cooperation at all levels to reduce disaster risks including climate adaptation. This applies directly and primarily to:

[...] developing countries, especially least developed countries, small island states, landlocked developing countries and African countries, as well as middle-income countries facing specific challenges, need special attention and support to increase domestic resources and capacities through bilateral and multilateral channels to ensure adequate, sustainable and timely means for implementation in capacity building, financial and technical support and technology transfer, in line with international commitments (UN, 2015, p.10).

Thus, the possibility arises of the articulation of human rights, the protection of natural resources and the environment being convergent to these realities, regardless of their elasticities to the *modus vivendi* in achieving the *modus operandi* provided by the Paris Agreement.

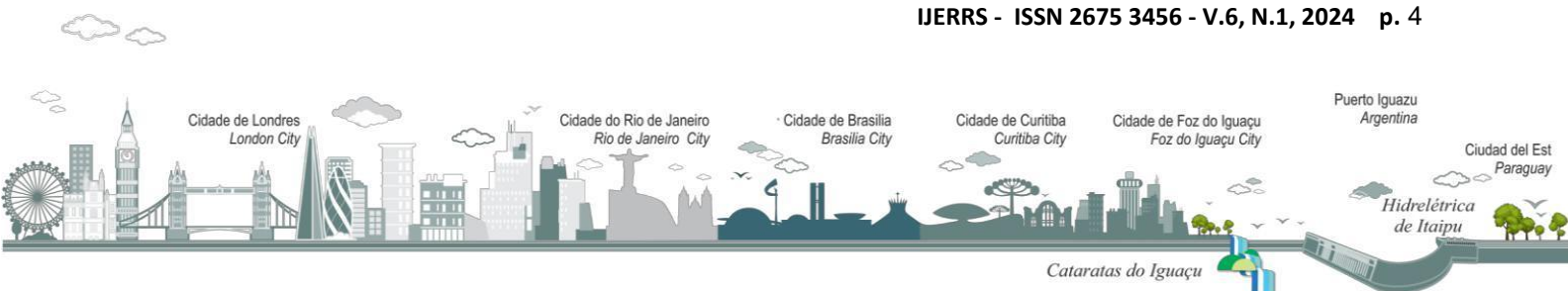
Therefore, it is necessary for humanity to pay attention to the warnings of the scientific community, because there may not be enough time to face the moral blindness of the actors in order to avoid reaching the catastrophe so that an answer is constituted (Morin, 2011).

From the perspective of environmental justice, life would need to gain greater evidence in consideration of cooperation being a practice linked to overcoming paradigms and fruitless international relations, consciously and lucidly to constitute better qualities and living conditions of the environment, human being, Earth and other forms of life, available reciprocally, especially to meet the demands of the regions evidenced.

(Dis) Connections of international cooperation in actions to support the economy and reduction of the emission of polluting gases

For this module, the current policy on the effects of global climate change has not favored concrete cooperation, whose structure of interests and financial incentives to promote actions to speech can be considered as an addiction to the Paris Agreement.

Furthermore, the lack of economic control over pollutant emissions has been felt on a global scale and, although the already protected environment may lead to the provision of a





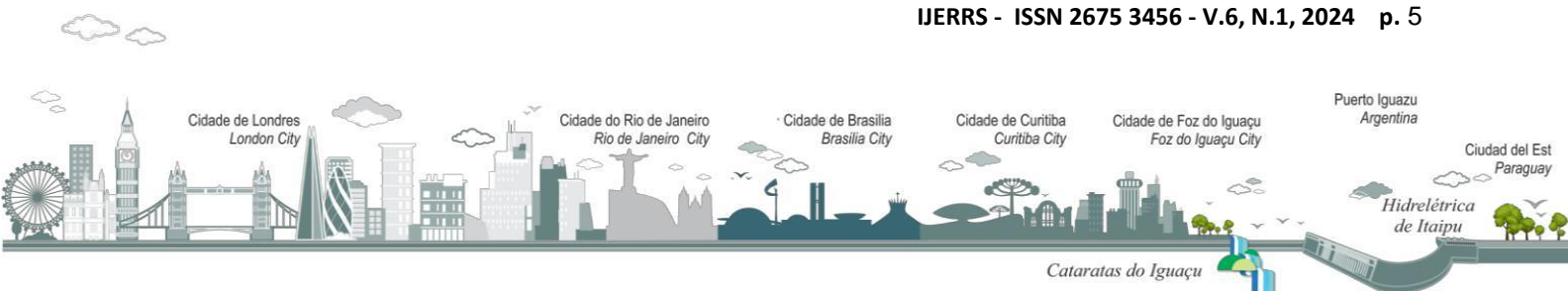
general public good, it is noted that in the current disGovernance on the subject, the Parties are more concerned with their local economies investing in technological innovation to generate value to renewable energies that contribute to the reduction of air pollution. Thus, it is important that global actors have institutional analyses and approaches to emphasize the urgent need to remove discourse and persuasion demagoguery, which affect the common interests, especially, of the countries demonstrated. The mere regulation of the Paris Agreement on the subject in question is not in itself through the reduction of pollution, which prevents the increase in temperature above 1.5°C to 2°C (Jordan, 2015).

Therefore, financial, socioeconomic, environmental, sustainable and inclusive participation of developed countries in assistance to developing countries, small island states, landlocked developing countries and African countries, as well as middle-income countries through contributions to the United Nations Development Fund – UN will be crucial. By defocusing at least 0.7% of its Gross Domestic Products and focusing taxes on the carbon emitted to use it in project financing, such as: tolls on ocean and air ways as environmental conservation rates for the common protection of humanity, (Jordan, 2015).

To this end, international cooperation would need to be able to go beyond the satisfaction of the dignity of the human person, because in "cooperation without which no one can have a satisfactory life, the division of advantages should take place in such a way as to give rise to the voluntary cooperation of all participants" (Rawls, 2002, p.16).

In addition, this circumstance extends to the effects of global climate change in the absence of a legal structure for these situations, exposes the anthropocentric contents of the current norms and thus human rights move away from the ecological matrix of environmental protection, thus not generating the recognition of ecological sustainability as a means of access to the right to the environment, whose intrinsic condition for human rights is now affected.

Furthermore, this approach needs to go through the ethical and legal sphere within the scope of human rights and public law norms. In this dynamic, the global actors who interact in mitigating the effects of global climate change confront solidarity strategies, where the sovereignties of states collide with ecocentric intentions in the face of responsibilities at the international level.





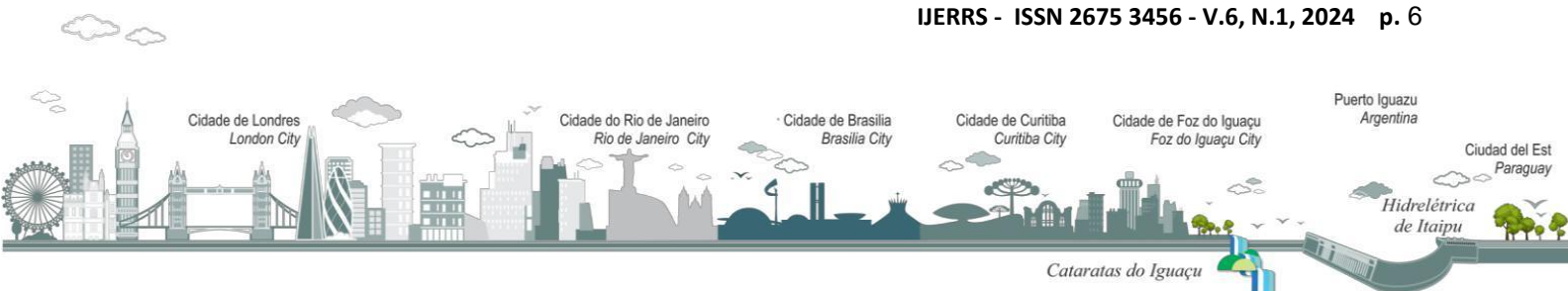
The global environmental governance model could be to establish lateral actions within and outside the territories of the countries, through regional, multilateral or transnational cooperation, provided that there is a transformation of consciousness. According to Trindade (2002, p.720), it has to be that "instead of clinging to legal-formal constructions and yilogisms and hermetic normativism, because what is truly necessary is to correctly interpret" the laws to ensure the protection of all forms of life and the Earth for generations to come. It is therefore supported by the importance of cooperation at various levels, regional, national and transnational, so that the environmental preservation strategy can achieve adequate effectiveness.

If a new essence is not adopted from the international agreements, it will not bring us the end of multilateralism among actors, but their return happens because the international community has no way to act as a whole, creating limits on the form of cooperation in which several or more States may be involved. This aspect stems from the that it has not been possible for all actors to rethink all their particular dimensions and evolve their *modus operandi* to meet the problem of the effects of global climate change (Souza, 2020).

To this end, requiring greater efforts by the Economic Development Commissions, the World Bank, regional and national development banks to foster innovation and technology transfer to developing countries, the gap between adaptation mechanisms and those implementing the Paris Agreement can be narrowed. This consideration is directed to the attributions of the Adaptation Committee and Expert Group of The Least Developed Countries, as well as to the Executive Committee of the Warsaw International Mechanism for Losses and Damage and to the Global Fund for the Environment "*inter alia*, by public and private, bilateral and multilateral sources", to facilitate the performance, implementation of strategies, risk management and improvements by the Parties (UN, 2015, p.29).

The real capacity of developing countries to reach the level of developed country is considered sterile, because even global actors have not been inclusive, nor providing an egalitarian space between their disputes over natural resources.

In the dimension of the protection of human rights and the environment in the face of the effects of global climate change, in the face of the obligations arising from normative acts such as the Paris Agreement, the subjects of law under international public law, need scientific





evidence directed to the environment, as well as economic brakes and balances working for the environment. In the sense that the use of force is overcome, in order to prevail the use of law and justice to resolve controversies arising from unbalanced international relations that have been compromising the environment, and, consequently, the possibility of future generations.

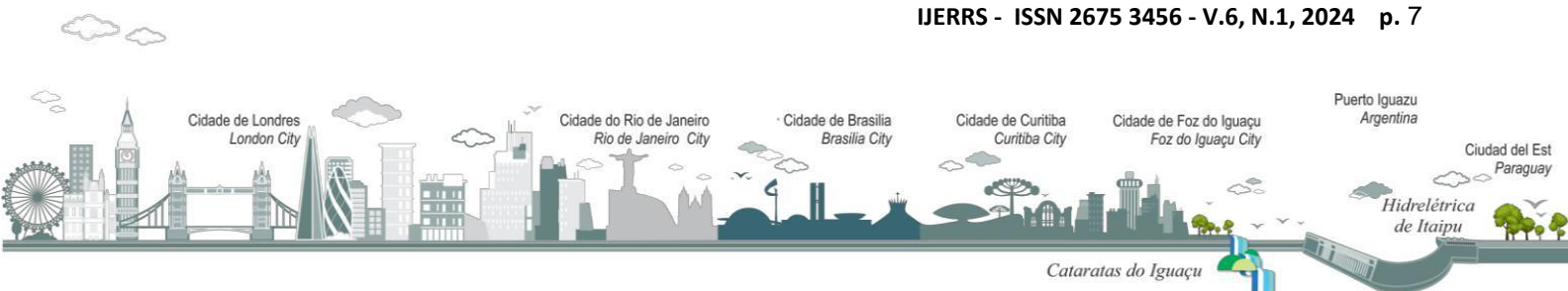
The Mitigation Crisis: Escazú Agreement vs. Aarhus Convention

During the structure of the Paris Agreement on international cooperation, it should be seen that there was no regulation on access to information, popular participation in decision-making and access to environmental justice. Thus, it remains to be seen whether the Escazú Agreement and the Aarhus Convention, the instruments addressing these themes, are consistent with international cooperation in mitigating the effects of global climate change.

The point investigated was on the number of countries support for these measures between international cooperation between the Aarhus Convention and the Escazú Agreement. The former has been used to address these situations since the 1990s, mainly by European countries and with the participation of nations from other continents, as the European Community concludes international agreements and implements its "obligations to promote, at international level, measures aimed at addressing regional or global environmental problems" (Commission of the European Communities, 1998 p.33).

Recently, Latin America and the Caribbean have gained a historic milestone by regulating the same subject: the Escazú Agreement. That said, other countries located outside Latin America and the Caribbean with biodiversity and problems with human mobility from similar natural disasters will not have the support of global governance itself if they wish to mitigate climate effects by existing international cooperation, as this Agreement excludes compliance through international cooperation with other nations.

Therefore, this makes it difficult for "the Parties to give special consideration to less developed countries, landlocked developing countries and small island developing states in Latin America and the Caribbean" (Eclac, 2018, p.31), where extreme weather events have occurred. This is because the Escazú Agreement:





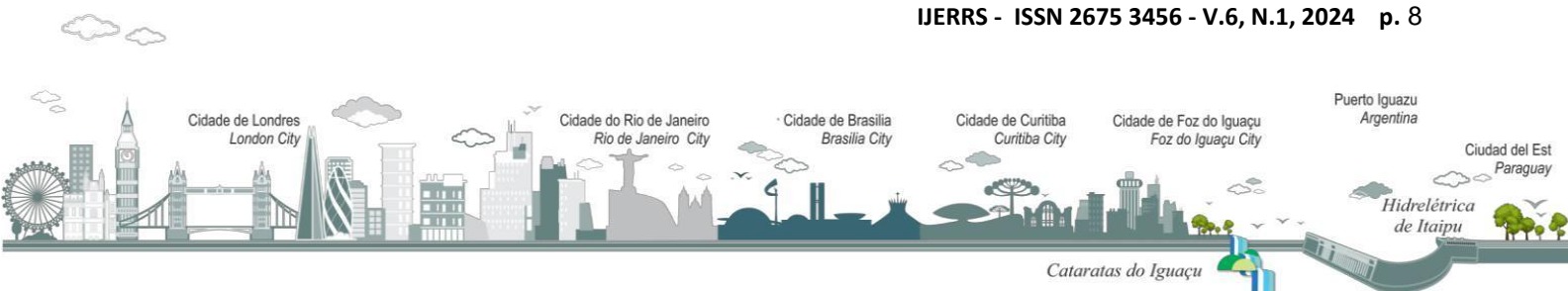
This is a visionary and unprecedented agreement reached by and for the countries of Latin America and the Caribbean, which reflects the ambition, priorities and particularities of our region. It addresses key aspects of environmental management and protection from a regional perspective and regulates the rights of access to information, public participation and justice in important areas such as the sustainable use of natural resources, the conservation of biological diversity, the fight against land degradation and climate change and increased resilience to disasters. It also includes the world's first binding provision on human rights defenders in environmental matters, in a region where, regrettably, they face aggression and intimidation too often (Eclac, 2018, p.08).

With this, it is imperative to safeguard these purposes to demand the fulfillment of priorities to environmental initiatives, especially to the vulnerable, because the human dimension permeates the qualities and living conditions of the environment mutually (food, food security, health, housing, ecological balance). Thus, a resilient scope can resume to be predelineated, with the Aarhus Convention as the instrument of global environmental governance more collaborative to mitigation in regional and global scope, specifically through access to information, popular participation in decision-making and access to environmental justice.

It is also possible to reinforce institutional structures through climate knowledge and, consequently, strengthening the scientific, technical, operational, institutional and good practice spheres consistent with adaptation, and democratically transcending these essential approaches to all involved and at all levels of governance. This mobilization becomes inescapable, since the UN (2013, p.21) exposes the "need to strengthen cooperation and expertise to understand and reduce losses and damage associated with adverse effects of climate change, including impacts related to extreme weather events and slow-onset events".

For this to occur, taking into account the recommendations of the United Nations Framework Convention on Climate Change and the difficulties of generating equity, responsibility needs to go beyond the theoretical context and enter into social tissues against contemporary democratic debts through the strengthening of institutions in addition to generating access to information, public participation and access to environmental justice.

Given this circumstance, the relationship in the space between biophysical stress, resilience and social stress indicate different levels of resilience and risk, reflecting in the implementation or failure of risk management resulting from climate variability. Through





adaptation it will be indispensable to increase scientific knowledge, offering more ways of coping with risks, however, with a mitigation ineffective by poor adaptation, the inability to use knowledge will be available, to reduce resilience and offer risks, achieving irreversibility (IPCC, 2014).

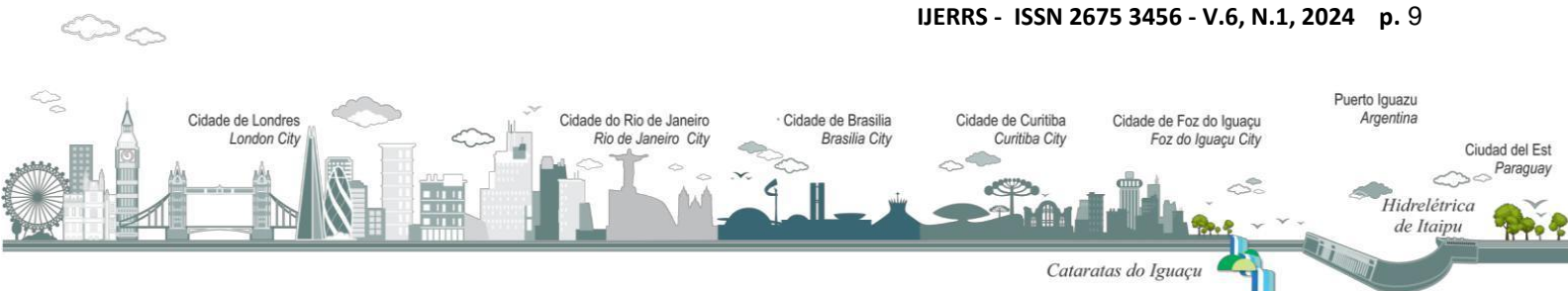
As a result, the governance evidenced becomes skilled to face global problems when cooperation becomes consistent and stable, transforming into potential capabilities of responsibility of action in order to have the distribution of equity to mitigation. As a result, the political costs of discoursing global agendas need to decrease by not investing in better performance evaluation skills, where the interaction and political articulation of global actors compromise the instruments generated by themselves (Jordan, 2015).

Creating a global information system in which the Paris Agreement is worked by international cooperation means to contribute adjustments, aiming to develop networks for the management of human mobility over extreme climatic phenomena would contribute to generating better performance capacities for inefficient political costs so far.

In particular, it will take greater effort purity in democratic interaction and to generate the stability of sociobiodiversity, where international cooperation will need to be cohesive in respect of human rights, public freedoms, the environment and multiculturalism, imbricating ecological awareness to strengthen ethics in postulates that deign and incarcerate intergenerational survival.

However, political articulations on human rights tend to be an opening to new vicious legislative cycles, rather than performing and inspiring their performances under existing laws. To leave the abstract world to applicability, if human rights can be assimilated to happiness, humanity is experiencing its greatest existential crisis, because its universality has not been enjoyed by all. Then, there is a misstep of capabilities (equality and responsibility) between the instruments arranged for international cooperation between regional and global blocs, distancing the practice of sustainability between democratic relations (SEN, 2009).

Therefore, the Aarhus Convention prevails as indicative of access to information, popular participation in decision-making and access to environmental justice, where the UN (2015, p.03) scales that to "mobilize the strongest and most ambitious climate action of all stakeholders, whether these Parties or not, including civil society, the private sector , financial





institutions, cities and other subnational authorities, local communities and indigenous peoples" would act more forcefully and functionally to achieve public freedoms.

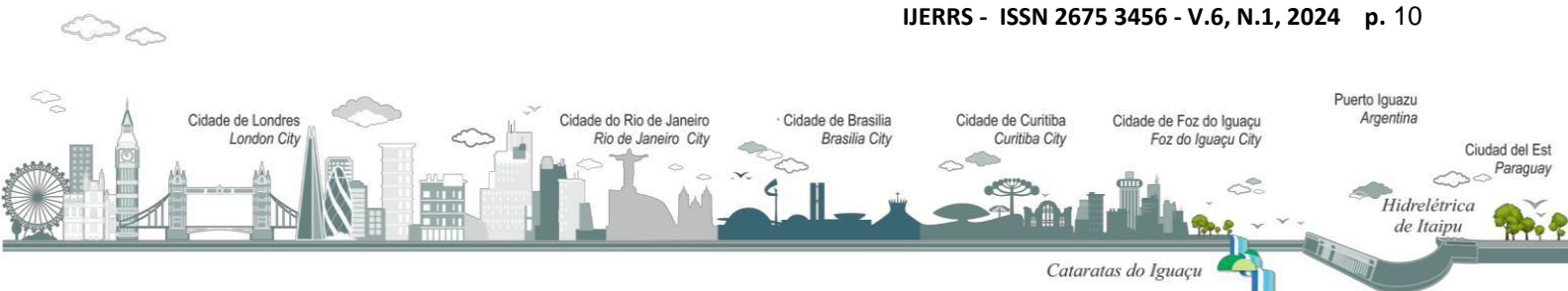
REFLECTIONS TO ENVIRONMENTAL CONSTITUTIONALISM

By perceiving some of the main nuances of the Paris Agreement, it is necessary to highlight its dimension to the reflections and its consequences to domestic law by environmental constitutionalism. Through Article 225 of the Constitution of the Federative Republic of Brazil of 1988 – CRFB/88, there was an intention to effectively preserve the quality of life, indicating concern with multidimensional and intergenerational conditions, in parallel to ecologically sustainable and protected experience, surpassing anthropocentrism (Benjamin, 2007).

However, the strengthening of institutions, from industrial society to risk society, without the adequacy of legal instruments in the face of reality before a new society drives alternative methods of conflict resolution not to generate success to mitigation, because global actors have not been able to respond to the demands proposed by the Paris Agreement in the face of the lack of economic incentives and concrete sanctions, broad and comprehensive against harmful and counterproductive behavior stemming from climate governance.

In Latin American environmental constitutionalism, in which there are manifestations in the Constitutions of Colombia - 1991, Ecuador - 2008, Costa Rica - 1949 and Bolivia -2009, man has no longer been the axis and central measure in decision-making, allowing a better balance in the direct application of devices derived from this movement to the multiple dimensions of nature's rights: Mother Tierra, especially in global action against climate change (Wolkmer, 2014).

Therefore, the emergence of Latin American constitutionalism would not be considered as a benefit without modifying the political, economic, technological, quality and condition of human life and ecosystems. Thus, the common rights and goods reflect the urgent need to have sustainability in the legal relationship with the environment, which have received threats due to the non-reinvention of the way of life before inserting a new mode of organization of the human being in society.





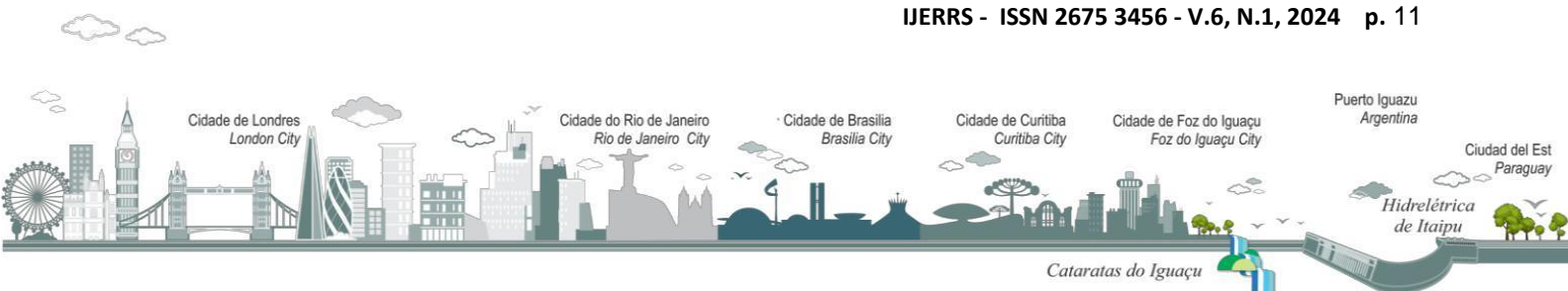
Exposing, therefore, that there is danger in relying on principles in the expectation of contemporary societies to cease to be premature, incorrect or overcome. Consequently, it is not only global environmental governance to mitigate climate change, but that countries inserted in Latin American constitutionalism are linked to the purposes and ideals of the rights of nature, whose performances demonstrate that this movement has not generated the exercise and concreteness of sustainability. Thus, referring to the tumultuous democratic rise of citizenship, whose coups are thought to feed or generate dictatorships, because of the "complicity of the legislature, with the indifference, with the opposition of the parties, with the complacency of the judicial summit" (Bonavides, 2007, p.26).

There is as a reflection the deep popular dissatisfaction that has arisen in the foundations of the structures of the Brazilian State lately. Therefore, state action beyond its national sphere of response to the decentralization of the Paris Agreement is not robust, failing to promote all those involved to come to know, face and solve problems related to environmental disasters.

The CRFB/88 permeates a peculiar and risk-driven structural dimension, whose abundance of goals and the elaboration of norms that prospect social changes has its legal certainty that is now affected by the very actions of global actors as a result of industrial processes, high population density, wars, high consumption, dispute for natural resources, misery, inequalities, poor income distribution and violation of rights inherent to peoples. With this, while delays and mistrust occurs, the human imbalance propagates in dismay with the distribution of natural resources, which generates the experience of humanity in Risk Societies (Beck, 2011).

Furthermore, the solidarity begins to be replaced by fear, leaving humanity in a position of fear in the face of organized irresponsibility regarding the use of its legal-political instruments, coming to camouflage the ecological risks. The vulnerability and exposure resulting from these social processes are included and even in the myth of the minimum state, where the defense for individual rights and the fulfillment of basic needs of life to people become exclusions of groups, especially in the peripheries and in Latin America.

Among the scenario of inequalities and disagreements, it is perceived those fruitless forces can occur in a destructive way, not to generate a transformation of habits, thoughts and freedoms that are far from the regular exercise of human rights. This negativity has been





demonstrated by the inadequate functioning of normative systems in environmental care.

The severation of risks arises through the human deficiency of perceptions of a global crisis due to ignorance of the limitations on how risks are effective even to a degenerative system of societal structures. Under these conjunctures, the invizibilization of threats to ecological democracy gains concreteness before the Brazilian legal institute provided by Article 225 of the CFRB/88, failing to guarantee human experience in a sustainable environment without the ecologically balanced environment and protected by regulations that is not in line with the noetic rationality (ethical basis, rational) and instrumental (based on calculation), which hinder the experimentation of the provisions of the Paris Agreement and constitutionalism.

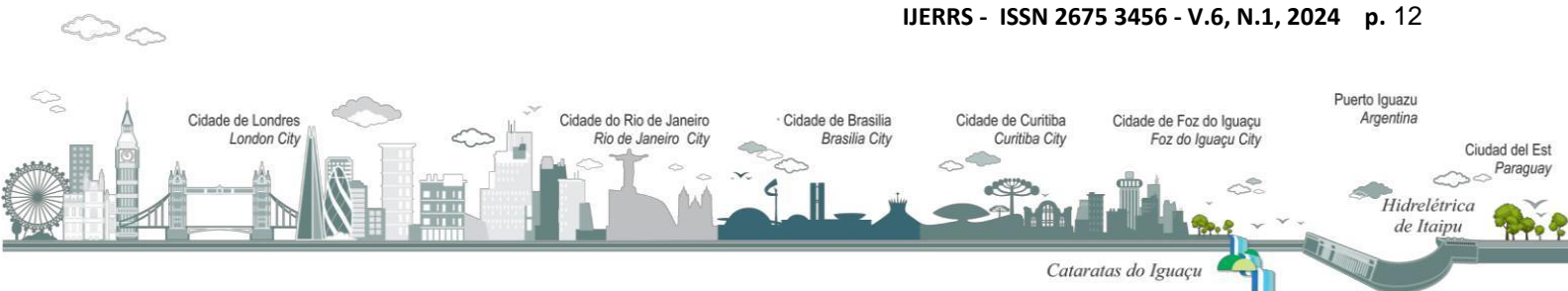
The valorative ballast brought by these new sources of law demonstrates that the global actors in the international game are close to each other, in which their participations result in a vulnerability created by their own legitimacy. This scenario announces the existence of a fatal transnational crisis to the stabilization of public participation, and it is necessary to have the protection of natural resources.

On this basis, a new *modus vivendi* would not be enough to generate equity and ability to promote changes in interaction between global actors. Moreover, the vicious way of conducting the instruments referred to is not restricted to incertitude, but to the institutionalization of these risks, exposing responsibility and equality versus *the* scope of obligations that apply their effects to all in the action against global climate change.

ECOLOGICAL SUSTAINABILITY OF HUMAN RIGHTS IN GAIA

Considering the limits of mitigating of the global climate change effects on contemporary societies, it is essential to direct and re-educate human beings to the democratic and participatory experience of awareness in Gaia.

Therefore, an unprotectable definition of the insertion of human rights in the face of conflicts between ecological boundaries, human survival and the usefulness of the right of an ethical nature, of adequate human coexistence and ecosystems would be appropriate. These magnitudes instruct the possibility of gaining awareness of awareness in Gaia, by which "there is a close connection between the living parts of the planet —plants, microorganisms, and





animals—and their non-living parts—rocks, oceans, and the atmosphere" (Capra, 1997, P.82).

This results for all people responsible for respecting and living in harmony on the Earth and, consequently, the importance of the Rights of Nature to be legally supported, as taught by the Universal Declaration of the Rights of Mother Earth, in article 1:

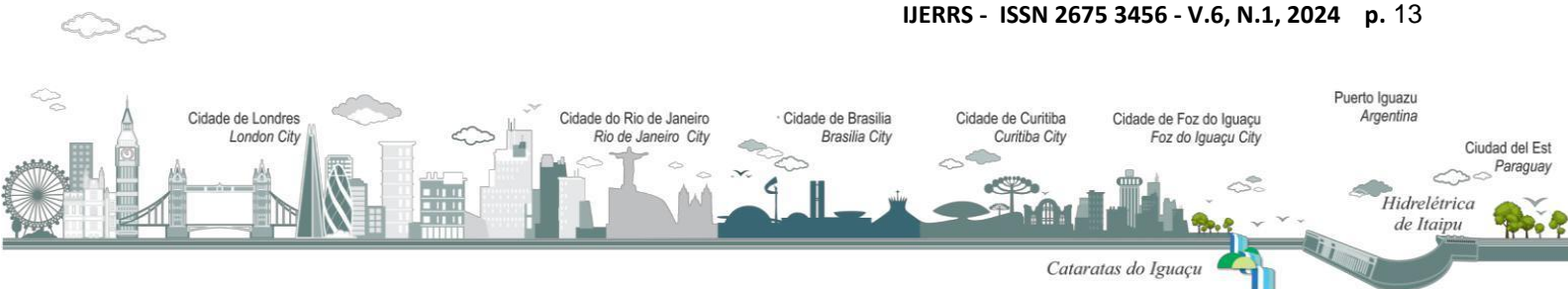
Art. 1 Mother Earth

- a. Mother Earth is a living being.
- b. Mother Earth is a unique, indivisible, and self-regulating community of interrelated beings that sustains, contains, and reproduces all beings.
- c. Each being is defined by its relationships as an integral part of Mother Earth.
- d. The inherent rights of Mother Earth are inalienable in that they arise from the same source of existence.
- e. Mother Earth and all beings are entitled to all inherent rights recognized in this Declaration, without distinction of any kind, as can be done between organic and inorganic beings, species, origin, use for humans or any other status.
- f. Just as human beings have human rights, all other beings also have rights specific to their species or type and appropriate for their role and function within the communities within which they exist.
- g. The rights of each being are limited by the rights of other beings and any conflict between their rights must be resolved in order to maintain the integrity, balance and health of Mother Earth. (Garn, 2010, p. 01-02).

Considering the above, it can be established that global mobilization is not realizing these devices, because the Earth is being treated as a reusable object. Human concern seems to be widespread, but sharply reduced about sustainable action and having reduced global leaders capable and responsible for seeing the need to respect all living organisms - including earth.

One example is the stacking of forests, which according to Lovelock (2006, p. 16-17), which may "include some rare plants that bring the cure for cancer, or that trees fix carbon dioxide, and that if they were felled" it would not be possible to think of private traffic because of air pollution. None of this is only cursed, but also irrational, because it comes to be more costly to buy water filters, have garbage collection, cleaning the streets and basic sanitation while the mind and the human body are part of your health system on Earth, the two affecting each other.

Thus, adaptation becomes a point of incompatibility of civilization on Earth, whose ecological and social destiny is still far away to conquer good feelings on almost every continent, evoking disconnected judgments of global governance being sustainable about the future to the





next generations. This disconnect extends to the dilemma of human rights theory and practice, demonstrating that its ecological approach to a new moral has not generated solutions in the global environmental agenda (Lovelock, 2006; Trindade, 2002).

Therefore, it may not be enough as long as human consciousness does not adhere to such recognition to its performances and ways of life in sociobiodiversity, since its universal nature is threatened. To this do so, the:

Art. 3 Obligations of humanity and Mother Earth.

a) Every human being is responsible for respecting and living in harmony with Mother Earth.

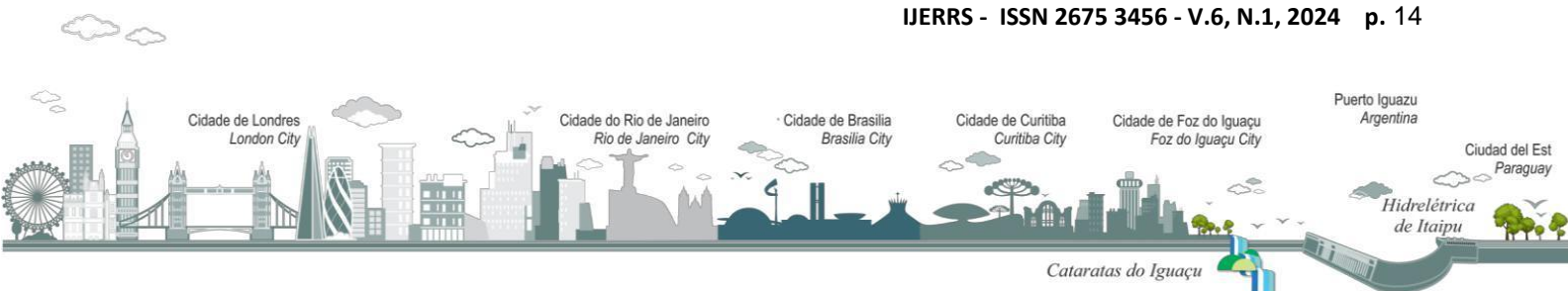
j) establish autonomous and restrictive measures to prevent human activities from causing species to be extinct, ecosystem destruction or ecological cycles to be stopped (Garn, 2010, P. 01-02)

Respect signifies this situation as a journey to supplant individualism, thus bringing solidarity as an instrument of universal overcoming to project society to technical progress. With this, it is suggested to the protection of *peoples* the applicability of enforcement as a treatment of the effects of global climate change, which are directly linked to the complexity of international responsibility (Comparato, 2007).

With this bias, Lovelock (2006, p. 29) points out that "the mechanisms that make Gaia a living being cannot be changed without paying for a very high price in terms of the very continuity of life", which serve to identify climate science as a sum of forces to unite and recognize the evolution of living systems, climate and Earth.

This circumstance refeeds the life that is changing and acting and growing in it, in which the flow of connection to laws and their surroundings brings the achievements of humanity adds value to the proposals of global governance, but no concrete results have been produced by extolling the constitutions and the Paris Agreement through the anthropocentric route. This understanding is a reflection of humanity's direct inability to reproduce the stability of sociobiodiversity, where the use of these instruments is restricted to texts with content that limit the timely interpreter to understand the hermeneutics elaborated by the global environmental governance itself that tries to establish the ecological sustainability of human rights.

Before global actors insist on believing that the Earth would be just one thing, Lovelock





(2006, p. 29) explains that "an amorphous mass of dead rock moistened by water and surrounded by an atmosphere composed of simple gaseous chemicals, and that, they consider life as something that merely inhabits and uses the Earth", makes the human species not considered to be an integral of the exposed interdependencies.

In addition, Lovelock (2006, P.29) points out that "if we lose our habitat, the system of life and its environment on Earth, Gaia, will leave. But humanity will no longer be a part of it", but there are those who are concerned that humanity conflicts only with the greater need to sustain the Earth as a convenient and satisfying place.

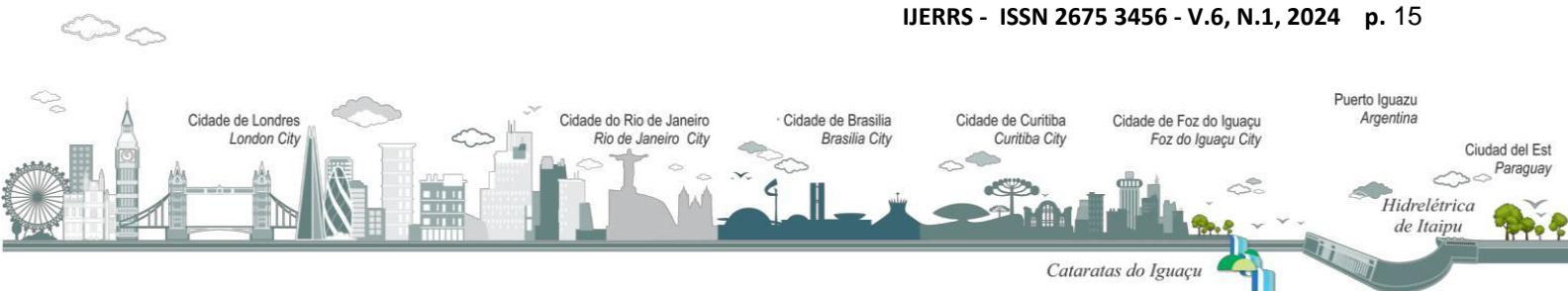
FINAL CONSIDERATIONS

The demands and multiple legal relations highlighted announce the importance of the global application of human rights, specifically, the responsibility of humanity to have the environment recognized as a space of common interest for survival through the drafting of the Paris Agreement.

The model of citizenship still inserted to frame human actions in a legal/sanctioning perspective in terms of economic damage to aggressors and omitted (national and international entities) the systemic preservation and environmental justice is intrinsically threatened by the lack of transparency, effectiveness and awareness of the need to form pressure groups that can act realistically in combating socio-environmental inequalities, the fragility of institutions and the vacuum of justice to combat global climate change. Therefore, it offers the process of scientific knowledge, sanitation and proper implementation to the treatment of the problem more easily to developed countries.

As a result, in order to protect human rights and environmental protection, the obligations that must be directed to all indistinctly run into the lack of reciprocity in the instruments of global environmental governance, because the subjects of rights inserted in these contexts are not sufficiently willing to face the barriers of the climate mitigation crisis regarding access to information, citizen participation in legislative processes and access to Environmental Justice.

Democratic planning hardly exists, so the interactive process involving everyone at the





local, regional, national and international levels, exposing the debts and credits of biocapacity to long-term planning, with a systemic approach aims to achieve ambitious and viable goals for the continuity of this and future generations.

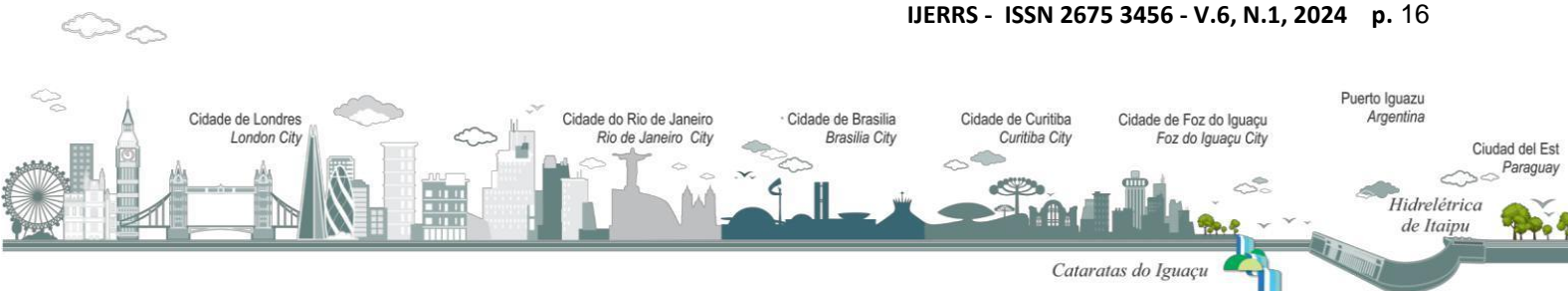
Inculcating the scientific structures on international cooperation offers the strategies of solidarity multilateralist and the sharing of experiences between nations, whose advancement of relations between global actors would come into existence with republican accountability in the results of environmental public policies, that is, *environmental accountability*.

To make this performance available for freedoms in public, the human dimension in Gaia is built by a tripod of social and ethical goals, environmental conditions and economic viability to the irreplaceable form of important achievements of human "empowerment" that overcomes the legal-ecological gap evidenced as a contribution to the management of human mobility, especially to vulnerable peoples located in less developed countries, small island states, landlocked developing countries and African countries, as well as middle-income countries.

With this, it makes possible to have transnational dialogue on universal agreements with legally binding targets, cooperation between groups that aim not to pay for speech benefits, reinvent technologies as cheaper energy sources to carbon-rich fossil fuels, review on the reduction of pollutant emissions, national actions coordinated with substantial improvements to states in joint action based on the lowest common denominator through national contributions determined.

However, the dependence on the search for well-being expresses the unsustainability of knowledge to humanity in Risk Societies, where human rights are placed as an expectation to episodes that plague all forms of life, including the Earth. Therefore, the design of a new mental condition of change for sustainable global survival needs to clarify that anthropocentrically designated obligations are limiting the *soft law dimension*, touching the effectiveness of human rights, and thus inserting elements of *real politik* for environmental conservation can be a more effective alternative. Releasing the thought of preconceived ideas of despotic moralism because all human beings are shareholders of a society that does not want to understand ecological risks.

Under these conditions, if the current *modus vivendi* persists on Earth and the *modus*





operandi now in force by Global Environmental Governance, international cooperation is solidified as a legal institute of aversion to the ecological consolidation of human rights. On the other hand, if there are substantial changes in these spheres and, through awareness in Gaia, the international cooperation achievable by the Aarhus Convention, in accordance with the rights of nature and the Universal Declaration of Mother Earth, will be the object of resignification of the lives of the vulnerable who will suffer less intensely the effects of global climate change, and the other peoples will continue at the mercy of their own action.

Finally, it makes it accurate to liquidate the arrogance of transgressors from the constitutional limits of authority, incompetence, and exacerbated power to have a free, open and unobstructed response to the Earth prevailing as a subject of law for the common good of humanity, and not turn into a catalyst for the effects of global climate change.

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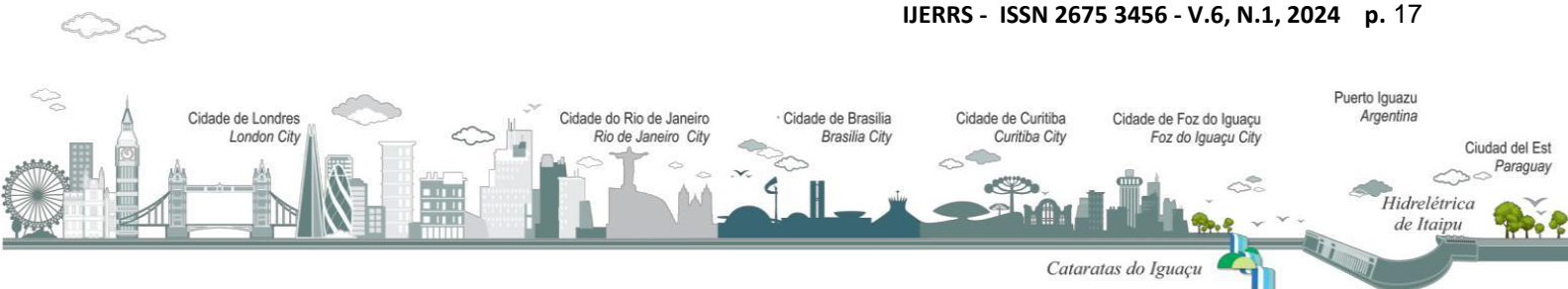
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