

**Michael Krennerich: Die Klimakrise aus der Perspektive der Menschenrechte**

The article shows how the climate crisis is viewed from a human rights perspective, which highlights the human rights impacts of climate change with a particular focus on people in vulnerable situations. By specifying rights and responsibilities, human rights law provides guidelines for climate policy and make it possible to demand accountability for the climate policy measures taken. At the same time, human rights serve to mobilise and protect environmental (human rights) defenders and, ideally, ensure open spaces for discourse and action in order to shape shared human responsibility not only for people, but for the whole nature and for the survival and habitability of the planet.

**Paulina Rundel: The Right to a Healthy Environment and the Potential Recognition in the European Human Rights System**

The main objective of this contribution is to determine what the human right to a healthy environment entails and how it is used in today's climate crisis. While the United Nations and several regional human rights systems have officially recognized this explicit human right by now, Europe – consisting of the Council of Europe and the European Union – remains the only region, which has not yet recognized this right. The main argument of this article is that although a specific human right would provide significant value in Europe, it is not urgently necessary since there are other instruments in place, which protect human rights and can hold governments accountable for their climate inactions.

**Christina Binder: Human Rights in the Face of the Climate Crisis: What Role for the Local Level? The Example of the European Urban Charter III (2023)**

The contribution explores human rights in the face of the climate crisis from a two-fold perspective. First, it applies a human rights-based approach to the multiple and complex interrelations between human rights and climate change. Second, it examines the possible role of the local level, especially of cities, when it comes to countering climate change. In so doing, it argues that local authorities have an increasingly important role to implement and uphold human rights in face of the climate crisis. Especially the European Urban Charter III, as adopted by the Congress of Local and Regional Authorities of the Council of Europe in October 2023, exemplifies the relevance of cities in the fight against climate change, in line with the human rights-based approach.

**Cansu Cinar: Dynamische Rechtsprechung in der Klimakrise.  
Das Recht auf eine gesunde Umwelt nach dem IAGMR**

The inextricable link between the environment and the full enjoyment of human rights is generally recognized. Through a small number of key judgments, particularly in recent times, the IACtHR has moved from an indirect approach to environmental and climate protection to the full recognition of an autonomous, justiciable human right to a healthy environment. At the same time, the Court recognized that nature has an intrinsic value independent of its utility to humans. This article traces a chronology of the dynamic jurisprudence of the IACtHR on the nexus of climate crisis and human rights and illustrates the evolution from an initially purely anthropocentric to a more ecocentric approach of the IACtHR.

**Laura Clérico and Martín Aldao: The Direct Adjudication of the Human Right to a Healthy Environment by the IACtHR: methodological structure**

In this text we reconstruct the methodology used by the Interamerican Court of Human Rights (IACtHR) when directly adjudicating economic, social, cultural and environmental rights (ESCER) under Article 26 ACHR with respect to the dominant trend that emerges from the reconstruction of the 31 cases decided since 2017. From this reconstruction, it emerges that the IACtHR divides its argumentation into five argumentative steps to directly assess violations of ESCER and it is similar to that applied in cases on the human right to a healthy environment. This allows us to argue that, for the time being, the recognition of the human right to a healthy environment by the IACtHR as an autonomous ESCER (Art. 26 ACHR), both as an individual and collective one and also, in its double conception as a human right of individuals and as a right of nature, has not presented major methodological challenges for the ESCER five step methodology; and that it can be at the same time sufficiently porous to address the complexities stemming from the great challenges for the human rights agenda emerging from the planetary environmental crisis.

**Annette Mehlhorn: Zwischen Recht und Magie: die Natur als Person**

Recognizing nature or certain natural entities as legal persons is a global trend that is accompanied by important and innovative discussions on the role of law in the face of multiple environmental crises and the possibility of rethinking law. In this article, I present this development and critically examine how legal personality is understood

in a globally dominant conception. I show a tendency to stylize a single legal institution as a general solution to complex problems without critical distance. In this way, I argue, an understanding of law is reproduced that I describe through the ciphers of faith and magic and that obstructs a critical and effective use of legal innovations.

### **Laura Kühn: In Gefahr: Landrechts- und Umweltverteidiger:innen in Zentralamerika**

This article provides insights into the situation of land and environmental defenders at risk in Guatemala and Honduras, two of the countries most affected by the impacts of climate change, using concrete examples. To this end, this article also analyses the general legal framework for the protection of human rights defenders at the national and international level and deals with the relevant specific provisions with regard to the protection of environmental human rights defenders in Central America. The last section of this article illustrates alternative protection strategies using examples from the author's working environment at the non-governmental organisation Peace Brigades International (PBI).