

RECENT DEVELOPMENTS

DECISIONAL LAW

RIGHTS OF NATURE AS CLIMATE JUSTICE: INTER-AMERICAN COURT LESSONS FOR SOUTH ASIA'S CONSTITUTIONAL ENVIRONMENTALISM

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ABSTRACT

This paper explores the relevance of the Inter-American Court of Human Rights' jurisprudence on the Rights of Nature to the evolving framework of constitutional environmentalism in South Asia. It argues that ecocentric legal principles, particularly as articulated in Advisory Opinion OC-23/17, July 3, 2025, and related judgments, offer valuable guidance for courts in India, Pakistan, Bangladesh, and Sri Lanka in addressing climate justice. While South Asian judiciaries have expanded environmental rights through constitutional interpretation, their approach remains largely anthropocentric. Drawing on Latin America's normative innovations and the integration of Indigenous cosmologies, this paper examines the potential for juridical transplantation, while also recognising the need for contextual sensitivity. It concludes by calling for constitutional reform, judicial innovation, and deeper regional scholarship to embed the Rights of Nature within South Asia's legal systems, thereby strengthening the region's response to environmental and climate crises.

Keywords: Rights of Nature, Climate Justice, Constitutional
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