



## Global Politics – Human Rights and Environment

### Global Governance

Politics Edexcel and AQA – revision notes – based on Hodder Education revision guides

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**International law** = agreed by processes of global governance and ratified through the UN. International law is difficult to enforce because it is based on sovereign states agreeing to fully comply with its decisions; it lacks enforcement mechanisms.

**International Court of Justice ICJ** = responsible for arbitration between sovereign states primarily over territorial and resources disputes. Both parties need to agree for ICJ to arbitrate yet no party is committed to accept its resolution and can opt out.

**International Criminal Court ICC** = based in the Hague, currently (2026) 125 state members. A humanitarian court addressing human rights issues and war crimes; it has tried heads of state.

**International Tribunals** = set up by the UNSC to try war criminals. For example, ICTY International Court Tribunal for Yugoslavia, and the ICTR International Court Tribunal for Rwanda.

**Human Rights, universal** = those rights that were agreed upon in the 1948 UN Declaration for Human Rights. These rights are perceived to be universal = applicable to everyone, everywhere and always. The degree to which these rights reflect Western values rather than universal ones is debatable.

**Humanitarian intervention** = a forcible intervention that by definition violates the sovereignty of another state on humanitarian grounds. It is triggered by the failure of a particular state to maintain and protect the welfare of its citizens based on universal human rights, especially in cases of a failed state.

**United Nations Framework Convention on Climate Change UNFCCC** = an IGO that is aimed to address a range of climate change issues. It was founded under the Rio Agreement and facilitated subsequent agreements.

International Government Panel on Climate Change IPCC = an intergovernmental body of the UN that was set up to act in the capacity of a scientific advisory body on climate change.

Global Commons = the resources that we all share across and beyond the territorial boundaries of individual states, such as the atmosphere. The way to manage them can be a source of disputes between states.

Tragedy of the Commons = the idea that some resources are difficult to manage internationally and therefore, it is tricky to manage sustainability because states are prone to seek and protect their own self-interests.

Sustainability/sustainable development = involves the balancing of the broad array of fields that are intertwined: political, economic, social, cultural and environmental domains; to design and maintain development that can be effective long-term so it would benefit not only current populations but also future generations.

## Landmarks in the development of human rights

- Following up on the establishment of the nation-state under the Peace of Westphalia (1648), human rights became part of the international relations discourse. The Peace of Westphalia was a series of treaties that ended the Thirty Years War in Europe and established the concept of territorial ultimate sovereignty thereby laying the foundations for the nation-state.
- Nuremburg trials (1945-6) marked a shift in the Westphalian premise that the sovereign power has the authority to determine the human rights of its citizens. These trials were focused on the war crimes committed by the Nazis thus signalled that the international community is a party to the human rights of citizens in a particular territory, and such violations would not go unpunished.
- The UN Charter 1945 outlines the purpose and principles of the UN, namely, to promote peace and security. **Article 7** refers to the principle of non-intervention in the domestic affairs of a sovereign nation-state. The Declaration of Human Rights 1948 identified 30 universal human rights and in 1993 the UN High Commission for Human Rights UNHCHR was established.
- Laws of war = constitute the international law that regulates the conditions for war, *jus ad bellum*, and the conduct in war, *jus in bello*.
- Roman Statute = established the ICC, its structure, jurisdiction and functions, in addition to the identification of four major international crimes: genocide, crimes against humanity, war crimes and crimes of aggression.

## The International Criminal Court ICC

- Founded in 2002 following up on the Roman Statute and precedents reflected by the UN's special tribunals.
- Considered to be the last resort avenue for cases when sovereign governments were unable or unwilling to independently address and resolve crimes.
- Based in the Hague, currently (2026) with 125 members.
- The court sits in a permanent session and has made some significant convictions demonstrating that even heads of states are not above the international law.
- **Issues**
  - Interference with states' sovereignty.
  - Many states have not signed up and do not recognise its jurisdiction, including 3 of the P5 = America, Russia and China.
  - It is time-consuming and a protracted process and most of its indictments were African.

## UN Tribunals

- Set up by the UNSC in the 1990s because of a prevalent sense in the international system that some crimes committed by states cannot go unnoticed and unpunished: Rwanda, Sierre Leone and the former Yugoslavia.
- Rwanda, the International Court Tribunal for Rwanda started in 1997 and convicted 61 individuals of complicity in genocide including the former Prime Minister.
- **Limitations**
  - A bias over which war crimes became prominent in the tribunal and which ones were more obscure. For example, the Iraq War was considered to breach international law with no repercussions.
  - Disproportionate convictions of Africans.
  - Costly and time-consuming process.

## European Court of Human Rights

- Set up in 1949 by the Council of Europe to promote human rights and the rule of law in Europe.
- 1950, delivered the European Convention of Human Rights in response to the atrocities of WW2.
- **Successes**

A high moral authority and most of its judgements enjoyed compliance by holding European states to account.

- **Weakness**

Sovereignty is nevertheless a stumbling block because states can ignore the court judgements and there are no effective enforcement mechanisms.

### Key considerations dealing with Human Rights issues

- Sovereignty.
- The rise of humanitarian intervention.
- Selective intervention and R2P: interventions don't always follow the R2P.
- Western double standards: critics advocate that the system of HI is aimed to serve the interests of the West hence results in selective interventions that are aimed to protect Western interests rather than intervention on humanitarian grounds; and most interventions are directed at the Global South against poor and less powerful countries.

### Environment

#### UN Framework Convention on Climate Change UNFCCC

- Set up at Rio Earth Summit 1992 and serves as an IGO for environmental issues to provide a forum for debate, agreements and a platform for relevant measures.
- Focus on climate change, specifically global temperature rises and greenhouse gas levels.
- Two major subsequent agreements: the Kyoto Protocol and the Paris Agreement; both advocate that both developed and developing states ought to cooperate to pursue sustainable solutions.
- Developed states have to create climate reports; transparency and accountability.
- Agreements were ratified and therefore they are obligatory: for example, legally binding targets for emissions agreed in Kyoto.

#### International Panel on Climate Change IPCC

- Established in 1988 by the UN to provide expert advice on a range of environmental issues such as causes, impact and potential solutions.
- Includes scientific experts that are nominated by the states and observer organisations to the UN such as NGOs.
- Delivering Climate Change Assessment reports.
- Offering an inclusive transparent panel that is pooling expertise across a range of fields.

## Synoptic

### Effectiveness of institutions aimed at resolving contemporary global issues

- **Conflict** = **Kaldor**: the nature of conflicts has changed from between to within states, and to increasingly regional conflicts. The international community is thus challenged because uninvolved states are reluctant to get involved. Others argue that the change in the nature of conflict is a testament to the effectiveness of international organisations as they successfully fostered relative stability and peace. Link to **Fukuyama and the End of History** regarding the triumph of liberal democracy and its related peaceful world.
- **Poverty and environment (sustainable development)** = there is a strong relationship between protection of the environment and the alleviation of global poverty, as it is exemplified in the UN's SDGs; thus, international organisations played a relative successful role in this area.
- **Human rights** = sovereignty makes it rather difficult for international organisations to combat violations of human rights, particularly by states. Measures attached to R2P, the international law, courts and tribunals, opened greater opportunities for influence. However, the key challenge remains enforcement of resolutions, and therefore some argue that these organisations lack 'teeth' and at best can merely raise awareness. In addition, the West is accused of double standards in its approach to such violations, focusing primarily on relatively weak and poor states and serving its own interests for intervention and acceleration of its own power.

### Effectiveness of international law

- While international law developed in major ways in recent years, its main obstacle for effectiveness is predicated on the absence of **enforcement mechanisms**.
- **Sovereignty** = as long as the nation-state exists and functions within demarcated recognised territorial boundaries, its own authority is a continuing barrier for the implementation of international laws, including related courts and tribunals. Inductions, for example, of war criminals, do not necessarily result in imposed punishment, let alone when they are indeed protected in their own states.

### Performance of courts

- A degree of success and thus effectiveness in the actions of courts can be noted: offering justice to victims and several indictments of war criminals. Public trials of ICTY International Criminal Tribunal for the former Yugoslavia, tried 161 individuals for crimes committed against victims in the conflict.

- They established an important precedent wherein heads of states are not above the international law, nor immune to punishment. However, the problem of enforcement is paramount, they are nevertheless dependent on cooperation by the states and these cases are costly and time-consuming.
- Controversies: some critics advocate that the international courts are marred by the 'usual' double standards of the West. Western hypocrisy is accused of selective protection of human rights, ignoring serious violations and focusing on African countries. When other relative powerful countries contravene the international law and human rights, they act practically unchallenged and therefore a reflection of a structural bias that is serving some imperialistic ideas. For example: the Iraq War was deemed illegal by the UN.

### Competing perspectives on environmental issues

- (1) Shallow ecology = promoting conservation strategies to tackle pollution and manage resources while keeping the human interest at the core of such platforms. That means that advancing environmental solutions ought to be beneficial to human beings = anthropocentric approach, focus on conservation and sustainable development.
- (2) Deep green ecology = a more radical orientation predicated on the idea that nature exists in its own right, not only to efficiently serve human beings. Therefore, nature has its own 'rights' irrespective of the impact on human beings.
- (3) Sustainable development = with a focus on addressing current needs but with the intention that such development would have beneficial lasting effects on future generations. For example, renewable energy and preservation of our natural environment (addressing climate change).

### International agreements and their strengths and weaknesses

Rio 1992 = to agree a framework for future actions and programmes; successful by agreeing the UNFCCC.

- Consensus on the environmental issues at stake and some measures of response. However, not much action regarding climate change itself and without clearly specified targets.

Kyoto 1997 = focus on taking proactive measures to tackle identified challenges, especially via legally binding obligations. Several protocols were reached especially regarding reducing gas emissions and greenhouse gases.

- Not all states agreed, and many were exempt but some states have followed to meet the targets. Major actors, China was exempt, US withdrew.

Copenhagen 2009 = aimed to recruit more states into the pooling to address environmental issues. Agreements need to account for the unique challenges of developing states so they are not exempted. A few targets agreed regarding reducing

emissions, support for developing countries, access to technologies and funding for green projects.

- Targets, agreements and reviews were formulated but none of the targets were legally-binding.

**Paris 2015** = focus on the basic idea that all states without exemption are involved and responsible to address and respond to environmental challenges. Legally-binding agreements were signed up by 190 states to reduce carbon emissions by 2021.

- A key positive point is the fact that targets agreed upon were legally-binding across participating states. The embracement of responsibilities shared by developing countries was a significant step. The problem, however, was that while support was granted for developing states to facilitate their responsibility and commitment to cut emissions, they would do so based on their own Nationally Determined Contribution which may be insufficient or difficult to be monitored.

### **Obstacles against cooperation**

- **Sovereignty** = the difficulty to enforce international agreements because of the ultimate sovereignty of individual states.
- **The division between developed and developing countries** = there is an ongoing debate about the role that developing countries need to play in the fight against climate change. On the one hand, it is essential that all states will be on board, acting and responding together. However, developed countries have already gone through the mega stages of industrialisation and enjoy the benefits, while they seek to restrict developing countries which in the first place have suffered from colonialisation.

### **Global civil society**

- **Global society** refers to an individual country that interacts with other countries internationally as an independent entity.
- **Civil society** refers to organisations that are not associated with the government. Can be considered the 'third sector' of society separated from government and business.
- Global civil society has gained momentum in challenging governments to participate in action on a range of environmental issues. Typically, non-governmental groups such as Amnesty International, Greenpeace and the International Labour Organisation.
- States engaged in green measures seem to gain more **soft power**.
- Movements such as Extinction Rebellion or Greta Thunberg have gained much coverage that raised awareness.

- NGOs like Greenpeace continue funding programmes, lobbying governments and recruit public support for environmental issues.
- The advantage of a global civil society stems from its appeal to 'citizens of the world', thus putting pressures on states pooling together.
- However, global civil society is facing previously identified challenges: sovereignty of states and the inability to enforce actions. In that sense, some international organisations have some advantage on the global civil society because they provide structure and mechanisms to the fight for the environment.

### Has global government served the interests of the West?

#### Yes

- Key global governance institutions are dominated by Western countries; the power balance of the P5.
- Key agreements can be considered to reflect and serve Western values and interests. The Human Rights Charter as reflecting liberal values, and various other international organisations embody neo-liberal views about key issues: economic, social, cultural, and moral orientation.
- Powerful states can get away with their actions: US opted out of the ICC and leaders of Western states escaped trials. On the other hand, weaker and poorer states had their sovereignty breached by interventions based on violation of human rights with leaders being prosecuted in international tribunals and courts.
- International trade provides an edge to richer countries; dependency theory.

#### No

- Powerful states by definition had to take the lead in establishing international organisations, shaping the agenda and the measures taken.
- Global governance tackled a range of issues relatively effectively to balance global inequality: development initiatives, funding projects, and humanitarian aid.
- An increased in awareness in the understanding that while developing countries should not be excluded from tackling environmental challenges, there has to be greater emphasis on their unique conditions and features. This will assist to account for the specific ways in which they are recruited to the fight against the negative impact of environmental concerns.