



Press Release 48/2025 English

AFTER THE MOST PARTICIPATIVE PROCESS IN ITS HISTORY, THE INTER-AMERICAN COURT OF HUMAN RIGHTS HAS ESTABLISHED THE SCOPE OF THE OBLIGATIONS OF STATES TO PROTECT HUMAN RIGHTS WITH REGARD TO THE CLIMATE EMERGENCY

San José, Costa Rica, July 3, 2025. The Inter-American Court of Human Rights notified today Advisory Opinion 32 of 2025 on the Climate Emergency and Human Rights, adopted on May 29, 2025, in response to the request submitted by the Republic of Chile and the Republic of Colombia in January 2023.

This advisory process had the highest participation in the Court's history. More than 260 written observations were received from over 600 global actors, and more than 180 delegations were heard during three public hearings held over five days in Barbados and Brazil during April and May 2024.

The full text of the Advisory Opinion, official summary and details of the request and advisory process are available at a microsite created with information in Spanish, English and Portuguese, at the following [link](#).

The Court performed a factual and regulatory analysis of climate change, its causes, consequences and the risks that it entails for the effective exercise of human rights. It also analyzed international, regional and comparative advances on this topic.

The Court concluded that, according to the best science available, **the current situation constitutes a climate emergency due to the accelerated increase in global temperature, resulting from several human activities, produced unequally by States in the international community, which increasingly affect and pose a serious threat to humanity and especially to those in a vulnerable situation.** The increase in temperature is caused unequally by States in the international community. The climate emergency can only be adequately addressed through urgent, efficient and coordinated actions, with a human rights perspective and a resilience focus.

In the response to the request, the Court determined the scope of the general obligations of States to respect and guarantee human rights, as well as the duty to ensure the progressive development of economic, social, cultural and environmental rights; adopt domestic legal effects and cooperate in good faith, taking into account their differentiated responsibilities with regard to the causes of climate change, their respective capabilities and specific needs to achieve sustainable growth.

Moreover, the Court interpreted the rights whose enjoyment is particularly vulnerable to the impacts of the climate emergency. Among these, it highlighted **the scope of the right to a healthy environment.** In this regard, it referred to the **recognition of nature and its components as legal subjects, as well as the *jus cogens* nature of the prohibition to cause massive and irreversible damage to the environment.**

The Court **recognized the existence of a human right to a healthy environment**, derived from the right to a healthy environment, and referred to the contents of the correlated duty of States to act against the causes of climate change, mitigate greenhouse gas emissions, regulate and supervise the behavior of individuals, determine the environmental impact of projects and activities that require it, and define and progressively advance toward sustainable development.

The Court referred to the obligations of States regarding climate adaptation and specific duties aimed at protecting the rights threatened by climate change such as the rights to life, health, personal integrity, freedom of residence and of movement, water, food, work and education, among other.

In AO-32/25 the Court also highlighted the need to strengthen the Democratic State of Law and to guarantee that, in the context of the climate emergency, decisions are adopted in a participative, open and inclusive manner. It adjudged on **the rights to science, the recognition of local, traditional and indigenous knowledge; access to information; access to justice; participation and the special duty to protect environmental defenders.**

Lastly, the Court confirmed the extraordinary risks caused by climate change for people and groups in situations of special vulnerability such as those derived from structural and intersectional factors and dynamic and contextual circumstances. In this regard, it referred to the obligation of States to adopt differentiated measures to guarantee real equality in the enjoyment of rights in the context of the climate emergency and to facilitate processes of sustainable adaptation that promote the well-being and resilience of persons.

The Court's composition for the issuing of this Advisory Opinion was as follows: Judge Nancy Hernández López, President (Costa Rica); Judge Rodrigo Mudrovitsch, Vice-President (Brazil); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer Mac-Gregor Poisot (México); Judge Ricardo C. Pérez Manrique (Uruguay); Judge Verónica Gómez (Argentina) and Judge Patricia Pérez Goldberg (Chile).

Judge Nancy Hernández López, Judge Humberto Antonio Sierra Porto and Judge Patricia Pérez Goldberg disclosed their partially dissenting opinions. Judges Rodrigo Mudrovitsch, Eduardo Ferrer Mac-Gregor Poisot, Ricardo Pérez Manrique and Verónica Gómez disclosed their concurring opinions. The text of the opinions will be communicated in August 2025.

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