

Climate Justice in Urban Public Spaces: Bridging Environmental Law, Human Rights, and Urban Design for Livable Cities

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Abstract

Urban public spaces are increasingly at the forefront of climate change impacts, raising critical concerns about environmental sustainability, human well-being, and social equity. The concept of the "right to livable cities" has emerged as a vital human rights discourse, emphasizing access to safe, inclusive, and climate-resilient urban environments. This paper explores the intersection of climate change, environmental law, and human rights within the context of urban public spaces.

Drawing upon international environmental frameworks and human rights principles, the study examines how legal mechanisms address issues such as urban heat stress, environmental degradation, and unequal access to public spaces. It further investigates the role of urban design and planning in mitigating climate risks and promoting sustainable tourism and community well-being.

Using a case study approach, with reference to rapidly urbanizing cities such as Dubai, the paper highlights the challenges and opportunities in integrating legal frameworks with spatial design strategies. The research argues that achieving climate justice in cities requires a transdisciplinary approach that bridges environmental law, human rights, and the built environment. The paper concludes by proposing policy and design recommendations to create inclusive, resilient, and livable urban public spaces, contributing to broader debates on sustainable urban futures and global governance in the era of climate change.

Keywords: *Climate Justice, Urban Public Spaces, Environmental Law, Human Rights, Urban Design, Livable Cities, Climate Resilience, Right to the City, Dubai, Sustainable Urbanism*

1. Introduction

The global urban population has surpassed four billion, and cities are now widely acknowledged as both major contributors to and primary victims of climate change [1]. Among the most visible manifestations of this crisis are the deteriorating conditions of urban public spaces — parks, plazas, waterfronts, streets, and communal areas — which serve as critical social and ecological infrastructure. Rising temperatures, extreme weather events, flooding, and air pollution have rendered many of these spaces inhospitable, disproportionately affecting marginalized communities who depend on them most [2].

The concept of the "right to livable cities" — a normative extension of Henri Lefebvre's foundational "right to the city" — has grown significantly in international policy discourse [3]. This concept posits that all urban inhabitants are entitled to environments that are safe, healthy, inclusive, and sustainably governed. It intersects with broader human rights frameworks, including the rights to life, health, housing, and a healthy environment, the last of which was formally recognized by the United Nations General Assembly in 2022 [4].

However, despite growing legal recognition, the translation of these rights into tangible urban planning and design outcomes remains fragmented and inconsistent. Environmental law has historically focused on industrial regulation and natural resource management, leaving urban public spaces in a legal grey zone [5]. Meanwhile, urban design disciplines often operate in isolation from legal frameworks, resulting in misalignment between spatial interventions and their broader governance contexts.

This paper addresses this gap by undertaking an interdisciplinary investigation that bridges environmental law, human rights theory, and urban design practice. Using Dubai as a primary case study — a city that exemplifies the paradoxes of rapid urbanization, extreme climate vulnerability, and ambitious sustainability governance — the study examines how cities can develop legal and spatial strategies to ensure climate justice in urban public spaces.

The paper is structured as follows: Section 2 provides a review of the literature on climate justice, urban public spaces, and legal frameworks. Section 3 outlines the methodology. Section 4 presents the case study analysis. Section 5 discusses the implications for policy and design. Section 6 concludes with recommendations and avenues for future research.

2. Literature Review

2.1 Climate Change and Urban Public Spaces

Scholarly attention to the impact of climate change on urban public spaces has intensified over the past two decades. Research consistently demonstrates that urban heat islands (UHIs) — a phenomenon caused by the replacement of natural cover with built surfaces — elevate temperatures in cities by 2–10°C above rural surroundings [6]. Public spaces are particularly susceptible to heat stress due to extensive use of impervious materials, limited canopy cover, and poor ventilation design [7].

Studies by Gasparrini et al. [8] establish a direct link between extreme heat exposure and excess mortality, with outdoor workers and low-income populations bearing the greatest burden. Grimm et al. [9] further argue that the ecological degradation of urban green spaces diminishes cities' adaptive capacity to climate shocks. The World Health Organization identifies urban heat as a leading climate-related health risk, projecting significant increases in heat-related deaths without substantive policy intervention [10].

Urban flooding also poses acute threats to public spaces, particularly in coastal cities and those with inadequate drainage infrastructure. Climate models project increasing frequency of extreme precipitation events, which, combined with urban densification and impervious surface expansion, generate heightened flood risks [11]. Air quality deterioration in urban public spaces — driven by traffic emissions, industrial activity, and climate feedback loops — further compounds public health vulnerabilities [12].

2.2 The Right to Livable Cities: Human Rights and Legal Frameworks

The normative framework for the "right to livable cities" draws on multiple strands of international law. The International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes rights to an adequate standard of living (Article 11), the highest attainable standard of health (Article 12), and participation in cultural life (Article 15) [13]. The UN Committee on Economic, Social and Cultural Rights has affirmed that these rights encompass environmental dimensions, including access to safe and clean public spaces.

The United Nations Human Rights Council Resolution 48/13 (2021) and the subsequent UNGA Resolution 76/300 (2022) established the human right to a clean, healthy, and sustainable environment as part of international law [4]. This recognition carries significant implications for urban governance, creating obligations for states to ensure that urban environments — including public spaces — meet minimum standards of ecological safety and climate resilience.

Regional instruments have also advanced this framework. The Aarhus Convention (1998) in Europe enshrines rights to environmental information, public participation in decision-making, and access to justice in environmental matters [14]. Similarly, several national constitutions — including those of Ecuador, Bolivia, South Africa, and India — have incorporated environmental rights provisions that have been interpreted to encompass urban livability [15].

Soja [16] introduced the concept of "spatial justice," arguing that the right to the city must account for the unequal distribution of environmental burdens and benefits across urban space. This perspective intersects with climate justice scholarship, which foregrounds the disproportionate impacts of climate change on vulnerable populations, including the urban poor, women, children, and migrants [17].

2.3 Urban Design as a Legal and Rights-Based Tool

The relationship between urban design and legal governance has been examined primarily through the lens of planning law, zoning regulations, and building codes. However, scholars have increasingly argued for a more expansive conception of urban design as a human rights instrument [18]. Landscape urbanism, biophilic design, and climate-responsive architecture have been

proposed as frameworks for creating public spaces that simultaneously serve ecological, aesthetic, and rights-related functions [19].

Wheeler and Beatley [20] contend that sustainable urban design must be embedded within robust legal and institutional frameworks to ensure equitable outcomes. Without enforceable standards for climate resilience in public space design, market forces tend to prioritize economic returns over social and environmental values. Legal mandates for green infrastructure, heat mitigation standards, and inclusive design can therefore function as critical instruments for climate justice [21].

The intersection of tourism, public space, and climate is also receiving scholarly attention. Sustainable tourism literature highlights the dependence of urban tourism economies on the quality and accessibility of public spaces, while simultaneously noting the environmental pressures that mass tourism exerts on these spaces [22]. Effective legal and design governance is essential for balancing these competing demands.

3. Methodology

This study employs a qualitative, transdisciplinary research design, integrating doctrinal legal analysis, case study methodology, and design critique. The transdisciplinary approach is appropriate given the inherently complex, multi-scalar nature of the problem, which spans international law, national policy, urban planning, and design practice [23].

3.1 Doctrinal Legal Analysis

International environmental and human rights instruments were examined to identify relevant legal provisions and interpretive frameworks applicable to urban public spaces. These include UN treaties, resolutions, and soft law instruments, as well as selected national and regional legal frameworks. The analysis focused on identifying obligations, gaps, and opportunities for legal innovation in the governance of urban public spaces.

3.2 Case Study: Dubai

Dubai was selected as the primary case study for several reasons. First, it represents a paradigmatic case of rapid urbanization in a hyper-arid, climate-vulnerable region. Second, its governance model combines centralized state authority with ambitious sustainability aspirations, as reflected in the Dubai 2040 Urban Master Plan and the UAE Net Zero by 2050 Strategy. Third, its public space landscape — including iconic developments such as Al Mamzar Beach Park, Dubai Creek, the Al Quoz Arts District, and Expo City Dubai — offers rich material for examining the integration of legal frameworks and design strategies [24].

Data collection involved analysis of planning documents, environmental impact assessments, legal instruments, and academic and grey literature pertaining to Dubai's public space governance. Critical design analysis was applied to evaluate the climate responsiveness, inclusivity, and accessibility of selected public spaces.

3.3 Limitations

The study is primarily exploratory in nature and does not claim generalizability beyond the selected case. The limited availability of disaggregated environmental and social data for Dubai's public spaces constrains the depth of empirical analysis. Future research employing quantitative methods and community-based participatory approaches could provide complementary insights.

4. Case Study: Dubai's Urban Public Spaces in an Era of Climate Crisis

4.1 Climate Vulnerability and Urban Heat in Dubai

Dubai's climate is among the most extreme in the world, characterized by summer temperatures regularly exceeding 45°C, high humidity, and negligible annual rainfall [25]. The city's rapid urban expansion — from a small trading port to a global metropolis of over three million inhabitants in less than five decades — has dramatically amplified urban heat island effects. Remote sensing studies of Dubai's land cover have documented that urban expansion between 1990 and 2020 increased built-up areas at an average annual rate of 17%, with corresponding increases in land surface temperatures across central urban areas [26].

These climatic conditions profoundly affect the usability of outdoor public spaces. Research indicates that outdoor thermal comfort in Dubai's public spaces is severely compromised for seven to eight months of the year, effectively limiting meaningful public life outdoors during this period [27]. This temporal restriction has significant social equity implications, as indoor air-conditioned spaces, which dominate Dubai's public spatial offer, are primarily commercial environments with associated costs that exclude lower-income residents.

4.2 Legal Frameworks Governing Urban Public Spaces in Dubai

The UAE's federal and emirate-level legal framework includes several instruments relevant to the governance of urban public spaces. Federal Law No. 24 of 1999 on the Protection and Development of the Environment establishes foundational environmental standards, including provisions on air quality and urban green space [28]. The UAE Vision 2021 and UAE Centennial Plan 2071 articulate broader sustainability commitments, while the Dubai 2040 Urban Master Plan designates approximately 60% of Dubai's land area as natural and rural reserves, with provisions for expanded urban green spaces [29].

However, the legal framework for climate-responsive public space design remains insufficiently developed. Building regulations and public space design guidelines do not yet incorporate mandatory climate adaptation standards, such as minimum shading requirements, heat mitigation performance thresholds, or inclusive accessibility mandates. Environmental impact assessment requirements for public space developments are inconsistently applied, and enforcement mechanisms remain underdeveloped [30].

The UAE ratified the Paris Agreement in 2015 and hosted COP28 in 2023, during which it made ambitious commitments to climate action. These commitments create important political impetuses for legal reform in urban environmental governance, including the formalization of climate justice standards for public spaces [31].

4.3 Urban Design Responses: Opportunities and Contradictions

Dubai's public space landscape reflects a complex interplay of global design aspirations and local climatic realities. Notable design interventions include the extensive use of misting systems and temporary shading structures in tourism-oriented public spaces such as the Dubai Marina Walk

and Bluewaters Island. The Dubai Creek Heritage District incorporates bioclimatic design principles, including wind towers, natural ventilation, and permeable surfaces, drawing on traditional Arabic urban design knowledge [32].

Expo City Dubai — developed as the legacy site of the 2020 World Expo — represents a significant experiment in climate-responsive urban design. The site incorporates passive cooling strategies, extensive tree canopy, solar-powered infrastructure, and pedestrian-prioritized street design [33]. It has been designed to function as a climate-resilient urban model, integrating environmental sustainability with social inclusivity.

However, significant contradictions persist. Many of Dubai's public spaces remain oriented primarily toward tourist and high-income populations, with limited accessibility for low-income migrant workers who constitute the majority of the city's population [34]. Outdoor public spaces accessible to these communities — such as residential neighborhoods in Deira and Al Quoz — receive considerably less investment in climate adaptation infrastructure than tourist zones. This spatial inequality constitutes a form of climate injustice that existing legal frameworks inadequately address.

Green space provision in Dubai also reflects inequitable distribution. While the Dubai 2040 Urban Master Plan projects significant increases in green space, the spatial distribution of existing parks and gardens favors affluent residential areas and tourism districts [35]. The absence of legally enforceable green space equity standards perpetuates these disparities.

5. Discussion: Toward a Transdisciplinary Framework for Climate Justice in Urban Public Spaces

5.1 Integrating Legal and Spatial Frameworks

The Dubai case study illustrates both the potential and the limitations of integrating legal frameworks with urban design practice. While international commitments and national sustainability strategies provide an overarching normative framework, the translation of these commitments into binding, enforceable spatial standards remains a critical challenge. Legal instruments that explicitly address the climate performance of urban public spaces — including minimum thermal comfort standards, mandatory green space ratios, and inclusive accessibility

requirements — are essential for ensuring that design interventions serve climate justice objectives [36].

Comparative analysis of other rapidly urbanizing cities in the Global South suggests that legal reform alone is insufficient. Singapore's Urban Redevelopment Authority has integrated climate-responsive design standards into its statutory planning framework, achieving measurable improvements in outdoor thermal comfort and biodiversity [37]. Barcelona's Superblock model demonstrates how legal and spatial innovation can simultaneously address urban heat, air quality, and social equity in public spaces [38]. These examples underscore the importance of institutional design and governance capacity in operationalizing legal mandates.

5.2 Human Rights, Equity, and Spatial Justice

A human rights-based approach to urban public space governance requires attention not only to physical climate conditions but also to the social and political processes through which public spaces are planned, designed, and managed. The procedural dimensions of climate justice — including rights to information, participation, and redress — are as important as substantive environmental standards [39].

In Dubai's context, the limited channels for civil society participation in urban governance constitute a significant constraint on climate justice. While the UAE government has demonstrated commitment to ambitious top-down sustainability goals, the absence of meaningful community engagement mechanisms means that the needs and priorities of marginalized populations — particularly migrant workers — remain inadequately reflected in public space planning [40]. International human rights frameworks, including the ICESCR and the Aarhus Convention (to the extent it is adopted as a model), provide normative guidance for expanding participatory governance in urban contexts.

5.3 Sustainable Tourism and Climate-Resilient Public Spaces

Dubai's status as a global tourism destination creates both opportunities and pressures for climate-responsive public space governance. Sustainable tourism frameworks, including the UNWTO's Global Code of Ethics for Tourism and the Sustainable Development Goals (particularly SDG 11

on sustainable cities and communities), provide normative guidance for balancing tourism development with environmental and social sustainability [41].

Climate-resilient public spaces that incorporate biophilic design, passive cooling, and inclusive accessibility can simultaneously enhance the quality of urban life for residents and the tourism experience for visitors. Legal mandates for environmental performance in tourism-oriented public space development can create incentives for design innovation while ensuring that sustainability benefits are equitably shared [42].

6. Policy and Design Recommendations

Based on the analysis presented, the following recommendations are proposed for cities seeking to advance climate justice in urban public spaces:

- i. Develop mandatory climate performance standards for public spaces: Legal frameworks should establish enforceable minimum standards for thermal comfort, green space provision, inclusive accessibility, and environmental quality in all publicly accessible urban spaces.
- ii. Enact spatial equity legislation: Legislation should require equitable geographic distribution of high-quality, climate-resilient public spaces across all socioeconomic communities, with prioritization of underserved areas in public investment programmes.
- iii. Institutionalize transdisciplinary governance: Urban public space governance should integrate inputs from environmental law, human rights, urban planning, climate science, and design disciplines through formal interdisciplinary advisory bodies and collaborative planning processes.
- iv. Expand participatory governance: Cities should establish legally mandated mechanisms for meaningful community participation in public space planning, design, and management, with particular attention to the voices of marginalized communities including low-income residents, women, children, and persons with disabilities.
- v. Mainstream bioclimatic design principles: Urban design codes and guidelines should incorporate bioclimatic design requirements, including passive cooling strategies, native planting, permeable surfaces, and biophilic design elements, as standard practice for all public space developments.

- vi. Align sustainable tourism policy with climate justice: Tourism development regulations should require that tourism-oriented public space projects meet the same climate performance and equity standards as residential public spaces, preventing the concentration of climate adaptation investments in tourist enclaves.
- vii. Strengthen international cooperation: Cities and states should engage actively with international environmental and human rights frameworks, translating global commitments into locally enforceable obligations for urban public space governance.

7. Conclusion

This paper has argued that achieving climate justice in urban public spaces requires a transdisciplinary approach that bridges environmental law, human rights, and urban design. Drawing on international legal frameworks and the case of Dubai, it has demonstrated that while ambitious sustainability commitments and design innovations offer promising pathways, significant governance gaps persist in translating these commitments into equitable, climate-resilient public space outcomes.

The "right to livable cities" must be operationalized through enforceable legal standards, participatory governance mechanisms, and design frameworks that prioritize the needs of vulnerable populations. Urban public spaces are not merely amenities but essential infrastructure for human well-being, social cohesion, and climate resilience. Their governance therefore constitutes a fundamental dimension of climate justice and global governance in the 21st century.

As cities across the Global South face intensifying climate pressures and rapid urbanization, the lessons from Dubai's experience — both its achievements and its contradictions — offer valuable insights for policymakers, planners, designers, and legal scholars seeking to build more just and livable urban futures. Future research should prioritize community-based participatory methodologies, comparative cross-city analyses, and longitudinal assessment of legal and design interventions to deepen understanding of effective climate justice strategies for urban public spaces.

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